



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: May 10th, 2018

Time: 6:30 p.m.

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

1. ROLL CALL

2. APPROVAL OF MINUTES

April 12th, 2018

Documents:

[PZ MINUTES 4-12-2018.PDF](#)

3. COMMUNICATIONS

City Council - April 9th, 2018

Documents:

[NA04-09-2018.PDF](#)

City Council - April 23rd, 2018

Documents:

[NA04-23-2018.PDF](#)

4. CONSENT ITEMS

5. Relinquishment Of Easement 860

3344 East Cherry Street, HMR Properties, LLP

Documents:

[RE 860 SR.PDF](#)

6. Relinquishment Of Easement 861

3600 blk South Avenue, TDC Investments 2, LLC

Documents:

[RE 861 SR.PDF](#)

7. Acquire 522 (Fire Station #13)

1900 - 1904 West College Street, City of Springfield

Documents:

[ACQUIRE 522 SR.PDF](#)

8. UNFINISHED BUSINESS

9. Conditional Use Permit 434

2330 West Grand Street, Scripps Media, Inc.

Documents:

[CUP 434 TABLE MEMO.PDF](#)

10. PUBLIC HEARINGS

11. Z-8-2018 W/COD #146

2960 East Allen Place, Greenway Studios, LLC

Documents:

[Z-8-2018 COD 146 SR.PDF](#)

12. Conditional Use Permit 435

2960 East Allen Place, Greenway Studios, LLC

Documents:

[UP 435 SR.PDF](#)

13. Z-9-2018 (Fire Station #6)

1201 South Campbell Avenue, City of Springfield

Documents:

[Z-9-2018.PDF](#)

14. Z-10-2018 W/COD #148

3344 East Cherry Street, HMR Properties, LLP

Documents:

[Z-10-2018 COD 148 SR.PDF](#)

15. Z-11-2018 W/COD #149

601, 615, & 645 North West Bypass and 3511 West Waddill Street, Richard K. Wilson Irrevocable Trust

Documents:

[Z-11-2018 COD 149.PDF](#)

16. Z-12-2018 W/COD #147

3661 West Sunshine Street, Michael & Victor Paulik

Documents:

[Z-12-2018 COD 147 SR.PDF](#)

17. OTHER BUSINESS

18. Initiate Preliminary Plat Renewal

Citywide, City of Springfield

Documents:

[PRELIMINARY PLAT REVIEW PROCESS AMENDMENTS.PDF](#)

19. 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.

April 12, 2018
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session April 12, 2018 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), King Coltrin (Vice-Chairman), Dee Ogilvy, Natalie Broekhoven, Joel Thomas, Britton Jobe, David Shuler, and Melissa Cox. Absent: Cameron Rose. Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Planning Development Director, Nick Woodman, Asst. City Attorney, Daniel Neal, Senior Planner.

MINUTES: The minutes of March 15, 2018 were approved.

COMMUNICATIONS :

Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

None

UNFINISHED BUSINESS:

Planned Development 361
1211-1223 East Cherry Street and 538 South National Avenue
Applicant: A&M Pizza Real Estate, LLC and Kirk A. Heyle Trust

Mr. Hosmer stated that this is a request to rezone property generally located at 538 South National Avenue and 1211-1223 East Cherry Street from a Planned Development No. 297 and GR, General Retail District to Planned Development No. 361. The Growth Management and Land Use Plan identifies this as an appropriate area for Medium Intensity Retail, Office and Housing along National Avenue and Medium to High Density Housing along Cherry Street. The Major Thoroughfare Plan classifies National Ave as a primary arterial roadway and Cherry Street as a secondary arterial roadway which supports the proposed land use. The applicant has been granted an appeal to the current administrative delay for any rezoning or lot combinations in the Rountree Urban Conservation District No. 2. The applicant is proposing to administratively replat the lot and construct an addition and parking lot for the expansion Domino's pizza. The existing multi-family apartments will be converted to office, storage and residential (manager residence) which will be considered accessory uses. The Urban Conservation District (Rountree) No. 2 will remain in the same location as originally zoned. A traffic study was not required. The PD will limit the intensity of development by requiring any change in uses to submit a traffic study. The proposed PD will require the removal of the existing driveway on National Avenue, a sidewalk and traffic control easement, a six-foot solid fence between the existing covered parking area and the multi-family to the east. The PD will be required to meet the off-street parking requirements with an increased amount of bicycle parking due to high volumes of walk-in customers with its proximity to Missouri State University. A final development plan must conform with the requirements of Exhibit 1 and 2. Staff Recommends approval.

Mr. Thomas asked about the 28% parking reduction.

Mr. Hosmer noted that it is not a typical drive-thru window and more of a drive-up window and this makes it safe for people to access the property.

Mr. Doennig opened the public hearing.

Mr. Greg Whitlock, 9648 E. Northview, representing the owner. This is an expansion of Domino's including façade and parking spacing improvements as well as relocating the drive-up window, noting that this does not fit the average restaurant description.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Planned Development 361 (1211-1223 East Cherry Street and 538 South National Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Cox, Coltrin, Broekhoven, Thomas, Jobe, and Ogilvy. Nays: None. Abstain: None. Absent: Rose.

PUBLIC HEARINGS:

Conditional Use Permit 434

2330 West Grand Street

Applicant: Scripps Media, Inc.

Mr. Hosmer asked that this case be TABLED and presented at the Planning and Zoning Commission meeting on May 10, 2018.

COMMISSION ACTION:

Ms. Broekhoven motioned to **TABLE** Conditional Use Permit 434 (2330 West Grand Street). Mr. Jobe seconded the motion. Ayes: Doennig, Shuler, Cox, Coltrin, Broekhoven, Thomas, Jobe, and Ogilvy. Nays: None. Abstain: None. Absent: Rose.

OTHER BUSINESS :

Action of City Council Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to amend Section 36-367., Amendments, to clarify when City Council is required to remand zoning map or text amendments back to Planning and Zoning Commission. Planning and Zoning Commission initiated amendments to Section 36-367 on February 15, 2018. The proposed amendment will clarify the roles of the Planning and Zoning Commission and City Council when deciding zoning map and text amendments. Staff is proposing to add language to Section 36-367 that states the planning and zoning commission's role with respect to rezoning applications is advisory. Any report or recommendation made by the planning and zoning commission shall not be binding on the City Council, nor shall such recommendation or report limit the City Council's legislative authority.

Sec. 36-367. - Amendments. Note: Language to be added is underlined.

(1) Authority. The city council may from time to time by ordinance amend, supplement, change, modify or repeal the boundaries of the districts or regulations herein or subsequently established. The planning and zoning commission's role with respect to rezoning applications is advisory. Any report or recommendation made by the planning and zoning commission shall not be binding on the city council, nor shall such recommendation or report limit the city council's legislative authority.

Before an amendment shall be approved by ordinance, the planning and zoning commission shall have first had a public hearing regarding the proposed amendment and made an official report to the city council regarding the planning and zoning commission's recommendation regarding said amendment. Once the planning and zoning commission has made its official report, any further review by the planning and zoning

commission shall not be required unless city council elects to refer a matter back to the planning and zoning commission for further review.

Mr. Jobe asked if staff has consulted or reviewed Chapter 89 and if this is authorized by statutes and is it consistent with Chapter 89.

Mr. Hosmer noted that is basically reinforcing that the Planning and Zoning Commission role is a recommending board and that it does not make final decision on zoning or text amendments this is the role of City Council. Staff believes it is consistent with state statutes.

Mr. Woodman noted that he agrees that it is consistent with Chapter 89.

Ms. Smith noted that this is being recommended by City Council due to issues where they wanted to make changes in the past and what their ability was to remand back to Planning and Zoning Commission. She also noted that City Council can make things more restrictive than what Commission can impose if they chose more restrictions or make another use no longer permitted and reminded the Commission that they are an advisory board.

Ms. Cox stated that she thinks that it reinstates Commission's advisory role and she notes not sure why the reasons for the clarification.

Mr. Doennig opened the public hearing.

No Speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Action of City Council Amendments (Citywide). Mr. Thomas seconded the motion. Ayes: Doennig, Shuler, Cox, Coltrin, Broekhoven, Thomas, Jobe, and Ogilvy. Nays: None. Abstain: None. Absent: Rose.

Short-Term Stay Rental Amendments

Citywide

Applicant: City of Springfield

Mr. Neal stated that this is a 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. The original Short-Term Stay Rental Amendments were considered by Planning and Zoning Commission on January 11, 2018, and City Council has remanded revised amendments with a substitute bill (attached) back to Planning and Zoning for review with the following changes. Following are the proposed amendments.

	Zoning Districts permitted	Special Permit Required	Distance from other STSR / B&B	Maximum annual rentals	Owner-Occupied Primary Residence	Primary Structure	Business License & Certificate of Occupancy	Maximum Residents
Type 1	R-SF R-TH	No	500 feet	95 days	Yes	Yes and/or historic carriage house	Yes	No more than 3 unrelated

Type 2	R-SF R-TH	Yes	500 feet	No	No	Yes and/or historic carriage house	Yes	No more than 3 unrelated
Type 3	All districts except R-SF & R-TH	No	None **Only 2 permitted per premise	No	No	No	Yes	No more than 4 unrelated persons in R-LD, R-MD & R-HD; based on building code in other districts

Ms. Cox asking for the requirement of the 500 feet separation.

Mr. Neal stated that in a single-family neighborhood that it is important for separation so there will not be a row of houses that are Short-Term Rentals and are operating all in one section of a block and this provides separation.

Mr. Thomas asked about the 30-day exception on the 500 feet separation. Staff noted that once they are established within the 30 days they can operate as an established use and this was the Mayor's proposal.

Mr. Thomas asked about Historic Carriage House's and if they can be modified. Staff noted that there are some provisions to establish an accessory apartment in the Historic Carriage House and may allow an 10% to 20% increase to the structure.

Mr. Thomas asked about the multi-family provision of apartment complexes turning into hotels, staff stated that it becomes a de facto hotel without having to meet any of the requirements for a hotel, i.e., inspection, licensing, or paying lodging taxes, etc.

Mr. Jobe asked about the different type of categories and noted the error of the section number and asked if the regulations have been looked at in other cities that have Short-Term Rentals. Staff stated that other cities have been looked at as well Springfield's benchmark cities.

Ms. Cox asked what is pushing the Short-Term Rental Stay regulations and worried about over drafting regulations. Staff noted that that an increase of popularity of STR's that the City has been receiving more complaints over the last couple of years and part of the reason for regulations.

Ms. Smith noted that the City has done surveys of Phelps and Rountree because those areas have a lot of overcrowding and parking issues and there are concerns of keeping neighborhood integrity. The largest number of complaints have come from the Southern Hills Neighborhood, but STR's are currently not allowed in the City of Springfield's zoning ordinance. When we originally went to City Council in January they thought that the City was over reaching and so modifications were made and these are what are being presented tonight.

Mr. Doennig opened the public hearing.

Mr. Doug Fender, 2756 E. Division Street, stated that we are ignoring the positive that the Short-Term Rental (STR) industry can and will provide tax revenue and improved property values due to people seeing how nice STR properties are taken care of and may motivate them to do up-keep.

Mr. Tracy Kimberlin, 2495 S. Mumford, director of the Springfield Convention & Visitor's Bureau. Stated that STR's are becoming a growing industry in Springfield and stated that regulations are necessary and noted that increase of STR's since 2015.

Mr. Coltrin asked about the hotel/room situation and what is the status of availability. Mr. Kimberlin noted that Springfield is currently right sized, however there are a couple of properties under construction and a lot more are being discussed and if they do build that may put us in an over-built situation.

Mr. Jerry Reynolds, 2833 E. Normandy likes the idea of ordinances for Short-Term Rentals (STR) and gave out names of other cities that have regulated STRs and asked if anyone has asked a neighbor of a STR if they are okay with one in the same neighborhood or next door.

Mr. John Horner, 1622 E. Walnut stated that he does not believe the City needs to regulate Short-Term Rentals and that the City should encourage STR's and that regulations are a burden.

Ms. Pat Horner, 1622 E. Walnut stated that she is against regulations for STR's and that some of the complaints that the City have received are a neighborhood feud versus problems with the Short-Term Rentals itself and believes that STR's will be hard to enforce.

Mr. Vic Sincock, 1923 S. Arcadia, believes that regulations are necessary and does not want Short-Term Rentals in residential areas and has had problems with a STR in his neighborhood noting blaring lights, noise, and numerous cars.

Mr. Doennig closed the public hearing.

Mr. Thomas asked for the expected time-frame for a person applying for a permit and regulating/checking the STR. Staff noted scenarios on the diverse types, but generally 45 days if they meet the 50%. If they do not meet the 50% threshold then we will issue the permit. If there are adequate protests then it will be put on the next City Council agenda and it is a one reading bill. The Licensing Division will have persons available to check on the different platforms for STR's.

Ms. Ogilvy indicated her preference on the lot size issue and believes that the 500 feet rule should stand regardless of the size of the lot.

Mr. Jobe commented that he believes that Short-Term Rentals need to be regulated and this ordinance does a lot of thing right, however believes that it does not make enough distinction between the causal/occasional Short-Term Rental and someone who does it professionally and believes that this is the direction the economy is going and plans to vote no because he believes it may be over-burdensome.

Ms. Broekhoven stated that her issues are neighborhood integrity and the noise ordinance and doesn't believe all the requirements of this ordinance medicates these issues and does not assuage concerns of neighborhood integrity a noise.

Ms. Cox does not feel that what is being presented is medicate issues of noise, parking, etc., noting that she is in favor of regulations for Short-Terms Rentals, but feels that this over-stepping and over-bearing and will be voting no.

Mr. Doennig commends City staff for taking this on and sees improvement from January's presentation believes in the proposed regulations. The Short-Term Rental's are subject to the same noise ordinance as a regular residence and no variance are given to the STR and will be treated just like a private residence. The issue is people are operating businesses without regulations and are illegal and need to be regulated, it is reasonable and fair and his concerns are the 500 feet separation and find it to be arbitrary and thinks a better solution is available than just randomly stating a 500 feet separation, noting that most STR's will naturally congregate in certain areas of the City because of the desirability of amenities that are nearby. I will be voting yes.

Mr. Thomas asked if the City will evaluate the license yearly and see if complaints have been received. Staff noted that the Director of Building Development Services has the authority to suspend or revoke a license and may be based on complaints and compliance with the regulations.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Short-Term Stay Rental Amendments referencing Section 36-475 to be corrected to 36-472(4) (Citywide). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Cox, Coltrin, Broekhoven, Thomas, Jobe, and Ogilvy. Nays: None. Abstain: None. Absent: Rose.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Short-Term Stay Rental Amendments (Citywide). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, and Ogilvy. Nays: Shuler, Cox, Broekhoven, Thomas, and Jobe. Abstain: None. Absent: Rose.



Noted Agenda City Council Meeting

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

Ken McClure, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, Zone 2
Mike Schilling, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi Fulnecky, General C
Richard Ollis, General D

**Upcoming Council Meeting Agenda
April 9, 2018 - 6:30 p.m.**

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

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

- | | |
|-----------------------|--|
| | 1. ROLL CALL. |
| Approved as Presented | 2. APPROVAL OF MINUTES. March 26, 2018 City Council Meeting and the April 3, 2018 Special City Council Meeting. |
| Approved as Presented | 3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME. |
| | 4. CEREMONIAL MATTERS. |
| Sworn In | Swear in Ryan Kelly to the Citizens' Tax Oversight Committee. |
| Sworn In | Swear in Matthew Cadle to the Landmarks Board. |
| | 5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS. |

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

All meetings are recorded.

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

27019

7. Council Bill 2018-074. (Simpson)

A special ordinance approving a petition to establish the Southern Hills Community Improvement District; authorizing the City Manager, on behalf of the City, to execute a Cooperative Agreement between the City of Springfield and the Southern Hills Community Improvement District; and directing the City Clerk to notify the Missouri Department of Economic Development and the Greene County Clerk of the creation of said District. (Staff recommends approval.)

6445

8. Council Bill 2018-075. (Hosmer)

A general ordinance amending Chapter 96 of the City Code for the purposes of removing antiquated language, and resolving duplications and inconsistencies between the "Flood Control and Water Quality Protection Manual" adopted on December 11, 2017, and Chapter 96.

6446

9. Council Bill 2018-076. (Prater)

A general ordinance amending Chapter 36 of the City Code, Article II, 'Subdivision Regulations,' Divisions 4, 'Requirements for Improvements, Reservation and Design,' by adding thereto a new section 36-253; and amending Chapter 36, Article III, 'Zoning Regulations,' Divisions 5, 'Supplemental District Regulations,' by adding thereto a new section 36-472, for the purpose of providing additional flexibility for complying with the City's stream buffer and water quality standards.

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

10370

11. Council Bill 2018-079. (McClure)

A resolution approving the creation of an Airport Task Force; and setting the charge and scope of duties for said task force.

12. EMERGENCY BILLS.

13. PUBLIC IMPROVEMENTS. Citizens May Speak. May Be Voted On.

27021

14. Council Bill 2018-080. (Hosmer)

A special ordinance amending Special Ordinance 26662 to redefine the boundaries of Sanitary Sewer District No. 78 of Section No. 18 of the main sewers of the City of Springfield located in the general vicinity of Eldon Avenue and San Fernando Drive; and to rename said district as Joint Sanitary Sewer District No. 78 of Section No. 18.

27022

15. Council Bill 2018-081. (Ferguson)

A special ordinance declaring it necessary to construct sanitary sewers in Joint Sanitary Sewer District No. 78 of Section No. 18 in the City, located in the general vicinity of Eldon Avenue and San Fernando Drive; providing for payment therefore in the amount of \$531,645.24; and authorizing publications and notices.

16. **GRANTS. Citizens May Speak. Not anticipated To Be Voted On Until The April 23, 2018 City Council Meeting.**
17. **Council Bill 2018-082. (Fisk) Citizens May Speak. Not anticipated To Be Voted On Until The April 23, 2018 City Council Meeting.**

A special ordinance authorizing the City Manager, or his designee, to apply to the United States Department of Housing and Urban Development for the Federal Fiscal Year 2018 Community Development Block Grant and HOME Investment Partnership Program funds under the Consolidated Plan, to accept Community Development Block Grant and HOME Investment Partnership Program funds; to enter into any necessary agreements to carry out the grants; to exercise any and all powers necessary to implement selected projects; to select projects for funding for the City of Springfield Fiscal Year 2018-2019; and to reaffirm the Community Development Objectives and Priorities; and declaring that this Ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.16(25). (City Council is not expected to vote on this Ordinance after the first reading on April 9, 2018.)

18. **AMENDED BILLS.**
19. **COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.**
20. **Council Bill 2018-083. (Simpson)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately one acre of property generally located at 225 East Cardinal Street, from O-1, Office District to Planned Development District No. 365. (Staff and Planning and Zoning Commission recommend approval.) (By: Reality Investments, LLC; 225 East Cardinal Drive; Planned Development 365)

21. **Council Bill 2018-084. (Prater)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.78 acres of property, generally located at 500 North National Avenue, from Planned Development District 293 to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Calvary Chapel of Springfield; 500 North National Avenue; Z-7-2018)

22. **FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On, Except Item No. 23, Which Is A Resolution. Item No. 23 Is Being Considered Under First Reading Bills, So It Can Be Read With Item No. 24.**

10371

23. **Council Bill 2018-085. (Ollis) Anticipated To Be Voted On, However, It is Being Considered Under First Reading Bills, So It Can Be Read With Item No. 24.**

A resolution authorizing Interpres Building Solutions to initiate a rezoning of City owned property generally located at 1201 South Campbell Avenue, known as former Fire Station #6, for the purpose of selling former Fire Station #6 to Interpres Building Solutions.

24. Council Bill 2018-086. (Fulnecky)

A special ordinance approving the sale of real property located at 1201 South Campbell Avenue, known as former Fire Station #6, to Interpres Building Solutions for \$160,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

Amended. Public Hearing Continued to the April 23, 2018 City Council Meeting for additional comments on amendment only.

25. Council Bill 2018-087. (Ollis)

A special ordinance approving the sale of real property located at 235 North Kimbrough Avenue, known as former Fire Station #1, to Stinson & Company for \$370,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

26. Council Bill 2018-088. (Ollis)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Infor Public Sector, Inc., for the purpose of continuing with Phase 2 and 3 of the implementation of the Infor Community Regulation and Development software.

27. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared

Mr. Robert A. Mondy wishes to address City Council.

Appeared

Mr. Derral Reynolds wishes to address City Council.

Did Not Appear

Mr. William Austin wishes to address City Council.

28. NEW BUSINESS.

Recommended

The Mayor recommends the following appointment to the Mayor's Commission on Human Rights and Community Relations: Mike Jungers, to fill the unexpired term of Angela Myers. Mr. Jungers' term will expire October 1, 2019.

Recommended

The Public Involvement Committee recommends the following appointment to the Citizens' Advisory Committee for Community Development: Rachel Bridges, with a term to expire May 1, 2021.

Recommended

The Public Involvement Committee recommends the following reappointments to the Citizens' Advisory Committee for Community Development: Angela Dowler-Pryor and Jayne Bullard, with terms to expire May 1, 2021.

Recommended

The Public Involvement Committee recommends the following reappointments to the Citizens' Tax Oversight Committee: Gene Hartley and Shawn Robertson, with terms to expire May 1, 2021.

Recommended

The Public Involvement Committee recommends the following reappointments to the Springfield Police Officers' and Firefighters' Retirement System Board of Trustees: Paul Carroll and Gus Krafve, with terms to expire April 30, 2021.

Recommended

The City Manager recommends the following reappointment to the Board of Adjustment: Derek Lee, with a term to expire January 1, 2022.

Recommended	The City Manager recommends the following appointments to the Building Trades Examination and Certification Board: Michael Ellegaard, with a term to expire October 1, 2020; Josh Reed and Garen Gilmore, with terms to December 1, 2020.
Recommended	The City Manager recommends the following reappointment to the Police Civilian Review Board: James Williams, with a term to expire May 1, 2021.
Recommended	The City Manager recommends the following appointment to the Police Civilian Review Board: Noel Elliott, with a term to expire May 1, 2021.
Referred	Refer to the Finance and Administration Committee the topic of amending Chapter 98 to allow certain encroachments for the purpose of authorizing bike share programs to utilize City right-of-way.
Removed from Agenda	Refer to the Plans and Policies Committee the topic of center city signage ordinance recommendations.
Records Destruction	As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

29. UNFINISHED BUSINESS.

30. MISCELLANEOUS.

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

32. Council Bill 2018-089. (Ferguson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Tarkio Street Place subdivision, said subdivision being generally located at the 500 block of South Miller Avenue, 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.)

33. Council Bill 2018-090. (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Sunshine Crossing subdivision, said subdivision being generally located at the 3300 block of West Sunshine 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.)

34. Council Bill 2018-091. (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Southland Subdivision, said subdivision being generally located at 1630 West Republic 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.)

35. Council Bill 2018-092. (Prater)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Catalpa Cottages subdivision, said subdivision being generally located in the 2300 block of East Catalpa 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.)

36. CONSENT AGENDA – ONE READING BILLS.**37. CONSENT AGENDA – SECOND READING BILLS. See Item #3.**

27020

38. Council Bill 2018-077. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into Interlocal Agreements with Greene County and the City of Nixa for the purpose of establishing terms, conditions and responsibilities related to the Department of Justice, 2017 National Crime Statistics Exchange Implementation Award.

39. END OF CONSENT AGENDA.**40. ADJOURN.**



Noted Agenda City Council Meeting

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

Ken McClure, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, Zone 2
Mike Schilling, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi Fulnecky, General C
Richard Ollis, General D

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April 23, 2018 - 6:30 p.m.**

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- | | |
|------------------------------|---|
| | 1. ROLL CALL. |
| Approved as Presented | 2. APPROVAL OF MINUTES. April 9, 2018 City Council Meeting; April 10, 2018 and April 17, 2018 Special City Council Meetings. |
| Approved as Presented | 3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME. |
| | 4. CEREMONIAL MATTERS. |
| | 5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS. |
| | 6. SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On. Except on Item No. 11, Which Was Amended At The April 9, 2018 City Council Meeting. Citizens May Speak To Amendment Only. May Be Voted On. |

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

All meetings are recorded.

