Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: October 11, 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 Jobe.

1. ROLL CALL

2. APPROVAL OF MINUTES

September 13th, 2018

Documents:

PZ MINUTES 9-13-2018.PDF

3. COMMUNICATIONS

City Council - September 10th, 2018

Documents:

NA09-10-18.PDF

City Council - September 24th, 2018

Documents:

NA09-24-2018.PDF

4. CONSENT ITEMS

5. Relinquishment Of Easement 869

829 South Holland Avenue, Randall Magers

Documents:

RE 869 SR.PDF

6. UNFINISHED BUSINESS

7. Z-20-2018 W/COD #155

3503, 3521, & 3527 South Lone Pine Avenue, Roger Bannigan & Scott Munson

Documents:

Z-20-2018 COD 155 SR TABLINGMEMO.PDF

8. Planned Development 366

1403, 1405, 1409, 1411, 1415, 1425, & 1427 East Cherry Street and 527 South Pickwick Avenue, Pickwick and Cherry, LLC

Documents:

PD 366 TABLING MEMO.PDF

9. Z-23-2018 W/COD #158

3040 East Cherry Street, Excel Investments, LP

Documents:

Z-23-2018 COD 158 SR.PDF

10. PUBLIC HEARINGS

11. Preliminary Plat Of Cherry Hills Village

3040 East Cherry Street, Excel Investments, LP

Documents:

CHERRY HILLS VILLAGE.PDF

12. Z-24-2018

3723 South Scenic Avenue, Melody Hargiss

Documents:

Z-24-2018 SR.PDF

13. Z-25-2018

1904 West College Street, City of Springfield

Documents:

Z-25-2018 SR.PDF

14. Z-26-2018

4200 blk West Kearney Street, Arma Development, LLC

Documents:

Z-26-2018.PDF

15. OTHER BUSINESS

16. Short-Term Rental Amendments

Citywide, City of Springfield

Documents:

SHORT-TERM RENTAL AMENDMENTS SR CC REMAND2.PDF

17. Request To Repeal The Monroe Redevelopment Plan

1141 East Bear Boulevard, City of Springfield

Documents:

REQUEST TO REPEAL THE MONROE REDEVELOPMENT PLAN PZ SR.PDF

18. ADJOURN

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

September 13 , 2018
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session September 13, 2018 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), Dee Ogilvy, Britton Jobe, Melissa Cox, and David Shuler. Absent: King Coltrin (Vice-Chairman), Natalie Broekhoven, Cameron Rose, and Joel Thomas. Staff in attendance: Bob Hosmer, Principal Planner and Thomas Rykowski, Asst. City Attorney.

MINUTES: The minutes of August 15, 2018 were approved as amended.

COMMUNICATIONS :

Bob Hosmer reported on City Council meeting actions and noted the cases that are tabled at tonight's commission hearing.

CONSENT ITEMS:

Relinquishment of Easement 866
1700 East Cherokee Street
Applicant: Hatch Enterprises, LLC

COMMISSION ACTION:
Ms. Cox motioned to **approve** consent item, Relinquishment of Easement 866 (1700 East Cherokee Street). Mr. Shuler seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

UNFINISHED BUSINESS:

Z-20-2018 w/COD #155
3503, 3521 & 3527 South Lone Pine Avenue
Applicant: Roger Bannigan & Scott Munson

Mr. Hosmer stated that the developer asked that this case be TABLED and presented at the Planning and Zoning Commission meeting on October 11, 2018.

COMMISSION ACTION:
Ms. Cox motioned to **TABLE** Z-20-2018 w/COD #155 (3503, 3521 & 3527 South Lone Pine Avenue). Mr. Shuler seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

PUBLIC HEARINGS:

Vacation 803
1700 blk East Cherokee Street
Applicant: City of Springfield

Mr. Hosmer stated that this is a request to vacate a portion of the right-of-way located in the 1700 block of East Cherokee Street. The applicant, City of Springfield, is requesting to vacate un-used right-of-way. The property owner will also be dedicating right-of-way once the vacation is complete. No easements are in the right-of-way. All departments were contacted and do not have an issue with the vacation. In order to

approve the vacation of a public street or alley, the Planning and Zoning Commission must make the consider the 4 findings in the approval criteria (table below).

Approval Criteria	**Staff Response:**
1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets.
2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.	Owners of two-thirds of the property adjacent to the public right-of-way petitioned for the vacation.
3. That the retention of the street, alley, public way or subdivision serves no useful purpose.	The requested portion to be vacated is no longer a benefit to the city street system and the traveling public.
4. That the vacation will not affect the ability to use utilities, public or private.	The applicant will not be dedicating replacement easements. No utilities are located within the vacated property.

The requested vacation meets the approval criteria. Staff recommends approval

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Ms. Cox motioned to **approve** Vacation 803 (1700 blk East Cherokee Street). Mr. Jobe seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Z-21-2018 w/COD #156
4244 South Farm Road 137 (Scenic Avenue)
Applicant: Kenneth Medley

Mr. Hosmer stated that this is a request to rezone approximately one acre of property from County R-1, Single-Family Residential District, to O-1, Office District, and establishing Conditional Overlay District No. 156. The property is currently in the process of being annexed into the City. The Comprehensive Plan identifies this as an appropriate area for Low-Density Housing; however, this is inconsistent with current development patterns and depths along Republic Road and Scenic Avenue. The Plan recommends offices as appropriate uses along major roads and between higher intensity and residential uses. The subject property is located on Scenic Avenue, which is classified as a secondary arterial. The O-1 office district will require all uses occur inside and a maximum building height of 35 feet (45-degree bulk plane adjacent to R-SF or residential). Type C bufferyard adjacent to residential, at least 15 feet wide and a Type S1 street buffer along Scenic Avenue. A Traffic Impact Study was not required. Stormwater detention will be required, (fee in lieu of on-site detention will be not be allowed). The Conditional Overlay District will require the two tracts to be combined into one and the dedication of additional right-of-way for Scenic. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Ken Medley, 201 Alshire Drive; Billings, owner and wants to rezone in order to sell the property.

Ms. Vickie Dunakin, 4256 S. Deborah Road, lives one block east and has been current homeowner for 21 years. Noted the changes and encroachment of development that has taken place over the years and how much the original setting has been altered (loss of large trees/wildlife/etc.) and also noted her concerns

regarding lighting (parking lots), noise and flooding that currently affects her property and does not want to be annexed into the City.

Mr. George Dunakin, 4256 S. Deborah Road, lives one block east and has been current homeowner for 21 years. Stated his concerns of light encroachment problems due to the parking lot lights from local businesses and churches as well as flooding and the loss of green space in the area.

Ms. Michelle Hunter, 2760 N. Camino Alto, stated her concerns regarding flooding, traffic and development along Scenic and the future potential widening of Scenic Road. Currently lives in the county and does not want the possibility of her property being annexed into the city due to higher property taxes, utilities and other issues.

Mr. Doennig closed the public hearing.

Mr. Doennig asked about possible stormwater buyout and if any future developer would have to build stormwater detention.

Mr. Hosmer stated that any future developer would need to build stormwater detention.

Ms. Cox asked about Office 1 height and bulk-plane requirements.

Mr. Hosmer stated that Office 1 maximum height is 35 feet, however anything near Single Family Residential or Residential Townhouse would need meet a 45-degree bulk-plane which is a one to one relationship for building setback to building height. There is also a 15-foot minimum bufferyard requirement.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Z-21-2018 (4244 South Farm Road 137 (Scenic Avenue)). Ms. Cox seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Z-22-2018 w/COD #157
4653 South Campbell Avenue
Applicant: Springfield-Greene County Library District

Mr. Hosmer stated that this is a request to rezone approximately 18 acres of property from O-1, Office District, to GR, General Retail District, and establishing Conditional Overlay District No. 157. The Comprehensive Plan identifies this as an appropriate area for High-Intensity Retail, Office or Housing and as an Activity Centers which encourages a variety of commercial and medium to high density housing at major intersections. The back portions recommend Low Density Housing. The applicant, Springfield-Greene County Library District, is proposing to rezone and subdivide into two tracts. A traffic study will be required at time of development. Fee in lieu of on-site stormwater detention will be allowed since it is close to the floodplain. The proposed Conditional Overlay District will require a traffic study at the time of development or redevelopment if a proposed use creates an increase in traffic above the current library use and the subject property shall be platted following the current Subdivision Regulations. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Ricky Hasse, 550 E. St. Louis Street, representing the owner. All staff comments and conditions in the report are acceptable.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-22-2018 w/COD #157 (4653 South Campbell Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Preliminary Plat of the Library Center
4653 South Campbell Avenue
Applicant: Springfield-Greene County Library District

Mr. Hosmer stated that this is a request to subdivide 18 acres of property located at 4653 S. Campbell Avenue for a two-lot subdivision named "The Library Center". The applicant, Springfield-Greene County Library District, is requesting to subdivide their property into two lots to transfer/develop the southern half. The applicant is applying for a subdivision variance to allow street centerline radii that do not meet the Public Works Design Standards. The Director of Public Works and Public Works Traffic Division have reviewed and support this request. The applicant's proposal, and approval of the subdivision variance, is consistent with the City's Subdivision Regulations. Staff recommends approval. Need motion to approve Subdivision Variance and Preliminary Plat.

Mr. Doennig opened the public hearing.

Mr. Ricky Hasse, 550 E. St. Louis Street, representing the owner. All staff comments and conditions in the report are acceptable.

Mr. Doennig closed the public hearing.

COMMISSION ACTION ONE:
Ms. Cox motioned to **approve** the Subdivision Variance for the Preliminary Plat of the Library Center (4653 South Campbell Avenue). Mr. Rose seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

COMMISSION ACTION TWO:
Ms. Cox motioned to **approve** Preliminary Plat of the Library Center (4653 South Campbell Avenue). Mr. Rose seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Z-23-2018 w/COD #158
3040 East Cherry Street
Applicant: Excel Investments, LP

Mr. Hosmer stated that the representative asked this case to be TABLED and presented at the Planning and Zoning Commission meeting on October 11, 2018.

COMMISSION ACTION:
Ms. Cox motioned to **TABLE** Z-23-2018 w/COD #158 (3040 East Cherry Street). Mr. Jobe seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Planned Development 366
1403, 1405, 1411, 1415, 1425, & 1427 East Cherry Street
Applicant: Pickwick and Cherry, LLC

Mr. Hosmer stated that the representative asked this case to be TABLED and presented at the Planning and Zoning Commission meeting on October 11, 2018.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** Planned Development 366 (1403, 1405, 1411, 1415, 1425, & 1427 East Cherry Street). Mr. Jobe seconded the motion. Ayes: Doennig, Cox, Shuler, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Broekhoven, Coltrin, Rose, and Thomas.

Noted Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Ken McClure, Mayor

Zone Councilmembers	General Councilmembers
Phyllis Ferguson, Zone 1	Jan Fisk, General A
Tom Prater, Zone 2	Craig Hosmer, General B
Mike Schilling, Zone 3	Kristi Fulnecky, General C
Matthew Simpson, Zone 4	Richard Ollis, General D

Upcoming Council Meeting Agenda
September 10, 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. August 27, 2018**

Approved as Amended

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

4. **CEREMONIAL MATTERS.**

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

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

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

All meetings are recorded.

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27103 **7. Council Bill 2018-211. (Ferguson)**

A special ordinance approving a Petition to Establish the Kansas and Kearney Community Improvement District; authorizing the City Manager to execute a Cooperative Agreement between the City, the Kansas and Kearney Community Improvement District, and Kansas & Kearney Intersection Center, LLC; and directing the City Clerk to notify the Missouri Department of Economic Development and the Greene County Clerk of the creation of the District.

8. Resolutions. Citizens May Speak. May Be Voted On.

10396 **9. Council Bill 2018-215. (Schilling)**

A resolution granting a new liquor license to sell five (5) percent beer and light wine by the drink at retail, including Sunday sales, to Upstate New York Pizza, LLC, d/b/a New York Style Pizzeria, for their location at 210 South Market Street, Suite 124, Springfield, Missouri.

10397 **10. Council Bill 2018-216. (Simpson)**

A resolution declaring an intent to initiate the annexation of approximately one acre of private property generally located at 4244 South Farm Road 137. (Staff recommends approval.)

10398 **11. Council Bill 2018-217. (Ferguson)**

A resolution directing the City Manager, or his designee, to use approximately $14,356.00, from the ¼-Cent Capital Improvement Sales Tax Minor Neighborhood Improvement fund to purchase four signs for use in connection with the proposed "Springfield-Greene County African-American Heritage Trail."

12. EMERGENCY BILLS.

13. PUBLIC IMPROVEMENTS.

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

27104 **15. Council Bill 2018-218. (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to accept and appropriate a 2017 Fiscal Year Fire Prevention and Safety grant through the Federal Emergency Management Agency to fund fire prevention activities; amending the budget for the Fire Department of the City of Springfield, Missouri, for Fiscal Year 2018-2019 in the amount of $28,500, which contains a five percent match requirement in the amount of $1,357; and declaring this Ordinance qualifies for approval on one reading pursuant to Charter Section 2.16(25).

27105 **16. Council Bill 2018-219. (Fulnecky)**

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice; to enter into an agreement with Greene County outlining the division of the grant funds; amending the budget for the Springfield Police Department for Fiscal Year 2018-2019 in the amount of $164,639.00; and declaring that this Ordinance qualifies for approval on one reading pursuant to Charter Section 2.16(25).

17. AMENDED BILLS.

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

19. Council Bill 2018-220. (Ollis)

A special ordinance approving City Utilities' Fiscal Year 2019 Annual Operating Budget for its Fiscal Year ending September 30, 2019.

20. Council Bill 2018-221. (Schilling)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' by annexing approximately nine acres of property into the City of Springfield, Missouri, generally located at 3200 South West Bypass; referenced as Annexation A-2-18; and amending the Springfield City Code, Chapter 46, Section 46-1, 'Boundaries of wards, precincts and council zones,' by adding this property to the ward and precinct assigned them by the County Clerk. (By: Donald Williams; 3200 block S. West Bypass (west side); Annexation A-2-18.)

21. Council Bill 2018-222. (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately nine acres of property, generally located at the 3200 Block of South West Bypass, from County R-1, Suburban Residence District, and County M-1, Light Manufacturing District, to HC, Highway Commercial District; and establishing Conditional Overlay District No. 154. (Staff and Planning and Zoning Commission both recommend approval.) (By: Donald Williams; 3200 block S. West Bypass (west side); Z-19-2018 w/Conditional Overlay District No. 154.)

22. Council Bill 2018-223. (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.36 acres of property, generally located at 513 West Cherokee Street, from a R-HD, High Density Multi-Family Residential District to a GR, General Retail District. (Staff and Planning and Zoning Commission recommend approval.) (By: Bass Pro Shops, LLC; 513 West Cherokee Street; Z-16-2018.)

23. Council Bill 2018-214. (Ferguson)

A special ordinance authorizing the issuance of Conditional Use Permit No. 436 to allow a transitional service shelter in a R-MD, Medium-Density Multifamily Residential District, generally located at 424 East Norton Road. (Staff and Planning and Zoning Commission both recommend approval.)

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

25. Council Bill 2018-225. (Ollis)

A special ordinance authorizing the City Manager, or his designee, to accept a donation of 80 Morphotrak Rapid ID field units, valued at $106,000.00, from the Missouri Police Chiefs Charitable Foundation.

26. Council Bill 2018-226. (Prater)

A special ordinance approving the plans and specifications for Gelven Withers Stormwater Improvements, generally referred to as Plan No. 2016PW0058WTE; accepting the bid of D & E Plumbing and Heating, Inc., in the amount of $749,956.50, for the project; and authorizing the City Manager to enter into a contract with such bidder.

Removed from Consent Agenda Added to First Reading Bills

26.5. Council Bill 2018-229. (Fulnecky)

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the United States Department of Justice to form and participate in a local Drug Enforcement Administration task force; and amending the budget for the Springfield Police Department for Fiscal Year 2018-2019 in the amount of $18,343.75.

27. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared Ms. Jennifer Conner wishes to address City Council.

Appeared Ms. Judy Dasovich wishes to address City Council.

Appeared Mr. Harold Bengsch wishes to address City Council.

Appeared Mr. Robert T. Pavlowsky wishes to address City Council.

Appeared Mr. Matt Morrow wishes to address City Council.

Appeared Mr. Neil Brady wishes to address City Council.

Appeared Ms. Teresa Davison wishes to address City Council.

Appeared Mr. Tyler Hellweg wishes to address City Council.

Appeared Bonnie Jenkins presentation of the annual CTOC report.

Did Not Appear Mr. Darrel Day wishes to address City Council

28. NEW BUSINESS

Recommended The Public Involvement Committee recommends the following appointment to the Citizens Advisory Committee for Community Development: Johnathan Saunders with term to expire May 1, 2021.

Recommended The Public Involvement Committee recommends the following reappointment to the Citizen's Tax Oversight Committee: Bonnie Jenkins with term to expire May 1, 2021.

Recommended The Public Involvement Committee recommends the following appointment to the Public Building Corporation: Austin Simpson with term to expire September 1, 2020.

Recommended The Public Involvement Committee recommends the following appointment to the Springfield/Greene County Environmental Advisory Board: Barbara Garcia with term to expire October 1, 2021.

Recommended

The Public Involvement Committee recommends the following reappointments to the Springfield/Greene County Environmental Advisory Board: Robert "Melvin" Johnson, and Deborah Good with terms to expire October 1, 2021.

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 2018-227. (Prater)

A special ordinance repealing Special Ordinance 27036; enacting a new ordinance, in lieu thereof, to approve the sale of real property generally located at 2230 North East Avenue to Reed Enterprises, LLC, for $5,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2018-2019 budget.

33. Council Bill 2018-228. (Ferguson)

A special ordinance authorizing the City Manager, or his designee, to enter into an Encroachment License Agreement with Greek Belly, LLC, and Sister Properties, LLC, to construct and maintain a sign that will extend over the public right of way at 320 East Walnut Street.

Moved to First Reading Bills

34. Council Bill 2018-229. (Fulnecky)

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the United States Department of Justice to form and participate in a local Drug Enforcement Administration task force; and amending the budget for the Springfield Police Department for Fiscal Year 2018-2019 in the amount of $18,343.75.

35. CONSENT AGENDA – ONE READING BILLS.

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

27106

37. Council Bill 2018-212. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Board of Governors of Missouri State University for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

27107

38. Council Bill 2018-213. (Schilling)

A special ordinance authorizing the City Manager, or his designee, to enter into a developer's agreement with Hamburg Properties, LLC, for the recovery of proportional square foot costs of the construction of a trunk sewer to serve the Red's Hamburg site, generally located at 2301 West Sunshine Street, and a sewer basin in the South Creek drainage area; and establishing a per square foot connection fee to

reimburse the developer for proportional costs of construction of the trunk sewer. (Environmental Services staff recommends approval.)

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	General Councilmembers
Phyllis Ferguson, Zone 1	Jan Fisk, General A
Tom Prater, Zone 2	Craig Hosmer, General B
Mike Schilling, Zone 3	Vacant, General C
Matthew Simpson, Zone 4	Richard Ollis, General D

Upcoming Council Meeting Agenda
September 24, 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. September 10, 2018 and September 18, 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.**

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

6. **SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On. Item No. 7 Was Tabled At The August 27, 2018 City Council Meeting.**

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

All meetings are recorded.

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

Amended and Public Hearing continued to October 8, 2018 City Council Meeting

7. Council Bill 2018-196. (Simpson) Tabled At The August 27, 2018 City Council Meeting

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 8 acres of property, generally located at 2700 East Battlefield Road, from R-SF, Single-Family Residential District, to GR, General Retail District; and establishing Conditional Overlay District No. 151. (Staff and Planning and Zoning Commission both recommend approval.) (By: Briarcliffe Investments, LLC and John Gentry; 2700 East Battlefield Road; Z-15-2018 w/COD #151.)

27108 **8. Council Bill 2018-220. (Ollis)**

A special ordinance approving City Utilities' Fiscal Year 2019 Annual Operating Budget for its Fiscal Year ending September 30, 2019.

6469 **9. Council Bill 2018-221. (Schilling)**

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' by annexing approximately nine acres of property into the City of Springfield, Missouri, generally located at 3200 South West Bypass; referenced as Annexation A-2-18; and amending the Springfield City Code, Chapter 46, Section 46-1, 'Boundaries of wards, precincts and council zones,' by adding this property to the ward and precinct assigned them by the County Clerk. (By: Donald Williams; 3200 block S. West Bypass (west side); Annexation A-2-18.)

6470 **10. Council Bill 2018-222. (Schilling)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately nine acres of property, generally located at the 3200 Block of South West Bypass, from County R-1, Suburban Residence District, and County M-1, Light Manufacturing District, to HC, Highway Commercial District; and establishing Conditional Overlay District No. 154. (Staff and Planning and Zoning Commission both recommend approval.) (By: Donald Williams; 3200 block S. West Bypass (west side); Z-19-2018 w/Conditional Overlay District No. 154.)

6471 **11. Council Bill 2018-223. (Schilling)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.36 acres of property, generally located at 513 West Cherokee Street, from a R-HD, High Density Multi-Family Residential District to a GR, General Retail District. (Staff and Planning and Zoning Commission recommend approval.) (By: Bass Pro Shops, LLC; 513 West Cherokee Street; Z-16-2018.)

27109 **12. Council Bill 2018-224. (Ferguson)**

A special ordinance authorizing the issuance of Conditional Use Permit No. 436 to allow a transitional service shelter in a R-MD, Medium-Density Multifamily Residential District, generally located at 424 East Norton Road. (Staff and Planning and Zoning Commission both recommend approval.)

27110 **13. Council Bill 2018-225. (Ollis)**

A special ordinance authorizing the City Manager, or his designee, to accept a donation of 80 Morphotrak Rapid ID field units, valued at $106,000.00, from the Missouri Police Chiefs Charitable Foundation.

27111 **14. Council Bill 2018-226. (Prater)**

A special ordinance approving the plans and specifications for Gelven Withers Stormwater Improvements, generally referred to as Plan No. 2016PW0058WTE; accepting the bid of D & E Plumbing and Heating, Inc., in the amount of $749,956.50, for the project; and authorizing the City Manager to enter into a contract with such bidder

27112 **15. Council Bill 2018-229. (McClure)**

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the United States Department of Justice to form and participate in a local Drug Enforcement Administration task force; and amending the budget for the Springfield Police Department for Fiscal Year 2018-2019 in the amount of $18,343.75.

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

10399 **17. Council Bill 2018-230. (Ferguson)**

A resolution granting a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Good Spirits Euro Beer Bar, LLC, d/b/a Best of Luck Beer Hall for their location at 313 B South Jefferson Avenue, Springfield, Missouri, such license to include a patio measuring 12 feet by 25 feet located on the south side of the building.

10400 **18. Council Bill 2018-231. (Prater)**

A resolution determining the official intent of the City of Springfield, Missouri to provide certain public improvements and incentives related to the IDEA Commons project being developed by Missouri State University and The Vecino Group, including stormwater and streetscape improvements, tax increment financing, and the issuance of industrial development revenue bonds. (Staff recommends approval.)

19. EMERGENCY BILLS. Citizens May Speak. May Be Voted On.

27113 **20. Council Bill 2018-232. (Fisk)**

A special ordinance authorizing the City Manager, or his designee, to enter into an inter-governmental agreement with Greene County, Harmony House, The Victim Center, and Legal Services of Southern Missouri for the purpose of implementing a Family Justice Center and declaring an emergency pursuant to City Charter 2.12.

21. PUBLIC IMPROVEMENTS.

22. GRANTS

23. AMENDED BILLS

24. COUNCIL BILLS FOR PUBLIC HEARING

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

26. Council Bill 2018-233. (Hosmer)

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

27. Council Bill 2018-234. (McClure)

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the United States Department of Justice to form and participate in a local Drug Enforcement Administration task force; and amending the budget for the Springfield Police Department for Fiscal Year 2018-2019 in the amount of $18,343.75.

28. Council Bill 2018-235. (Fisk)

A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the Salary Ordinance, relating to the salary rate and pay grade for job titles primarily within Building Development Services, as contained in the Professional, Administrative and Technical Salary Schedule, by adding three new job titles, and by deleting one job title.

29. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

30. NEW BUSINESS.

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

31. UNFINISHED BUSINESS

32. MISCELLANEOUS

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

34. Council Bill 2018-236. (Schilling)

A special ordinance authorizing the City Manager, or his designee, to enter into an Encroachment License Agreement with Wolf Residential, LLC, to construct and maintain balconies that will extend over the public right of way at 328 South Avenue.

35. Council Bill 2018-237. (Ferguson)

A special ordinance approving the transfer of real property generally located at 1522 North Irving Avenue to Springfield Community Land Trust at no cost; and authorizing the issuance of a deed for the same.

36. Council Bill 2018-238. (Simpson)

A special ordinance approving the transfer of real property generally located at 1211 North Fulbright Avenue to the Affordable Housing Action Board at no cost; and authorizing the issuance of a deed for the same.

37. CONSENT AGENDA – ONE READING BILLS.

38. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

27114 **39. Council Bill 2018-227. (Prater)**

A special ordinance repealing Special Ordinance 27036; enacting a new ordinance, in lieu thereof, to approve the sale of real property generally located at 2230 North East Avenue to Reed Enterprises, LLC, for $5,000.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2018-2019 budget.

27115 **40. Council Bill 2018-228. (Ferguson)**

A special ordinance authorizing the City Manager, or his designee, to enter into an Encroachment License Agreement with Greek Belly, LLC, and Sister Properties, LLC, to construct and maintain a sign that will extend over the public right of way at 320 East Walnut Street.

41. Confirm the following appointment to the Citizens Advisory Committee for Community Development: Johnathan Saunders with term to expire May 1, 2021.

Confirm the following reappointment to the Citizen's Tax Oversight Committee: Bonnie Jenkins with term to expire May 1, 2021.

Confirm the following appointment to the Public Building Corporation: Austin Simpson with term to expire September 1, 2020.

Confirm the following appointment to the Springfield/Greene County Environmental Advisory Board: Barbara Garcia with term to expire October 1, 2021.

Confirm the following reappointments to the Springfield/Greene County Environmental Advisory Board: Robert "Melvin" Johnson and Deborah Good with terms to expire October 1, 2021.

42. END OF CONSENT AGENDA.

43. ADJOURN.

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	OCTOBER 3, 2018
CITY COUNCIL PUBLIC HEARING:	N/A

CASE NUMBER:
Request to Relinquish Easement No. 869

LOCATION: 829 South Holland Avenue

ACRES: N/A

EXISTING LAND USE: Multifamily residential

APPLICANT: Magers Property III, LLC

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATION:
Approve

PROPOSED MOTION:
Move to approve Relinquish Easement No. 869

SUMMARY OF APPLICANTS REQUEST:

Magers Properties III, LLC is requesting to relinquish two 8' utility easements to facilitate development of the property. The easements were required to serve existing buildings; however, the buildings were recently demolished. As a result, the current easements no longer serve a purpose.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT COMMENTS:

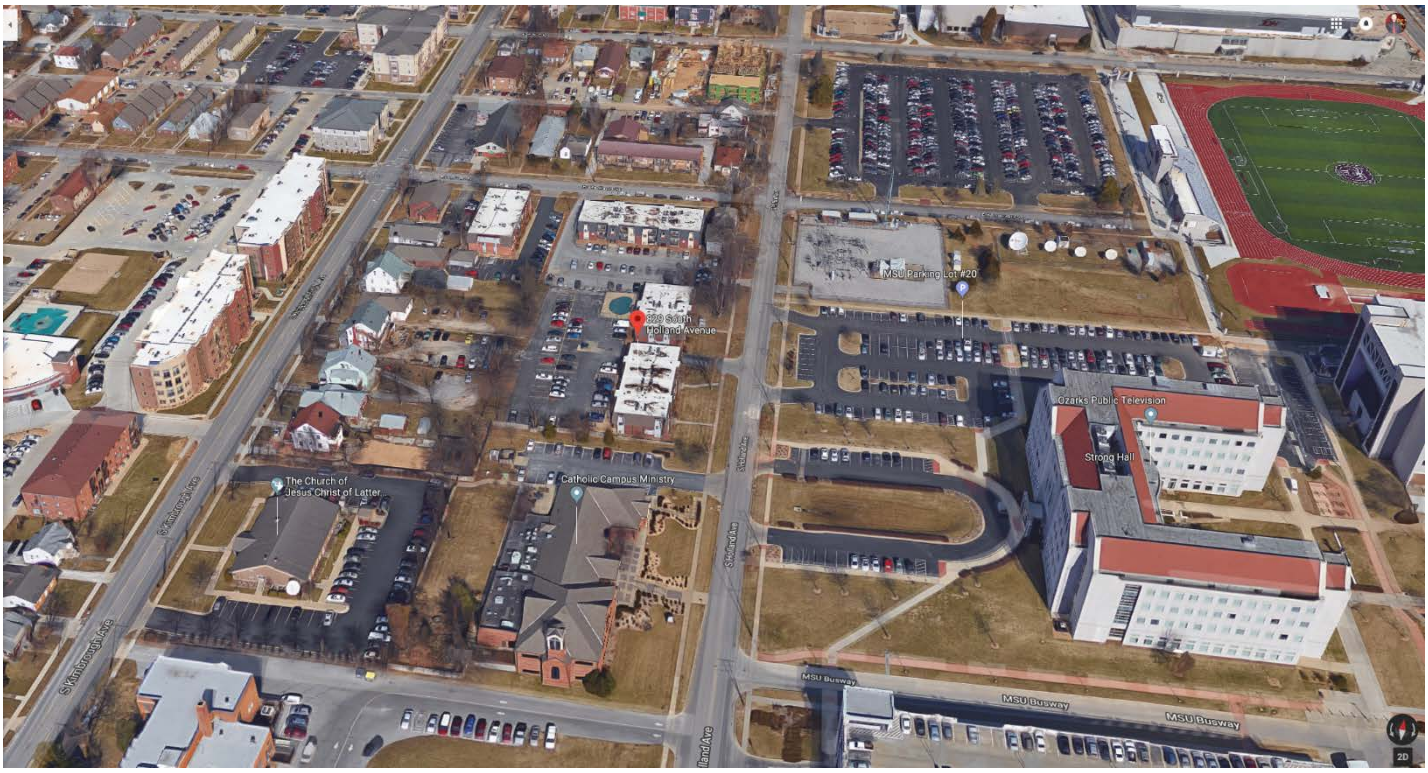
1. The applicant is requesting to relinquish two utility easements in order to facilitate development.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

CITY UTILITIES – DEVELOPERS SERVICES COMMENTS:

Easement relinquishment is OK with CU.

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:

APPROVAL CRITERIA	STAFF RESPONSE:
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 required to dedicate a replacement easement.
3. That the retention of the easements no longer serves any useful public purpose.	The retention of the subject easement no longer serves a public purpose. The applicant is not required to dedicate a replacement easement.

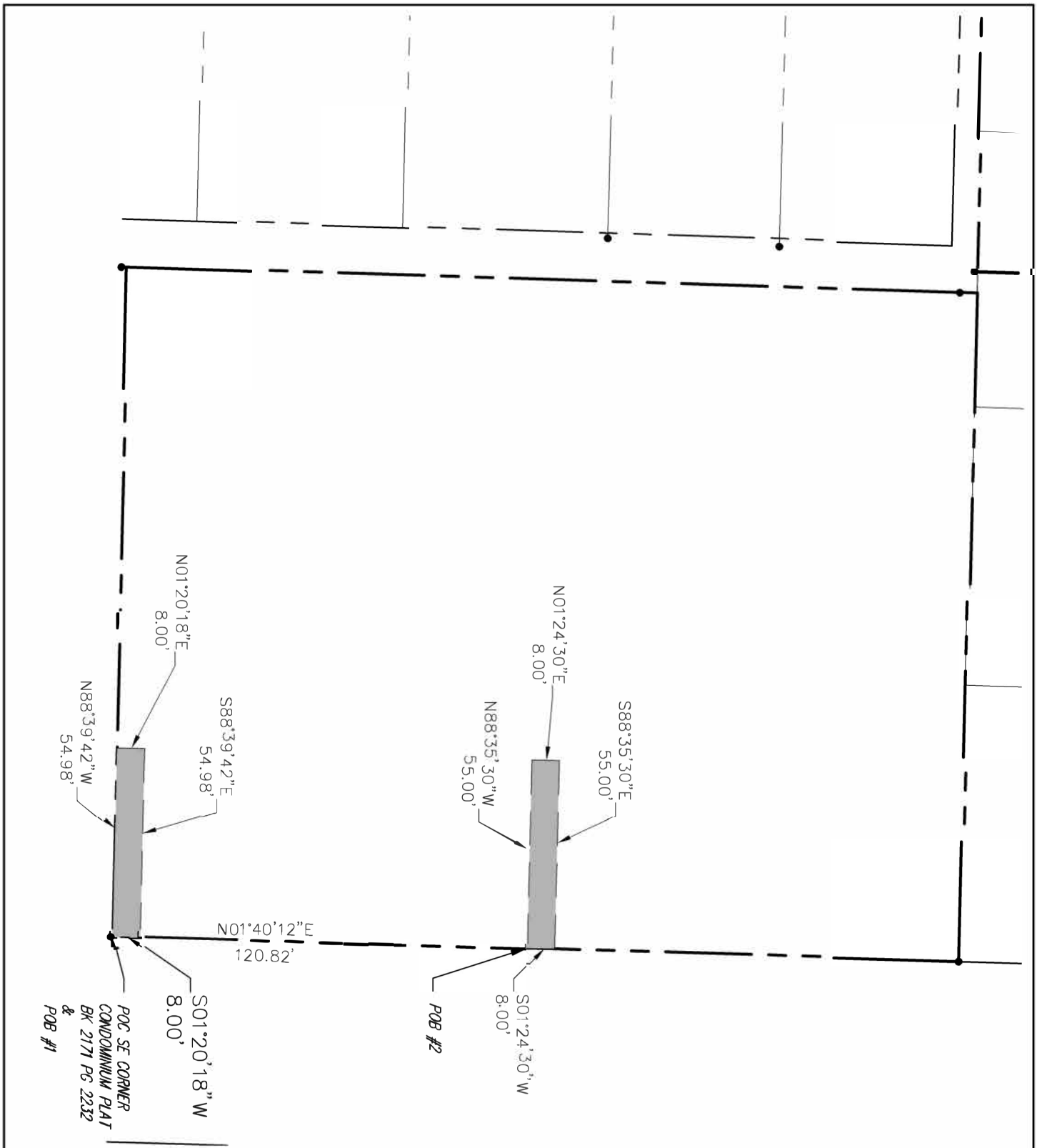
LEGAL DESCRIPTION:

UTILITY EASEMENT P.O.B. #1

An 8 foot strip of ground 4 feet on either side of the following described center line; Beginning at a point 16 feet south of the northeast corner of Lot 13, Whitlock's Home Addition, thence west 55 feet; This easement is to correct a previous easement now recorded in Book 1622, Page 1539 at the Greene County Recorders' Office;

UTILITY EASEMENT P.O.B. #2

An 8 foot strip of ground 4 feet on either side of the following described center line; Beginning at a point 65 feet south of the northeast corner of Lot 10, Whitlock's Home Addition, thence west 55 feet;



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

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

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

ELECTRIC EASEMENT RELINQUISHMENT

KIMBROUGH & HOLLAND

DATE: 06/11/2018

PROJECT NO.: 112

PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM

DATE: October 5, 2018

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Z-20-2018 w/ Conditional Overlay District No. 155

The applicant's representative of the property at 3503, 3521 & 3527 South Lone Pine Avenue has requested that this rezoning case be tabled to the next Planning and Zoning Commission meeting on November 8, 2018.

PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM

DATE: October 4, 2018

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Planned Development 366

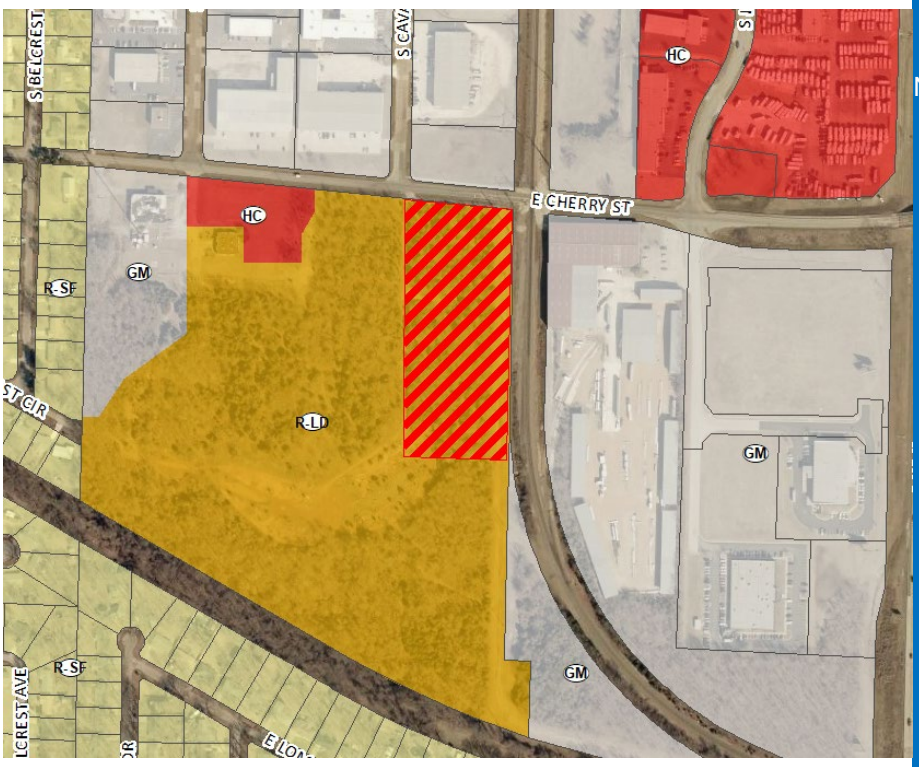
The applicant's representative has requested that this rezoning case be tabled to the Planning and Zoning Commission meeting on December 6, 2018.

Development Review Staff Report

CITY OF Springfield

PLANNING AND ZONING COMMISSION PUBLIC HEARING: OCTOBER 11, 2018

CITY COUNCIL PUBLIC HEARING: NOVEMBER 5, 2018



CASE NUMBER:
Z-23-2018 w/ Conditional Overlay District No. 158

PROJECT LOCATION: 3040 East Cherry Street

ACRES: 5.01 acres

EXISTING LAND USE: Undeveloped Land

APPLICANT: Excel Investments LP

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

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-23-2018 w/ COD No. 158 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 5.01 acres of a portion of property generally located at 3040 East Cherry Street from R-LD, Low-density Multi-family Residential District w/ Conditional Overlay District No. 77 to GR, General Retail District and establish Conditional Overlay District No. 158.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for low-density housing. However, the properties adjacent to the subject property on the north and the east are zoned for general industrial uses. The GR district is less intense than those uses in this area. The R-LD zoned property south and west of the subject property is owned by the applicant. A majority of that property is located in a sinkhole boundary and sinkhole 100-year flood elevation.

2. The standard development requirements in the GR district are adequate for mitigating potential impacts of the adjoining R-LD zoned property which is currently undeveloped. The applicant is also proposing a Conditional Overlay District that will limit potentially objectionable uses.

3. Approval of this application will allow for continued development of this property and promote infill development where investments have already been made in public services and infrastructure.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	R-LD w/ COD No.77	GM	R-LD w/ COD No. 77

LAND USE	Stormwater detention & Industrial warehouse	Undeveloped Land	Railroad and Industrial and storage use.	Undeveloped Land

Development Review Staff Report

CITY OF Springfield

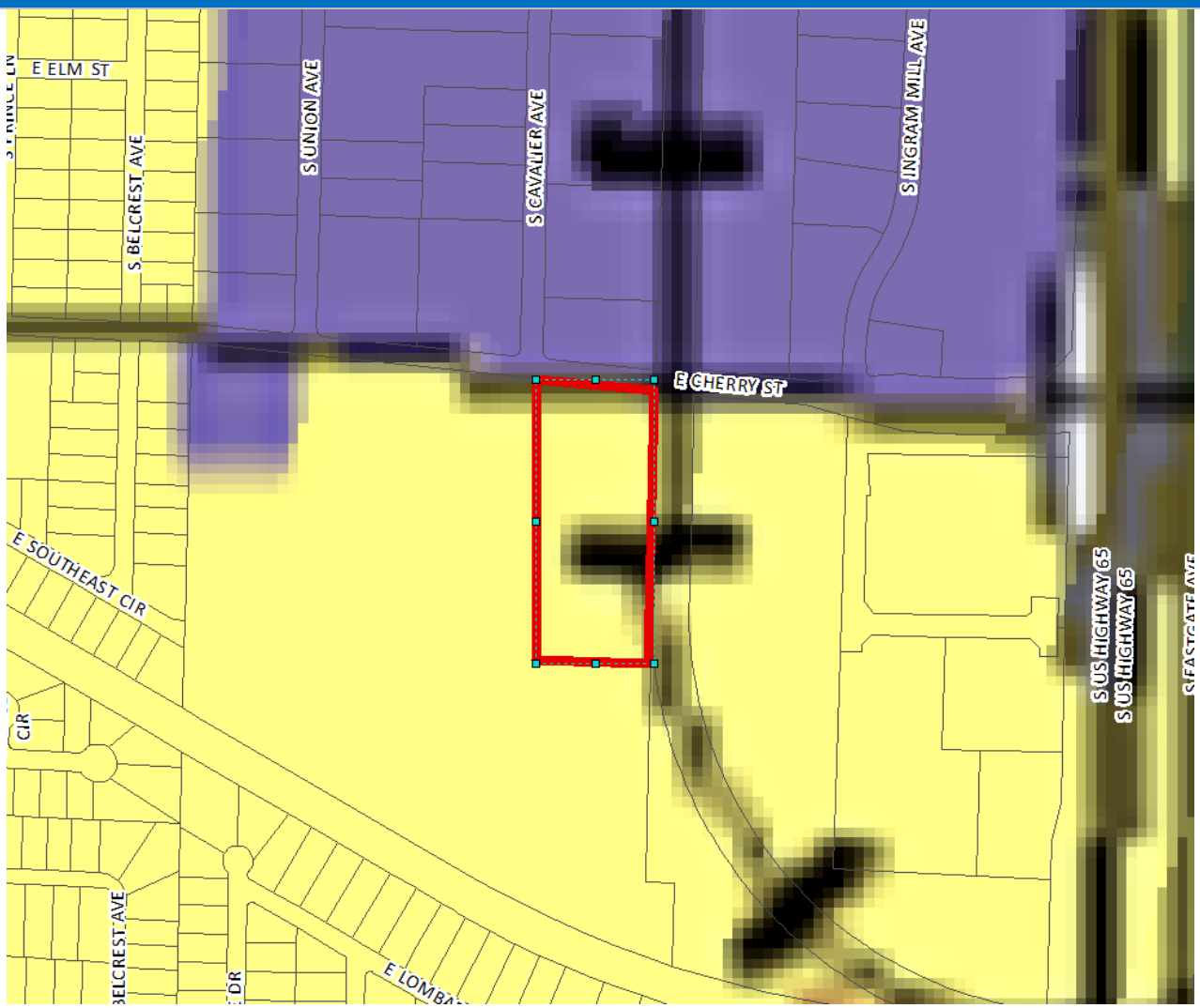
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:

Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



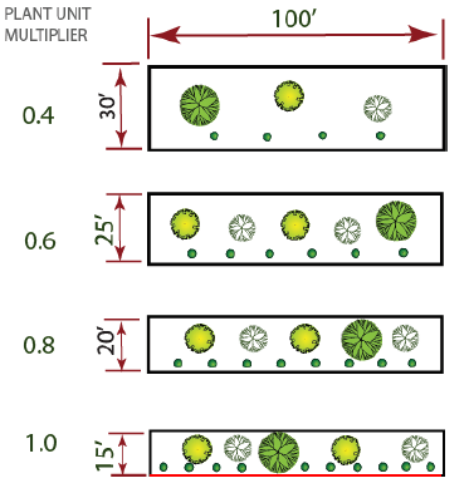
- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public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

Development Review Staff Report

PROPERTY HISTORY:

The subject property was a portion of a larger property and was rezoned R-LD with COD No. 77 in October 2014. The other areas included rezoning to GM and HC with No. 77.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR
Use Limitations	Those identified in the proposed Conditional Overlay District (attachment 2). No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses.
Maximum Structure Height	None.
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**
Bulk plane is not required.	A Bufferyard type C is required along the west and south property line adjacent to R-LD zoning. 36-482-12- (c) 

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for low-density housing. However, the properties adjacent to the subject property on the north and the east are zoned for general industrial uses. The GR district is less intense than those uses in this area. The R-LD zoned property south and west of the subject property is owned by the applicant. A majority of that property is located in a sinkhole boundary and sinkhole 100-year flood elevation.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 5.01 acres of a portion of property generally located at 3040 East Cherry Street from R-LD, Low-density Multi-family Residential District w/ Conditional Overlay District No. 77 to GR, General Retail District and establish Conditional Overlay District No. 158.

2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for low-density housing. However, the properties adjacent to the subject property on the north and the east are zoned for general industrial uses. The GR district is less intense than those uses in this area. The R-LD zoned property south and west of the subject property is owned by the applicant. A majority of that property is located in a sinkhole boundary and sinkhole 100-year flood elevation.

3. The subject property is a portion of a 36-acre property that is planned to be subdivided in the future following the Subdivision Regulations. The proposed location of the GR district is on the far east and north side of the 36-acre property which is the appropriate location for the GR district.

4. The standard development requirements in the GR district are adequate for mitigating potential impacts on the adjoining R-LD zoned property which is currently undeveloped. A traffic impact study will not be required because the applicant has prohibited many of the intense uses normally allowed in the GR district. The applicant has prohibited potentially objectionable uses as well.

5. A bufferyard type C which is a minimum of twenty (20) feet with required plantings will be required along the west and south property line.

6. The GR district is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is also intended for on-site production of handcrafted items in conjunction with retail sales. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. Cherry Street is classified as a secondary arterial roadway.

7. 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.

8. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 17, 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: 5 Returned: 0

Development Review Staff Report

CITY OF Springfield

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

CITY UTILITIES COMMENTS:

No objection to rezoning. All utilities are in place to extend and provide service.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning. Note that a water main extension will be required to provide service.

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 approximately 10 feet of additional right-of-way needs to be acquired along the entire length of the property frontage on 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 4,485 vehicles per day. On-street parking is not allowed along this section of E. Cherry Street.

DRIVEWAY ACCESS
There is currently three driveway access points to the property from E. Cherry Street. All existing driveway approaches appear to meet minimum spacing requirements for a Secondary Arterial roadway. Any new/modified driveway approaches will also need to meet them minimum spacing requirements from each other (150 feet).

SIDEWALK
There is not currently sidewalk along the property frontage of E. Cherry Street. Sidewalk is required to be constructed along the entire length of E. Cherry Street at the time of development, unless other public improvements are constructed, in which case, the sidewalk should be included in the public improvement plans.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area surrounding the property pertaining to this rezoning. There are no bus stops along E. Cherry Street in the area 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.

IMPROVEMENTS
A Traffic Impact Study is not required as a part of this rezoning. The proposed use within the Conditional Overlay District for the proposed zoning does not produce an increase in trip generation of more than 100 trips in the AM/PM Peaks, and not more than 1,000 trips daily. However, if the site ever redevelops as something other than the uses permitted in the Conditional Overlay District, the site will need to either submit a Traffic Impact Study, rezone the property, or construct

necessary improvements. The City does not currently have plans to make improvements to this section of E. Cherry Street 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	E. Cherry Street	Secondary Arterial	No	25	35

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	84	115	564	375
***Proposed Trips Generated**	N/A	93	N/A	N/A
Additional Trips Generated	N/A	-22	N/A	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 Branch drainage basin. This part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. A fee in lieu of on-site stormwater detention will be 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. There are sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Water quality will be required if disturbing more than one acre.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Jordan Creek South Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	Yes
Is stormwater fee in lieu an option?	No

FIRE DEPARTMENT COMMENTS:

No objections to rezoning.

Development Review Staff Report

CITY OF Springfield

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-23-2018 & CONDITIONAL OVERLAY DISTRICT NO. 158

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

1. Uses – All uses in the GR, General Retail District as per Section 36-421 of the *Springfield Zoning Ordinance*, are prohibited except the following:

   (a) Accessory uses permitted by section 36-450

   (f) Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters

   (h) Commercial off-street parking lots and structures.

   (k) Eating and drinking establishments use group

   (u) Public and private parks

   (x) Retail sales use group

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

2. Use Limitation – The total indoor building square footage shall not exceed 6,000 square feet.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Residential-Low Density *(existing zoning)* to General Retail-Conditional Overlay *(proposed zoning)*
2. Meeting Date & Time: August 17th, 2018 4:00 PM - 6:30 PM
3. Meeting Location: 3040 E. Cherry St. Springfield, MO 65082
4. Number of invitations that were sent: 8
5. How the mailing list was generated: City of Springfield Interactive Maps/Tools
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

No concerns were discussed verbally. The sole attendee only verbalized support for the project as currently designed.

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

N/A

I, Thomas Buterbaugh *(print name)*, attest that the neighborhood meeting was held on 8/17/2018 *(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."

Thomas Buterbaugh

Signature of person completing affidavit

Thomas Buterbaugh

Printed name of person completing affidavit

Quill.com Gold Signature

8/17/18 Neighborhood Meeting

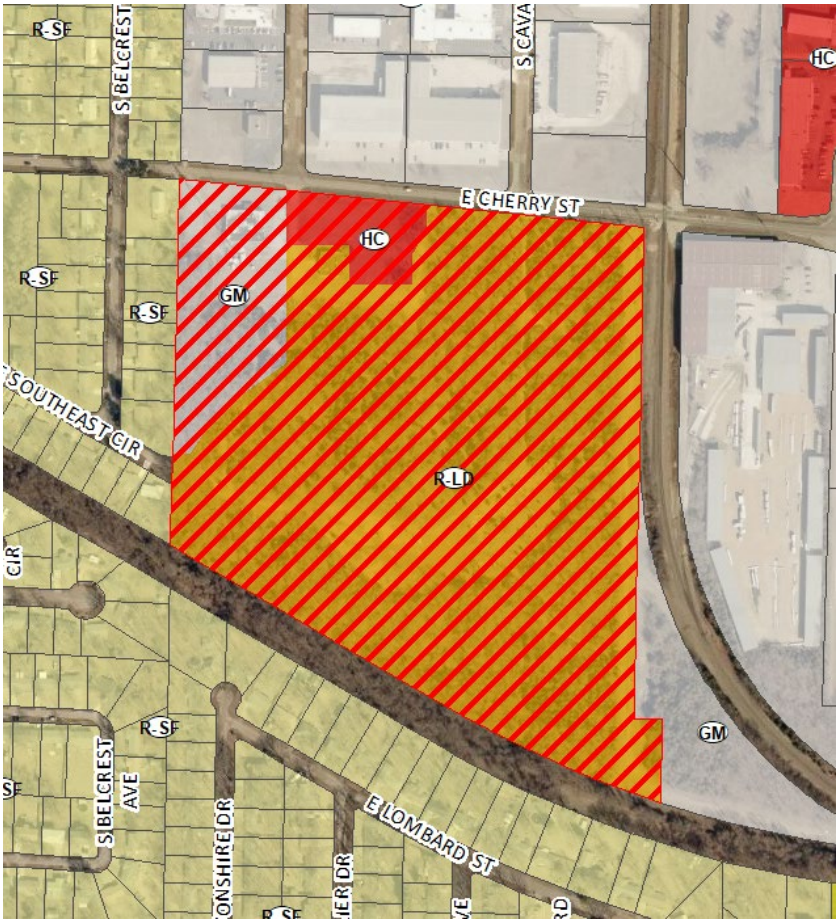
1.) Gary P. Spicer general partner
P.O Box 708
Hollister, Mo. 65673
representing The Spicer LLLP
P.O. Box 338
Neosho, Mo.