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

27023

7. Council Bill 2018-082. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to apply to the United States Department of Housing and Urban Development for the Federal Fiscal Year 2018 Community Development Block Grant and HOME Investment Partnership Program funds under the Consolidated Plan, to accept Community Development Block Grant and HOME Investment Partnership Program funds, to enter into any necessary agreements to carry out the grants, and to exercise any and all powers necessary to implement selected projects; selecting projects for funding for the City of Springfield Fiscal Year 2018-2019; reaffirming the Community Development Objectives and Priorities; and declaring that this Ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.16(25). (City Council is not expected to vote on this Ordinance after the first reading on April 9, 2018.)

6447

8. Council Bill 2018-083. (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately one acre of property generally located at 225 East Cardinal Street, from O-1, Office District to Planned Development District No. 365. (Staff and Planning and Zoning Commission recommend approval.) (By: Reality Investments, LLC; 225 East Cardinal Drive; Planned Development 365.)

6448

9. Council Bill 2018-084. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.78 acres of property, generally located at 500 North National Avenue, from Planned Development District 293 to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Calvary Chapel of Springfield; 500 North National Avenue; Z-7-2018.)

27024

10. Council Bill 2018-086. (Fulnecky)

A special ordinance approving the sale of real property located at 1201 South Campbell Avenue, known as former Fire Station #6, to Interpres Building Solutions for \$160,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

27025

11. Amended Council Bill 2018-087. (Ollis) Amended At The April 9, 2018 City Council Meeting. Citizens May Speak To Amendment Only. May Be Voted On.

A special ordinance approving the sale of real property located at 235 North Kimbrough Avenue, known as former Fire Station #1, to Stinson & Company for \$370,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

27026

12. Council Bill 2018-088. (Ollis)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Infor Public Sector, Inc., for the purpose of continuing with Phase 2 and 3 of the implementation of the Infor Community Regulation and Development software.

Tabled to the
May 7, 2018
City Council
Meeting.

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

14. Council Bill 2018-093. (Ferguson)

A resolution authorizing the City Manager to seek bids on the recommended rehabilitation, including options for accessibility pursuant to the Americans with Disabilities Act, of the Jefferson Avenue Footbridge, which is generally located over the Burlington Northern and Santa Fe Railway from Chase Street to Commercial Street; and approving the proposed funding approach.

15. EMERGENCY BILLS.

16. PUBLIC IMPROVEMENTS. Citizens May Speak. May Be Voted On.

27031

17. Council Bill 2018-094. (Fisk)

A special ordinance to levy and assess a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 17 of Section No. 26, in the general vicinity of Kearney Street and Lurvey Road; providing for inclusion of said district in the City Sewer Financial Assistance Program; authorizing the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declaring that this bill qualifies for approval in one reading.

18. GRANTS.

19. AMENDED BILLS.

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

21. Council Bill 2017-241 Substitute 1. (Ollis)

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

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

23. Council Bill 2018-095. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program - Urban Program Agreement with the Missouri Highways and Transportation Commission to partially reimburse the base salaries of up to six City employees who work at the Transportation Management Center; and amending the budget of the Department of Public Works for Fiscal Year 2017-2018, in the amount of \$324,000.00.

24. Council Bill 2018-096. (Fisk)

A special ordinance amending the budget of the Planning and Development Department for Fiscal Year 2017–2018 in the amount of \$897,000.00, for the purpose of accepting revenues generated by the Springfield Plaza Tax Increment Financing District and Springfield Plaza Community Improvement District; and approving expenditures not to exceed \$897,000.00 from the Springfield Plaza Tax Increment Financing Special Allocation Fund and Springfield Plaza Community Improvement District Fund for City administrative expenses and reimbursement of certified costs incurred by the Developer pursuant to the applicable Tax Increment Financing Redevelopment Agreement and Community Improvement District Cooperative Agreement.

25. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**26. NEW BUSINESS.****Recommended**

The Mayor recommends the following appointment to the Land Clearance for Redevelopment Authority: Nancy Herchenroeder with a term to expire March 1, 2021.

Recommended

The Mayor recommends the following reappointment to the Public Housing Authority: Cheryl Clay with a term to expire April 11, 2021.

Recommended

The City Manager recommends the following appointment to the Airport Board: Marteze “Tez” Ward, with a term to expire June 1, 2021.

Recommended

The City Manager recommends the following reappointments to the Airport Board: James Anderson, and Robert Fulp, with terms to expire June 1, 2021.

Referred

Refer to the Plans and Policies Committee the topic of center city signage ordinance recommendations.

27. UNFINISHED BUSINESS.**28. MISCELLANEOUS.****29. CONSENT AGENDA – FIRST READING BILLS. See Item #3.****30. Council Bill 2018-097. (Prater)**

A special ordinance approving the sale of real property located at 1822 North Yates Avenue to T-Rex Excavating, LLC, for \$2,100.00; authorizing the issuance of a deed for the same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

31. Council Bill 2018-098. (Prater)

A special ordinance approving the sale of real property located at 2230 North East Avenue to Reed Enterprises for \$7,500.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

32. Council Bill 2018-099. (Simpson)

A special ordinance approving the sale of real property located at 1716 East Carleton Street to Wicks Homes, LLC, for \$28,652.00; authorizing the issuance of a deed for same and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

33. Council Bill 2018-100. (Schilling)

A special ordinance approving the sale of real property located at 1018 South Golden Avenue to J and T Enterprises for \$7,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

34. Council Bill 2018-101. (Ferguson)

A special ordinance approving the sale of real property located at 535 North Warren Avenue to J and T Enterprises for \$7,900.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

35. Council Bill 2018-102. (Hosmer)

A special ordinance approving the sale of real property located at 1308 East Scott Street to Mary Humphrey for \$2,500.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

36. Council Bill 2018-103. (Ollis)

A special ordinance approving the sale of real property located at 1422 North Concord Avenue to My Boy, LLC, for \$5,500.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

37. Council Bill 2018-104. (Fulnecky)

A special ordinance approving the sale of real property located at 2131 North Hoffman Avenue to Reed Enterprises for \$6,000.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

38. Council Bill 2018-105. (Schilling)

A special ordinance approving the sale of real property located at 1529 North Jefferson Avenue to T-Rex Excavating, LLC, for \$18,250.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

39. Council Bill 2018-106. (Simpson)

A special ordinance approving the sale of real property located at 1532 East Pythian Street to Evangel University for \$12,750.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

40. Council Bill 2018-107. (Simpson)

A special ordinance approving the sale of real property located at 2430 North Ramsey Avenue to Reed Enterprises for \$7,500.00; authorizing the issuance of a deed for same; and, approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

41. CONSENT AGENDA – ONE READING BILLS.**42. CONSENT AGENDA – SECOND READING BILLS. See Item #3.**

27027

43. Council Bill 2018-089. (Ferguson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Tarkio Street Place subdivision, said subdivision being generally located at the 500 block of South Miller Avenue, 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.)

27028

44. Council Bill 2018-090. (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Sunshine Crossing subdivision, said subdivision being generally located at the 3300 block of West Sunshine 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.)

27029

45. Council Bill 2018-091. (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Southland Subdivision, said subdivision being generally located at 1630 West Republic 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.)

27030

46. Council Bill 2018-092. (Prater)

A special ordinance authorizing the Director of Planning and Development to accept the dedication to the City of Springfield of public streets and easements shown on the Preliminary Plat of Catalpa Cottages subdivision, said subdivision being generally located in the 2300 block of East Catalpa 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.)

Confirmed

Confirm the following appointment to the Mayor's Commission on Human Rights and Community Relations: Mike Jungers, to fill the unexpired term of Angela Myers. Mr. Jungers' term will expire October 1, 2019.

Confirmed

Confirm the following appointment to the Citizens' Advisory Committee for Community Development: Rachel Bridges, with a term to expire May 1, 2021.

Confirmed

Confirm the following reappointments to the Citizens' Advisory Committee for Community Development: Angela Dowler-Pryor and Jayne Bullard, with terms to expire May 1, 2021.

Confirmed

Confirm the following reappointments to the Citizens' Tax Oversight Committee: Gene Hartley and Shawn Robertson, with terms to expire May 1, 2021.

- Confirmed** Confirm the following reappointments to the Springfield Police Officers' and Firefighters' Retirement System Board of Trustees: Paul Carroll and Gus Krafve, with terms to expire April 30, 2021.
- Confirmed** Confirm the following reappointment to the Board of Adjustment: Derek Lee, with a term to expire January 1, 2022.
- Confirmed** Confirm the following appointments to the Building Trades Examination and Certification Board: Michael Ellegaard, with a term to expire October 1, 2020; Josh Reed and Garen Gilmore, with terms to December 1, 2020.
- Confirmed** Confirm the following reappointment to the Police Civilian Review Board: James Williams, with a term to expire May 1, 2021.

47. END OF CONSENT AGENDA.

48. ADJOURN.

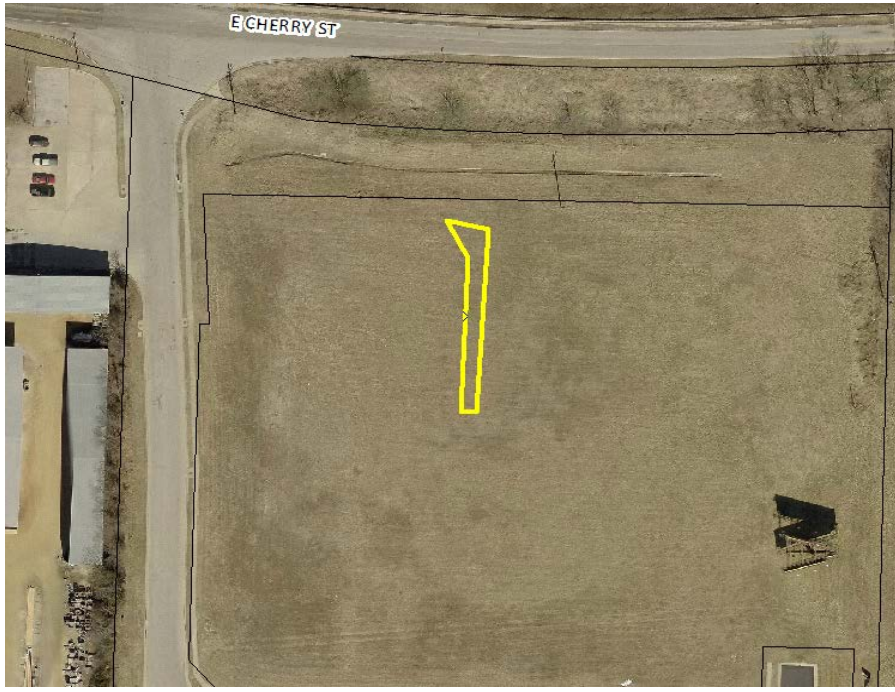
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

N/A



CASE NUMBER:

Request to Relinquish Easement
No. 860

LOCATION: 3344 East Cherry Street

ACRES: N/A

EXISTING LAND USE: Vacant

APPLICANT: Jeff Hutchens, HMR
Properties LLP

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Relinquish Easement
No. 860

SUMMARY OF APPLICANTS REQUEST:

Jeff Hutchens, HMR Properties LLP, is requesting to relinquish a utility easement in order to facilitate development of the property. The easement was created to serve previously planned development, however, it is no longer necessary. No utilities are located within the easement.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish a utility easement in order to facilitate development on the property. The existing easement would be in conflict with the proposed development.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ENVIRONMENTAL SERVICES - CLEAN WATER SERVICES:

No objections

CITY UTILITIES COMMENTS:

CU doesn't have facilities within the easement. Ok to relinquish.

Development Review Staff Report



SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



Development Review Staff Report



FINDINGS FOR STAFF RECOMMENDATION:

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

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

Development Review Staff Report



LEGAL DESCRIPTIONS:

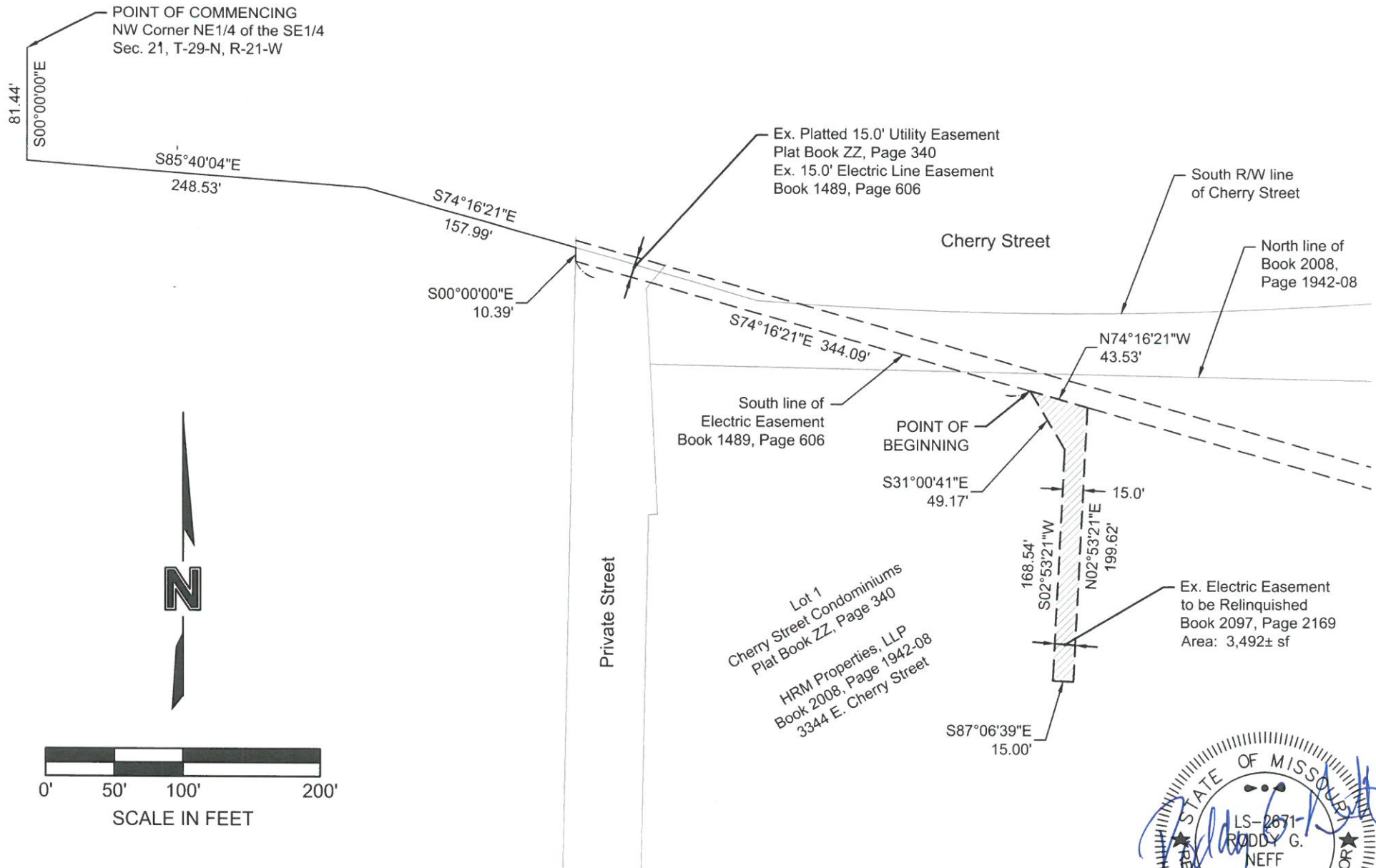
AN UTILITY EASEMENT TO BE RELINQUISHED (recorded in Book 2097, Page 2169):

An Electric Easement situated in the Northeast Quarter of the Southeast Quarter of Section 21, Township 29 North, Range 21 West and being a part of that land as described in Book 2081, Page 304, Greene County Recorder's Office. Said easement being more particularly as follows:

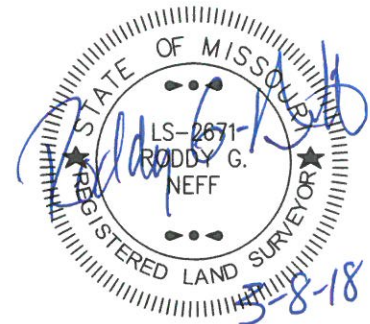
Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 21, Township 29 North, Range 21 West; thence S00°00'00"E, 81.44 feet; thence S85°40'04"E, 248.53 feet; thence S74°16'21"E, 157.99 feet; thence S00°00'00"E, 10.39 feet; thence S74°16'21"E, 344.09 feet to the Point of Beginning, said point lying along the South line of an existing electric line easement as recorded in Book 1489, Page 606, Greene County Recorder's Office; thence S31°00'41"E, 49.17 feet; thence S02°53'21"W, 168.54 feet; thence S87°06'39"E, 15.00 feet; thence N02°53'21"E, 199.62 feet, said point lying along the South line of said existing electric easement; thence N74°16'21"W, 43.53 feet to the Point of Beginning.

Containing 0.08 acres, more or less. Bearings based on those as shown on Bill Derington's (Architect) Drawing for Golf Land Inc., dated January 11, 1990.

DWG: F:\2017\2501-3000\017-2725\40-Design\Survey\SRV\Sheets\V_ESM_72725.dwg
DATE: Mar 08, 2018 2:01pm
USER: camold
XREFS: V_X800_72725



This sketch is not a boundary survey. It is intended to show the configuration of a proposed easement. It should not be used to locate property lines and does not meet the Minimum Standards for Property Boundary Surveys.



PROJECT NO:	017-2725
DRAWN BY:	CDA
DATE:	02.26.18

UTILITY EASEMENT RELINQUISHMENT



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

EXHIBIT

B

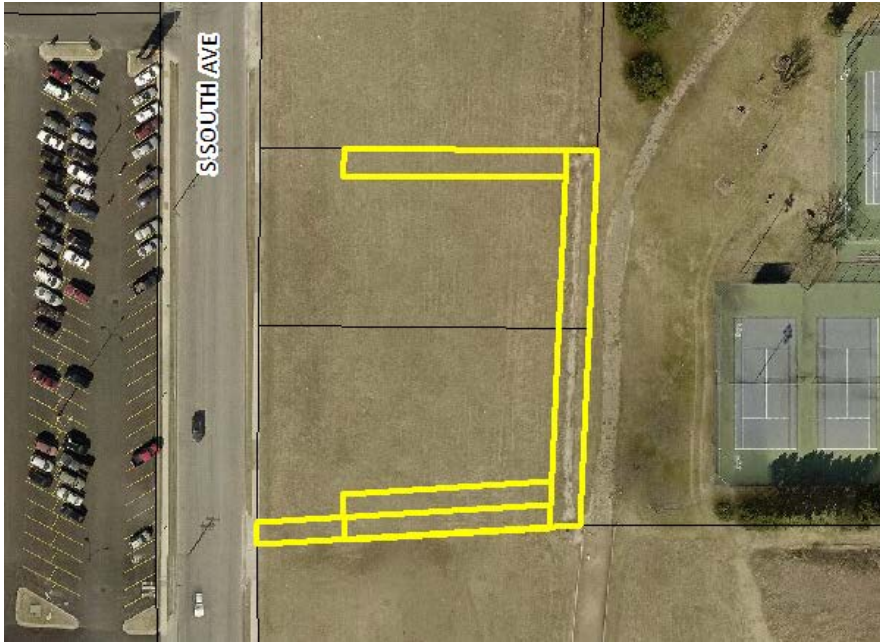
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

N/A



CASE NUMBER:

Request to Relinquish Easement
No. 861

LOCATION: 3600 Blk. South Street

ACRES: N/A

EXISTING LAND USE: Vacant

APPLICANT: TDC Investments 2, LLC

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:

Move to approve Relinquish Easement
No. 861

SUMMARY OF APPLICANTS REQUEST:

TDC Investments 2, LLC is requesting to relinquish an access easement and an ingress-egress easement in order to facilitate development of the property. The easements currently do not serve a purpose and there are no plans to utilize the easements. The drainage easement running concurrent with the access easement will remain in place and will not be included as part of the relinquishment.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish an access easement and an ingress-egress easement in order to facilitate development on the property. The existing easement would be in conflict with the proposed development.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ENVIRONMENTAL SERVICES - CLEAN WATER SERVICES:

No objection to vacating the alley easement.

CITY UTILITIES COMMENTS:

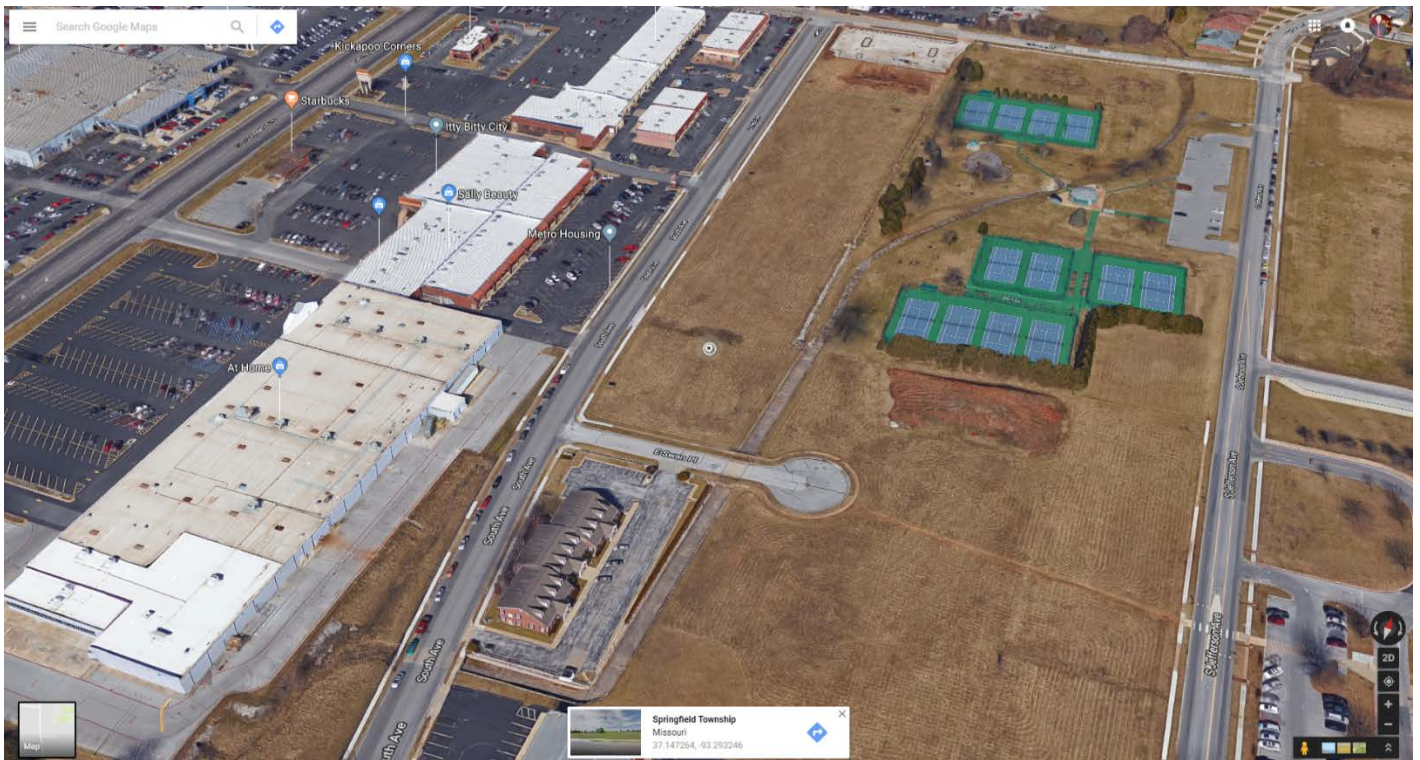
No objection. No impact on utilities.

PUBLIC WORKS – TRAFFIC DIVISION

Traffic has no issues with the relinquishment of the alley easement along the eastern property line and the ingress/egress easements along the northern and southern property lines, but the ingress/egress easement across the front (western side) of the property must remain.

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



Development Review Staff Report



FINDINGS FOR STAFF RECOMMENDATION:

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

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

Development Review Staff Report



LEGAL DESCRIPTIONS:

ACCESS EASEMENT (PRIVATE ALLEY EASEMENT) TO BE RELINQUISH:

ALL THAT PART OF LOTS 12 AND 13 OF TOWN SQUARE ADDITION SECOND AMENDED FINAL PLAT, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED IN BOOK KK AT PAGE 71 GREENE COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION;

THENCE NORTH 00°55'11" WEST, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 10.02 FEET;

THENCE NORTH 85°12'22" EAST, A DISTANCE OF 171.16 FEET;

THENCE NORTH 01°23'59" EAST, A DISTANCE OF 213.12 FEET TO THE NORTH LINE OF SAID LOT 12;

THENCE NORTH 89°05'50" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 20.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 12;

THENCE SOUTH 01°23'59" WEST, ALONG THE EAST LINE OF SAID LOTS 12 AND 13, A DISTANCE OF 221.82 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13;

THENCE SOUTH 85°12'22" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 190.87 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 6,160 SQUARE FEET

THIS DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.