417-389-1713
gspicer79@yahoo.com

Development Review Staff Report

CITY OF Springfield

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	OCTOBER 11, 2018
CITY COUNCIL PUBLIC HEARING:	NOVEMBER 5, 2018



CASE NUMBER:
Preliminary Plat of Cherry Hills Village

LOCATION:
3040 East Cherry Street

ACRES:
36.41 acres

EXISTING LAND USE:
Office, telecommunication tower and undeveloped/vacant land

APPLICANT:
Excel Investments LP

STAFF:
Michael Sparlin, 864-1091

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION:
Move to approve preliminary plat as submitted

SUMMARY OF REQUEST:

The applicant is proposing a preliminary plat for a two-lot subdivision named “Cherry Hills Village Subdivision”

FINDINGS FOR STAFF RECOMMENDATION:

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

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	R-LD w/ COD No.77	GM	R-LD w/ COD No. 77
LAND USE	Stormwater detention & Industrial warehouse	Undeveloped Land	Railroad and Industrial and storage use.	Undeveloped Land

Development Review Staff Report

CITY OF Springfield

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

Development Review Staff Report

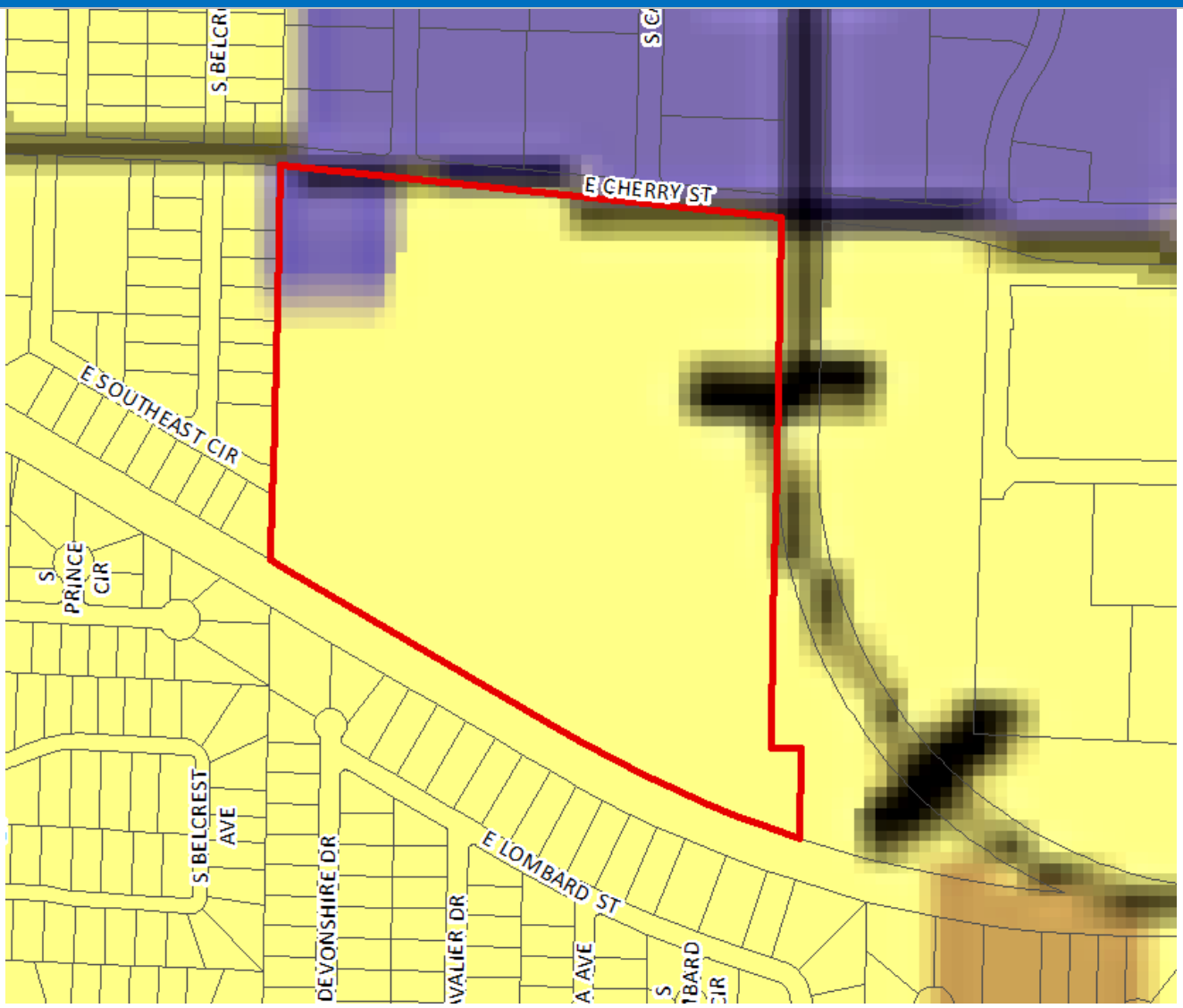
CITY OF Springfield

GOOGLE MAPS STREET VIEW:

Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



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

Development Review Staff Report

CITY OF Springfield

PROPERTY HISTORY:

The subject property was rezoned to HC, GM and R-LD with COD No. 77 in October 2014. At that time, a preliminary plat was also approved for the subject property. However, the property has not development as intended, and that preliminary plat has expired without final platting of the property.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR HC, GM, R-LD w/ COD No. 77 & GR w/ COD No. 158
Maximum Structure Height	HC: None, except 30-degree bulk plane from R-SF & R-TH districts GM: None R-LD: maximum 45 feet or three stories above finished grade GR: None, except 30-degree bulk plane from R-SF & R-TH districts
Front Yard Setback	Identified on submitted preliminary plat
Side and Rear Setbacks	Identified on submitted preliminary plat
Open Space Requirement	HC: 20 percent GM: 15 percent R-LD: 20 percent GR: 20 percent

BULK PLANE	LANDSCAPING & BUFFERYARD
HC & GR: 30-degree from R-SF & R-TH Districts	screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for Low-Density Housing. However, the properties adjacent to the subject property on the north and the east are zoned for general industrial uses. An application to rezone a portion of this parcel to General Retail with COD No. 158 will be processed with this preliminary plat.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies a portion of the subject property located at the northwest corner as appropriate for General Industry, Transportation and Utilities.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately thirty-six (36) acres into a two-lot subdivision named “Cherry Hills Village Subdivision”. A rezoning of a five (5) area portion of the subject property is currently being processed to rezone from R-LD, Low-density Multi-family Residential District w/ Conditional Overlay District No. 77 to GR, General Retail District and establish Conditional Overlay District No. 158.

2. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

3. Stormwater detention will be required and a geotechnical report will be required if working in or around a sinkhole area. Detention will be required and a fee in lieu of detention will not be allowed. If adding more than one acre of impervious water quality will be required as well for each lot.

4. A note on the plat states that a Traffic Study shall be required at the time of development or redevelopment if a proposed use creates an increase in traffic.

5. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

PUBLIC NOTIFICATION:

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

Development Review Staff Report

CITY OF Springfield

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

AT&T COMMENTS:

No comments.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

CITY UTILITIES:

A water main extension is required to serve lot 1. Water is located to east and west of proposed lot. Extension is done at Developer's expense with CU approved contractor. Gas and electric facilities are available to serve the proposed lots. Please note there is a high voltage transmission line located at the east side of property. Please maintain all safe clearances from this line per NESC. Contact CU Developer Services if further questions.

CLEAN WATER SERVICES COMMENTS:

No objections to plat.

1. Public sewer is available in Cherry St. Only the front 240 feet approx. of lot 1 would be able to be served by gravity sewer. The south portion of the lot is shown as detention so this should not be an issue.
2. When building plans are submitted, specify the point of connection to public sewer on the utility plan. Dimension the distance to the up and down stream manholes and the size of the proposed lateral.
3. A sewer impact permit fee will be required for the new building. This fee is based on the size of the proposed water meter(s) according to city code no. 120.246. Specify the size of the proposed water meter on the utility plan.
4. Any Food Service Establishment or development with a commercial kitchen must install an approved grease interceptor and may be subject to City Fats, Oils, & Grease Program annual permitting fees.
5. Any commercial development or industrial users may be subject to annual industrial user pretreatment fees exacted by the City. These fee amounts vary dependent upon the volume of water used daily, by type of industry, by various SIC codes, or by any wastewater sampling activities and lab costs incurred by the City, when applicable.
6. Specify the peak and average flow rates on the code summary sheet when building plans are submitted.

FIRE DEPARTMENT COMMENTS:

No issues.

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 approximately 10 feet of additional right-of-way is needed along the property frontage of E. Cherry Street. A survey is recommended to determine the exact amount of existing right-of-way. This portion of E. Cherry Street is a City maintained street.

DRIVEWAY ACCESS

There is currently three driveway access points to the entire tract. All existing driveway approaches appear to meet the minimum spacing requirements from each other for a Secondary Arterial roadway. It appears each proposed lot will have it's own access to E. Cherry Street, but if any cross-access is desired, cross-access easements must be in place on the final plat. Any new/modified driveway approaches must comply with current City Standard ST-9.

SIDEWALK

There is not currently sidewalk along the property frontage of the entire tract. Sidewalk is required to be constructed at the time of development along the entire length of the property frontage of the current 3040 E. Cherry Street tract.

IMPROVEMENTS

Any improvements and/or a Traffic Impact Study are dependent upon the uses finalized in the rezoning of the property. A Traffic Impact Study and/or improvements will be required if the proposed uses exceed more than 100 additional trips generated in the AM/PM peak hours or more than 1,000 trips daily. The City does not currently have any plans to make improvements to this section of Cherry Street.

TRAFFIC - TABLE 1: PLATTING 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	25	35

STORMWATER COMMENTS:

The property is in the Jordan Creek South Branch drainage basin. The part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Fee in lieu of on-site 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. There are sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Water quality will be required if disturbing more than one acre.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
e Basin	Creek South Branch
rty located in Floodplain?	
rty located on a sinkhole?	
lieu of detention allowed?	

Development Review Staff Report

CITY OF Springfield

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2
CONDITIONS OF PLAT APPROVAL

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

1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

    a. A Traffic Impact Study and/or improvements will be required if the proposed uses exceed more than 100 additional trips generated in the AM/PM peak hours or more than 1,000 trips daily.

    b. Dedicate public right-of-way along Cherry Street so that there is 35 feet from centerline.

    c. Stormwater detention will be required and a geotechnical report will be required if working in or around a sinkhole area. Detention will be required and a fee in lieu of detention will not be allowed. If adding more than one acre of impervious water quality will be required as well for each lot.

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

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

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

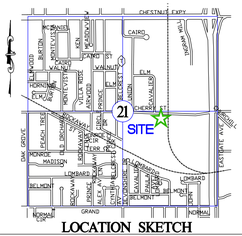
If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

CHERRY HILLS VILLAGE SUBDIVISION

BEING A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN GREENE COUNTY, MISSOURI.

PRELIMINARY PLAT

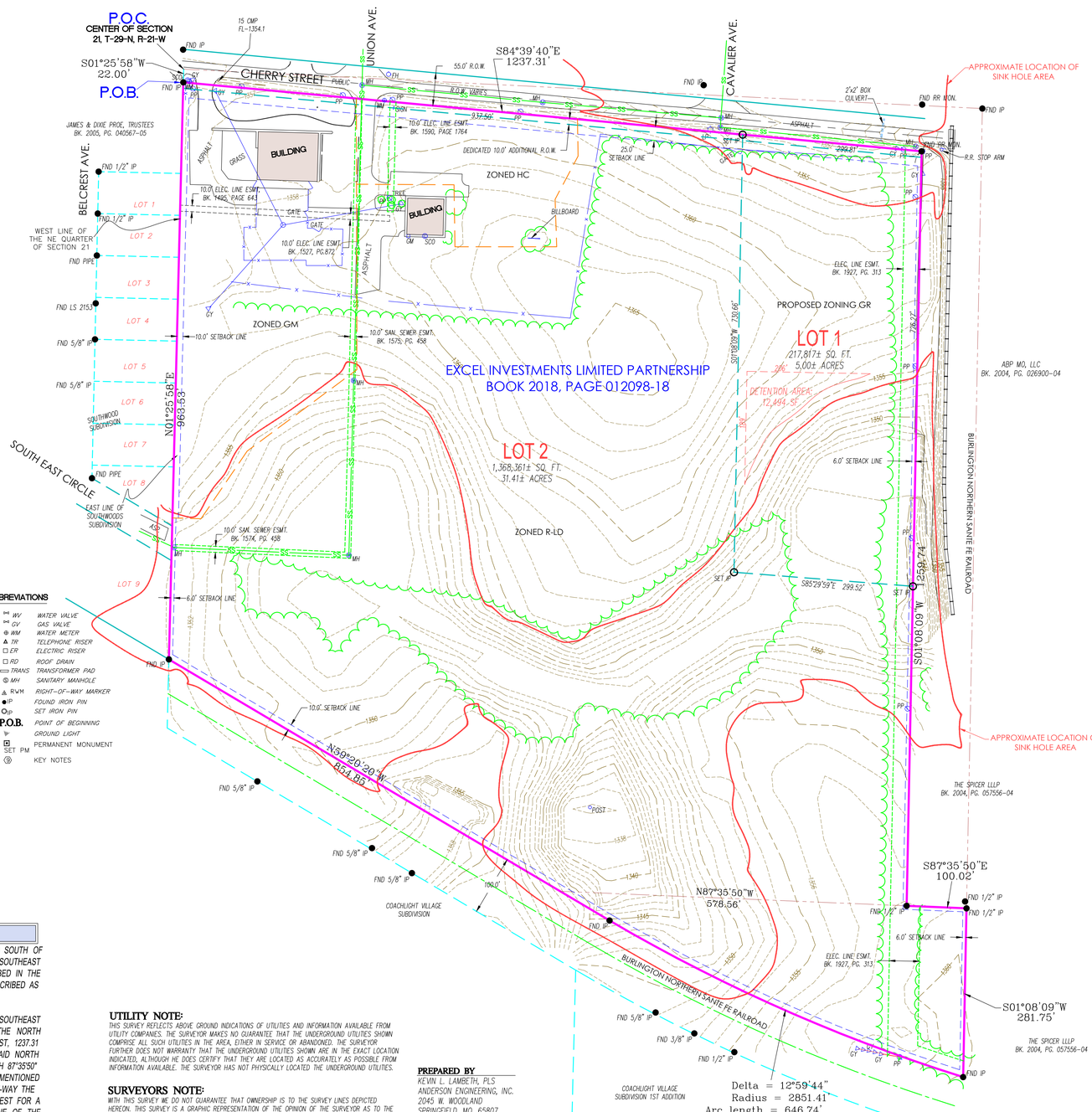
RECORDER'S SPACE



LOCATION SKETCH
SEC. 21, T-29-N, R-21-W
SCALE: 1"=2000'

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

GRID



ZONING DATA

SUBJECT PROPERTY IS ZONED HC (HIGHWAY COMMERCIAL DISTRICT), GM (GENERAL MANUFACTURING DISTRICT) AND R-LD (LOW-DENSITY MULTIFAMILY RESIDENTIAL DISTRICT).

HC

MINIMUM YARD REQUIREMENTS:
FRONT YARD: 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453.

SIDE YARD: NONE, EXCEPT AS REQUIRED BY SECTION 36-453.

REAR YARD: NONE, EXCEPT AS REQUIRED BY THE BUFFERYARD REQUIREMENTS IN SUBSECTION (8).

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
SECONDARY ARTERIAL	(CHERRY STREET) 35 FEET PLUS REQUIRED YARD SETBACK

GM

MINIMUM YARD REQUIREMENTS:
FRONT YARD:
OFFICES, AS A PRINCIPAL USE, ATHLETIC CLUBS, FITNESS CENTERS, INDOOR SPORTS FACILITIES AND RECORDING, TELEVISION AND RADIO STUDIOS:
1. 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453.
2. 15 FEET ALONG A STREET CLASSIFIED AS A LOCAL STREET OR AS REQUIRED BY SECTION 36-453
3. THE FRONT YARD SETBACK MAY BE REDUCED BELOW THE MINIMUM REQUIRED ABOVE IF A CONDITIONAL USE PERMIT IS APPROVED IN ACCORDANCE WITH SECTION 36-363.

ALL OTHER USES: NONE

SIDE YARD:
OFFICES, AS A PRINCIPAL USE, ATHLETIC CLUBS, FITNESS CENTERS, INDOOR SPORTS FACILITIES AND RECORDING, TELEVISION AND RADIO STUDIOS: 10 FEET OR AS REQUIRED BY SECTION 36-453.

ALL OTHER USES: NONE

REAR YARD:
OFFICES, AS A PRINCIPAL USE, ATHLETIC CLUBS, FITNESS CENTERS, INDOOR SPORTS FACILITIES AND RECORDING, TELEVISION AND RADIO STUDIOS: 10 FEET.

ALL OTHER USES: NONE

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
SECONDARY ARTERIAL	(CHERRY STREET) 35 FEET PLUS REQUIRED YARD SETBACK

R-LD

MINIMUM YARD REQUIREMENTS:
FRONT YARD:
A) 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453.
B) 15 FEET ALONG A STREET CLASSIFIED AS A LOCAL STREET OR AS REQUIRED BY SECTION 36-453 (GARAGES SHALL BE SET BACK A MINIMUM OF 20 FEET).
C) THE FRONT YARD SETBACK MAY BE REDUCED BELOW THE MINIMUM REQUIRED ABOVE IF A CONDITIONAL USE PERMIT IS APPROVED IN ACCORDANCE WITH SECTION 36-363.
SIDE: 6 FEET OR AS REQUIRED BY SECTION 36-453, SUPPLEMENTAL OPEN SPACE AND YARD REGULATIONS, PROVIDED THAT NO SIDE YARD IS REQUIRED FOR ANY BUILDING THAT HAS A COMMON WALL ON A LOT LINE.

REAR: TEN PERCENT OF THE LOT DEPTH, BUT MAY NOT BE LESS THAN 10 FEET NOR SHALL MORE THAN 20 FEET BE REQUIRED.