INGRESS-EGRESS EASEMENT TO BE RELINQUISHED:

ALL THAT PART OF LOTS 12 AND 13 OF TOWN SQUARE ADDITION SECOND AMENDED FINAL PLAT, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED IN BOOK KK AT PAGE 71 GREENE COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION;

THENCE NORTH 85°12'22" EAST, ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 47.11 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°55'11" WEST, A DISTANCE OF 26.06 FEET;

THENCE NORTH 85°12'22" EAST, A DISTANCE OF 124.71 FEET;

THENCE SOUTH 01°23'59" WEST, A DISTANCE OF 26.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 13;

THENCE SOUTH 85°12'22" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 123.64 FEET TO THE **POINT OF BEGINNING**;

AND

COMMENCING AT THE NORTHWEST CORNER OF LOT 12 OF SAID SUBDIVISION;

THENCE NORTH 89°05'50" EAST, ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 47.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°05'50" EAST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 132.39 FEET;

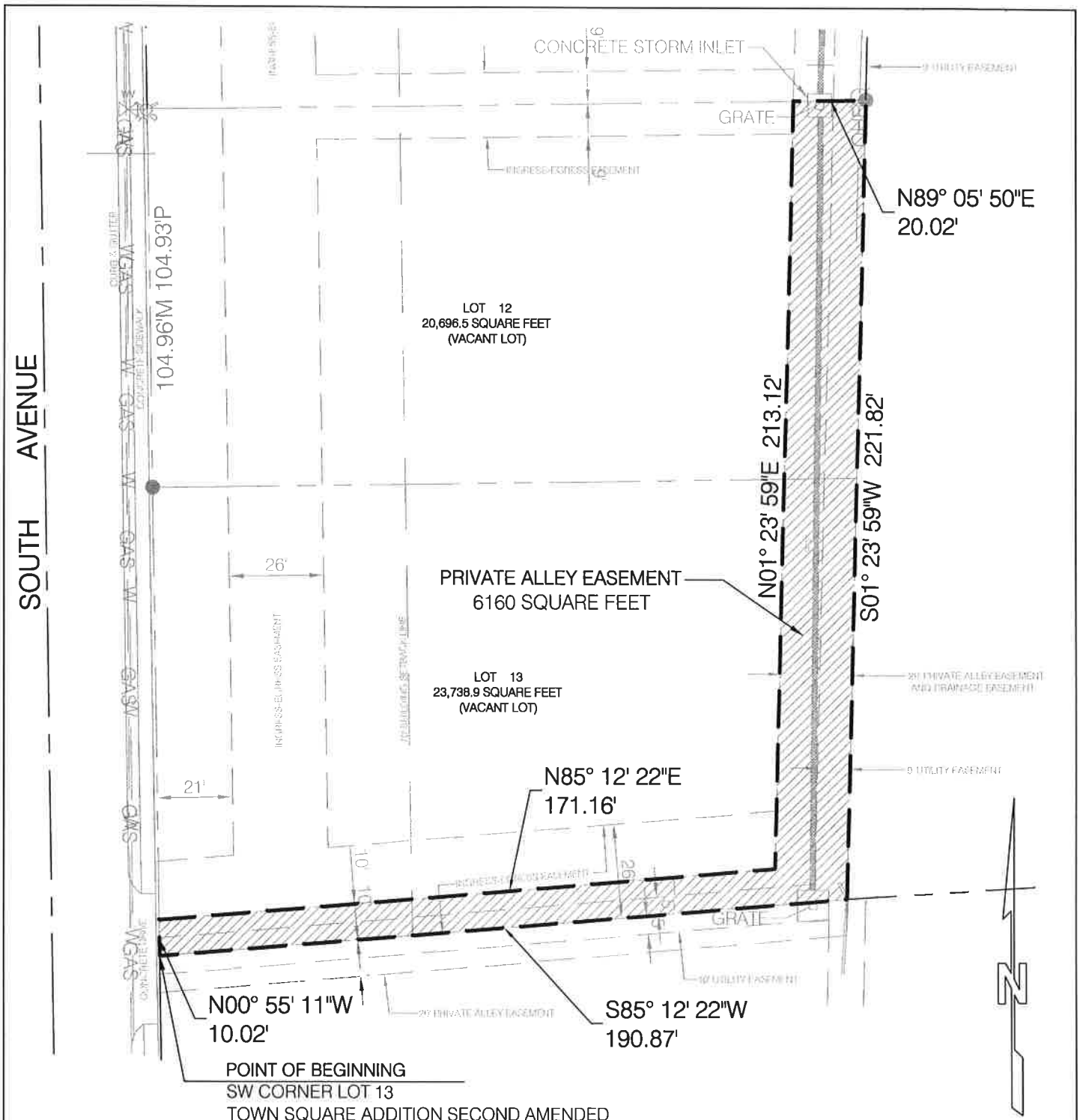
THENCE SOUTH 01°23'59" WEST, A DISTANCE OF 9.01 FEET;

THENCE SOUTH 89°05'50" WEST, A DISTANCE OF 132.03 FEET;

THENCE NORTH 00°55'11" WEST, A DISTANCE OF 9.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 4,418 SQUARE FEET

THIS DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.



THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF A PRIVATE ALLEY EASEMENT FOR VACATION. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

GRID NORTH
MISSOURI COORDINATE SYSTEM
1983 CENTRAL ZONE
SCALE 1"=40'

DATE 03/21/18 CJW PROJECT No. 18029

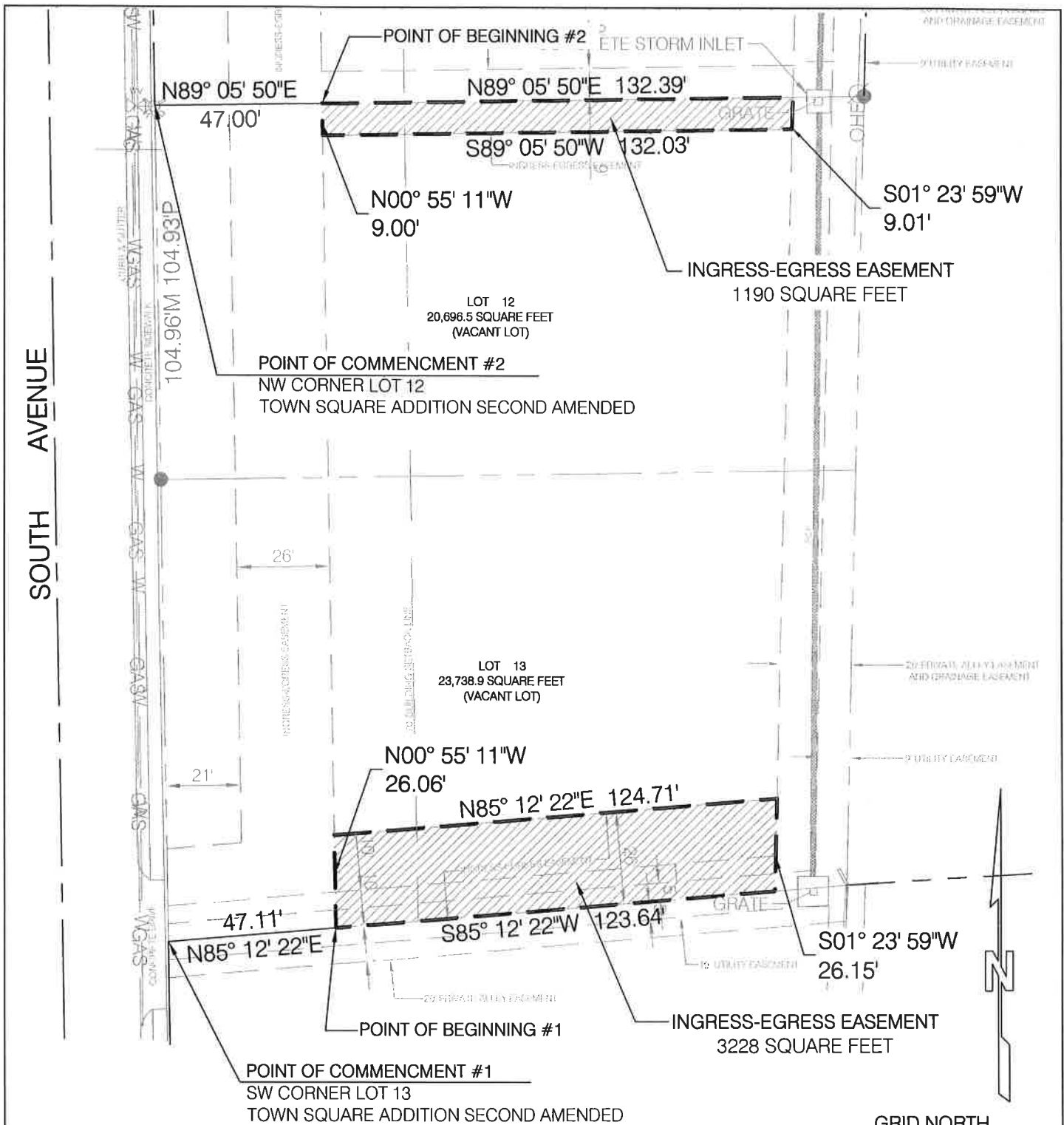
Prepared by:



CJW Transportation
Consultants, L.L.C. Engineering
MO C.A. #2006012385

5051 S. National
Suite 7A
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

SKETCH EXHIBIT "B"
TODD CHAMBERS
PRIVATE ALLEY EASEMENT VACATION
LOTS 12 & 13 TOWN SQUARE ADDITION 2ND AMENDED
SPRINGFIELD, GREENE COUNTY, MISSOURI



THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF AN INGRESS-EGRESS EASEMENT FOR VACATION. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

DATE 03/21/18

CJW PROJECT No. 18029

Prepared by:



CJW Transportation
Consultants, L.L.C. Engineering
MO C.A. #2006012385

5051 S. National
Suite 7A
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

SKETCH EXHIBIT "B"
TODD CHAMBERS
INGRESS-EGRESS EASEMENT VACATION
LOTS 12 & 13 TOWN SQUARE ADDITION 2ND AMENDED
SPRINGFIELD, GREENE COUNTY, MISSOURI

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

N/A

CASE NUMBER:

Request to Acquire No. 522

LOCATION: 1900 & 1904 West College Street

ACRES: 0.89

EXISTING LAND USE: Single-family residential

APPLICANT: City of Springfield

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Acquisition No. 522



Applicants Proposal:

The City of Springfield proposes to acquire property located at 1900 and 1904 West College Street. The purpose of the proposed purchase is for the construction of a West Central Fire Station facility. The properties are planned to be combined and rezoned.

FINDINGS FOR STAFF RECOMMENDATION:

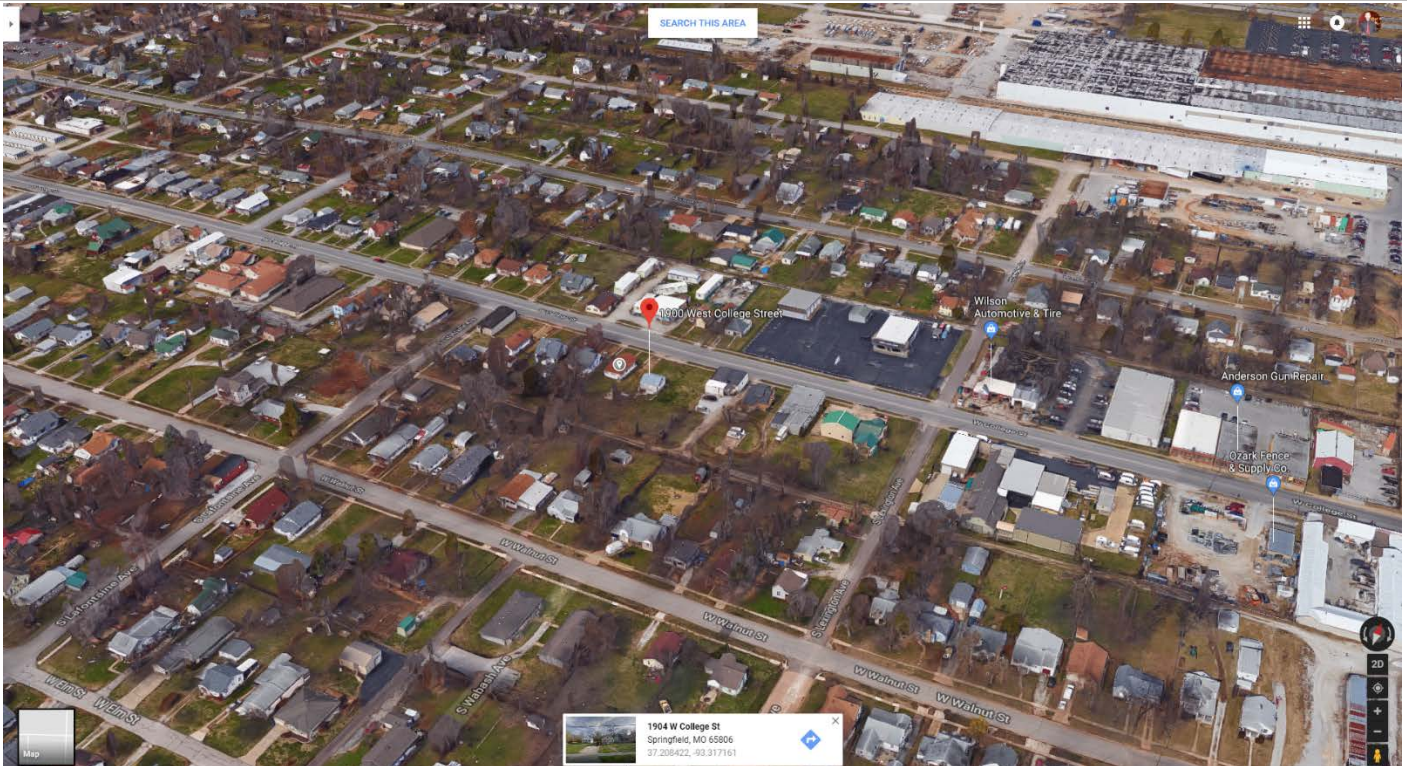
The request is consistent with the Planning and Zoning Commission's land acquisition policy.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family homes	Single-Family homes	Single-family homes	Single-family homes

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



Development Review Staff Report



PLANNING AND ZONING COMMISSION REVIEW:

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

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area appropriate for Medium Intensity Retail, Office, or Housing. The plan recommends that the City, provide infrastructure in an orderly and timely manner so as to promote, as the highest priority, intensive investment and redevelopment in Activity Centers and neighborhoods within or near the presently urbanized area. The proposed use is consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. Approval of this request is consistent with the *Growth Management and Land Use Plan* of the *Comprehensive Plan* which identifies this as an appropriate area to plan for Medium Intensity Retail, Office, or Housing. General Retail is identified as an appropriate zoning district for this category. Fire stations are permitted in all zoning districts. The proposed Fire Station is consistent with this land use category.
2. The two properties have two different zoning designations. The properties will be required to rezone to allow the two lots to be combined.
3. Staff has sent this request out for review to City Utilities, Public Works, Building Development Services and Environmental Services. There have not been any issues raised by these departments.
4. Approval will allow for additional green space and the future construction of a West Central Fire Station.
5. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the acquisition of property and the process for appeal of such decision:

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

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

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

LAND ACQUISITION POLICY:

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

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

RESPONSE:

It is our understanding the subject property is "generally consistent with the Master Plan of the City." Capital Improvements Project No. 17-0037 provides for purchase of land, construction of a fire station and necessary equipment. Proposed funding source for this project is Level Property Tax.

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

RESPONSE:

The use of the subject property will change from residential to public use as a Fire Station.

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

RESPONSE:

The city will provide demolition of existing improvements on the property after acquisition. Construction of the Fire Station is planned for 2020 and the property will be maintained by the City as green space.

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

RESPONSE:

No structures involved in the acquisition are considered historical structures or historically significant.

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

Development Review Staff Report



agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

The current plan would be to raze the structure.

LEGAL DESCRIPTIONS:

ALL OF LOTS FOURTEEN (14) AND FIFTEEN (15), IN CLOUD ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

ALL OF LOT NINETY-SIX (96), IN WALNUT STREET ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT, THEREOF.

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

DATE: April 27, 2018

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Conditional Use Permit No. 434

The applicant's representative has requested this item be tabled to the June 7th, 2018 Planning and Zoning Commission meeting.

Development Review Staff Report

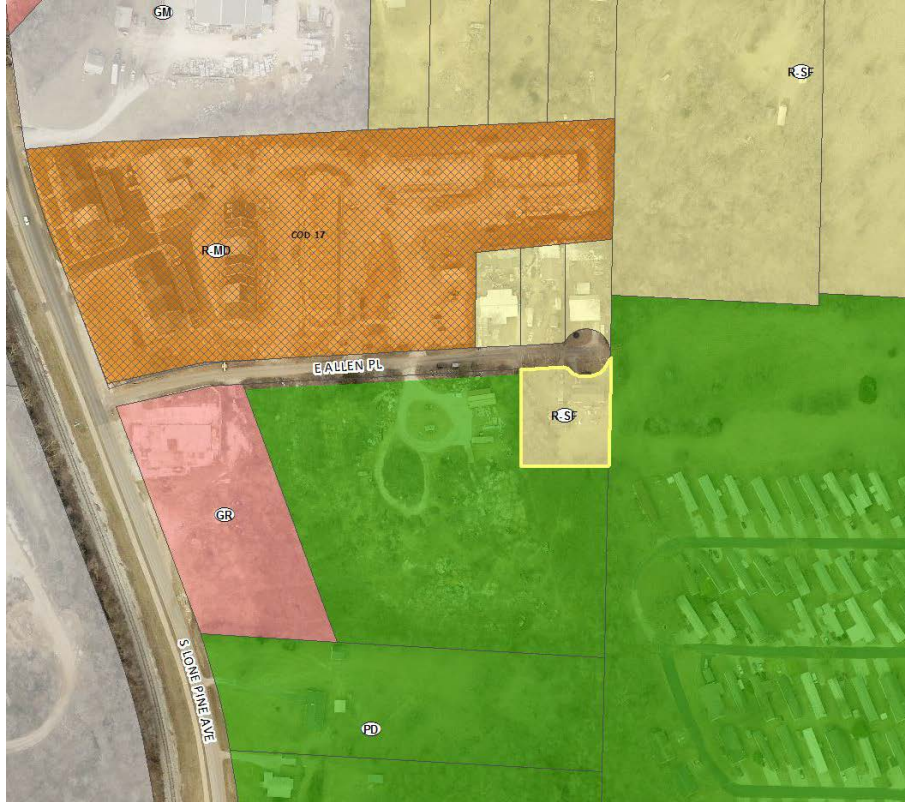


PLANNING AND ZONING COMMISSION PUBLIC HEARING:

MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

JUNE 4, 2018



CASE NUMBER:

Z-8-2018 w/Conditional Overlay District No. 146

LOCATION:

2930 E. Allen Place

ACRES:

0.55 acres

EXISTING LAND USE:

Single-family residential

APPLICANT:

Greenway Studios, 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 GR, General Retail District, and establishing Conditional Overlay District No. 146, as submitted in the staff report

SUMMARY OF REQUEST:

Request to rezone approximately 0.55 acre of property from R-SF, Single-Family Residential District, to GR, General Retail District, and establishing Conditional Overlay District No. 146

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as an appropriate area for Low-Density Housing; however, this property is immediately adjacent to a mixed use Planned Development that will be improving Allen Place and allows self-service storage facilities.
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 of the subject property and improvements to Allen Place.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD	PD	PD
LAND USE	Single-family residences	Vacant/undeveloped	Manufactured home community	Vacant/undeveloped

Development Review Staff Report



SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

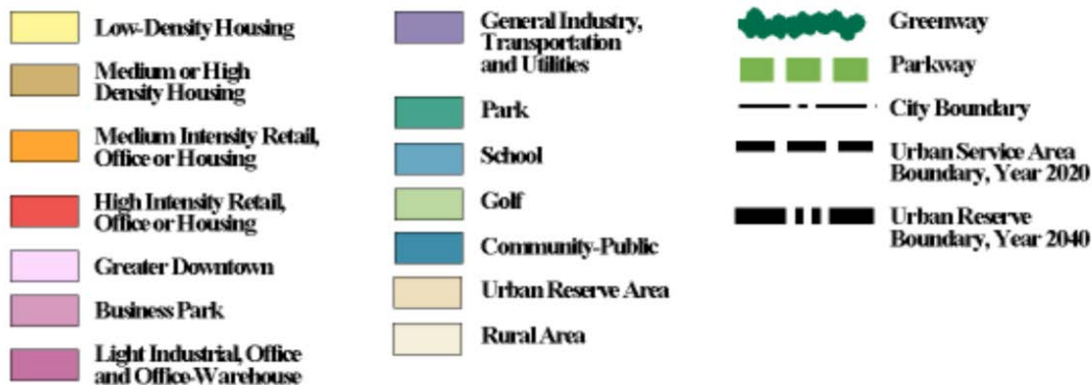
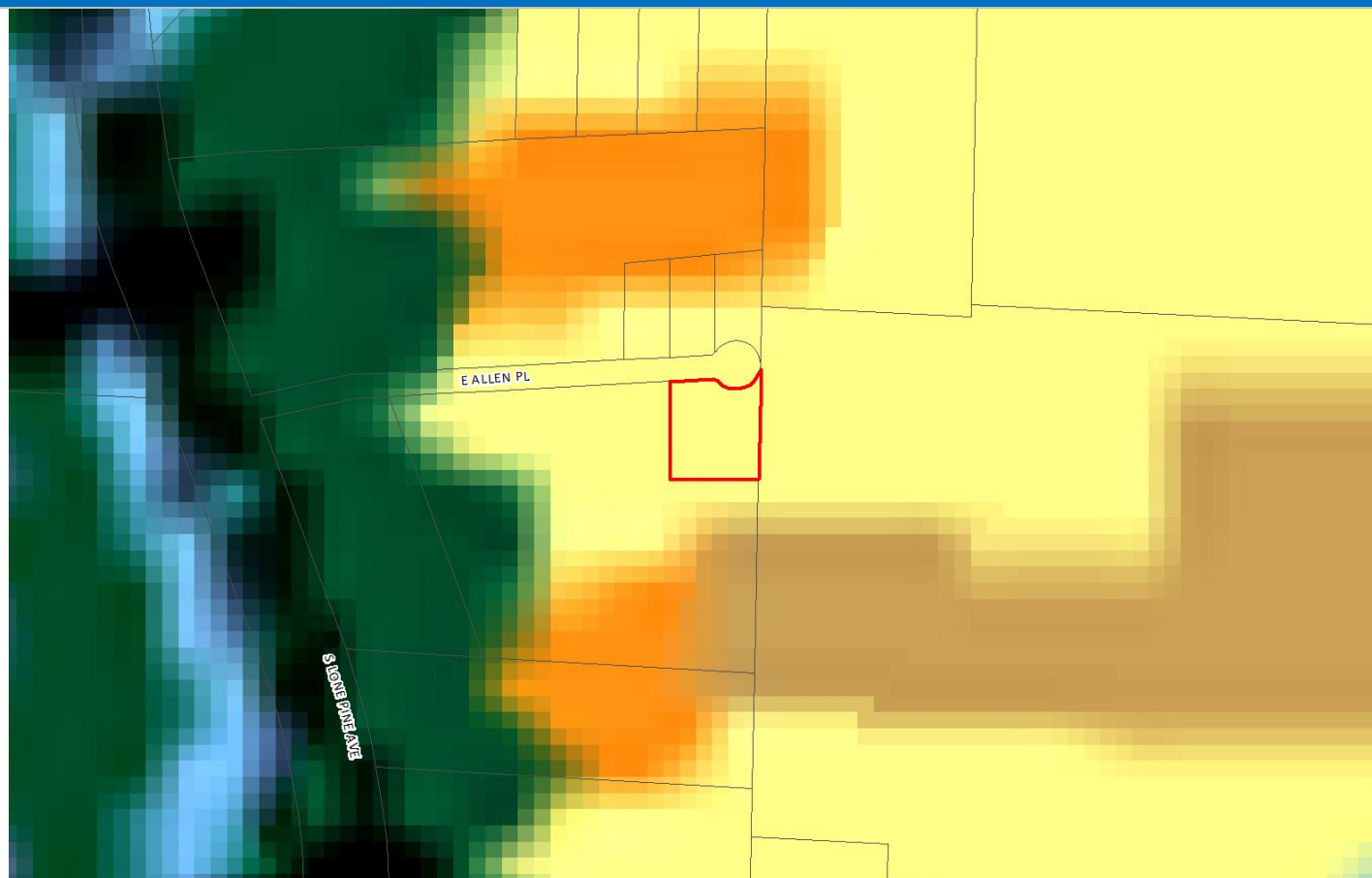


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report

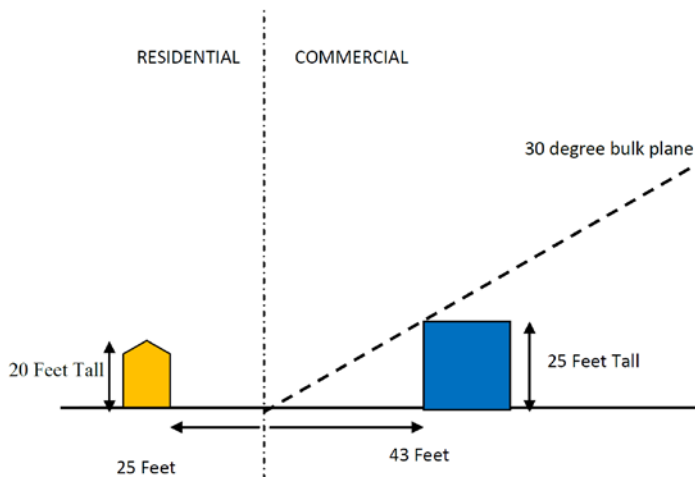
PROPERTY HISTORY:

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

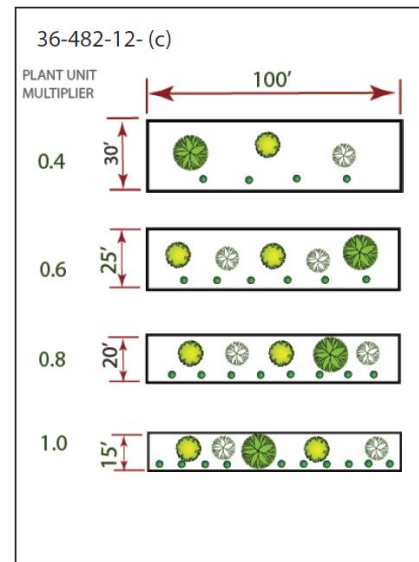
COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR GR
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	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Front Yard Setback	15 feet along a local street
Side and Rear Setbacks	None, except as required by supplemental open space and yard regulations and the bufferyard requirements
Open Space Requirement	20%
Design Requirements	Standard per code

BULK PLANE



LANDSCAPING



COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as an appropriate area for Low-Density Housing; however, this property is immediately adjacent to a mixed use Planned Development that will be improving Allen Place and allows self-service storage facilities.

STAFF COMMENTS:

1. The applicant, Greenway Studios, LLC, is proposing to rezone the property located at 2960 E. Allen Place from R-SF, Single-Family Residential District, to GR, General Retail District, and establishing Conditional Overlay District

Development Review Staff Report



No. 146. The applicant is proposing to construct self-service storage facilities. A conditional use permit is being reviewed concurrently with this rezoning request to allow self-service storage facilities.

2. The subject property is located at the end of a short local street, Allen Place, that has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area.
3. The proposed zoning will allow the subject property to be developed with some similar uses to the adjacent Planned Development 351 along Allen Place. Self-service storage facilities and commercial off-street parking lots and structures are the only uses permitted in the General Retail District by the Conditional Overlay District. All other uses are prohibited.
4. The proposed Conditional Overlay District will require a lot combination of the subject properties and improvements to Allen Place along their property frontage.
5. Sidewalk is required to be constructed along the entire length of the property frontage in right of way or in a sidewalk easement on private property. A fee in lieu of sidewalk construction may be applied for through the Administrative Review Committee.
6. A traffic study was not required. The current use of the property is R-SF. The change in zoning is GR with a conditional overlay to allow self-storage facilities only. Additional trips generated for full GR zoning is less than 37 trips. Trips generated by allowing self-storage facilities only, will be significantly less than 37 trips. Anything less than 100 trips in the peak hour is not considered a significant increase in trips.
7. The adjacent property to the south and west was recently rezoned to a Planned Development 351. It allows self-service storage facilities as a permitted use in an area immediately south of the subject property. It also allows multi-family uses adjacent to the subject properties. PD 351 requires Allen Place must be overlaid with 1-1/2 inches of asphalt from Lone Pine Avenue to the development drive. Allen Place must be widened to meet parking space standards based on ST-6 standards. This improvement is required when the development takes access to Allen Place.
8. Upon development of the property a bufferyard is required along the south and west property line adjacent to the PD 351 zoning district. The normal bufferyard required between GR and multi-family 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. Upon development of the property a bufferyard is required along the east property line adjacent to the PD 276 zoning district. The normal bufferyard required between GR and manufactured home community uses would be a Bufferyard "Type E" at least twenty (20) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, two (2) understory trees, two (2) evergreen trees and sixteen (16) shrubs with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge. The subject properties when combined would qualify for a narrow lot exemption and the bufferyard would be allowed to be reduced to fifteen (15) feet wide with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge. Upon development of the property a bufferyard is required along the north property line adjacent to Allen Place and the R-SF zoning district. The normal bufferyard required between GR and R-SF with public street right-of-way 70 feet or less would be a Bufferyard "Type S2" 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 and four (4) 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.
9. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 19, 2018, regarding the request for rezoning. A summary of this meeting is attached (Attachment 2).

Development Review Staff Report



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: 10	Returned: 0
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Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no critical objections.

CITY UTILITIES:

No objection to the rezoning. Water and electric utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objection to the rezoning.

FIRE DEPARTMENT COMMENTS:

Fire has no issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Allen Place as a Local roadway. The standard right-of-way widths for Allen Place is 25 feet from the centerline. It appears no additional right-of-way is needed along the property frontage. A survey is recommended to determine the exact amount of existing right of way. Allen Place is a city maintained street. There is no recent traffic count for Allen Place as it is a Local street. There is one existing driveway approach onto the property. There is currently no existing sidewalk along the property frontage. On-street parking will be allowed through the Conditional Use Permit. A Greenway Trail currently exists in the area along Lone Pine Avenue. There are bus stops along Allen Place. The proposed development is in an area that does not provide for multiple direct connections. The only connection to the area is Allen Place. Improvements required to the right of way as a part of this rezoning are either a cul-de-sac or turnaround at the end of Allen Place. The City has no plans to make any improvements to the public right-of-way in the area pertaining to this rezoning.

Traffic has no objection to the rezoning, but offer the following comments for development:

1. All parking stalls and drive aisles must meet city standard ST-6. Please provide dimensions/details on the project plans.
2. City code requires all one-way driveway approaches and/or one way driveway aisles to be marked with "entrance only" and "exit only" or "one way"/"exit only" signage. This must meet city code requirements in chapter 98. Proper signage will also need to be in place within the parking lot to ensure circulation of traffic.
3. New driveway approach will be required to comply with current city standard ST-9. Please call out driveway closure on the site plan. Driveway closure will require a zero-cost driveway closure permit.
4. A cul-de-sac or turnaround is required at the end of Allen Place. This will require public improvement plans. Public improvements must be constructed or escrowed prior to approval for a building permit.
5. Sidewalk is required to be constructed along the entire length of the property frontage in right of way or in a sidewalk easement on private property. A fee in lieu of sidewalk construction may be applied for through the ARC. This does not guarantee approval of the request.

Development Review Staff Report



Public Works Traffic Division	Response
Street classification	Local
On-street parking along streets	Allowed through Conditional Overlay and Conditional Use Permit
Trips generated - Peak Hour	R-SF – 3 trips GR – 40 trips
Additional Trips generated with zoning change - Peak Hour	37 trips
Existing street right of way widths	Allen Place – 25 ft. from the centerline
Standard right of way widths	Allen Place – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	Turn around or cul-de-sac at the end of Allen Place

*A traffic study was not required. The current use of the property is R-SF. The change in zoning is GR with a conditional overlay to allow self-storage facilities only. Additional trips generated for full GR zoning is less 37 trips. Trips generated by allowing self-storage facilities only will be significantly less than 37. Anything less than 100 trips in the peak hour is not considered a significant increase in trips.

STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of stormwater detention is an option. 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.
4. Either provide detention or you can provide downstream improvements in lieu of detention, specifically a ditch along Allen Place but possibly on the north side as the south side along the Quarry town development has trees that they are preserving as part of this development.
5. This site drains west towards the floodplain so care are should be taken to not negatively impact downstream neighbors.
6. Show the existing and proposed amount of impervious surfacing. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR W/ C.U.P. FOR SELF STORAGE
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: April 19, 2018
3. Meeting Location: 2960 E Allen Place
4. Number of invitations that were sent: 18
5. How the mailing list was generated: CITY STAFF
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 ONLY CONCERN THAT WAS EXPRESSED WAS THE WIDTH OF ALLEN PLACE BETWEEN LONE PINE AND THE SITE AND HOW THE EXISTING ROAD WOULD HANDLE THE ADDITIONAL TRAFFIC GENERATED BY THE APARTMENTS THAT ARE UNDER CONSTRUCTION. NONE WERE OPPOSED TO THE PROPOSED ZONING CHANGE BUT WERE INTERESTED IN WHAT IS BEING PROPOSED FOR THE SITE.
8. List or attach the written comments and how you plan to address any issues:

NONE

I, GREG WHITLOCK (*print name*), attest that the neighborhood meeting was held on APRIL 19, 2018 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

GREG WHITLOCK

Printed name of person completing affidavit

Neighborhood Meeting Notice

Date of Letter:

APRIL 4, 2018

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:

GREG WHITLOCK, WHITLOCK ENGINEERING LLC

Address:

9648 E NORTH VIEW RD

City, State and Zip:

STRAFFORD, MO 65757

Phone Number:

417-379-0640

E-mail:

GREG@WHITLOCKENG.COM

PROJECT LOCATION:

2960 E ALLEN PLACE

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 IS CURRENTLY ZONED SINGLE-FAMILY RESIDENTIAL. THE PROPOSED ZONING IS GENERAL RETAIL WITH A CONDITIONAL USE PERMIT FOR SELF STORAGE.

This will be a come-and-go style public meeting. There will be no formal presentation so you are welcome to come any time.

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting:

APRIL 19, 2018

Location of Meeting:

2960 E ALLEN PLACE

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

NEIGHBORHOOD MEETING
SIGN-IN SHEET

Proposed Zoning Classification Change
2960 E Allen Place

April 19, 2018
2690 E Allen Place

NAME (PLEASE PRINT)	ADDRESS	CITY
KAREN DELKER	2954 E BARTON	SPFLD MO
Ted Fullmer	2955 E Allen	SPFLD MO
Tammy Lair Matthew Lair	2934 E Barton	Spfld. MO
Randy Mitchell	2957 E. Allen	Spfld MO

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 3 CONDITIONAL OVERLAY DISTRICT PROVISIONS

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

1. Commercial off-street parking lots and structures are an allowed permitted use and self-service storage facilities are an allowed conditional use. All other uses are prohibited.
2. The subject property shall be administratively combined following the current Subdivision Regulations.
3. Allen Place must be overlayed with 1-1/2 inches of asphalt along the property frontage that ties into the public improvements for the cul-de-sac or turnaround. This will require public improvement plans. Public improvements must be constructed or escrowed prior to approval for a building permit.
4. A cul-de-sac or turnaround is required at the end of Allen Place. This will require public improvement plans. Public improvements must be constructed or escrowed prior to approval for a building permit.
5. Sidewalk is required to be constructed along the entire length of the property frontage in right of way or in a sidewalk easement on private property. A fee in lieu of sidewalk construction may be applied for through the Administrative Review Committee.

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING: JUNE 4, 2018



CASE NUMBER:
Conditional Use Permit 435

LOCATION:
2960 E. Allen Place

ACRES:
0.55 acres

EXISTING LAND USE:
Single-family residential

APPLICANT:
Greenway Studios, LLC

STAFF: Daniel Neal, Senior Planner

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION:
Move to approve Conditional Use Permit 435, as submitted

SUMMARY OF REQUEST:

This is a request to approve a self-service storage facility use in a GR, General Retail District.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as an appropriate area for Low-Density Housing; however, this property is immediately adjacent to a Planned Development that will be improving Allen Place and allows self-service storage facilities and mixed-uses.
2. 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.
3. This application meets the approval standards for a Conditional Use Permit.

SURROUNDING ZONING AND LAND USES:

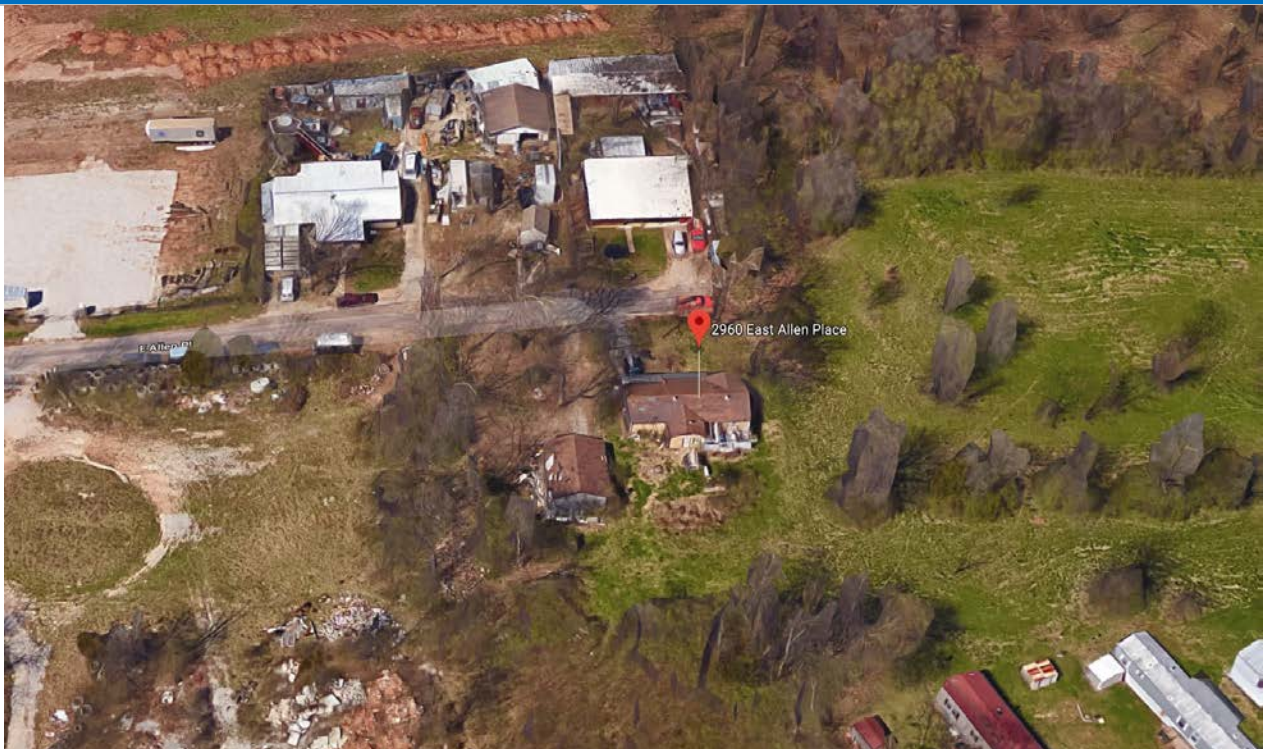
	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD	PD	PD
LAND USE	Single-family residences	Vacant/undeveloped	Manufactured home community	Vacant/undeveloped

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SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

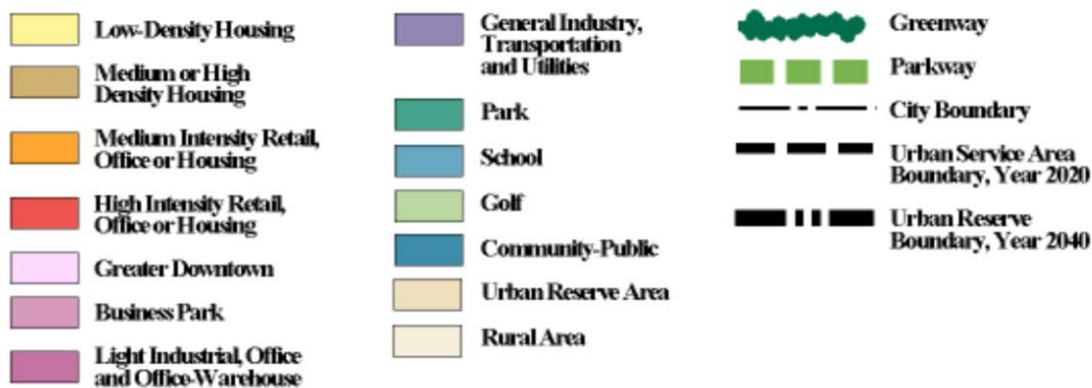
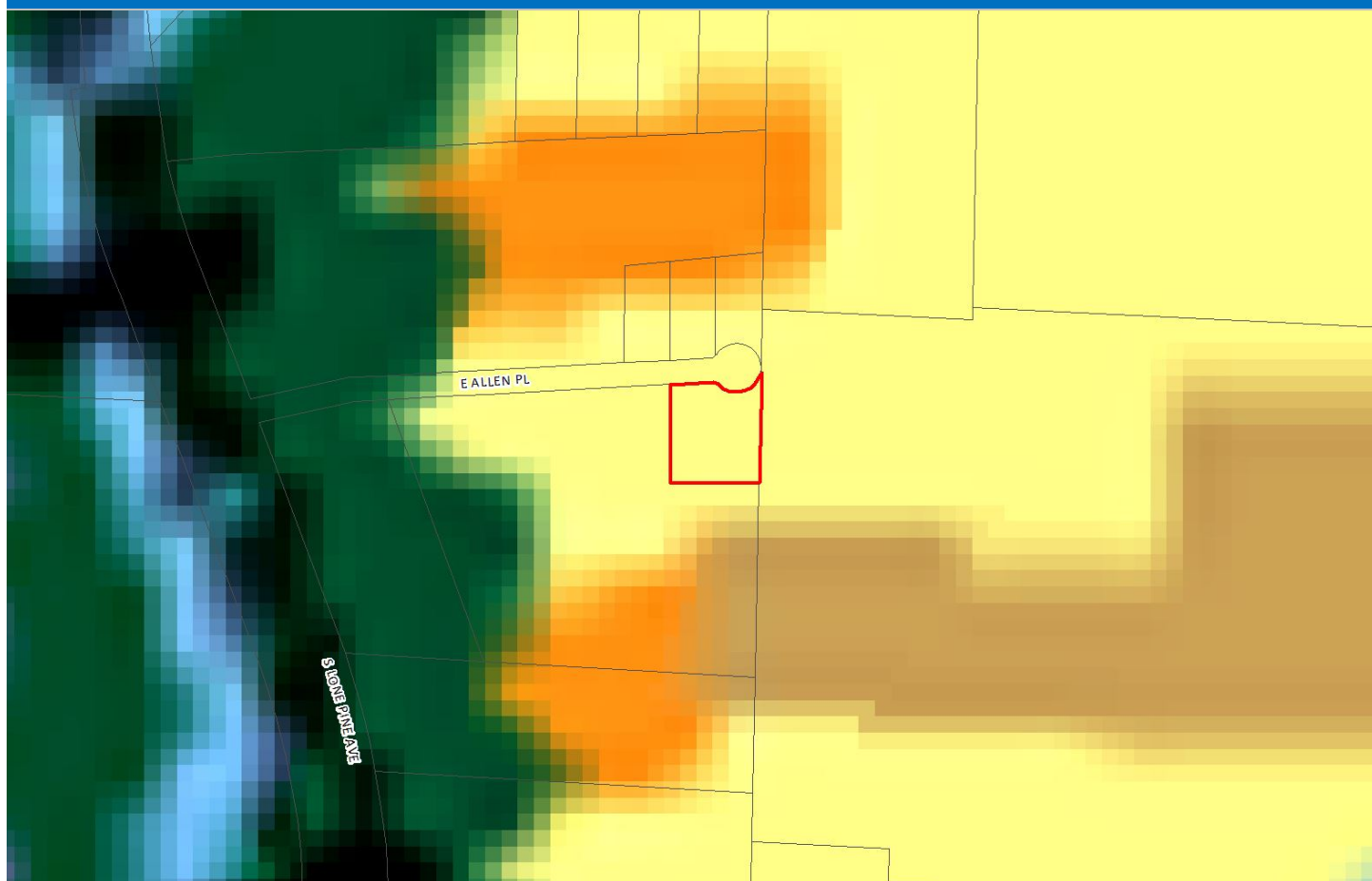


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property was zoned R-SF, Single-Family Residential 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 GR
Self-service Storage Facilities	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 with the provisions of <u>section 36-480</u> , screening and fencing.

Development Review Staff Report

Refuse Storage	Refuse storage areas for permitted nonresidential uses shall be screened from view in accordance with <u>section 36-480</u> , screening and fencing.
Bufferyard, Landscaping and Screening requirements	Whenever any development in a GR district is located adjacent to a different zoning 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												
RESIDENTIAL COMMERCIAL 20 Feet Tall 25 Feet 43 Feet 25 Feet Tall 30 degree bulk plane	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 <table><tr><td>0.4</td><td>100'</td><td></td></tr><tr><td>0.6</td><td>75'</td><td></td></tr><tr><td>0.8</td><td>50'</td><td></td></tr><tr><td>1.0</td><td>25'</td><td></td></tr></table>	0.4	100'		0.6	75'		0.8	50'		1.0	25'	
0.4	100'												
0.6	75'												
0.8	50'												
1.0	25'												

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as an appropriate area for Low-Density Housing; however, this property is immediately adjacent to a Planned Development that will be improving Allen Place and allows self-service storage facilities and multi-family. Allen Place is classified as a local roadway in the Transportation Plan.

STAFF COMMENTS:

1. The applicant is a request for a Conditional Use Permit to allow a self-service storage facility use in a GR, General Retail District, generally located at 2960 E. Allen Place.
2. Improvements will be made to Allen Place as part of the rezoning to the GR District which is being reviewed concurrently with this application.
3. The subject property is located at the end of a short local street, Allen Place, that has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area.
4. Upon development of the property a bufferyard is required along the south and west property line adjacent to the PD 351 zoning district. The normal bufferyard required between GR and multi-family 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

Development Review Staff Report



tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. The subject properties are allowed to reduce the bufferyard width to ten (10) feet by adding a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge.

5. The development of the property will require a bufferyard along the east property line adjacent to the PD 276 zoning district. The normal bufferyard required between GR and manufactured home community uses would be a Bufferyard "Type E" at least twenty (20) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, two (2) understory trees, two (2) evergreen trees and sixteen (16) shrubs with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge. The subject properties once combined would qualify for a narrow lot exemption and the bufferyard would be allowed to be reduced to ten (10) feet wide with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge.
6. The development of the property will also require a bufferyard along the north property line adjacent to Allen Place and the R-SF zoning district. The normal bufferyard required between GR and R-SF with public street right-of-way 70 feet or less would be a Bufferyard "Type S2" 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 and four (4) 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. 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.
8. 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 GR, General Retail District requirements in the Zoning Ordinance. The general standards for conditional use permits are listed in Attachment 3.
9. 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.
10. 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 April 19, 2018, regarding the request for a conditional use permit. A summary of this meeting is included in 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: 10 Returned: 0

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT COMMENTS FOR CONDITIONAL USE PERMIT 435

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with the proposed conditional use permit.

CITY UTILITIES COMMENTS:

No objection to conditional use permit. There is a water meter on the property and electric service is available from the north side of Allen.