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
SECONDARY ARTERIAL	(CHERRY STREET) 35 FEET PLUS REQUIRED YARD SETBACK

STORMWATER DETENTION/WATER QUALITY

DETENTION & WATER QUALITY IS TO BE PROVIDED SEPARATELY ON EACH PROPOSED LOT.
LOT 1
APPROXIMATE DETENTION REQUIRED = 2 ACRES x 12,800 = 25,600 C.F.
DISCHARGE ELEVATION: 1355'
TOP OF BERM: 1357.5'
APPROXIMATE VOLUME= 2.5 x 12,494 = 31,235 C.F.
WATER QUALITY WILL BE PROVIDED PER CITY OF SPRINGFIELD DESIGN REGULATIONS.
A FINAL DETENTION DESIGN WILL BE COMPLETED ONCE BUILDING PLANS ARE SUBMITTED TO THE CITY OF SPRINGFIELD.
LOT 2
LOT 2 DETENTION WILL BE ANALYZED AT THE TIME OF DEVELOPMENT.

TRAFFIC IMPACT SUMMARY

A TRAFFIC IMPACT STUDY AND/OR IMPROVEMENT WILL BE REQUIRED IF THE PROPOSED USES EXCEED MORE THAN 100 ADDITIONAL TRIPS GENERATED IN THE AM/PM PEAK HOURS OR MORE THAN 1,000 TRIPS DAILY.

LEGEND OF SYMBOLS AND ABBREVIATIONS

④	INTERNAL ANGLE # (SEE TABLE)	WV	WATER VALVE
SS	SANITARY SEWER LINE	GV	GAS VALVE
E	OVERHEAD ELECTRIC	WM	WATER METER
G	GAS LINE	TR	TELEPHONE RISER
W	WATER LINE	ER	ELECTRIC RISER
UT	UNDERGROUND TELEPHONE	RD	ROOF DRAIN
UE	UNDERGROUND ELECTRIC	TRANS	TRANSFORMER PAD
X	FENCE LINE	MH	SANITARY MANHOLE
	FIRE HYDRANT	R/WM	RIGHT-OF-WAY MARKER
LP	LIGHT POLE	IP	FOUND IRON PIN
P.O.C.	POINT OF COMMENCEMENT	IP	SET IRON PIN
		P.O.B.	POINT OF BEGINNING
			GROUND LIGHT
		SET PM	PERMANENT MONUMENT
		⑧	KEY NOTES

LINE LABELS

MEASURED	100'	M
DEED	100'	D
RECORD	100'	R

SURVEY DESCRIPTION

A TRACT OF LAND AS BEING ALL OF THE WEST ONE-HALF OF THE SOUTHEAST QUARTER LYING NORTH OF THE RAILROAD AND SOUTH OF CHERRY STREET IN SECTION 21, TOWNSHIP 29, RANGE 21 EXCEPT THE EAST 100 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1438, PAGE 710 AND ALSO AS DESCRIBED IN THE HOGAN LAND TITLE COMPANY COMMITMENT NUMBER 0605585, DATED MAY 22, 2006 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 21, SOUTH 01°25'58" WEST, 22.00 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF CHERRY STREET; THENCE LEAVING SAID WEST LINE AND ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 84°39'40" EAST, 1237.31 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY OF THE BURLINGTON NORTHERN SANTE-FE RAILROAD; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING COURSES, SOUTH 01°08'09" WEST, 1259.74 FEET; THENCE SOUTH 87°35'50" EAST, 100.02 FEET; THENCE SOUTH 01°08'09" WEST, 281.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF THE AFOREMENTIONED BURLINGTON NORTHERN SANTE-FE RAILROAD; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY AND ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, 646.74 FEET ALONG A 2851.41 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 66°06'44" WEST FOR A DISTANCE OF 645.36 FEET; THENCE NORTH 59°20'20" WEST, 854.85 FEET TO A POINT LYING ON THE AFOREMENTIONED WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE ALONG SAID WEST LINE, NORTH 01°25'58" EAST, 963.53 FEET TO THE POINT OF BEGINNING; ALL LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 36.41 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE, DATE OF ADJUSTMENT 1997. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 111-261.

UTILITY NOTE:
THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANTY THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

SURVEYORS NOTE:
WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR IMPLIED.

FLOOD NOTE
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0353E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

PREPARED BY
KEVIN L. LAMBETH, PLS
ANDERSON ENGINEERING, INC.
2045 W. WOODLAND
SPRINGFIELD, MO. 65807

OWNER AND DEVELOPER
EXCEL INVESTMENTS LP
PO BOX 333
BOLIVAR, MO 65613
417-326-8735 EXT. 2

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL

I, ANITA COTTER, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THIS PLAT OF HICKORY HILLS PHASE 2 WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE CITY COUNCIL OF SAID CITY OF SPRINGFIELD, MISSOURI BY ORDINANCE NO. _____ ON THE _____ DAY OF _____, 20___.

_____
CITY CLERK, ANITA COTTER

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PLANNING AND DEVELOPMENT

I,_____, DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IN ACCORDANCE WITH THE AUTHORITY GRANTED TO ME BY SECTION 203 OF ARTICLE II OF THE LAND DEVELOPMENT CODE, CHAPTER 36, SPRINGFIELD CITY CODE, DO HEREBY APPROVE THE PLAT OF HICKORY HILLS PHASE 2 A SUBDIVISION OF SAID CITY OF SPRINGFIELD OF THIS _____ DAY OF _____, 20___.

_____
MARY LILY SMITH
DIRECTOR OF PLANNING AND DEVELOPMENT

DEDICATION

SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON. ALL STREETS, EASEMENTS AND ACCESS LIMITATIONS ARE RELINQUISHED AND DEDICATED TO THE PUBLIC. IN WITNESS WHEREOF, _____
_____, (CORPORATE OFFICER) OF THE PROPERTY DESCRIBED HEREON, CAUSED THIS PLAT TO BE SIGNED THIS _____ DAY OF _____, 20___

_____ DATE OF EXECUTION

_____ SIGNED

NO SEAL

_____ TITLE

_____ PRINT NAME

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS
COUNTY OF GREENE)

ON THIS _____ DAY OF _____ IN THE YEAR 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED_____ TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE _____ OF _____, A LIMITED LIABILITY COMPANY OF THE STATE OF _____, AND THAT SAID DOCUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS _____ AND SAID _____ ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

"NOTARY SEAL"

NOTARY PUBLIC: _____

PRINT NAME: _____

NOTES

LOT SIZE
SMALLEST - LOT 1 = 217,817± SQ. FT.
LARGEST - LOT 2 = 1,368,361± SQ. FT.
TOTAL SQUARE FOOTAGE OF DEVELOPMENT = 1,586,178± SQ. FT.
TOTAL ACREAGE OF DEVELOPMENT = 36.41± ACRES
TOTAL NUMBER OF LOTS =2
DATE OF PRELIMINARY PLAT SUBMITTAL =
DATE OF FINAL PLAT SUBMITTAL =
OWNERSHIP = BOOK 1438, PAGE 710

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

EASEMENTS OF RECORD PROVIDED BY HOGAN LAND TITLE COMPANY FILE NUMBER 0605585.

SURVEYOR'S CERTIFICATE

KNOWN ALL BY THESE PRESENTS:

THAT I, KEVIN L. LAMBETH, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED AUGUST 27, 2018 AND SIGNED BY KEVIN L. LAMBETH, PLS NO. 2695 AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KEVIN L. LAMBETH, PLS NO. 2695 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. DATE OF LAST REVISION AUGUST 31, 2018.

ANDERSON ENGINEERING, INC. LC 62 BY:

KEVIN L. LAMBETH, PLS NO. 2695

STATE OF MISSOURI
KEVIN L. LAMBETH
NUMBER LS-2695
PROFESSIONAL LAND SURVEYOR

10-02-2018
DATE PREPARED

COA #000062

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778

FIELD: BH	DATE: 8-27-2018	WB 111-261
DRAWN: BAC	FIELD BK:	
CHECKED: KLL	JOB NO: 18SP10173	SHT. 1 OF 1 REV. _

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: OCTOBER 11, 2018

CITY COUNCIL PUBLIC HEARING: NOVEMBER 5, 2018

CASE NUMBER:
Z-24-2018

LOCATION:
3723 S. Scenic Avenue

ACRES:
0.07 acre or 2,858 sq. ft.

EXISTING LAND USE:
Single-family residential

APPLICANT:
Melody Hargiss

STAFF:
Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve the rezoning from County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District, as submitted in the staff report

SUMMARY OF REQUEST:

Request to rezone approximately 0.07 acre or 2,858 square feet of property from County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District

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. The subject property is located just west of 3723 S. Scenic Avenue. Scenic Avenue, is classified as a Secondary Arterial roadway.

2. The proposed R-SF, Single-Family Residential District is consistent with the zoning in the surrounding area.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	County R-1	County R-1	R-SF	County R-1
LAND USE	Single-family residence	Single-family residence	Single-family residence	Single-family residence

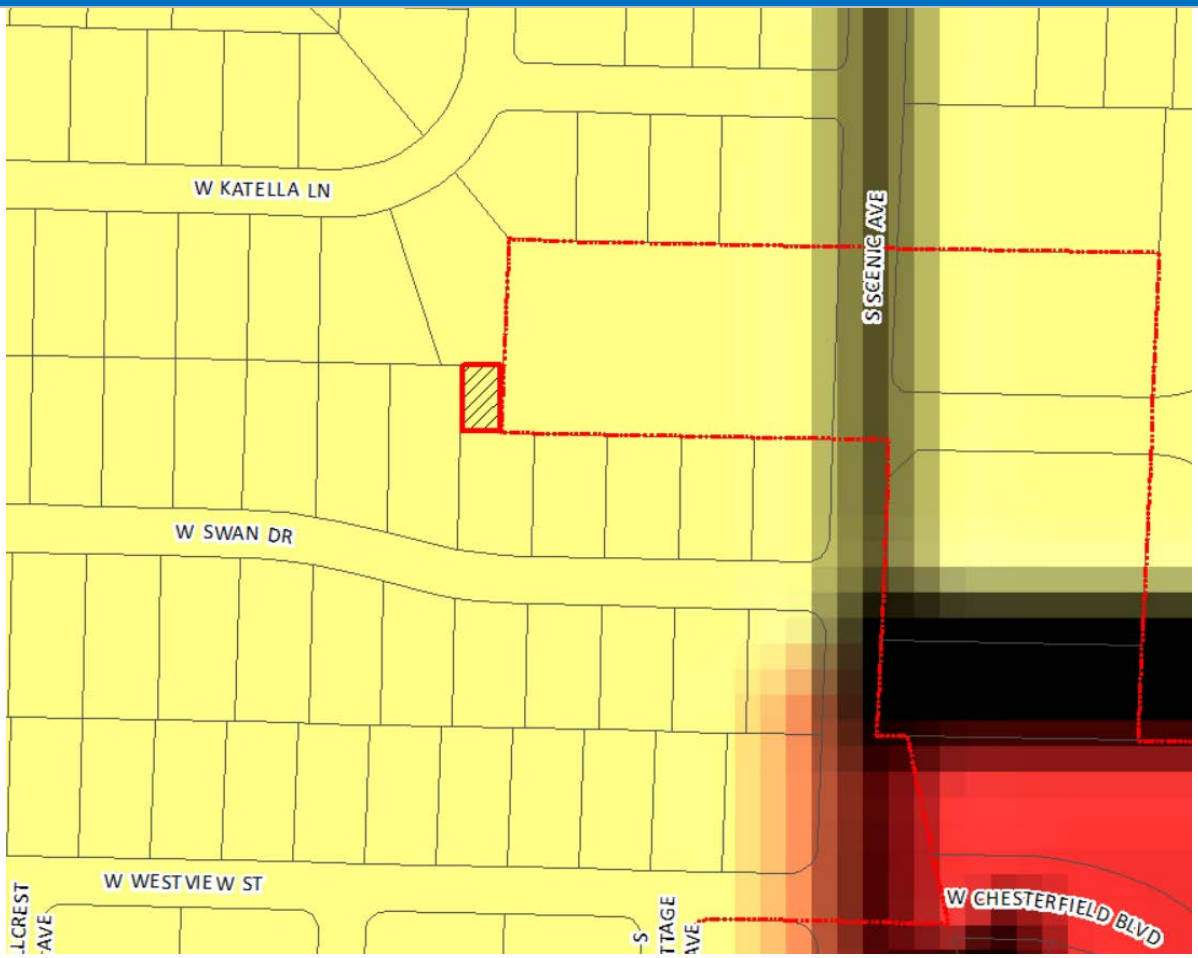
Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

Development Review Staff Report

GOOGLE MAPS STREET VIEW:

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report

PROPERTY HISTORY:

The subject property is zoned County R-1, Suburban Residence District and is currently outside the city limits in unincorporated Greene County.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR R-SF
Use Limitations	N/A
Maximum Structure Height	Thirty-five feet
Front Yard Setback	Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations
Side and Rear Setbacks	Side: Ten feet on each side of a lot or as required by section 36-453, supplemental open space and yard regulations. Rear: Twenty percent of the lot depth, but may not be less than ten feet nor more than 25 feet be required.
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 Low-Density Housing. The subject property is located just west of 3723 S. Scenic Avenue. Scenic Avenue, is classified as a Secondary Arterial roadway.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.07 acre or 2,858 square feet of property from County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District. The applicant will combine the subject property with their existing single-family residential property at 3723 S. Scenic Avenue to enlarge their backyard. The property is also concurrently being processed with an annexation and will have a public hearing at the same City Council meeting.

2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing. The subject property is located just west of 3723 S. Scenic Avenue. Scenic Avenue, is classified as a Secondary Arterial roadway.

3. The applicant is proposing to rezone to R-SF and the subject property is completely surrounded by single-family residential uses in the City and County. The single-family residential district is consistent with this area.

4. 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.

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 September 10, 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

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES:

CU has no issue with zoning request.

CLEAN WATER SERVICES COMMENTS:

No comments.

FIRE DEPARTMENT COMMENTS:

No comments.

GREENE COUNTY HIGHWAY DEPARTMENT:

No comments; however, a replat was approved by Greene County that noted this lot is intended to be annexed into the City limits of Springfield and joined with the property to the east currently owned by Melody Hargiss.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies S. Scenic Avenue as a Secondary Arterial roadway. The standard right-of-way width for S. Scenic Avenue is 35 feet from the centerline. It appears additional right-of-way is not needed along S. Scenic Avenue. A survey is recommended to determine the exact amount of existing right-of-way. This section of S. Scenic Avenue is under City of Springfield Jurisdiction. North and south of this property are under Greene County jurisdiction.

TRAFFIC COUNTS & ON-STREET PARKING
The most recent traffic count on S. Scenic Avenue S. of W. Battlefield Road is 6,334 vehicles per day. On-street parking is not allowed along S. Scenic Avenue.

DRIVEWAY ACCESS
There is currently one driveway access point onto the property from S. Scenic Avenue.

SIDEWALK
There is existing sidewalk along the property frontage of S. Scenic Avenue. The existing infrastructure meets current City Standards.

IMPROVEMENTS
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. The City of Springfield has no plans to make improvements to this section of S. Scenic Avenue.

STORMWATER COMMENTS:

No issues with re-zoning. If this property is staying residential the stormwater will require no improvements at this time. The property is in the Inman Creek drainage basin. The part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Fee in lieu of on-site stormwater detention will not be allowed and detention will be required. Since the project will not be disturbing more than one (1) acre, there will not be a land disturbance permit required. This property does not have a sinkhole.

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. Water quality will be required if disturbing more than one acre.
4. Detailed stormwater calculations will have to be submitted before any permits can be approved.

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: ~~R-SF~~ R-1 (existing zoning) to R-SF (proposed zoning)
2. Meeting Date & Time: Monday september 10th. 2018
3. Meeting Location: Prima's Restaurant meeting Room
4. Number of invitations that were sent: 102
5. How the mailing list was generated: by City
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See attached letter.

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

I, Melody Hargiss (*print name*), attest that the neighborhood meeting was held on 09/10/2018 (*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."

Melody Hargiss
Signature of person completing affidavit

Melody Hargiss
Printed name of person completing affidavit

9/19/18

To Whom It May Concern,

My annexation meeting took place in Prima's meeting room Monday, September 10th 2018, from 4:30-6:30 p.m.

One neighbor attended the meeting. Mrs. Jeanie Petrie said that she was curious about what I was doing with the lot and I informed her that the City of Springfield Zoning was changing the lots description from County to City. Mrs. Petrie told me that the change was okay with her and we had a very nice visit.

No one else showed up for the meeting and I left at 6:30 p.m.