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.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Allen Place as a Local roadway. The standard right-of-way widths for Allen Place is 25 feet from the centerline. It appears no additional right-of-way is needed along the property frontage. A survey is recommended to determine the exact amount of existing right of way. Allen Place is a city maintained street. There is no recent traffic count for Allen Place as it is a Local street. There is one existing driveway approach onto the property. There is currently no existing sidewalk along the property frontage. On-street parking will be allowed through the Conditional Use Permit. A Greenway Trail currently exists in the area along Lone Pine Avenue. There are bus stops along Allen Place. The proposed development is in an area that does not provide for multiple direct connections. The only connection to the area is Allen Place. Improvements required to the right of way as a part of this rezoning are either a cul-de-sac or turnaround at the end of Allen Place. The City has no plans to make any improvements to the public right-of-way in the area pertaining to this rezoning.

Traffic has no objection to the rezoning, but offer the following comments for development:

1. All parking stalls and drive aisles must meet city standard ST-6. Please provide dimensions/details on the project plans.
2. City code requires all one way driveway approaches and/or one way driveway aisles to be marked with "entrance only" and "exit only" or "one way"/"exit only" signage. This must meet city code requirements in chapter 98. Proper signage will also need to be in place within the parking lot to ensure circulation of traffic.
3. New driveway approach will be required to comply with current city standard ST-9. Please call out driveway closure on the site plan. Driveway closure will require a zero-cost driveway closure permit.
4. A cul-de-sac or turnaround is required at the end of Allen Place. This will require public improvement plans. Public improvements must be constructed or escrowed prior to approval for a building permit.
5. Sidewalk is required to be constructed along the entire length of the property frontage in right of way or in a sidewalk easement on private property. A fee in lieu of sidewalk construction may be applied for through the ARC. This does not guarantee approval of the request.

Development Review Staff Report



Public Works Traffic Division	Response
Street classification	Local
On-street parking along streets	Allowed through Conditional Overlay and Conditional Use Permit
Trips generated - Peak Hour	R-SF – 3 trips GR – 40 trips
Additional Trips generated with zoning change - Peak Hour	37 trips
Existing street right of way widths	Allen Place – 25 ft. from the centerline
Standard right of way widths	Allen Place – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	Turn around or cul-de-sac at the end of Allen Place

*A traffic study was not required. The current use of the property is R-SF. The change in zoning is GR with a conditional overlay to allow self-storage facilities only. Additional trips generated for full GR zoning is less 37 trips. Trips generated by allowing self-storage facilities only will be significantly less than 37. Anything less than 100 trips in the peak hour is not considered a significant increase in trips.

PUBLIC WORKS STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of stormwater detention is an option. 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.
4. Either provide detention or you can provide downstream improvements in lieu of detention, specifically a ditch along Allen Place but possibly on the north side as the south side along the Quarry town development has trees that they are preserving as part of this development.
5. This site drains west towards the floodplain and should be designed as to not negatively impact downstream neighbors.
6. Show the existing and proposed amount of impervious surfacing. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.

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

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

REQUIREMENTS FOR CONDITIONAL USE PERMIT 435

1. Self-service storage facilities are permitted in the GR, General Retail District in compliance with section 36-363.
2. The self-service storage facility 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.

Development Review Staff Report



ATTACHMENT 3 STANDARDS FOR CONDITIONAL USE PERMIT 435

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 development is consistent with the Land Use Plan for this area. The land use plan shows this area as a developing activity center with mixed uses especially west of Highway 65. The use would serve the increase in adjacent and nearby general retail and multi-family uses.
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 low traffic volume produced by storage facilities is a suitable use in this location and should not have a negative impact on the motoring public. The site is located at the end of Allen Place and the proposed entrance to the development will provide a means for emergency vehicles to turn around that does not currently exist at this location.
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.	The proposed use will not include any inhabited spaces. The site is located at the end of Allen Place and the proposed entrance to the development will provide a means for emergency vehicles to turn around that does not currently exist at this location.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	The site currently drains toward Allen Place. The proposed development would continue to discharge to the Allen Place right of way. The development will limit peak discharges to predevelopment peaks by detention or will construct downstream improvements to mitigate peak discharges.
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.	By the nature of self-storage, the noise levels will be less than typical general retail uses.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	Lights from vehicular traffic will be shielded by the buffer yards and fencing. Building lighting will be wall packs with shields as necessary.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	The sign location and lighting will meet all City of Springfield sign requirements. Internal signage and pavement markings will control traffic within the site.
8. Such signs will not have an adverse effect on any adjacent properties.	The signs will not impact the 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 limited traffic volume created by a self-storage facility is the best and least demanding traffic for

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. Parking from the cooperative parking agreement with 3938 Lone Pine will generally be limited to employee parking.
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 development will not. It is buffered by Allen Place to the north, bounded by a manufactured housing subdivision to the east and new multi-family to the south and west. The excess parking will provide employee overflow parking for the general retail to the west through a cooperative parking agreement.
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 east, south, and west neighboring properties will be screened by a 6-foot solid fence and buffer yard. The storage units will be single story.
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.	There are no significant features on 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.	There are no significant features on the site.
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 development complies with applicable regulations.
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 be a convenience to the developing mixed-use area. The storage units will be convenient to the nearby multi-family and office uses and the cooperative parking agreement will provide overflow parking to the general retail development to the west.
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 self-storage facility requires 3 spaces for the storage units. The rental office will be located at 3938 Lone Pine in the leasing office for the apartments so no employee or resident parking is required. The spaces comply with the size and location requirements of 6-1300.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic	The only access to the development is by Allen Place.

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:
hazards and to minimize traffic congestion in public streets and alleys.	
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	The proposed development provides adequate vehicular circulation. The drive is designed to provide access to emergency vehicles and provides a means for other traffic to turn around that is not currently available.
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.	It will not.
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.	Not applicable.
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.	Correct.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR W/ C.U.P. FOR SELF STORAGE
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: April 19, 2018
3. Meeting Location: 2960 E Allen Place
4. Number of invitations that were sent: 18
5. How the mailing list was generated: CITY STAFF
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 ONLY CONCERN THAT WAS EXPRESSED WAS THE WIDTH OF ALLEN PLACE BETWEEN LONE PINE AND THE SITE AND HOW THE EXISTING ROAD WOULD HANDLE THE ADDITIONAL TRAFFIC GENERATED BY THE APARTMENTS THAT ARE UNDER CONSTRUCTION. NONE WERE OPPOSED TO THE PROPOSED ZONING CHANGE BUT WERE INTERESTED IN WHAT IS BEING PROPOSED FOR THE SITE.
8. List or attach the written comments and how you plan to address any issues:

NONE

I, GREG WHITLOCK (*print name*), attest that the neighborhood meeting was held on APRIL 19, 2018 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

GREG WHITLOCK

Printed name of person completing affidavit

Neighborhood Meeting Notice

Date of Letter:

APRIL 4, 2018

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:

GREG WHITLOCK, WHITLOCK ENGINEERING LLC

Address:

9648 E NORTH VIEW RD

City, State and Zip:

STRAFFORD, MO 65757

Phone Number:

417-379-0640

E-mail:

GREG@WHITLOCKENG.COM

PROJECT LOCATION:

2960 E ALLEN PLACE

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 IS CURRENTLY ZONED SINGLE-FAMILY RESIDENTIAL. THE PROPOSED ZONING IS GENERAL RETAIL WITH A CONDITIONAL USE PERMIT FOR SELF STORAGE.

This will be a come-and-go style public meeting. There will be no formal presentation so you are welcome to come any time.

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting:

APRIL 19, 2018

Location of Meeting:

2960 E ALLEN PLACE

Time of Meeting:

⦿ 4:00 PM to 6:30 PM

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

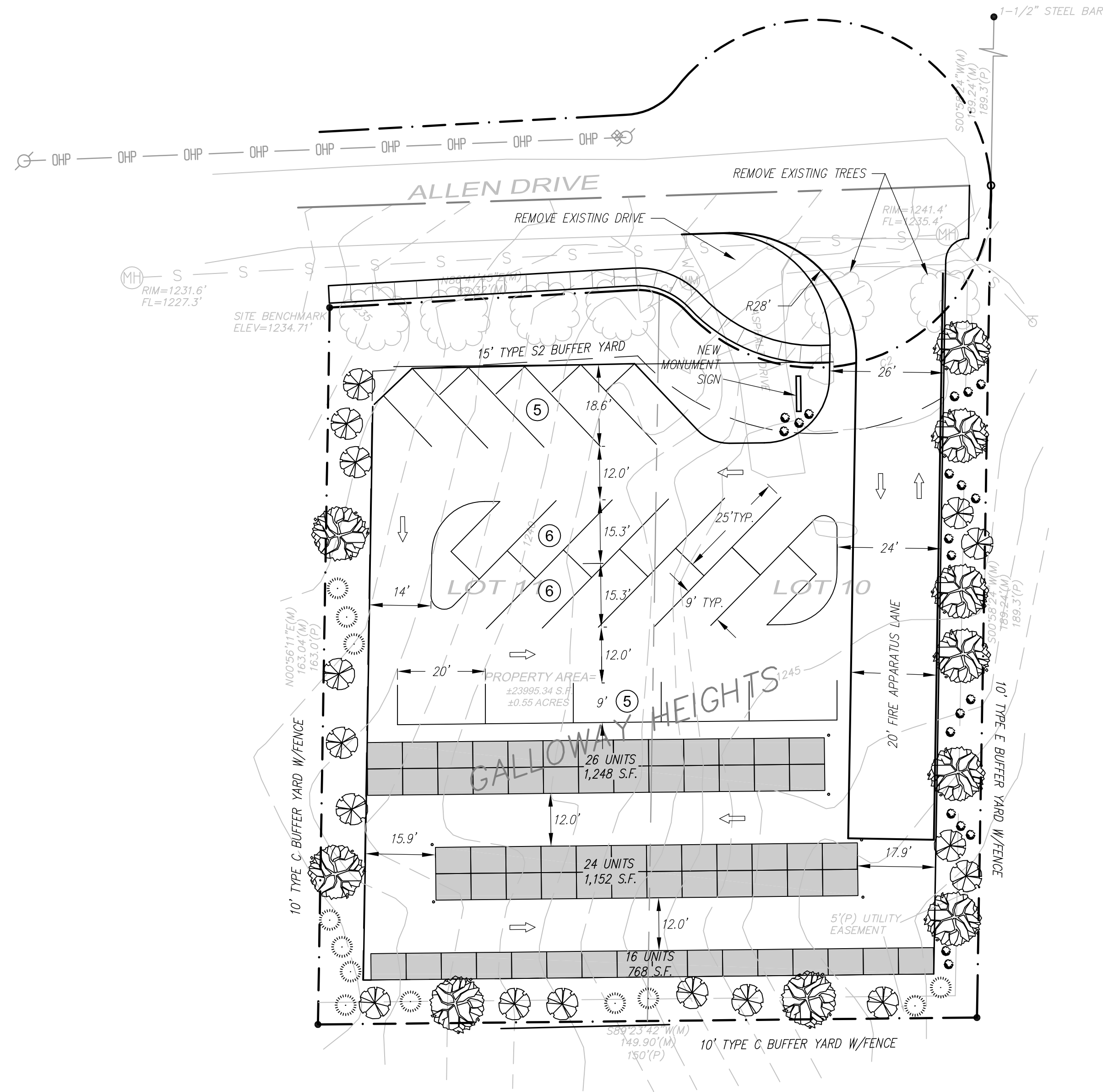
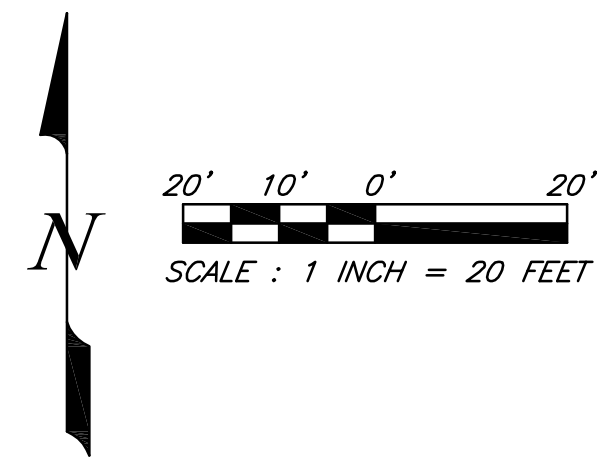
ATTACHMENTS: Notice Letter from City with Comment Card attached to this letter

NEIGHBORHOOD MEETING
SIGN-IN SHEET

Proposed Zoning Classification Change
2960 E Allen Place

April 19, 2018
2690 E Allen Place

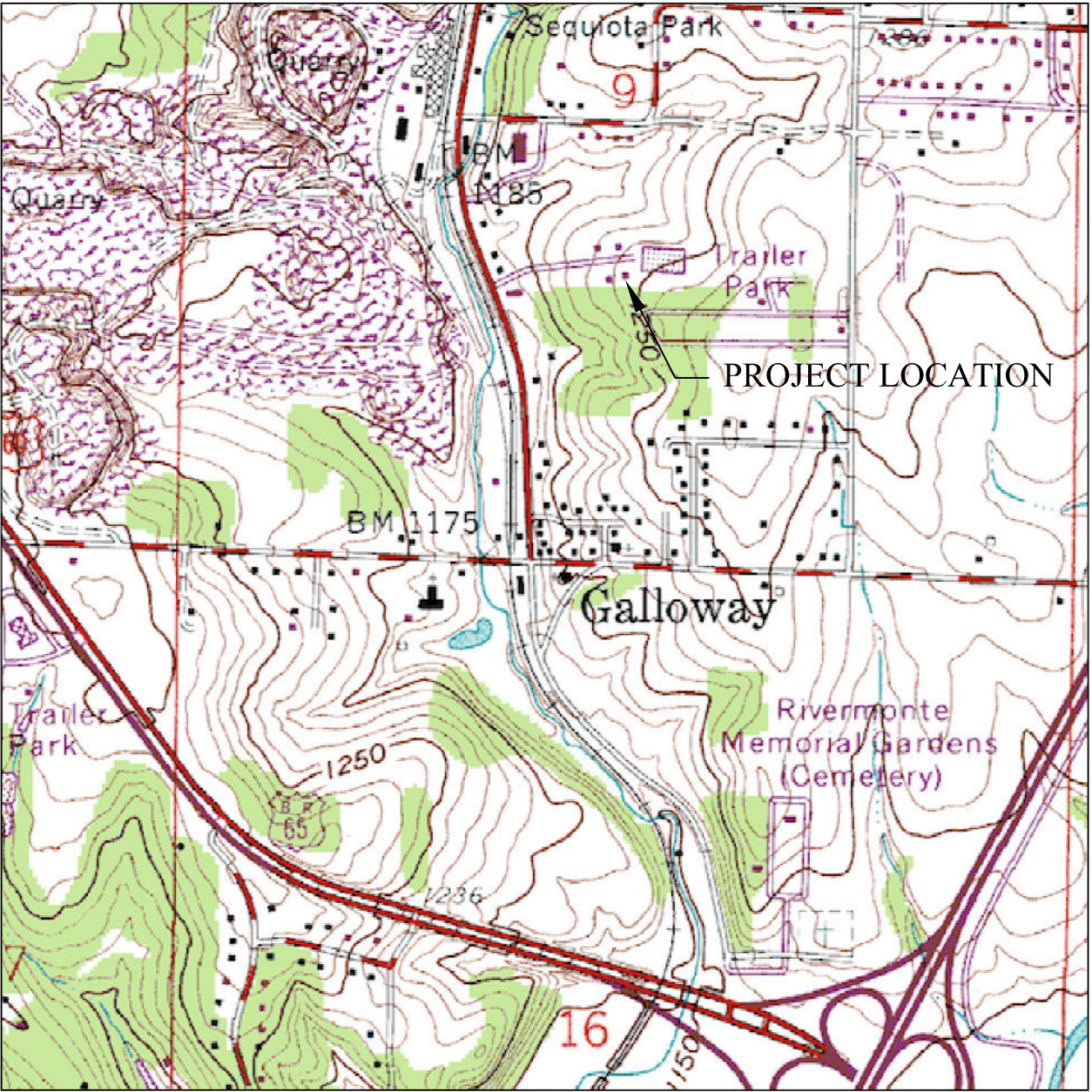
NAME (PLEASE PRINT)	ADDRESS	CITY
KAREN DELKER	2954 E BARTON	SPFLD MO
Ted Fullmer	2955 E Allen	SPFLD MO
Tammy Lair Matthew Lair	2934 E Barton	Spfld. MO
Randy Mitchell	2957 E. Allen	Spfld MO



OWNER
GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721

PROJECT ADDRESS
2960 E ALLEN PLACE
SPRINGFIELD, MO 65804

DEVELOPER
GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721



LOCATION MAP
1" = 1000'

DESCRIPTION OF PROPERTY

- WARRANTY DEED BY LIMITED LIABILITY CORPORATION – BOOK 2017, PAGE 035511–17
- ALL OF LOTS TEN (10) AND ELEVEN (11), IN PLAT OF GALLOWAY HEIGHTS, A SUBDIVISION IN GREENE COUNTY.
- SOURCES
- WARRANTY DEED BY LIMITED LIABILITY CORPORATION – BOOK 2017, PAGE 035511–17
 - PLAT OF GALLOWAY HEIGHTS
 - ELEVATIONS BASED ON THE CITY OF SPRINGFIELD BENCHMARK "D 64", ELEVATION = 1185.74

SITE ANALYSIS

SITE AREA = 0.55 ACRES
EXISTING ZONING = R-SF
PROPOSED ZONING = GR W/CUP FOR SELF-STORAGE
NUMBER OF UNITS = 66 UNITS

PARKING REQUIRED PER ORDINANCE
66 UNITS @ 1 SPACE/25 UNITS = 3 SPACES, PLUS
0 EMPLOYEES @ 1 SPACE/EMPLOYEE, PLUS
2 SPACES AT OFFICE (OFFICE AT 3938 S LONE PINE)
TOTAL REQUIRED ON SITE = 3 SPACES
OFF-STREET PARKING PROVIDED = 22 CAR SPACES

COOPERATIVE PARKING AGREEMENT TO BE EXECUTED WITH 3938 S LONE PINE AVE
BICYCLE @ 2 SPACES PER 0–50 CAR SPACES
BICYCLE PARKING PROVIDED = 2 SPACES

IMPERVIOUS AREA ANALYSIS
MAXIMUM ALLOWED = 80%

PRE-PROJECT IMPERVIOUS AREA	= 3,570 SF
	= 0.082 AC.
POST-PROJECT IMPERVIOUS AREA	= 17,520 AC.
	= 0.40 AC.
	= 73%

GREEN SPACE = 0.15 ACRES. = 27% (20% REQUIRED)

BUILDING AREA = 3,168 SF

SYMBOL	TYPE	SIZE
	DECIDUOUS CANOPY TREE	1–1/2" CALIPER AT TIME OF PLANTING MINIMUM 30' HEIGHT AT MATURITY
	DECIDUOUS UNDERSTORY TREE	1" CALIPER AT TIME OF PLANTING MAXIMUM 30' HEIGHT AT MATURITY
	EVERGREEN/CONIFER	6" TALL AT TIME OF PLANTING MINIMUM 20' HEIGHT AT MATURITY
	SHRUB	MINIMUM 18" HEIGHT AT TIME OF PLANTING
	HEDGE	MINIMUM 18" HEIGHT AT TIME OF PLANTING MINIMUM 3' HEIGHT ONE YEAR AFTER PLANTING

GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721
417–887–6897

WHITLOCK
ENGINEERING, LLC
9648 E North View Road
Strafford, Missouri 65757
Phone: 417–379–0640
C.E. Certificate/License No. 2012000436

R. Gregory Whitlock
C.E. License No. 028639

					Date
					Revision/Issue
					No.

GALLOWAY SELF STORAGE
2960 E ALLEN PLACE

CONDITIONAL USE PERMIT
SITE PLAN

Project00107

Date05/01/18

Scale1" = 20'

SheetSP

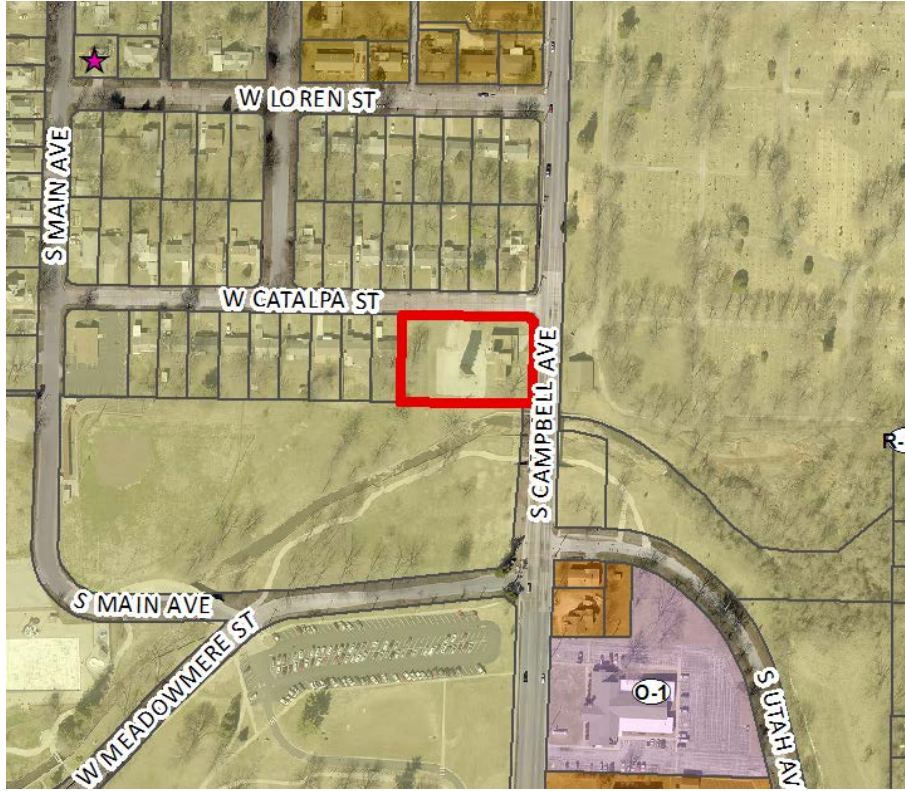
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

JUNE 4, 2018



CASE NUMBER:
Z-9-2018

PROJECT LOCATION: 1201 South Campbell Avenue

ACRES: 0.89 acres

EXISTING LAND USE: Vacant Fire Station

APPLICANT: City of Springfield

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

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-9-2018 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 0.89 acres of property generally located at 1201 South Campbell Avenue from a R-SF, Residential Single Family to a O-1, Office District.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* recommends office or medium to high-density multi-family residential as appropriate uses along major roadways when not located at major intersections. The subject property is located at the intersection of Campbell Avenue and Catalpa Street, which are classified as a Primary Arterial and Local street, respectively. The subject property meets this criteria for office uses given that it is located along a primary arterial.
2. The *Office Land Use Guidelines* of the *Comprehensive Plan* encourages the use of locations, design and landscaping of office uses to screen and buffer neighborhoods from lights, traffic noise and pollution and other factors incompatible or conflicting with adjacent land uses. The O-1 district is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas.
3. 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.