Sincerely
Melody Margiss

MEETING, SEPTEMBER 10TH 2018

NAME	ADDRESS	
Seanie Petrie	2746 W. Swan Spf Id, Mo 65807	Curious What was about

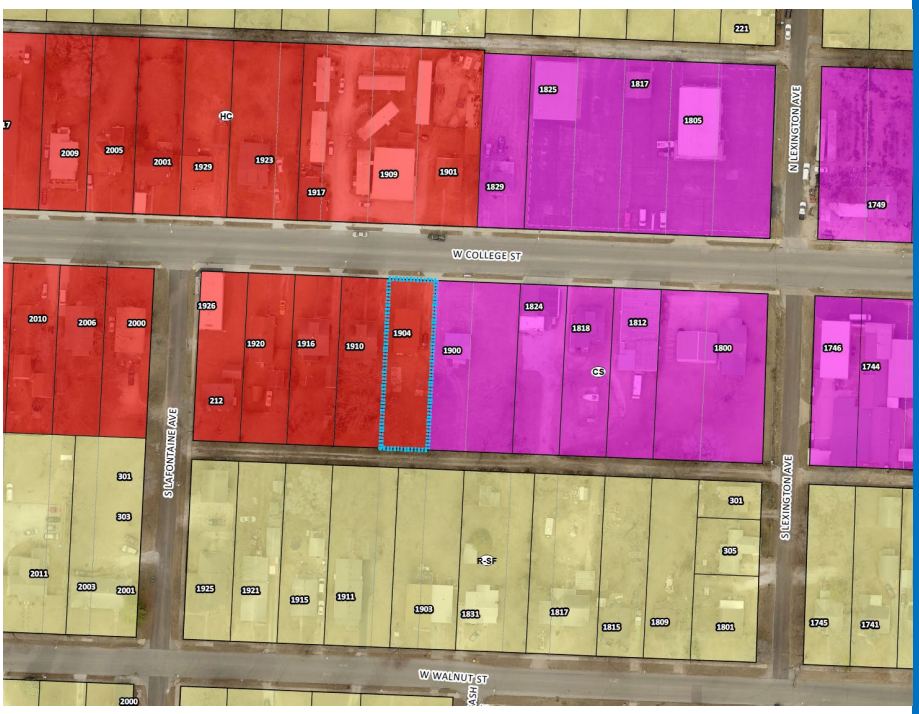
Melody Hargiss
9/19/18

Development Review Staff Report

CITY OF Springfield

PLANNING AND ZONING COMMISSION PUBLIC HEARING: OCTOBER 11, 2018

CITY COUNCIL PUBLIC HEARING: NOVEMBER 5, 2018



CASE NUMBER:
Z-25-2018

PROJECT LOCATION: 1904 West College Street

ACRES: 0.21 acres

EXISTING LAND USE: vacant structure

APPLICANT: City of Springfield Fire Department

STAFF:
Bob Hosmer, AICP Principal Planner
417-864-1834

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-25-2018 as submitted.

SUMMARY OF REQUEST:

The applicant, City of Springfield Fire Department is requesting to rezone approximately 0.21 acres of property generally located at 1904 West College Street from a HC, Highway Commercial District to a CS, Commercial Services District for the development of a new fire station.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* recommends this area as appropriate for Medium Intensity Retail, Office or Housing.
2. This request for CS zoning will provide for the development of this site for a new fire station. The City has acquired the property to the east and will combine the two tracts into one tract to facilitate the redevelopment of the site.
3. This request is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure. The Plan states that "High priority should be given to maintenance of and reinvestment in the streets, parks, utilities and other city facilities to maximize the use of existing public or private investments".
4. The development requirements in the proposed CS district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

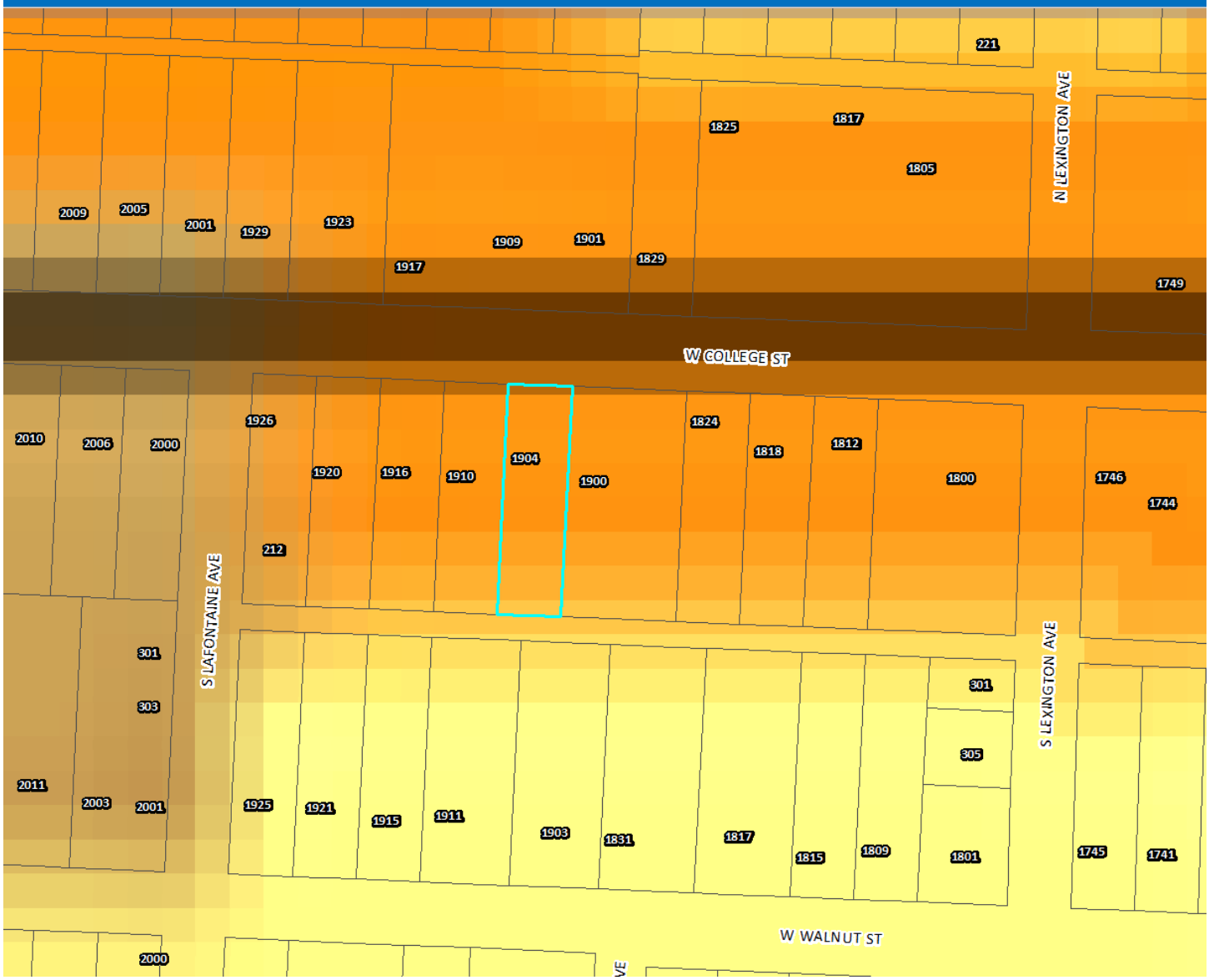
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	R-SF	CS	HC
LAND USE	Commercial/Residential uses	Residential uses	Vacant structure	Residential uses

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:

GROWTH MANAGEMENT AND LAND USE PLAN:



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

Development Review Staff Report

PROPERTY HISTORY:

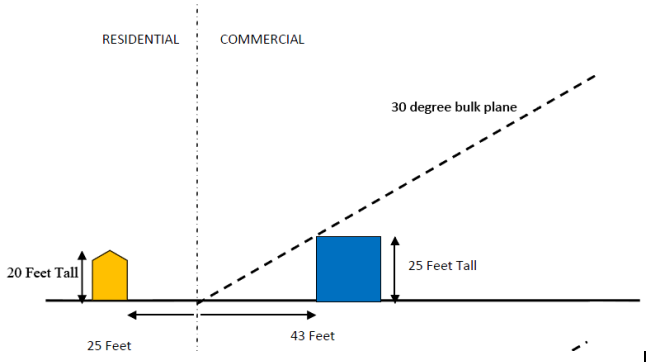
The subject property was zoned to CS, Commercial Services in a community-wide rezoning to the current Zoning Ordinance regulations in March 1995 (G.O. 4494).

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR CS
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.
Minimum open space	Not less than 15 percent
Maximum impervious area	Shall not exceed 85 percent of total lot area

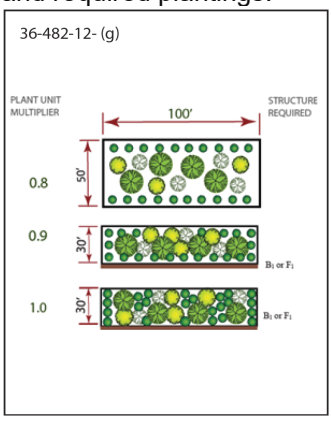
BULK PLANE

30-degree bulk plane where property adjoins an R-SF/R-TH district.



BUFFERYARD AND LANDSCAPING

Type “G” bufferyard is required along south property line. The Zoning Ordinance allows for an exemption for narrow or shallow properties. This reduction allows for a 15 feet buffer with a six-foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings.



COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for Medium Intensity Retail, Office and Housing. This request is consistent with the City’s policies to promote infill development where investments have already been made in public services and infrastructure. The Plan states that “High priority should be given to maintenance of and reinvestment in the streets, parks, utilities and other city facilities to maximize the use of existing public or private investments”. The subject property is located along West College Street which is classified as a secondary arterial roadway.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.21 acres from a HC, Highway Commercial District to a CS, Commercial Services District. The applicant, City of Springfield Fire Department, intends on combining the subject property with the adjacent lot to the east for the development of the site for a new fire station. The property to the east is zoned CS, Commercial Services District. Approval of this application will allow for the development of a new fire station to serve the surrounding area.

2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for Medium Intensity Retail, Office and Housing. The subject property is located along West College Street which is classified as a secondary arterial roadway.

3. Approval of this request will allow for the construction of a new fire station by rezoning the subject property to a CS zoning district similar the zoning of the property to the east. The intent of this request is to combine the subject property with the property to the east to develop the site. The subject property is required to have a bufferyard "Type G" and all structures developed on the property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district. The Zoning Code does allow for an exemption to the bufferyard for narrow or shallow properties. Since this property is only 180 feet deep; the code allows for a 15-foot bufferyard along the alleyway and property zoned R-SF to the south. This bufferyard requires a six-foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings. The requirements in the proposed CS district are otherwise adequate for mitigating potential impacts of the proposed development on the adjoining properties and is not anticipated to have a negative impact.

4. Approval of this application will allow for a new fire station to be developed on this property and promote infill development where investments have already been made in public services and infrastructure.

5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 12, 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:16 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

CITY UTILITIES COMMENTS:

No objections 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 W. College Street as a Secondary Arterial roadway. The standard right-of-way width for W. College Street is 35 feet from the centerline. It appears approximately six feet of additional right-of-way needs to be acquired along the entire length of the property frontage. A survey is recommended to determine the exact amount of existing right-of-way. W. College Street is a City maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on W. College Street west of Kansas Expressway is 8,031 vehicles per day. On-street parking is allowed along this section of W. College Street.

DRIVEWAY ACCESS

There is currently one shared-access driveway point from the property onto W. College Street. The property owner will need to ensure that there is a cross-access easement in place with the property abutting to the east.

SIDEWALK

There is existing sidewalk along the property frontage of W. College Street. The existing infrastructure meets current City Standards.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

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

IMPROVEMENTS

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. The City of Springfield does not currently have plans to make any improvements to this section of W. College 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	W. College Street	Secondary Arterial	Yes	29	35

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	3.36	14.07	151.2	N/A
***Proposed Trips Generated**	3.36	14.07	151.2	N/A
Additional Trips Generated	0	0	0	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 Wilsons Creek drainage basin. The part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Fee in lieu of on-site stormwater detention will be allowed and detention will not be required. Since the project will not be disturbing more than one (1) acre there will not be a land disturbance permit required. This property does not have a sinkhole.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Water quality will be required if disturbing more than one acre.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
4. A fee in lieu of constructing detention will be allowed

Public Works Stormwater Division	Response
Drainage Basin	Upper Wilsons Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is fee in lieu of detention allowed?	Yes

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Highway Commercial (HC) to Commercial Services (CS)
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: September 12, 2018 at 4:00pm - 6:30pm
3. Meeting Location: Fire Station #8 Community Room located at 1405 South Scenic Avenue.
4. Number of invitations that were sent: 143
5. How the mailing list was generated: Planning & Development provided the list.
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

   All questions were answered and neighbors appeared to leave very pleased with the project. No issues required further discussions.

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

   List attached...

I, Jennifer Swan *(print name)*, attest that the neighborhood meeting was held on 09/12/18 *(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."

Jennifer Swan
Signature of person completing affidavit

Jennifer Swan
Printed name of person completing affidavit

CITY OF Springfield PUBLIC WORKS

2018-003-FDNS.13
Rezoning of 1904 W. College Street

Neighborhood Meeting Notes

September 12, 2018

City Staff Present: David Pennington, Fire Chief
Olan Morelan, Assistant Fire Chief
Bryan Newberry, Assistant Fire Chief
Louie Morrow, Facilities Specialist
Jennifer Swan, City Architect

On Wednesday, September 12, 2018 (at 4:00pm - 6:30pm) City Staff held a Neighborhood Meeting in the Community Room of Fire Station #8 to discuss the proposed rezoning of 1904 W. College Street. The following summarizes the discussion topics during the meeting.

1. The first attendee of 1920 W. Olive asked how the Fire Department would deal with the sirens in a neighborhood setting? Fire Chief David Pennington explained that the Fire Fighters are very aware of the situation and are sensitive to it. They will do what they can to minimize the disruption within the residential route. Mr. Adams also asked about the potential for his home insurance cost to drop. Chief Pennington responded that it was unlikely; however, he could verify that with his insurance company. David went on to explain the ISO Diamond graphic and how this Fire Station location would fill a much needed gap in coverage.

2. The second attendee of 1829-1917 W. College had asked why the City was seeking rezoning of the property. Chief Pennington explained that the City purchased 1900 and 1904 W. College for the site of the West-Central Fire Station 13. 1900 W. College is zoned Commercial Services (CS) while 1904 W. College is zoned Highway Commercial (HC). The properties need to have the same zoning so a lot combination can be completed. The City chose to seek rezoning of the HC to CS as it provided more flexibility as far as setback depths. This attendee was very positive towards this project.

3. The third attendee of 1916 W. College was excited to be getting a fire station in his neighborhood. He asked about the number of bays the Fire Department was planning. Chief Pennington answered that they are planning a 2 bay station. This attendee felt that this station will be the busiest fire station in town. He also asked about the maintenance of the site until the new station is built. Jennifer Swan explained that Public Works Grounds Division will mow until that time. Chief Pennington added that the site would be mowed once the building is constructed, but no decision on who will do this has been made. This attendee also asked about siren noise. Chief Pennington explained that the Fire Fighters are very aware of the situation and are sensitive to it. They will do what they can to minimize the disruption within the residential route.

4. The fourth attended that owns 1911 W. Elm relayed that she thought the addition of a new fire station in this neighbor will be a good thing.

5. The fifth attendee of 1805 W. College wanted to see design images. Chief Pennington mentioned that the City has not contracted with an Architect for design services yet and the selection process won't begin until January 2019. This attendee was concerned about the ability of the lot(s) size to facilitate a station. Chief Pennington described the City's intention to improve the alley on the south side of the lots for Fire Apparatus

approach and the trucks would exit the site on to College. He also asked about the bus stop and if it would be relocated. Chief Pennington said that City Utilities would need to study this and relocate the bus stop in the best location to provide a safe stop for the users. This attendee felt like the City has a good plan.

6. The sixth attendee of 2401 W. Elm asked if the new Fire Station would have a Community Room. Chief Pennington clarified that it would not have a Community Room. He also asked if the City was going to play off the Route 66 theme for this station. Chief Pennington mentioned that the City has not contracted with an Architect for design services yet and the selection process won't begin until January 2019. However, the City has discussed the Route 66 theming for this Fire Station. This attendee said that the Westside Neighborhood Association supports the addition of this Fire Station.

CITY OF Springfield PUBLIC WORKS

2018-003-FDNS.13
Rezoning Application
1904 West College Street
Springfield, MO 65802

Neighborhood Meeting Sign In Sheet

Wednesday, September 12, 2018

NO.	Name	Address	Phone Number	Email
1	Jennifer Swan	1010 W. Chestnut St.	864-2033	jswan@springfieldmo.gov
2	Louie Morrow	1010 W. Chestnut St.	864-1953	lwmorrow@springfieldmo.gov
3	DAVID Remington	830 N Boonville	874-2310	dpenning@springfieldmo.gov
4	Bryan Newberry	830 N Boonville	874-2320	bnewberry@springfieldmo.gov
5	Olan Moreland	830 N Boonville	874-2330	omoreland@springfieldmo.gov
6	Elwin ADAMS	1920 W. Olive	4178690919	—
7	Phil Wrenda	1901 W. College	417 [illegible]	aaron property@att.Net
8	Alex Delgado	1916 W. College	417-864-4069	alexdesmula@sbcglobal.com
9	Brenda Elliott	1911 W. Elm	4178833-4086	
10	[illegible]	1805 W College	417 865-0433	
11	JOE ROBERDS	2401 W. ELM	417 838-0041	JOEGS806@YAHOO.COM
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Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: OCTOBER 11, 2018

CITY COUNCIL PUBLIC HEARING: NOVEMBER 5, 2018

CASE NUMBER:
Z-26-2018

PROJECT LOCATION: 4200 Block West Kearney Street, south-side

ACRES: 2.87 acres

EXISTING LAND USE: Undeveloped Land

APPLICANT: ARMA Development LLC

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

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-26-2018 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 2.87 acres of property generally located within the 4200 block of West Kearney Street, south-side, from LB, Limited Business District to GM, General Manufacturing District.

FINDINGS FOR STAFF RECOMMENDATION:

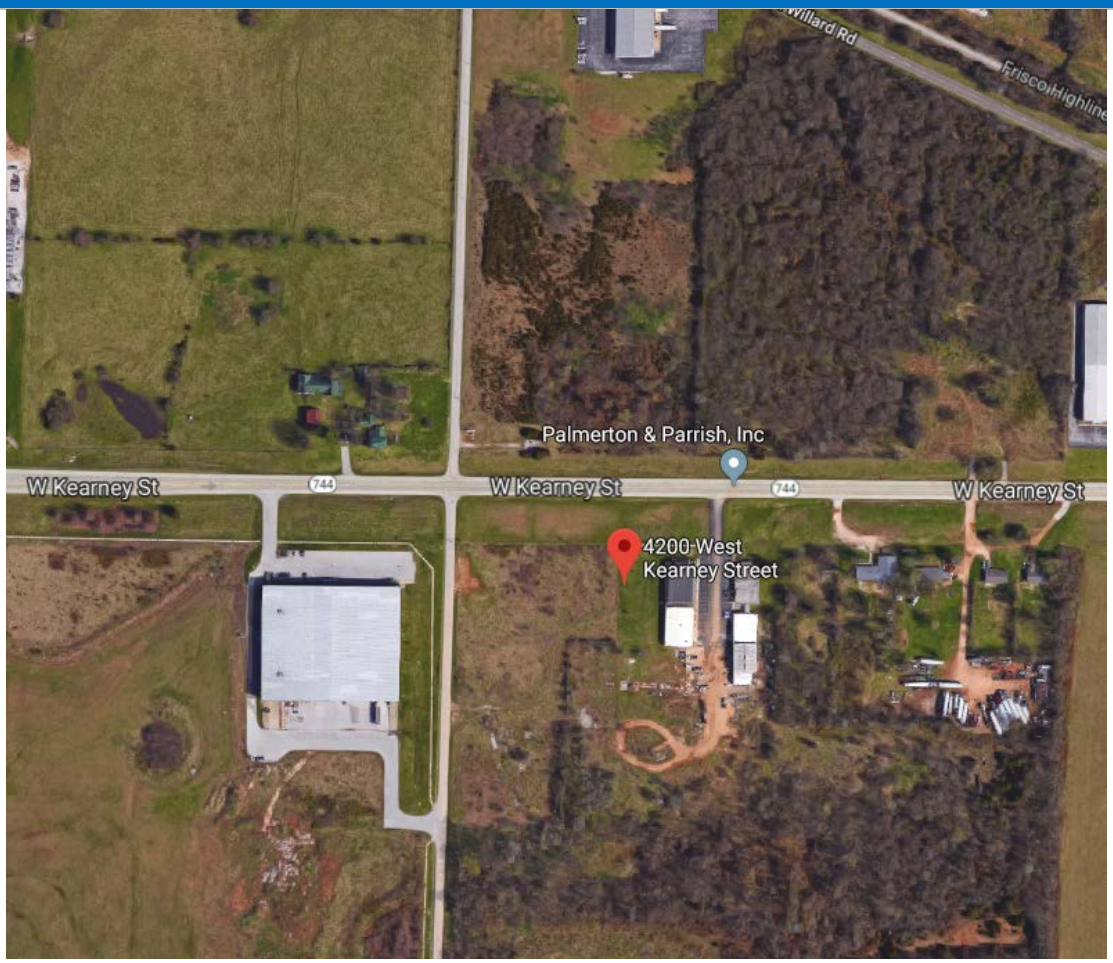
1. The GM district is consistent which the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies this area as appropriate for General Industry, Transportation and Utilities. The GM District is listed as an appropriate zoning district for this land use category
2. The proposed GM district is consistent with the surrounding property which is zoned GM, General Manufacturing and HM, Heavy Manufacturing to the west. The subject property was zoned GM, General Manufacturing before a rezoning in 2001 changed the zoning to the current LB. Limited Business District. The property has remained undeveloped.
3. Approval of this application will facilitate development of this site and is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	GM	GM	HM
LAND USE	Undeveloped Land	Undeveloped Land	Office & Industrial use	Warehouse

Development Review Staff Report

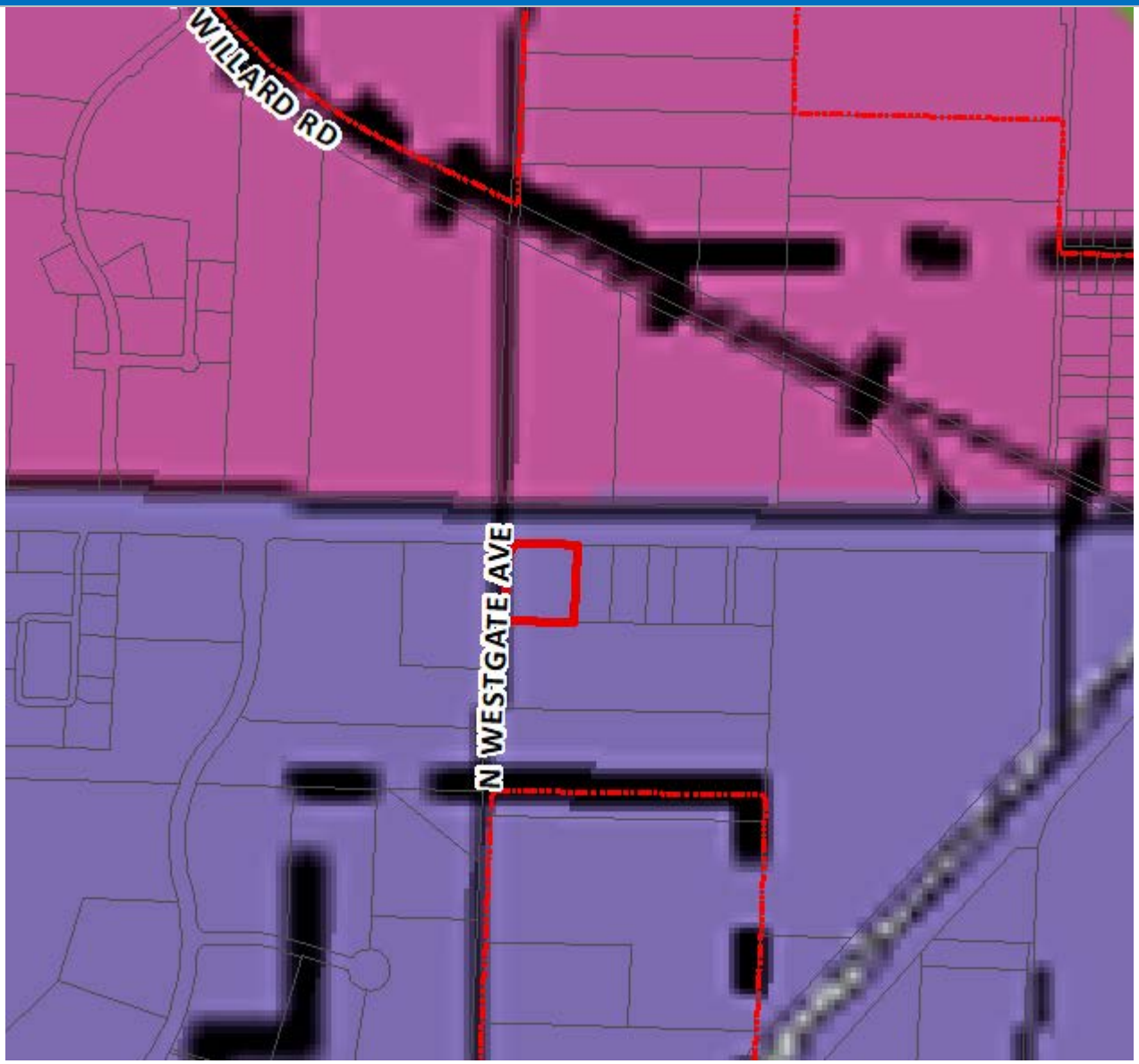
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



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

Development Review Staff Report

PROPERTY HISTORY:

The subject property was zoned GM in a community-wide rezoning to the current Zoning Ordinance regulations in March 1995 (G.O. 4494).

The subject property was zoned LB, Limited Business in January 2002. The subject property has remained undeveloped.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GM
Maximum Structure Height	None
Minimum open space	For office, athletic clubs, fitness centers, indoor sports facilities, and recording, television, and radio studios: 15 percent open space. All other uses: None.
Maximum impervious area	For office, athletic clubs, fitness centers, indoor sports facilities, and recording, television, and radio studios: maximum of 85 percent impervious area. All other uses: None.
BULK PLANE	**BUFFERYARD AND LANDSCAPING**
No bulk plane is required. The subject property is surrounded by manufacturing districts.	No bufferyard is required because the subject property is surrounded by manufacturing districts. Landscaping will be provided in accordance with the Zoning Ordinance.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for General Industry, Transportation and Utilities. This category includes industry that involves railroad service, heavy truck traffic, extensive outdoor storage, noise or odors, and the handling of raw materials. It also includes railroad yards, power plants and the airports. The GM District is listed as an appropriate zoning district for this land use category.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 2.87 acres of a portion of property generally located within the 4200 block of west Kearney Street, south-side, from LB, Limited Business District to GM, General Manufacturing District. The applicant intends to use the subject property for a warehouse.

2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for General Industry, Transportation and Utilities. This category includes industry that involves railroad service, heavy truck traffic, extensive outdoor storage, noise or odors, and the handling of raw materials. It also includes railroad yards, power plants and the airports. The GM District is listed as an appropriate zoning district for this land use category.

3. The subject property was zoned GM, General Manufacturing before a rezoning in 2001 changed the zoning to the current LB. Limited Business District. The proposed application is consistent with the surrounding property which is zoned GM, General Manufacturing and HM, Heavy Manufacturing to the west.

4. The GM district is designed as the basic manufacturing district for Springfield. The use limitations for this district are set so that most industrial uses that are reasonably careful with respect to housekeeping and external impacts will be able to comply.

5. Approval of this application will allow development of this property and promote infill development where investments have already been made in public services and infrastructure.

6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 13, 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: 4 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.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning. There is a Joint sewer district connection fee of $0.09021 per square foot required when the property connects to public sewer. This is based on square footage of property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies both W. Kearney Street and N. Westgate Avenue as Secondary Arterial Roadways. The standard right-of-way widths for both W. Kearney Street and N. Westgate Avenue are 35 feet from the centerline. It appears additional right-of-way is not needed along either street. A survey is recommended to determine the exact amount of existing right-of-way. W. Kearney Street is under MODOT jurisdiction. All comments regarding W. Kearney Street should be final verified with MODOT. N. Westgate Avenue is under City jurisdiction.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for these sections of W. Kearney Street or N. Westgate Avenue. On-street parking is not allowed along either street frontage.

DRIVEWAY ACCESS

There are no current "official" driveway access points to the property from public right-of-way. Any new proposed driveway approaches must meet the spacing requirement both from the intersection of Kearney and Westgate (200' on Westgate, 150' on Kearney) and from each other (150' on both Kearney and Westgate). All new proposed driveway approaches must meet current City/MODOT Design Standards.

SIDEWALK

There is not currently sidewalk existing along the property frontage of N. Westgate Avenue. Sidewalk is required to be constructed along the entire length of the property frontage on N. Westgate Avenue, or a fee paid in-lieu-of sidewalk construction, which must first be approved by ARC and fees paid, prior to issuance of a building permit. Defer to MODOT for requirement of sidewalk along W. Kearney Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

The Frisco Highline Trail (and trailhead) is just northeast of the property pertaining to this rezoning. There are no bus stops along either section of Kearney Street or Westgate Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

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. The

change in zoning decreases the intensity at which the property can be developed. The City of Springfield does not currently have plans to make any improvements to N. Westgate Avenue. Defer to MODOT for any comments regarding future plans for W. Kearney 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	W. Kearney Street	Secondary Arterial	No	130	35
Street 2	N. Westgate Avenue	Secondary Arterial	No	35	35

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	31.57	114.8	1348.9	N/A
***Proposed Trips Generated**	28.7	28.7	180.81	N/A
Additional Trips Generated	-2.87	-86.1	-1168.09	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 Rainer Branch drainage basin. The part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Fee in lieu of on-site stormwater detention will be 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. Part of this property is in a sinkhole watershed.

A geotechnical report is required when developing in a sinkhole watershed area.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Water quality will be required if disturbing more than one acre.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

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

FIRE DEPARTMENT COMMENTS:

No objection to rezoning.

MODOT COMMENTS:

No access will be allowed to Kearney. All access will need to come from Westgate (FR 123). Sidewalks are required along Kearney.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Limited Business District *(existing zoning)* to General Manufacturing District *(proposed zoning)*
2. Meeting Date & Time: Sept. 13, 2018 4:30-6:30pm
3. Meeting Location: 4240 W. Kearney St.
4. Number of invitations that were sent: 10
5. How the mailing list was generated: Greene Co. Assessor's Website
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

   None

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

   None

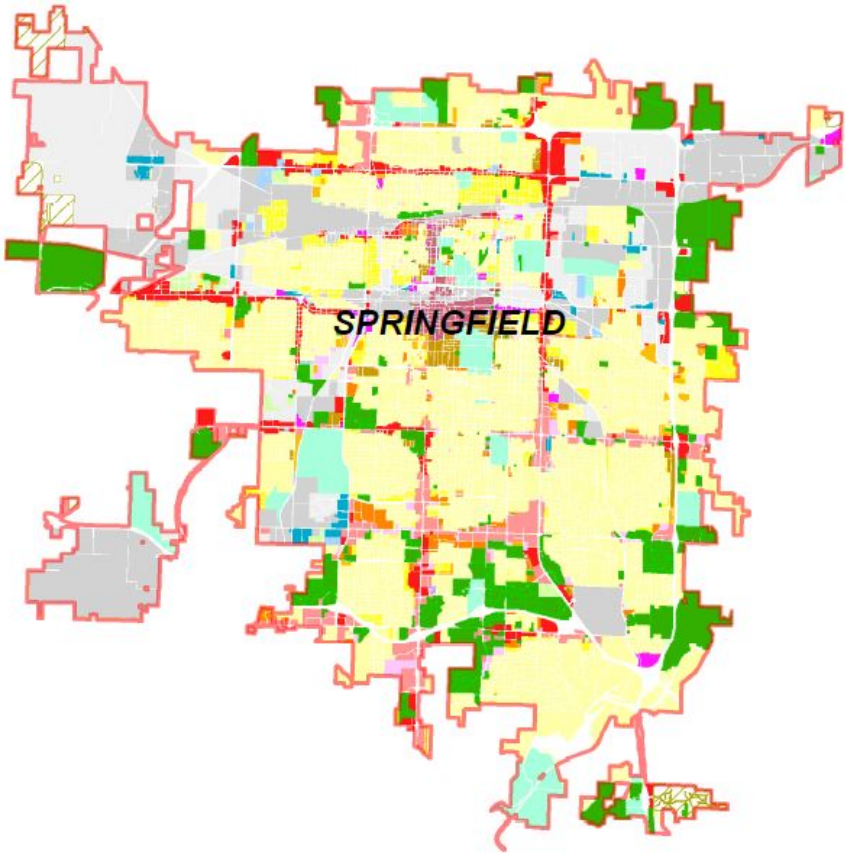
I, Spenser Farr *(print name)*, attest that the neighborhood meeting was held on Sept. 13, 2018 *(month/date/year)*, and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Spenser Farr
Signature of person completing affidavit

Spenser Farr
Printed name of person completing affidavit

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	OCTOBER 11, 2018
CITY COUNCIL PUBLIC HEARING:	NOVEMBER 5, 2018



CASE:
Short-Term Rental Amendments

STAFF:
Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:
Approve

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

SUMMARY OF REQUEST:

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

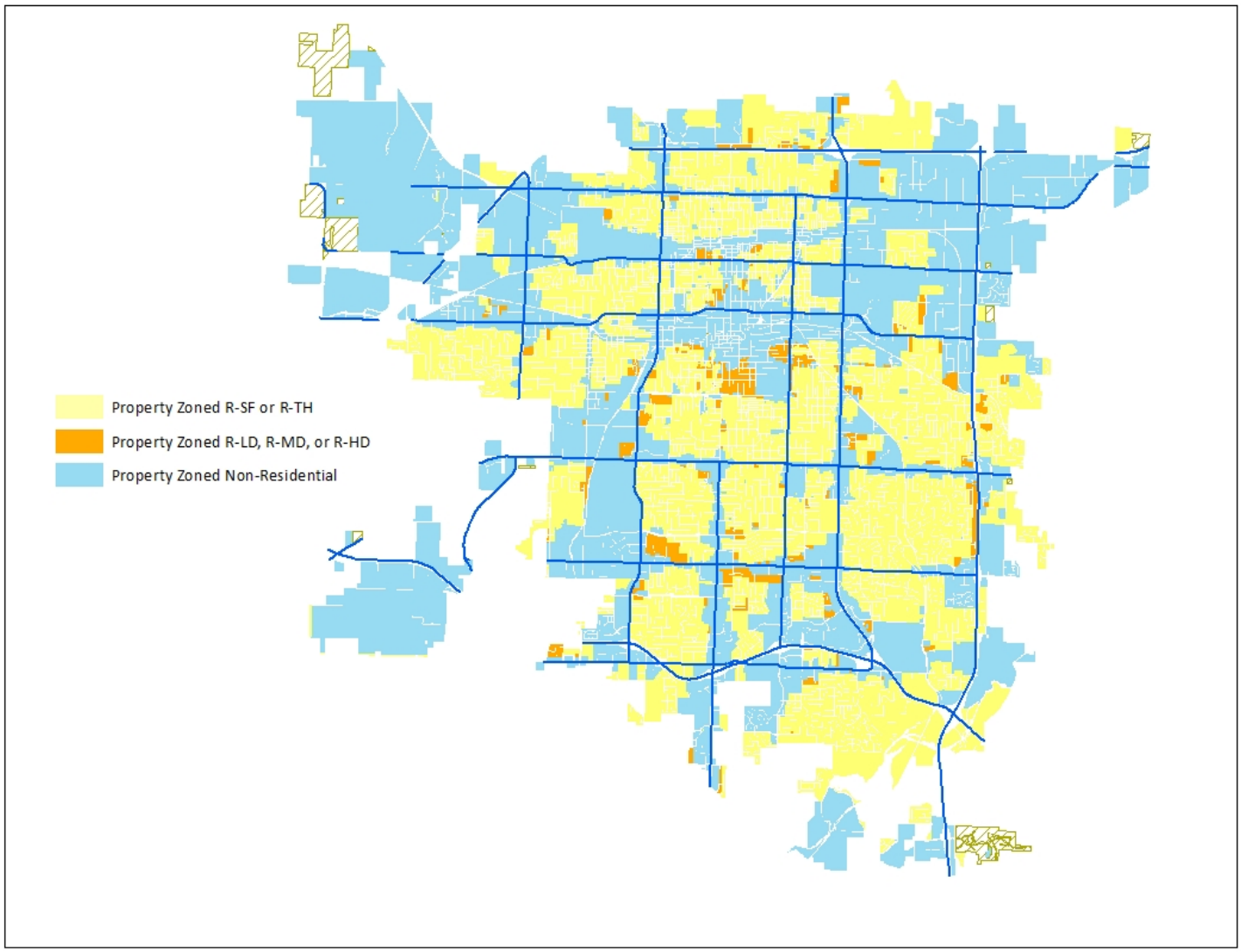
FINDINGS FOR STAFF RECOMMENDATION:

1. Short-Term Rentals are currently not permitted in the Zoning Ordinance. The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Rentals are a growing land use that needs to be addressed with certain conditions and requirements in the Zoning Ordinance to be compatible with other residential uses. The reason for the short-term rental ordinance is to allow this growing industry while protecting the integrity of single-family neighborhoods within the community.