Development Review Staff Report

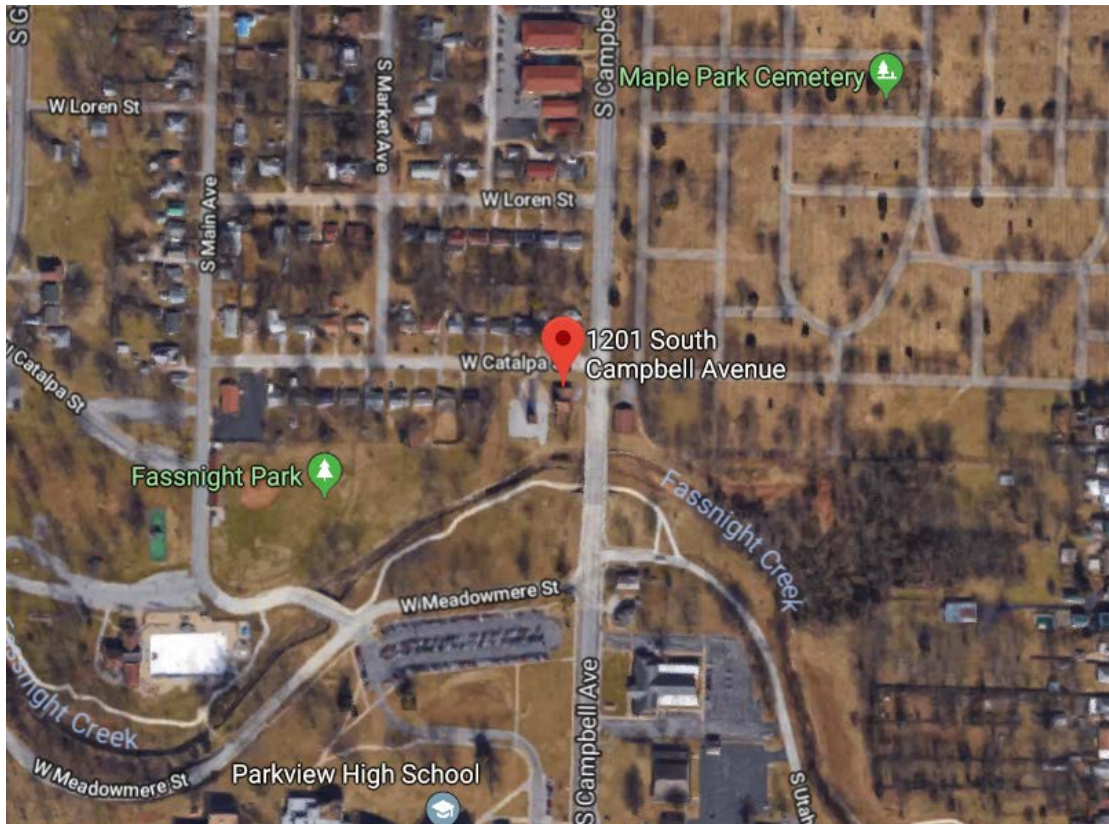


SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family residences	Public Park & Greenway	Cemetery	Single-family residences

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



**CITY OF
Springfield**

LOREN-ST

W LOREN ST

S MAIN AVE

W CATALPA ST

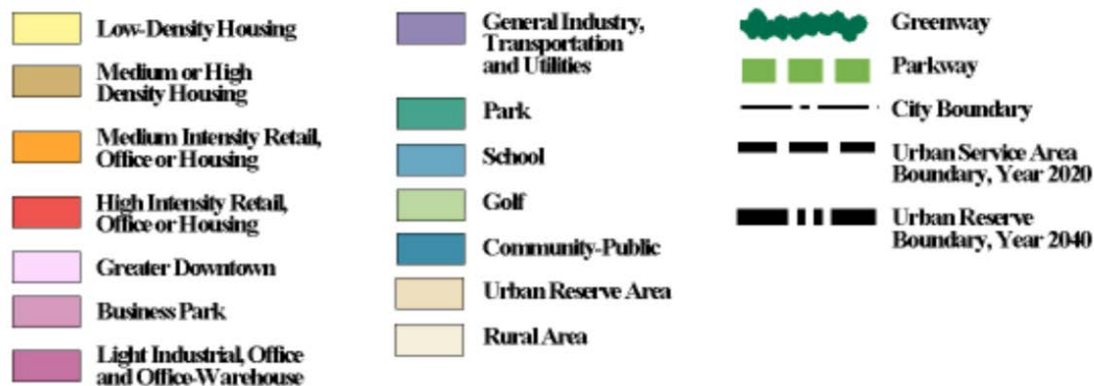
4 ST

S CAMPBELL AVE

S MAIN AVE

S DOWNMERE ST

S 10TH ST



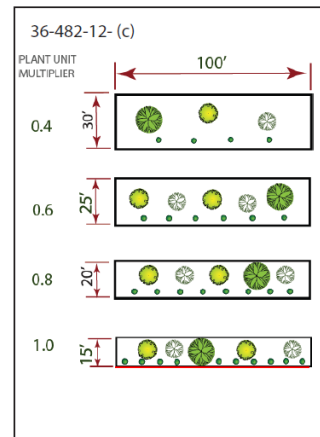
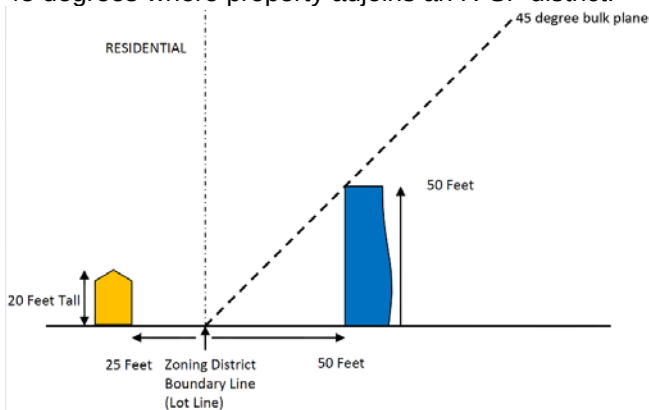
Development Review Staff Report

PROPERTY HISTORY:

The subject property was zoned to R-SF in a community-wide rezoning on March 1995 (G.O. 4494).

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR O-1
Maximum Structure Height	35 feet. The existing tower exceeds this height and will be considered a non-conforming structure.
Minimum open space	Not less than 20 percent
Maximum impervious area	Shall not exceed 80 percent of total lot area
BULK PLANE	BUFFERYARD AND LANDSCAPING
45 degrees where property adjoins an R-SF district.	Type "C" bufferyard is required along west property line and a Type "S1" is required along the north property line.



COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as a Low-Density Housing and Greenway given its location to the existing greenway of the property to the south. The *Plan* identifies the properties to the north as appropriate for Low-Density Housing. The *Growth Management and Land Use Plan* and other elements of the *Comprehensive Plan* recommend office or medium to high-density multifamily residential as appropriate uses along major roadways when not located at major intersections. The *Office Land Use Guidelines* of the *Comprehensive Plan* encourages the use of locations, design and landscaping of office uses to screen and buffer neighborhoods from lights, traffic noise and pollution and other factors incompatible or conflicting with adjacent land uses.

STAFF COMMENTS:

1. The applicant is proposing to rezone from a R-SF, Residential Single-family District to an O-1, Office District. The subject property is the site of former Fire Station #6, which was active from 1964 until 2002. The City published a request for proposals concerning the sale of the subject property to the public. A proposal for an office use was received from the applicant which requires a rezoning to O-1, Office District.
2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as Low-Density and Greenway given its location to the existing greenway of the property to the south. The *Plan* identifies the properties to the north as appropriate for Low-Density Housing. The *Growth Management and Land*

Development Review Staff Report



Use Plan and other elements of the *Comprehensive Plan* recommend office or medium to high-density multi-family residential as appropriate uses along major roadways when not located at major intersections. The subject property is located at the intersection of Campbell Avenue and Catalpa Street, classified as a Primary Arterial and Local street respectively. The subject property meets the criteria for office use given that it is located along a primary arterial.

3. The *Office Land Use Guidelines* of the *Comprehensive Plan* encourages the use of locations, design and landscaping of office uses to screen and buffer neighborhoods from lights, traffic noise and pollution and other factors incompatible or conflicting with adjacent land uses. The O-1 district is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas. A bufferyard "Type C", a minimum 15 feet with required plantings, is required along the west property line adjacent to R-SF zoned property. A bufferyard "Type S1", a minimum 15 feet with required plantings, is required along the north property line.
4. The existing tower located on the property exceeds the 35 feet limit of the O-1, Office District. If this application is approved, the tower would be considered a non-conforming structure and would be required to follow Sec. 36-457 (3), *Non-conformities*, which states that the height cannot be increase and would allow maintenance, repair, remodeling or structural alterations that conform to all requirements of the *Zoning Ordinance*. The tower height is in conformance with the 45-degree bulk plane requirement of the O-1, Office District.
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, April 16, 2018, 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: 13 Returned: 0

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

CITY UTILITIES COMMENTS:

No objections to rezoning. Adequate utilities are available to handle the increased use.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Campbell Avenue as a Primary Arterial roadway and W. Catalpa Street as a Local roadway. The standard right-of-way width for S. Campbell Avenue is 50 feet from the centerline. The standard right-of-way width for W. Catalpa Street is 25 feet from the centerline. It appears approximately 25 feet of additional right-of-way needs to be acquired along the property frontage of S. Campbell Avenue. However, it has been approved that 10 feet of additional right-of-way will suffice along Campbell for this rezoning. Also, approximately 2 feet of additional right-of-way needs to be acquired along the property frontage of W. Catalpa Street. However, it has been approved that additional right-of-way does not need to be acquired along Catalpa as a part of this rezoning. A survey is recommended to determine the exact amount of existing right-of-way. S. Campbell Avenue and W. Catalpa Street are both city maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on S. Campbell Avenue south of W. Grand Street is 14,764 vehicles per day. There are no recent traffic counts for the section of W. Catalpa Street pertaining to the property in this rezoning. On-street parking is not allowed along S. Campbell Avenue, but is permitted along W. Catalpa Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from W. Catalpa Street. No access is permitted onto S. Campbell Avenue. Any new/modified driveway approaches must meet the minimum spacing requirements (150' Approach/100' Exit) from the intersection of Catalpa and Campbell.

SIDEWALK

There is existing sidewalk along the property frontage of S. Campbell Avenue. The existing infrastructure meets current City Standards. There is not currently sidewalk along the property frontage of W. Catalpa Street. Sidewalk is required to be constructed along W. Catalpa Street to current City Standards as a part of this development/rezoning.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

The Fasnigh Creek Greenway Trail is immediately to the south of the property pertaining to this rezoning. There are bus stops along S. Campbell Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

Development Review Staff Report



None required. A Traffic Impact Study was not required, as the change in zoning did not increase the trip generation in the AM/PM peaks by more than 100 additional trips nor did it exceed the threshold of 1,000 additional trip-ends daily. There are no planned improvements in the area pertaining to this rezoning in the near future.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	S. Campbell Avenue	Primary Arterial	No	25	50
Street 2	W. Catalpa Street	Local	Yes	23	25
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated (R-SF)		3.56	4.45	42.72	N/A
*Proposed Trips Generated (O-1)		30.26	39.16	213.6	N/A
Additional Trips Generated		26.7	34.71	170.88	N/A

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

STORMWATER COMMENTS:

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

This site drains south towards the floodplain. There is a stream buffer requirement of 80 ft. from the top of bank that encroaches onto the southeast corner of this property. This stream buffer will need to be shown in a stormwater easement.

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	Fassnight Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No

Development Review Staff Report



Is stormwater buyout an option?	Yes
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FIRE DEPARTMENT COMMENTS:

No objection to rezoning.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

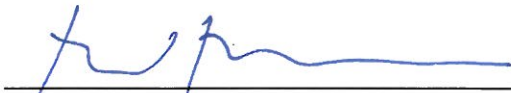
1. Request change to zoning from: R-SF to O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 4/16/18 at 4:00 PM
3. Meeting Location: 1201 S Campbell Ave
4. Number of invitations that were sent: x 76 (LABELS FROM CITY)
5. How the mailing list was generated: Obtained from City
6. Number of neighbors in attendance (attach a sign-in sheet): 3
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Neighbors had no specific comments. They were interested in the general scope of our business. A meeting agenda is attached that outlines the aspects of the project that we discussed.

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

None

I, Brad Palmer (print name), attest that the neighborhood meeting was held on 4/16/2018 (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

BRAD PALMER
Printed name of person completing affidavit

1722 S Glenstone / Suite AA / Springfield, MO 65804
417.631.4895 / www.interpresbuild.com

[illegible]

Neighborhood Meeting Agenda

Date: 4.16.2018

Project Title: Rezoning for 1201 S. Campbell – Springfield, MO

1. Introduction
2. Highlight Sign In Sheet
3. Firm Profile
 - a. Established 2013
 - b. Type of Work
 - c. Size of Firm
 - d. Work Hours
4. Plans for Fire Station
 - a. Exterior Renovations
 - b. Interior Renovations
 - c. Tower
5. Required Rezoning
 - a. From Single Family to O-1 Office
6. Questions and Answers

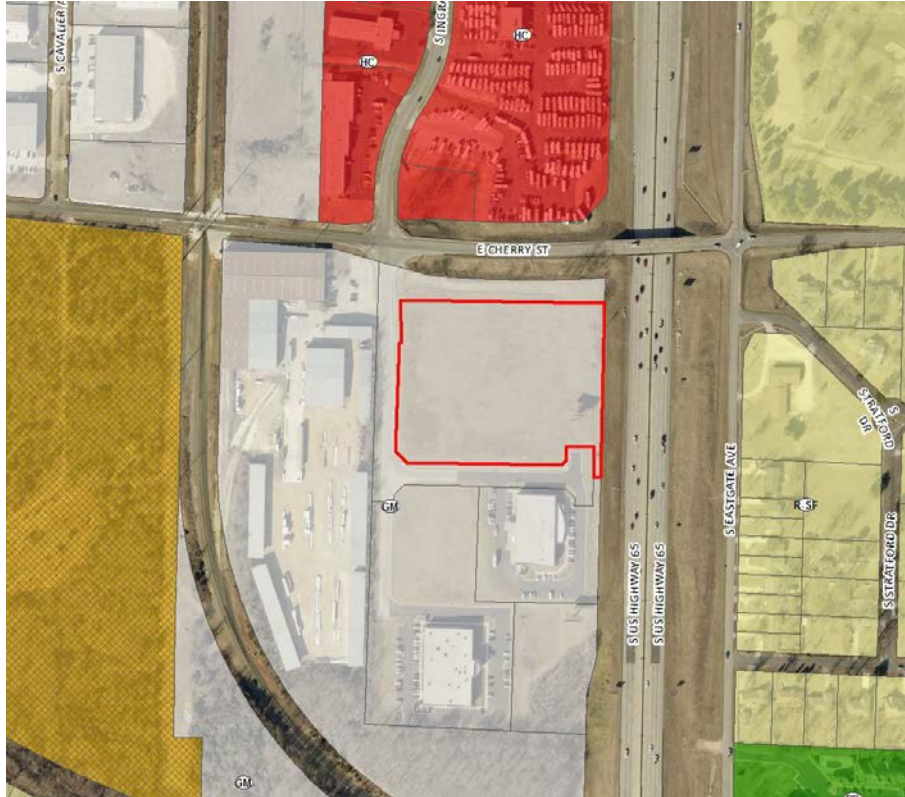


Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING: JUNE 4, 2018



CASE NUMBER:

Z-10-2018 w/Conditional Overlay District No. 148

LOCATION:

3344 E. Cherry Street

ACRES:

5 acres

EXISTING LAND USE:

Vacant/undeveloped

APPLICANT:

HMR Properties, LLP

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve w/Conditions

PROPOSED MOTION:

Move to approve the request to rezone from GM, General Manufacturing District, to HC, Highway Commercial District, and establishing Conditional Overlay District No. 148, as submitted in the staff report

SUMMARY OF REQUEST:

Request to rezone approximately 5 acres of property from GM, General Manufacturing District to HC, Highway Commercial District, and establishing Conditional Overlay District No. 148

FINDINGS FOR STAFF RECOMMENDATION:

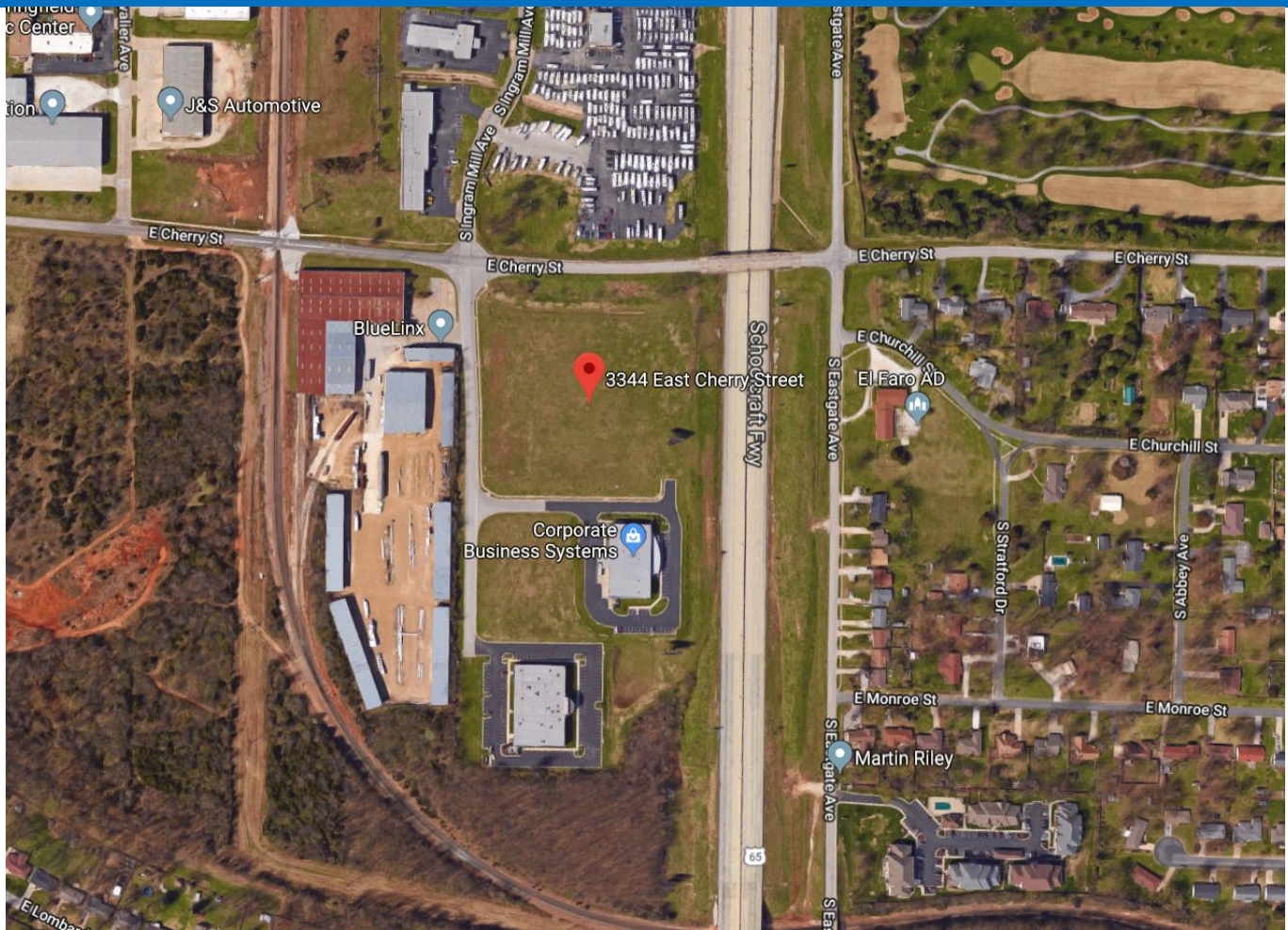
1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing; however, this area is currently zoned GM, General Manufacturing along with the surrounding properties in the area. This area is situated between a freeway and the railroad which makes it more conducive to retail and manufacturing uses. The Major Thoroughfare Plan classifies U.S. 65 Highway as a freeway roadway and Cherry Street as a secondary arterial roadway which supports the proposed land use. The street to the immediate south and west of this property is considered a private street.
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.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM and HC	GM	U.S. 65 and R-SF	GM
LAND USE	Common area and new and used auto sales	Office and manufacturing uses	U.S. 65 highway, and single-family uses	Manufacturing uses

Development Review Staff Report

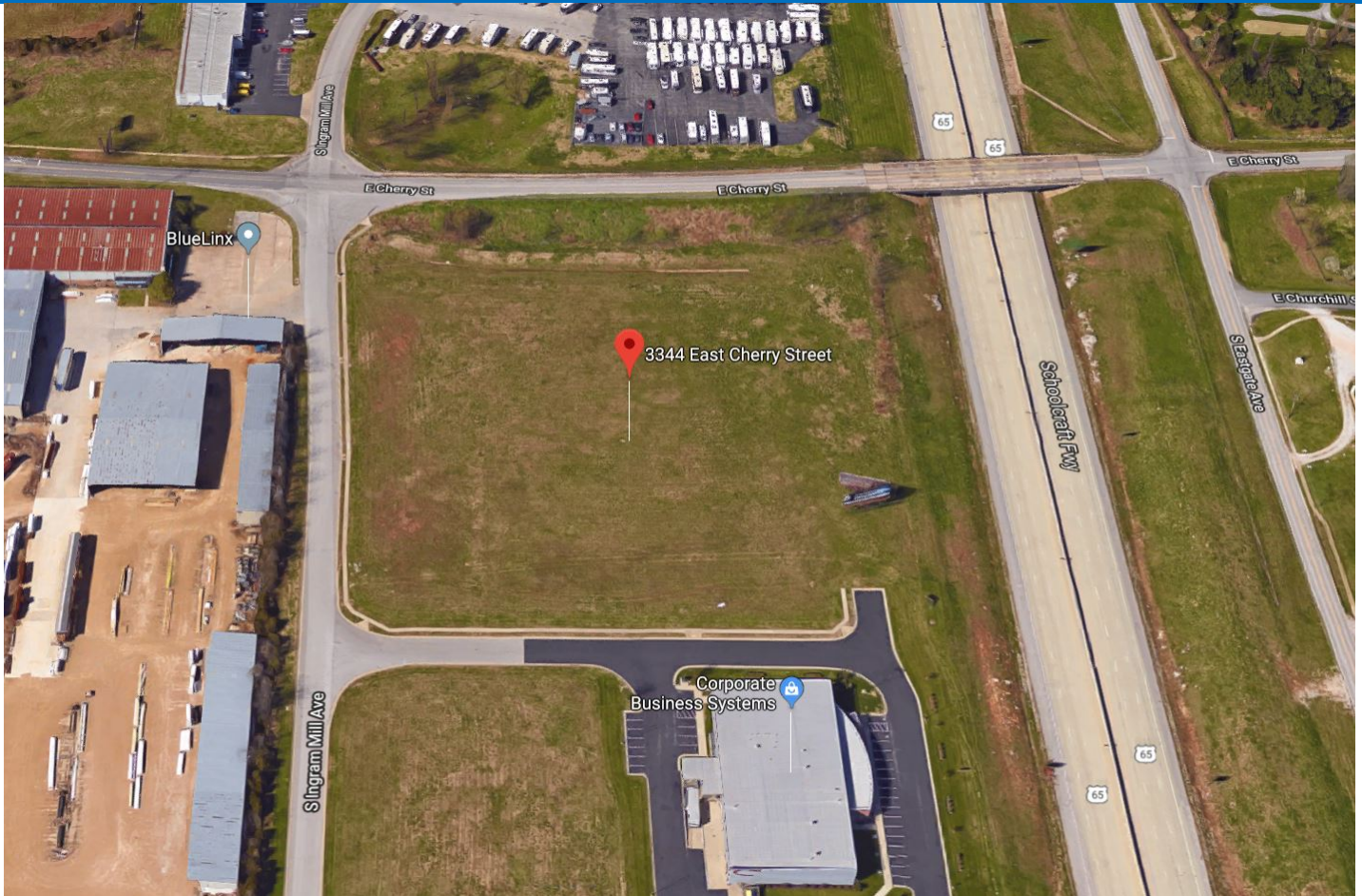
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



Development Review Staff Report

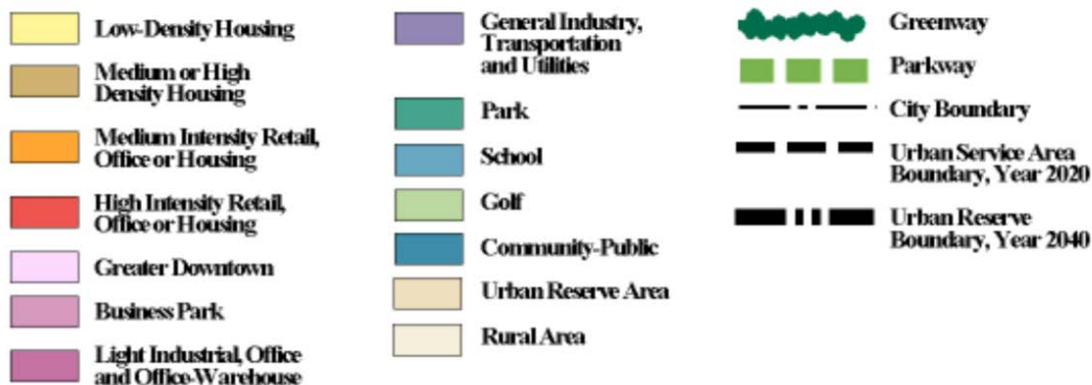
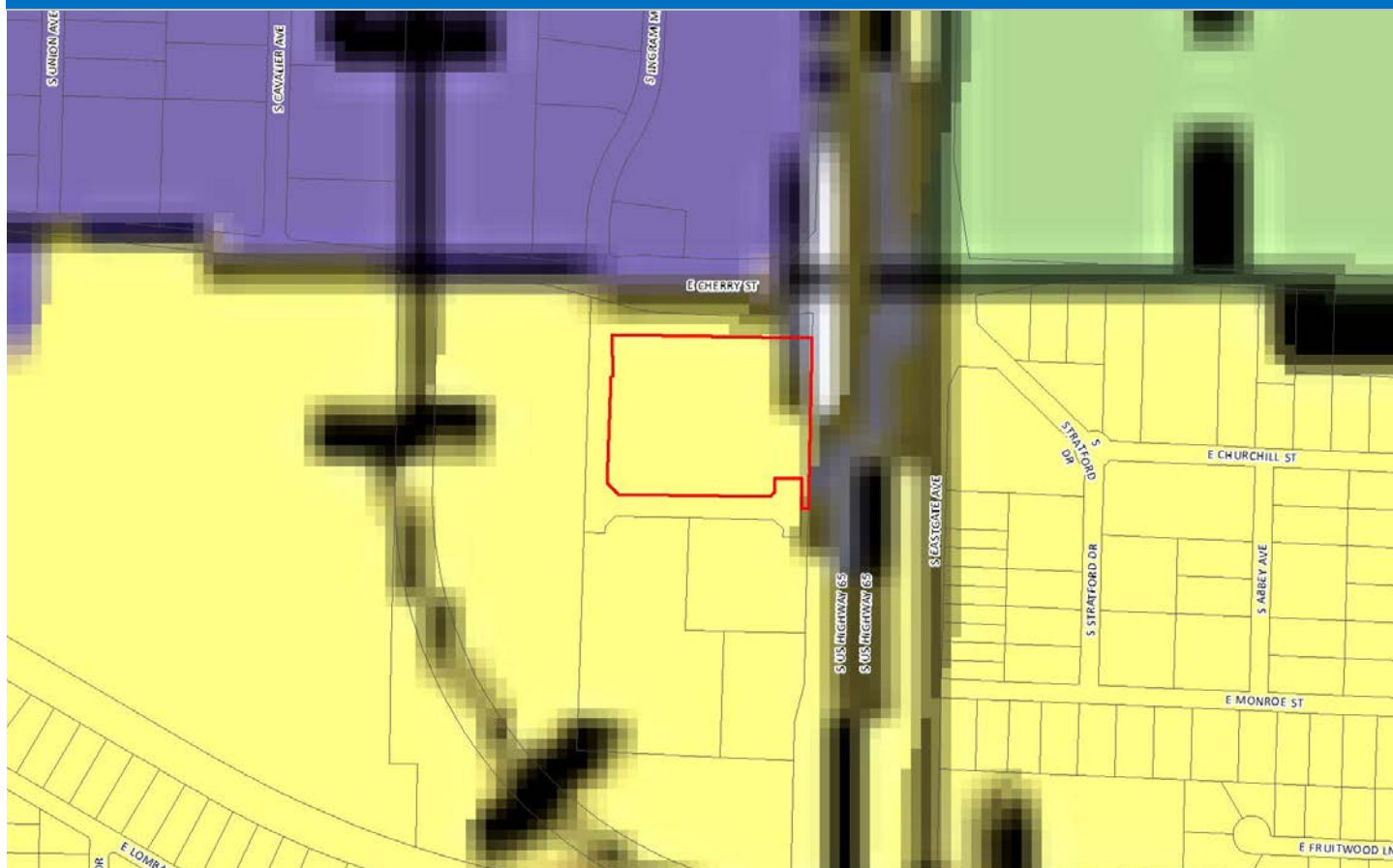


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report

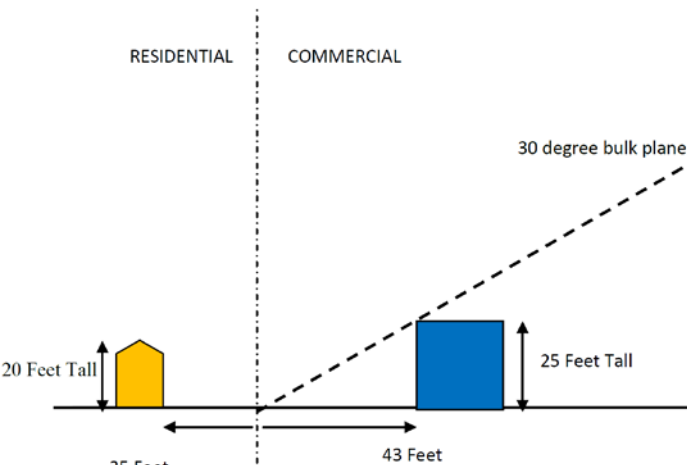


PROPERTY HISTORY:

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

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR HC
Use Limitations	N/A
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district
Front Yard Setback	25 feet along a street classified as a collector or higher or 15 feet along a street classified as a local street
Side and Rear Setbacks	None
Open Space Requirement	20%
Design Requirements	Standard per code

BULK PLANE	LANDSCAPING
	N/A

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; however, this area is currently zoned GM, General Manufacturing along with the surrounding properties in the area. This area is situated between a freeway and the railroad which makes it more conducive to retail and manufacturing uses. The Major Thoroughfare Plan classifies U.S. 65 Highway as a freeway roadway and Cherry Street as a secondary arterial roadway which supports the proposed land use. The street to the immediate south and west of this property is considered a private street.

STAFF COMMENTS:

1. The applicant, HMR Properties, is proposing to rezone the property generally located at the 3344 E. Cherry Street from GM, General Manufacturing District to HC, Highway Commercial District, and establishing Conditional Overlay District No. 148. The applicant is proposing to construct a new automobile sales lot.
2. The proposed zoning will allow the subject property to be developed similarly to adjacent properties along U.S. 65 Highway.

Development Review Staff Report



3. The Conditional Overlay District will require a traffic study and potentially street improvements if the site is redeveloped to a more intense use in the future.
4. Based on the actual proposed automobile sales use, the trip generation will decrease, as compared to the existing zoning. Therefore, Traffic will not require a Traffic Study as a part of this rezoning.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 18, 2018, regarding the request for rezoning. A summary of the meeting 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: 6	Returned: 0
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Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections.

CITY UTILITIES:

No objection to rezoning. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objections to the rezoning.

FIRE DEPARTMENT COMMENTS:

No comments.

MODOT COMMENTS:

No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies E. Cherry Street as a Secondary Arterial roadway. The standard right-of-way width for E. Cherry Street is 35 feet from the centerline. It appears additional right-of-way is not needed along E. Cherry Street. A survey is recommended to determine the exact amount of existing right-of-way. E. Cherry Street is a City maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on E. Cherry Street west of S. Eastgate Avenue is 4,807 vehicles per day. On-street parking is not allowed along E. Cherry Street.

DRIVEWAY ACCESS

There is currently one access point to E. Cherry Street at the intersection with Cherry Street and Ingram Mill Avenue. This access point is a private drive/cross-access easement with the properties abutting to the south/west. No additional access will be permitted to Cherry Street.

SIDEWALK

There is existing sidewalk along the property frontage of the private drive and sidewalk along the north side of Cherry Street along the property frontage. No additional sidewalk is required along Cherry Street as a part of this rezoning/development.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area pertaining to this rezoning. There are bus stops along Cherry Street and Union Avenue to the west of the property pertaining to this rezoning. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

Development Review Staff Report



IMPROVEMENTS

Based on the rezoning from General Manufacturing to Highway Commercial, more than 100 additional trips will be generated in the PM Peak and more than 1,000 additional trips will be generated daily – as shown below. Exceedance of these thresholds requires a Traffic Study to be submitted. However, based, on the actual proposed use (CarMax), the trip generation will decrease, as compared to the existing zoning. Therefore, Traffic will not require a Traffic Study as a part of this rezoning, and will instead, require a Conditional Overlay District that requires a Traffic Study if/when this site ever redevelops in the future as anything more intense than the proposed CarMax. Any required improvements as a part of development of this property will be addressed at the time a Traffic Study is submitted. The City of Springfield does not have any plans in the near future to make improvements to Cherry Street, however, please be aware that MODOT has plans to make improvements to US Highway 65 over the next year, which may require a diversion of traffic onto Cherry Street.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft.)	Required Street ROW From Centerline (ft.)
Street 1	E. Cherry Street	Secondary Arterial	No	148	35
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		51.5	51.5	324.45	N/A
*Proposed Trips Generated		82.4	345.05	3383.55	N/A
Additional Trips Generated		30.9	293.55	3059.1	N/A

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

STORMWATER COMMENTS:

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

Public Works Stormwater Division	Response
Drainage Basin	Jordan Creek South
Is property located in Floodplain	No

Development Review Staff Report



Is property located on a sinkhole	No, but is within a sinkhole watershed
Is stormwater buyout an option	N/A

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

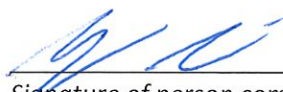
1. Request change to zoning from: GM to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: April 18, 2018 at 4pm
3. Meeting Location: Greenstay Hotel, 222 N. Ingram Mill Rd, Springfield, MO
4. Number of invitations that were sent: 28
5. How the mailing list was generated: City Generated List
6. Number of neighbors in attendance (attach a sign-in sheet): 2
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

One neighbor attended to learn more about the project, had no concerns. Another neighbor attended and raised a concern regarding lighting. The neighbor mentioned the RV Sales lot to the north. We informed the neighbor that the lighting from the sales area would no exceed the 1 FC threshold at the west property line and all lighting would be downcast unlike the RV Sales. This satisfied the neighbor and addressed his concern.

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

No written comments received.

I, Greg Saia (print name), attest that the neighborhood meeting was held on 4/18/2018 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Greg Saia
Printed name of person completing affidavit

Neighborhood Meeting

Rezoning
April 18, 2018
4:00 p.m. – 6:30 p.m.

Name	Address	Phone
JARED Rasmussen	550 St. Louis St. Springfield, MO, 65805	417-890-8802
Bob Newell	3909 E. Cherry St. Springfield, MO 65802	417-483-4920
Mike Myers	664 S. Eastgate Av 65809	417-861-3036

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 3 CONDITIONAL OVERLAY DISTRICT PROVISIONS

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

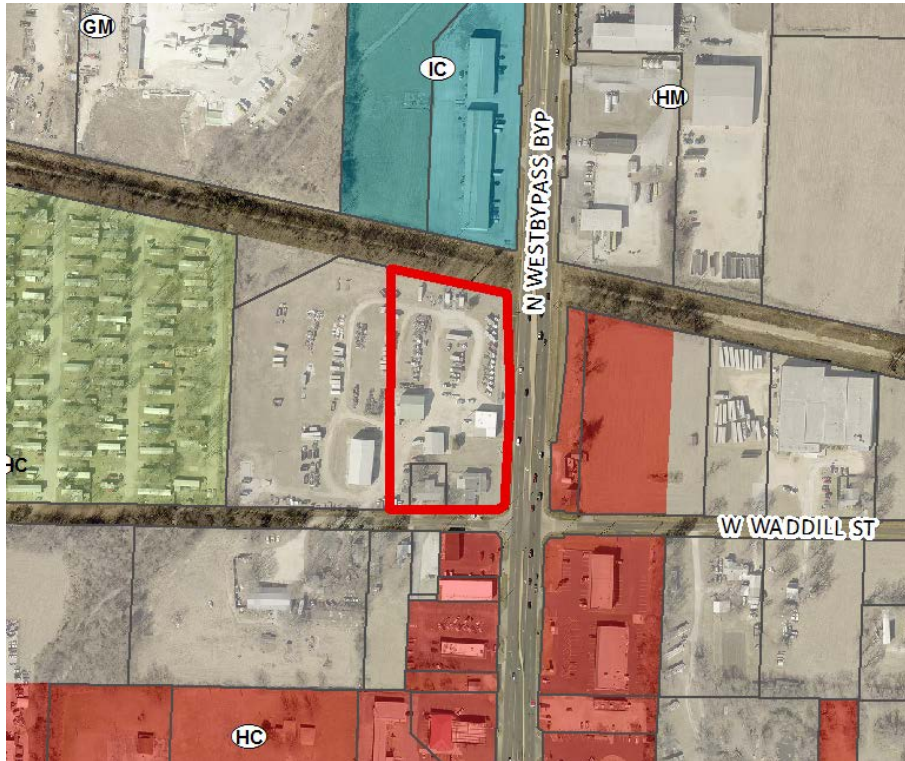
1. A Traffic Study is required if/when this site ever redevelops in the future as anything more intense than the proposed automobile sales use. Any improvements suggested by the Traffic Study shall be constructed or escrowed prior to any building permits being issued.

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING: JUNE 4, 2018



CASE NUMBER:

Z-11-2018 with Conditional Overlay District No. 149

PROJECT LOCATION: 601, 615, 645 North West Bypass and 3511 West Waddill Street

ACRES: 3.35 acres

EXISTING LAND USE: Truck Sales

APPLICANT: Richard K. Wilson Irrevocable Trust

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

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-11-2018 w/ COD No. 149 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 3.35 acres of property generally located at 601, 615, 645 North West Bypass and 3511 West Waddill Street from a GM, General Manufacturing District to a HC, Highway Commercial and establishing Conditional Overlay District No. 149.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies this as an appropriate area for Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors.
2. This application meets the intent of the HC district which is intended for commercial uses that 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.
3. 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.

Development Review Staff Report

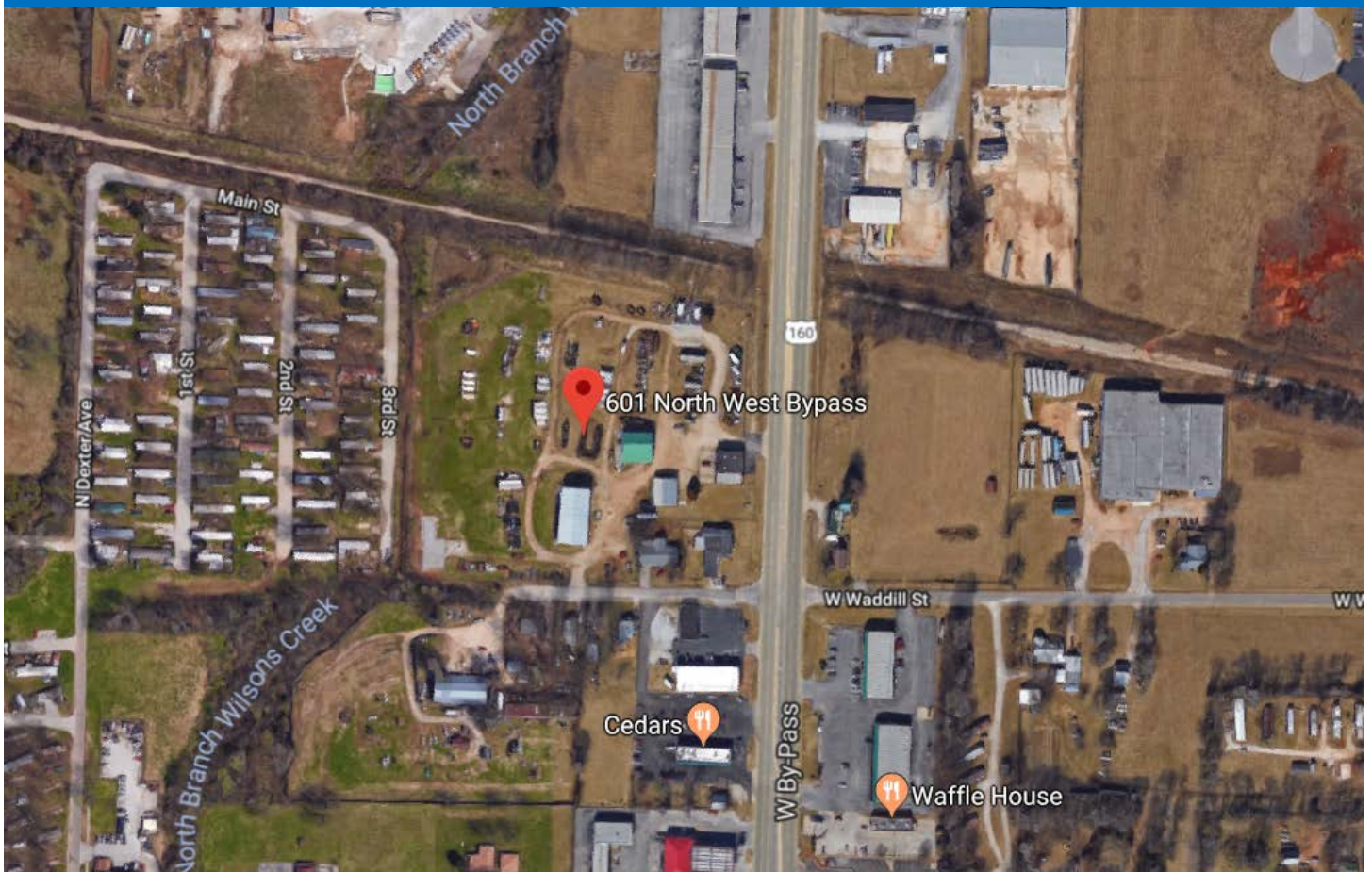


SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	IC	HC & HM	HC	HM
LAND USE	Industrial & Commercial Uses	Commercial Use & Single-family Residence	Commercial Use	Salvage and storage yard

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

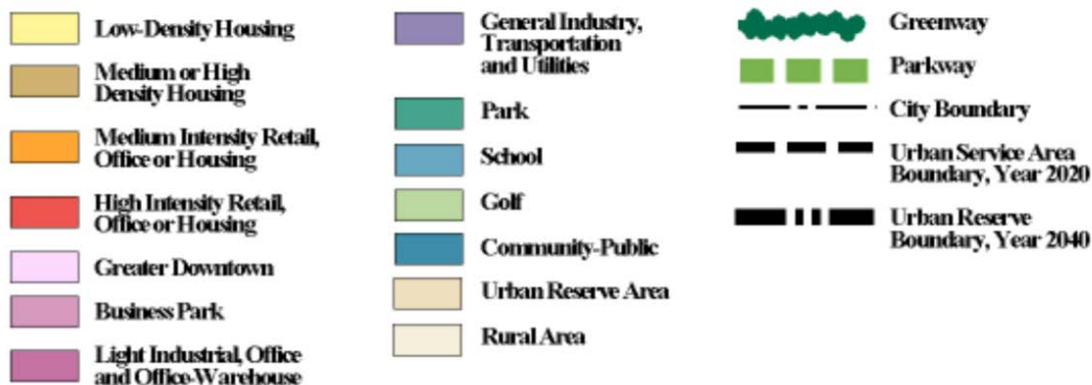
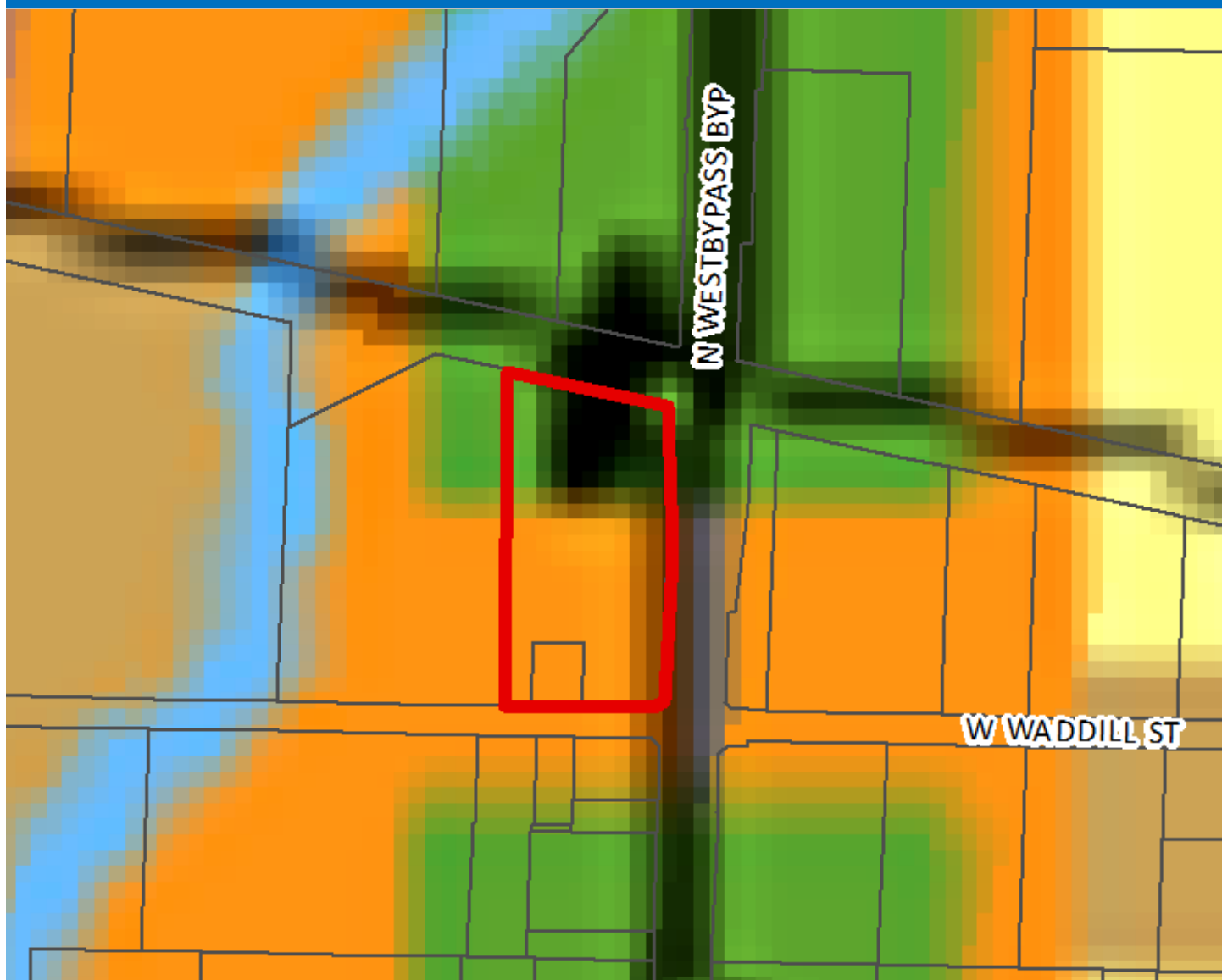


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property was zoned to GM in a community-wide rezoning on March 1995 (G.O. 4494).

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Minimum open space	Not less than 20 percent
Maximum impervious area	Shall not exceed 80 percent of total lot area
BULK PLANE	BUFFERYARD AND LANDSCAPING
No bulk plane will be required because adjacent zoning is higher in intensity.	No bufferyard is required. Perimeter landscape will be required for redevelopment.

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 commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors.

STAFF COMMENTS:

1. The applicant is proposing to rezone from a GM, General Manufacturing District to a HC, Highway Commercial District and establishing Conditional Overlay No. 149. The applicant has requested HC zoning to market the property for a commercial/retail business uses.
2. 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 commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. The HC district is identified as an appropriate district for this land use category.
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. West Bypass is classified as an Expressway. The other three corners of the intersection of Waddill Street and West Bypass Expressway are zoned HC. Additionally, the subject property is located within a ¼ mile of the intersection of Chestnut Expressway and West Bypass.
4. A traffic study will be required at the time of development because the change in zoning increases the trip generation in the PM peak by more than 100 additional trips and exceeds the threshold of 1,000 additional trip-ends daily. Additionally, a 30-foot by 30-foot right-of-way sight triangle will be required at time of development.
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 April 19, 2018 regarding the rezoning request. A summary of the meeting is attached (Attachment 4).

Development Review Staff Report



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
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Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

CITY UTILITIES COMMENTS:

No objection to rezoning.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies N. West Bypass as an Expressway and W. Waddill Street as a Local roadway. The standard right-of-way width for N. West Bypass is 65 feet from the centerline. The standard right-of-way width for W. Waddill Street is 25 feet from the centerline. It appears approximately 12 feet of additional right-of-way needs to be acquired along the property frontage of N. West Bypass. In addition, a 30-foot by 30-foot right-of-way sight triangle is needed at the intersection of W. Waddill Street and N. West Bypass. A survey is recommended to determine the exact amount of existing right-of-way. N. West Bypass is a MODOT maintained street. Defer to MODOT for final comments regarding N. West Bypass. W. Waddill Street is a City maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on N. West Bypass north of Chestnut Expressway is 22,150 vehicles per day. There are no recent traffic counts for the portion of W. Waddill Street pertaining to this rezoning case. On street parking is not allowed along N. West Bypass, but is permitted along W. Waddill Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from N. West Bypass. Defer to MODOT for comments regarding access to N. West Bypass. There is currently two driveway access points onto the property from W. Waddill Street. The eastern-most driveway approach will need to be closed, as it does not meet the minimum spacing requirement from the intersection of W. Waddill Street and N. West Bypass. Any new proposed driveway approaches must meet the minimum spacing requirements (200' Approach/100' Exit).

SIDEWALK

There is currently no sidewalk along any of the property frontage pertaining to this rezoning. Sidewalk is required to be constructed along the entire length of the property frontage on W. Waddill Street, or a fee paid in-lieu-of sidewalk construction. Defer to MODOT for comments regarding sidewalk along N. West Bypass.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area pertaining to this rezoning. There are bus stops along W. Chestnut Expressway to the south of the property pertaining to this rezoning. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

Development Review Staff Report



IMPROVEMENTS

To be determined. A Traffic Impact Study is required, as the change in zoning increases the trip generation in the PM peak by more than 100 additional trips and exceeds the threshold of 1,000 additional trip-ends daily. The City of Springfield has no plans to make and improvements to W. Waddill Street in the near future. Defer to MODOT for any improvements planned for N. West Bypass.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	N. West Bypass	Expressway	No	53	65
Street 2	W. Waddill Street	Local	Yes	26	25
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		80.6	80.6	507.8	N/A
*Proposed Trips Generated		129	540	5803	N/A
Additional Trips Generated		48.4	459.4	5295.2	N/A

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

STORMWATER COMMENTS:

The property is in the Upper Wilson's Creek drainage basin. The property is located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of stormwater detention will be allowed. If the project disturbs more than one (1) acre in the future there will be a land disturbance permit required.

A buyout may be allowed. This site drains northwest towards the floodplain.

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	Upper Wilson's Creek
Is property located in Floodplain?	Yes
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-11-2018 & CONDITIONAL OVERLAY DISTRICT NO. 149

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 that requires a building permit.
2. A 30-foot by 30-foot right-of-way sight triangle shall be required at the Waddill Street and West Bypass intersection at the time of development that requires a building permit.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: General Manufacturing to Highway Commercial
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, April 19, 2018
3. Meeting Location: 535 N West Bypass, Suite E, Springfield, MO 65802
4. Number of invitations that were sent: 48
5. How the mailing list was generated: Recorder of Deeds
6. Number of neighbors in attendance (attach a sign-in sheet): 2
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Only one person had a question regarding which side of the Bypass is to be rezoned: east or west. I gave him a map showing the property for which the rezoning is being requested so he understood. He mistakenly thought it was the east side (600 N West Bypass) but I explained that property is already zoned Highway Commercial while the west side (601 N West Bypass) is currently zoned as General Manufacturing.

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

No one submitted any written comments as a result of the meeting.

I, Carolyn Smith (print name), attest that the neighborhood meeting was held on _____ (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."

Carolyn Smith
Signature of person completing affidavit

Carolyn Smith
Printed name of person completing affidavit

RGW REZONING MEETING

APRIL 19, 2018

NAME	PHONE	ADDRESS	O ¹	R ²
Alan E. McElroy	1-417-234-5727	3357 W. Waddill ST.	X	
Barton Granz	417-496-6798	3832 W. Park Ridge Cir	X	

¹ O - PROPERTY OWNER

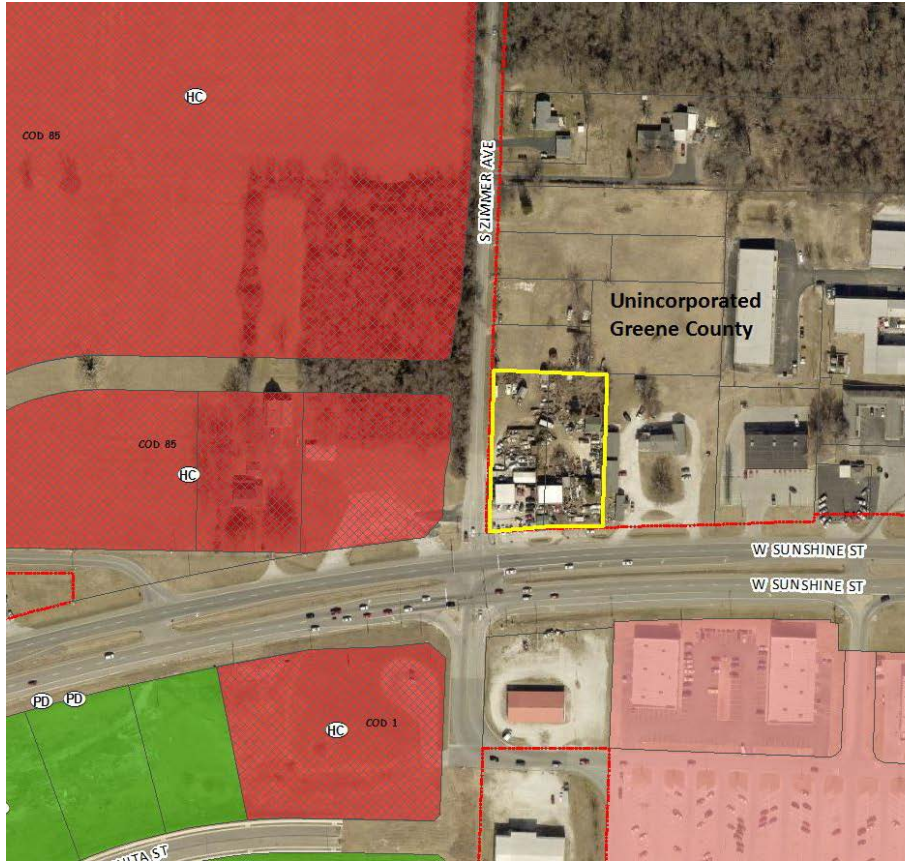
² R = RENTOR

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING: JUNE 4, 2018



CASE NUMBER:

Z-12-2018 w/Conditional Overlay District No. 147

LOCATION:

3661 W. Sunshine Street

ACRES:

1.3 acres

EXISTING LAND USE:

Automobile sales

APPLICANT:

Michael and Victor Paulik

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve w/Conditions

PROPOSED MOTION:

Move to approve the request to rezone from County C-2, General Commercial 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 1.3 acres of property from County C-2, General Commercial District, to GR, General Retail District, and establishing Conditional Overlay District No. 147.

FINDINGS FOR STAFF RECOMMENDATION:

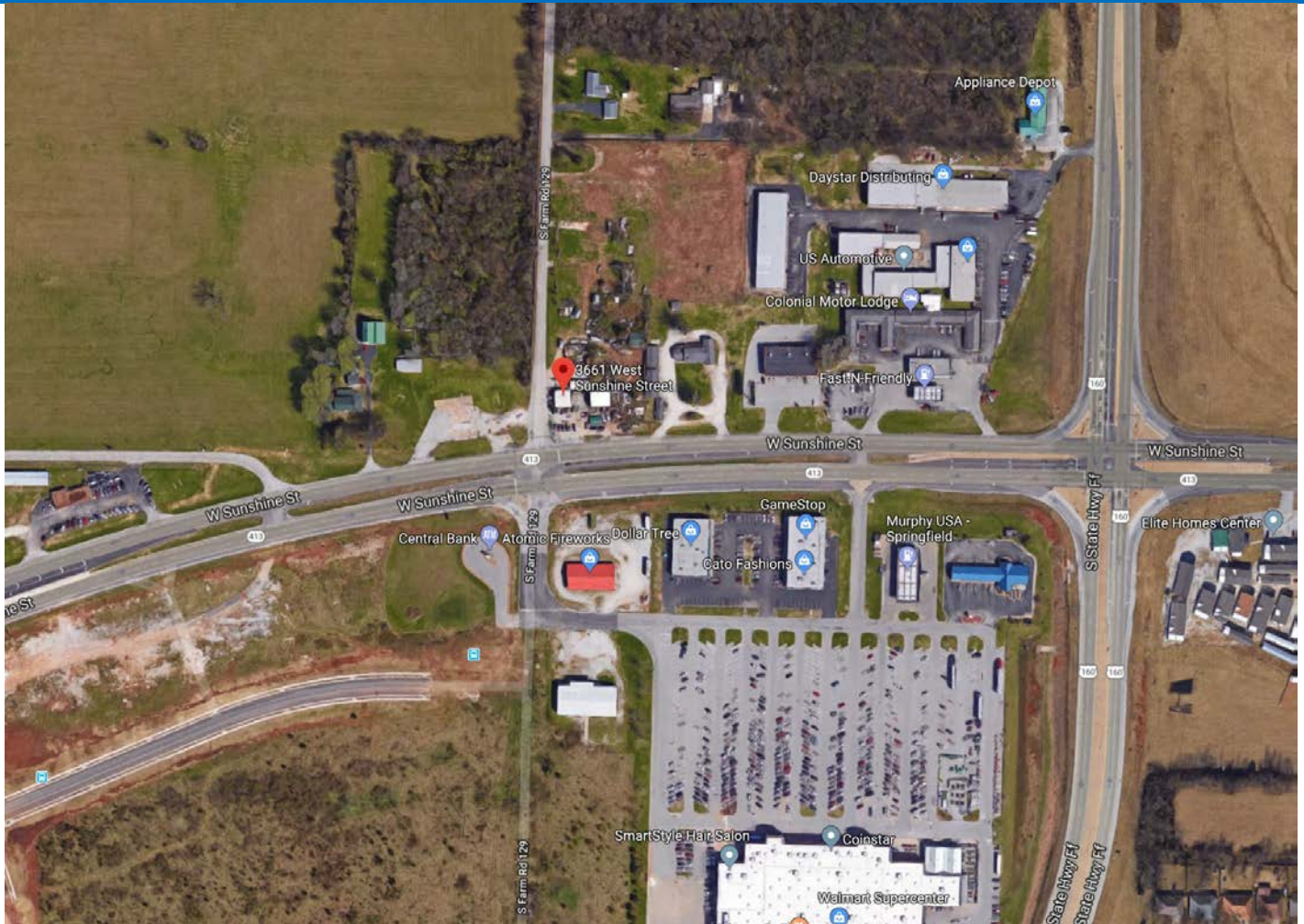
1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors. The Major Thoroughfare Plan classifies Sunshine Street as an expressway roadway and Zimmer Avenue as a collector 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 the subject properties, dedication of right-of-way, driveway closures and improvements to Zimmer Avenue.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	County C-2	HC	County C-2	O-1
LAND USE	Vacant/undeveloped	Retail uses	Temp. lodging uses	Office uses

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



Development Review Staff Report

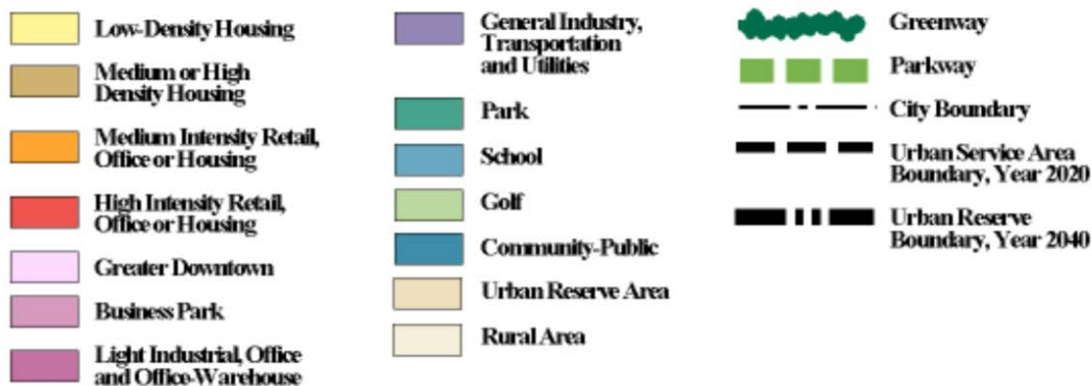
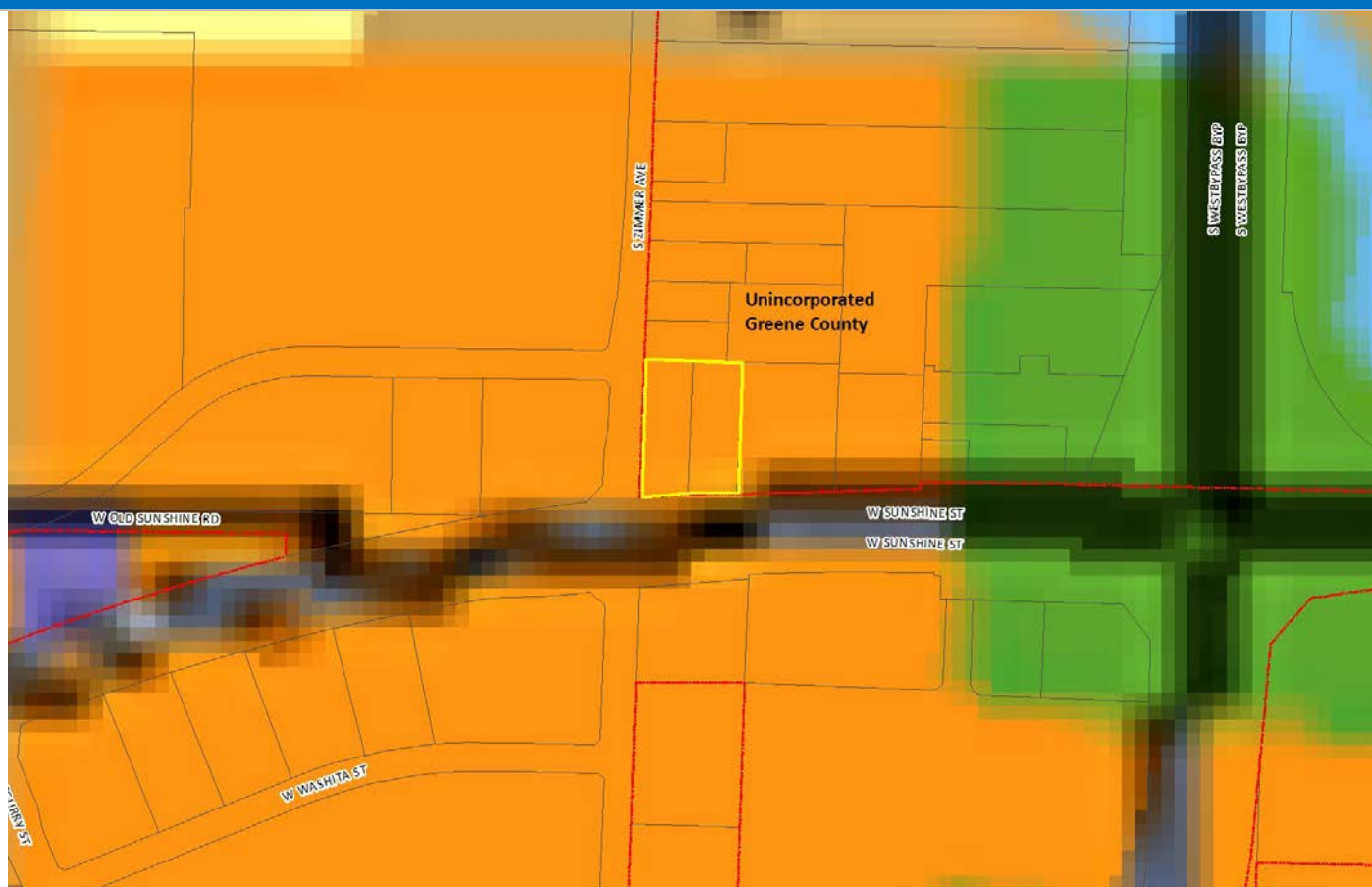


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property is zoned C-2, General Commercial and is currently located in unincorporated Greene County.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR GR
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	None
Front Yard Setback	25 feet along a street classified as a collector or higher or 15 feet along a street classified as a local street
Side and Rear Setbacks	None
Open Space Requirement	20%
Design Requirements	Standard per code
BULK PLANE	LANDSCAPING
N/A	N/A

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 an expressway roadway and Zimmer Avenue as a collector roadway which supports the proposed land use.

STAFF COMMENTS:

1. The applicants, Michael and Victor Paulik, are proposing to rezone the property located at the 3661 W. Sunshine Street from County C-2, General Commercial District to a GR, General Retail District and establishing Conditional Overlay District No. 136. The applicant is proposing to construct a new convenience store and fueling station. The property is also concurrently being processed for annexation and will have a public hearing at the same City Council meeting on June 4th.
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 the subject properties, dedication of right-of-way, driveway closures and improvements to Zimmer Avenue. MoDOT may require a traffic study and intersection improvements as well.
4. Public Improvements are required as a part of this rezoning. The public improvement plans should include sidewalk along the entire length of the property frontage on S. Zimmer Avenue, a driveway approach on the northern-most end of the property that aligns with the newly constructed University Street, and curb/gutter will need to be extended south from where Greene County's improvements to S. Zimmer Avenue end (at the northern end of the property pertaining to this rezoning). These public improvements are required based on the increase in traffic generated by the change in use of the property (see the following page for details).

Development Review Staff Report



5. Bufferyards are not required next to the adjacent properties to the north and east in unincorporated Greene County because they are currently zoned C-2, General Commercial which is comparable to the proposed GR, General Retail District.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on, April 19, 2018, regarding the request for rezoning. A summary of this meeting 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: 15	Returned: 0
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Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES:

No objections. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning or annexation provided public sewer is extended to the property.

FIRE DEPARTMENT COMMENTS:

No comments.

GREENE COUNTY HIGHWAY COMMENTS:

The Greene County Highway Department supports the annexation and re-zoning of the property located at 3661 W. Sunshine.

MODOT COMMENTS:

No objection to the rezoning. No access will be allowed to Sunshine. All access will need to come from Zimmer. A traffic study may be required. Intersection improvements may be required.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies W. Sunshine Street as an Expressway and S. Zimmer Avenue as a Collector roadway. The standard right-of-way width for W. Sunshine Street is 65 feet from the centerline. The standard right-of-way width for S. Zimmer Avenue is 30 feet from the centerline. It appears additional right-of-way is not needed along W. Sunshine Street. It appears approximately 10 feet of additional right-of-way needs to be acquired along S. Zimmer Avenue. In addition, a 30-foot by 30-foot right-of-way sight triangle is needed at the intersection of W. Sunshine Street and S. Zimmer Avenue. A survey is recommended to determine the exact amount of existing right-of-way. W. Sunshine Street is a MODOT maintained street. Defer to MODOT for final comments/requirements on W. Sunshine Street. S. Zimmer Avenue is a City maintained street in the area pertaining to this rezoning.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on W. Sunshine Street west of West Bypass is 21,106 vehicles per day. There are no recent traffic counts for the section of S. Zimmer Avenue pertaining to this rezoning. On-street parking is not allowed along W. Sunshine Street or S. Zimmer Avenue.

DRIVEWAY ACCESS

There is currently two driveway access point onto the property from W. Sunshine Street that will both need to be closed, per MODOT requirements, as they do not meet the minimum spacing requirements from the intersection of Sunshine and Zimmer. There is currently two driveway access points onto the property from S.

Development Review Staff Report



Zimmer Avenue. Both driveways will need to be closed. Access to the property pertaining to this rezoning should be taken from a driveway access point that aligns with the newly constructed University Street. This access point will be at the northern-most end of the property (furthest from the intersection).

SIDEWALK

There is not currently sidewalk on either W. Sunshine Street or S. Zimmer Avenue. Sidewalk is required to be constructed along the entire length of the property frontage on S. Zimmer Avenue. This sidewalk should be included in the required public improvement plans. Defer to MODOT for requirement of sidewalk along W. Sunshine Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

The Wilson's Creek Greenway Trail is just to the west of the property pertaining to this rezoning. There are bus stops to the south of the property pertaining to this rezoning on W. Washita Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

Public Improvements are required as a part of this rezoning. The public improvement plans should include sidewalk along the entire length of the property frontage on S. Zimmer Avenue, a driveway approach on the northern-most end of the property that aligns with the newly constructed University Street, and curb/gutter will need to be extended south from where Greene County's improvements to S. Zimmer Avenue end (at the northern end of the property pertaining to this rezoning). These public improvements are required based on the increase in traffic generated by the change in use of the property (see the following page for details).

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	W. Sunshine Street	Expressway	No	90	65
Street 2	S. Zimmer Avenue	Collector	No	20	30
		Weekday AM Peak	Weekday PM Peak	Weekday	Weekend Peak Hour
Existing Trips Generated (Used Automobile Sales)		5	6	32	N/A
*Proposed Trips Generated (Gasoline/Service Station w/ Convenience Market)		395	459	6768	574
Additional Trips Generated		390	453	6736	N/A

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

STORMWATER COMMENTS:

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: C-2 (GREENE Co) to GR
(existing zoning) (proposed zoning)
2. Meeting Date & Time: APRIL 19, 2018 - 4:00pm - 6:30pm
3. Meeting Location: IGLESIA CRISTIANA CASA DE ORACION, 3935 W. SUNSHINE
4. Number of invitations that were sent: 31
5. How the mailing list was generated: CITY OF SPRINGFIELD PLANNING
6. Number of neighbors in attendance (attach a sign-in sheet): 2(ONE MARRIED COUPLE)
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.)

CONCERNS WITH THE PROXIMITY OF THE SITE TO THEIR PROPERTY AND HOW THIS MAY AFFECT THEIR PROPERTY VALUE.
- IT WAS EXPLAINED THERE ARE SEVERAL PARCELS BETWEEN THEIR PROPERTY AND THIS SITE. THIS SITE WILL HAVE MINIMAL IMPACT ON THEIR PROPERTY BUT WILL CLEANUP THE APPEARANCE OF THE CORNER @ SUNSHINE & ZIMMER

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

NONE.

I, DAVID A. LUNDSTROM (print name), attest that the neighborhood meeting was held on 04/19/2018 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

DAVID A. LUNDSTROM
Printed name of person completing affidavit

Neighborhood Meeting
Casey's General Store, 3661 W. Sunshine
April 19, 2018, 4:30pm - 6:00pm
Iglesia Cristiana Cas de Oracion, 3935 W. Sunshine

Sign-In Sheet

	Name	Address	Telephone Number
1	Wilson + Janet Johnson	1684 S Farm Road	417-862-3001
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
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20			

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 3 CONDITIONAL OVERLAY DISTRICT PROVISIONS

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

1. The subject properties shall be administratively combined following the current Subdivision Regulations.
2. Approximately 10 feet of additional right-of-way needs to be acquired along S. Zimmer Avenue. In addition, a 30-foot by 30-foot right-of-way sight triangle is needed at the intersection of W. Sunshine Street and S. Zimmer Avenue. A survey is recommended to determine the exact amount of existing right-of-way.
3. Public Improvements are required as a part of this rezoning. The public improvement plans should include sidewalk along the entire length of the property frontage on S. Zimmer Avenue, a driveway approach on the northern-most end of the property that aligns with the newly constructed University Street, and curb/gutter will need to be extended south from where Greene County's improvements to S. Zimmer Avenue end (at the northern end of the property pertaining to this rezoning).
4. There is currently two driveway access point onto the property from W. Sunshine Street that will both need to be closed, per MODOT requirements, as they do not meet the minimum spacing requirements from the intersection of Sunshine and Zimmer. There is currently two driveway access points onto the property from S. Zimmer Avenue. Both driveways will need to be closed. Access to the property pertaining to this rezoning should be taken from a driveway access point that aligns with the newly constructed University Street. This access point will be at the northern-most end of the property (furthest from the intersection).

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: May 1, 2018

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Initiate amendments to the Subdivision Regulations Sec. 36-226. - Major subdivision review procedure.

Staff is requesting amendments to the Subdivision Regulations to modify the Major subdivision review procedure to limit the effective period for a preliminary plat. The current regulations are as follows;

Sec. 36-226. - Major subdivision review procedure.

(3) *Preliminary plat.*

(h) Effective period of preliminary approval.

1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraphs 2. and 3. below.
2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, an indefinite number of times.
3. Submission of the final plat for any portion of a subdivision shall automatically validate the remainder of the preliminary plat for a period of two years from the date the final plat is submitted.

A preliminary plat can be extended an indefinite number of times, staff would request to modify this language to reflect best management practices and complete a review of planning laws as well as a review of other city regulations.

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