2. The proposed Zoning Ordinance will allow three Types of Short Term Rentals; owner-occupied in the R-SF and R-TH with limited rental days, non-owner occupied in the R-SF and R-TH which requires a Short-Term Rental permit, and the third Short Term Rental type is allowed in all other districts but limited to two per premise.

Development Review Staff Report

CITYWIDE LAND USES:



Development Review Staff Report

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Short-Term Rentals were not addressed in City's *Comprehensive Plan* and *Field Guide 2030 Guidelines*; however, the *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and non-residential development patterns.

SUMMARY OF PROPOSED TEXT AMENDMENT:

The original Short-Term Rental Amendments were considered by Planning and Zoning Commission on January 11, 2018. On April 12th, Planning and Zoning Commission considered revised amendments that were remanded from City Council. On June 7th, City Council referred revised amendments to City Council's Plans and Policies Committee which held multiple meetings to discuss the issue. The Plans and Policies Committee is recommending the following changes:

Short Term Rentals Type 1 Recommended Changes

- Remove the 500-foot separation and certificate of occupancy requirements from Short-Term Rentals Type 1. Require an affidavit certifying that the owner-occupied primary residence or historic carriage house will not be rented more than 95 days in a calendar year.

The Committee recommends staff's proposed changes as presented.

Short Term Rentals Type 2 Recommended Changes

- Require a $350 permit. Require a 500-foot separation from other Short-Term Rentals and Bed and Breakfast establishments as measured along street right-of-way.

The Committee recommends retaining the original proposal of 500-foot separation. Staff discussed other separation options such as 250 or 300 feet.

- Require a neighborhood meeting and a protest period if owners representing 50 percent of total property owners within 200 feet area sign the protest petition within 21 days following the neighborhood meeting. If a valid protest is submitted within 21 days, then the Short-Term Rental Type 2 permit must be forwarded to City Council for review.

The Committee recommends a broader area (500 feet) with a lower threshold of signatures required (30 percent). Staff originally proposed that protest petitions representing 50 percent of the property owners within 200 feet would require City Council review and proposal.

Short Term Rentals Type 3 Recommended Changes

- No changes recommended.

The Committee recommends the originally-proposed regulations for Type 3s.

Additional Recommended Changes

- Violations of this ordinance may result in a STR Type 2 license being revoked, suspended or denied for a 12-month period. Such use will be prevented from re-establishing after 12 months if another STR Type 2 located within the 500-foot separation area.
- The owner of licensed STR may transfer the property and permitted use to another owner
- The STR cannot be rented solely for receptions, parties, weddings and other similar activities.

The Committee recommends staff's proposed changes as presented.

Implementation

- Establish a lottery system of random selection where no STR would have an advantage over another. Current illegally-established STRs will not be "grandfathered."

The Committee recommends all uses be subject to the 500-foot separation and that a lottery system be established for the initial round of licensing. Staff presented an initial implementation process which would allow applicants filing for STR Type 2s within the first 30 days following the ordinance passage to be exempt from the 500-foot separation requirements. Applications for STR Type 2s received after this initial period would be subject to separation requirements. Staff has found approximately 139 Short-Term Rentals currently exist and 12 conflicts.

STAFF COMMENTS:

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

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

Staff believes that short-term rentals are part of a burgeoning sharing economy. The sharing economy concept like vacation rentals is not new either. This is a business model where there is peer-to-peer based sharing of access to goods and services. Examples include Uber, Parkatmyhouse, DogVacay, StreetBank, etc.

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

In theory, Short-Term Rentals are self-regulating since renters rate owners and owners rate renters, thus poor operators will receive negative ratings and consequently fewer rentals. However, the adjacent neighbors are not given any way to

rate or post their issues and concerns for these businesses. Typically, the enforcement issue is not the specific use, rather, the potential side effects of overcrowding, parking and noise.

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

The following information was contained in the January 11, 2018, staff report and is repeated here as background.

In response to this growing business model, staff conducted an informational meeting with two neighborhoods that could be most impacted by these Short-Term Rental uses. Staff sought feedback about what issues these uses could create in these neighborhoods. Approximately 1,500 notification letters were sent to owners in the Rountree and Phelps Grove neighborhoods. The informational meeting was held on June 14, 2016 to discuss Short-Term Rentals and Accessory Dwelling Units. Approximately 50 property owners and known Short-Term Rental owners attended. Staff took notes and recorded results from a poll of questions and concerns that owners would have with these uses. Staff also created a survey to gain input from those that could not attend the meeting or wanted to make additional comments. The survey was opened the next day and remained open for three weeks. Staff also presented information on Short-Term Rentals and Accessory Dwelling Units on August 10, 2016 to the Neighborhood Advisory Committee and promoted the survey to gain input from all other registered neighborhood associations. The next day staff opened a similar online survey for three weeks. Staff has included the survey information in the packet in Attachment 2.

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

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

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

- Neighborhood character and stability – too many in one area
- Enforcement of new and existing Short-Term Rentals
- Enforcement of private covenants
- Discourage tourists/travelers that prefer Short-Term Rentals
- Provide more lodging options for tourists/travelers
- Source of income for property owners
- Health and safety issues
- Aesthetics and maintenance – will a short-term vacation property owner take care of their property better or worse than a long-term renter
- Potential loss of hotel/motel and sales tax revenues (City Code and Hancock issues)

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

Development Review Staff Report

PUBLIC COMMENTS:

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.

Development Review Staff Report

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

No objection to zoning text amendments.

CLEAN WATER SERVICES COMMENTS:

No objection to zoning text amendment.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic has no issues with the zoning text amendment.

STORMWATER COMMENTS:

Stormwater has no issues with the zoning text amendment.

FIRE DEPARTMENT COMMENTS:

No comments.

Development Review Staff Report

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2
SHORT-TERM RENTAL AMENDMENTS

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

Sec. 36-321. - Definitions.

Short-Term Rental: The rental of an entire dwelling, or any portion thereof, for a period of not more than 30 days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short-term rentals are further categorized as Type 1, 2 or 3 and subject to the conditions set forth in this Article.

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

(2) *Permitted uses.*

(o) Short-term rental type 1 or 2 in accordance with section 36-472.

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

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

(r~~q~~) Transitional housing for single-family use.

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

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

(2) *Permitted uses.*

(p) Short-term rental type 1 or 2 in accordance with section 36-472.

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

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

(s~~r~~) Townhouses.

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

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

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

(2) *Permitted uses.*

(r) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-382(2)(a) if applicable.

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

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

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

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

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

(2) *Permitted uses.*

(r) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-383(2)(c) if applicable.

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

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

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

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

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

(2) *Permitted uses.*

(u) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-384(2)(c) if applicable.

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

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

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

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

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

(2) *Permitted uses.*

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

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

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

(sr) Transitional housing for single-family.

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

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

(2) *Permitted uses.*

(v) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-400(2)(b) or (r) if applicable.

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

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

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

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

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

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

(2) *Permitted uses.*

(cc) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-401(2)(c) if applicable.

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

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

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

(ffee) Tier I wireless facilities in accordance with section 36-466, telecommunication towers.

(ggff) Tier III wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers 60 feet or greater in height allow collocation of at least one additional provider's facilities.

(hhgg) Tier IV wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers are setback from any residential district at least two feet for every one foot of tower height and allow collocation of at least one additional provider's facilities or at least two additional providers' facilities if the tower height is 120 feet or greater.

(iihh) Other towers, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

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

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

(a) *Permitted uses.*

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

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

(b) *Permitted uses.*

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

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

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

(a) *Permitted uses.*

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

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

1615.Townhouses.

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

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

(2) *Permitted uses.*

(n) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-420(2)(b) or (l) if applicable.

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

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

(qp)Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

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

(2) *Permitted uses.*

(bb) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-421(2)(b) or (w) if applicable.

(ccbb) Taxidermists.

(ddcc) Temporary lodging use group.

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

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

(ggff) Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

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

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

(2) *Permitted uses.*

(pp) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-422(2)(c) or (kk) if applicable.

(qqpp) Swimming pool sales and displays.

(rrqq) Taxi dispatch yards and offices.

(ssrr) Taxidermists.

(ttss) Temporary lodging use group.

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

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

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

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

(xx~~ww~~) Upholstery shops.

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

(zz~~yy~~) Wholesale sales.

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

(2) *Permitted uses.*

(xx) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-423(2)(b) if applicable.

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

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

(zz~~yy~~) Swimming pool sales and display.

(aaa~~zz~~) Taxi dispatch yards and offices.

(bbb~~aaa~~) Taxidermists.

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

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

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

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

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

(qggfff) Truck stops.

(hhhggg) Upholstery shops.

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

(jjjiii) Wholesale sales use group.

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

(2) *Permitted uses.*

(nn) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-424(2)(ii) if applicable.

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

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

(ppoo) Taxi dispatch yards and offices.

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

(rrqq) Temporary lodging use group.

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

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

(uutt) Wholesale sales.

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

(2) *Permitted uses.*

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

14. Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-425(2)(b) if applicable.

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

(2) *Permitted uses.*

(y) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-430(2)(c) if applicable.

(zy) Swimming pool sales and display.

(aaz) Taxidermists.

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

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

(ddcc) Upholstery shops.

(eedd) Veterinary clinics, animal hospitals, and kennels, with no outside activities.

(ffee) Warehouses, storage and distribution centers.

(ggff) Wholesale sales.

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

(2) *Permitted uses.*

(w) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-431(2)(c) if applicable.

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

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

(vx) Swimming pool sales and display.

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

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

(bbaa) Upholstery shops.

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

(ddcc) Warehouses, storage and distribution centers.

(eedd) Wholesale sales and distribution.

(ffee) Wholesale sales use group.

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

(2) *Permitted uses.*

(cc) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-432(2)(d) if applicable.

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

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

(eedd) Swimming pool sales and display.

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

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

(hhgg) Upholstery shops.

(iihh) Vehicle rental, towing and storage services.

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

(kkjj) Warehouses, storage and distribution centers.

(llkk) Wholesale sales use group.

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

(2) *Permitted uses.*

(mm) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-433(2)(d) if applicable.

(nnmm) Stockyards or feed lots.

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

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

(ppoo) Swimming pool sales and display.

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

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

(ssrr) Upholstery shops.

(ttss) Vehicle rental, towing and storage services.

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

(vvuu) Warehouses, storage and distribution centers.

(wwvv) Wholesale sales.

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

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

(2) *Permitted uses.*

(mm) Short-term rental type 3 in accordance with section 36-472 and subject to conditions in 36-434(2)(d) if applicable.

(nn~~mm~~) Swimming pool sales and display.

(oo~~nn~~) Taxi dispatch yards and offices.

(pp~~oo~~) Taxidermists.

(qq~~pp~~) Temporary lodging use group.

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

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

(tt~~ss~~) Upholstery shops.

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

(vv~~uu~~) Warehouses, storage and distribution centers.

(ww~~vv~~) Wholesale sales use group.

Sec. 36-451. - Home occupations.

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

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

Sec. 36-472. - Short-Term Rentals.

(1) Short-Term Rental Type 1

(a) This section shall apply to a Short-Term Rental use that:

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

(b) The following provisions shall apply to a Short-Term Rental Type 1:

1. A Short-Term Rental Type 1 shall only be located in the primary structure or a historic carriage house per Section 36-464.

2. No exterior alterations that would change the single-family character of the Short-Term Rental Type 1, other than those necessary to ensure the safety of the structure, shall be made.
3. No residential structure shall be removed for parking or to expand the Short-Term Rental Type 1.
4. A Short-Term Rental Type 1 shall not be rented solely for receptions, parties, weddings or any similar activities.
5. The owner of a Short-Term Rental Type 1 shall provide notification as required by Section 36-472(4).
6. It shall be a violation of this section for an owner to advertise or promote a Short-Term Rental Type 1 which is not in compliance with the provisions of this section.

(c) An affidavit certifying that the primary residence or historic carriage house will not be rented for more than 95 days in a calendar year.
(d) Annual business license shall be obtained.

(2) Short-Term Rental Type 2
(a) This section shall apply to a Short-Term Rental use that:
1. is rented for periods of less than 30 consecutive days; and
2. is located within a R-SF or R-TH zoning District; and
3. is not an owner-occupied residence or is an owner-occupied primary residence or historic carriage house and is rented for more than 95 days in a calendar year.

(b) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.
(c) Annual business license shall be obtained.
(d) The following provisions shall apply to a Short-Term Rental Type 2:
1. A Short-Term Rental Type 2 shall not be located within five-hundred (500) feet along or across any street, not including alleys, from another Short-Term Rental or Bed and Breakfast as measured between the property lines.
(*Insert 500-foot separation diagram*)
2. A Short-Term Rental Type 2 shall only be located in the primary structure or a historic carriage house per Section 36-464.
3. No exterior alterations that would change the single-family character of the Short-Term Rental Type 2, other than those necessary to ensure the safety of the structure, shall be made.
4. No residential structure shall be removed for parking or to expand the Short-Term Rental Type 2.
5. A Short-Term Rental Type 2 shall not be rented solely for receptions, parties, weddings or any similar activities.
6. The owner of a Short-Term Rental Type 2 shall provide notification as required by Section 36-472(4).
7. It shall be a violation of this section for an owner or operator to advertise or promote a Short-Term Rental Type 2 which is not in compliance with the provisions of this section.

(e) A Short-Term Rental Type 2 permit shall be required for Short-Term Rental Type 2 uses.

1. *Application fee.* A fee of $350.00 or as set forth in the schedule of fees, shall accompany any Short-Term Rental Type 2 application and is in addition to the license and certificate of occupancy fee required by this section. The additional fee shall be for the costs of processing the application.
2. Applicant(s) shall hold a neighborhood meeting at the property involved in the application or in the immediate vicinity. Notice of the meeting shall be sent by first-class mail, postage paid, at least ten days prior to the meeting, to at least one record owner of each real property within 500 feet of the Short-Term Rental property, as shown on the records of the county assessor, and to the president or other association officer(s) of any neighborhood association(s) as on file with the director of planning and development. Owners within said 500 feet shall have the right within 21 days from the date of the meeting to protest the granting of a permit for the Short-Term Rental Type 2 by mailing or delivering to the director of planning and development the protest as contained in the neighborhood meeting notice.
3. Notice of the neighborhood meeting shall be posted by the applicant at least ten days prior to the meeting and 21 days after for a total of at least 31 days in conspicuous places on or in the immediate vicinity of the property which is the subject of the Short-Term Rental Type 2. One sign shall be posted on each street frontage of the subject property. Additional signs or alternate posting locations may be required at the discretion of the director of the planning and development department. Such notice shall be at least 18 inches in height and 24 inches in width and shall contain the words "NEIGHBORHOOD MEETING" and in addition the date, time, and place of the public meeting, and a telephone number where additional information can be secured.
4. It is recommended the meeting be held early enough to provide time for the applicant to consider any neighborhood input, allow any changes to be evaluated by staff, and to resolve any issues if possible. The meeting shall be scheduled from 4:00 to 6:30 p.m.
5. The mailing shall be performed by the planning and development department; however, the letters and envelopes themselves must be prepared, and postage placed on same by the applicant. The neighborhood letters shall be submitted to the planning and development department for mailing, in sufficient time to allow for mailing for at least 10 days prior to the date of the neighborhood meeting. A file copy of the letter shall be provided to the planning and development department. The notice letter shall contain the following at a minimum and any additional information as required by the director of planning and development:

a. Description and details of proposed Short-Term Rental operation including number of days per month to be rented and any other proposed changes.

b. Meeting date, time and location.

c. Applicant or their representative's contact information.

d. Information sheet provided by the City.

6. No more than ten days following the neighborhood meeting, the applicant shall submit a summary of the meeting to the planning and development department using the following format as set forth below:

a. Meeting date, time and location.

b. Number of neighbors in attendance with an attached sign-in sheet.

c. List of issues raised, any verbal comments and how applicant plans to respond.

d. Additional information, such as comment cards and letters from neighbors shall be attached to the summary.

7. If the applicant does not submit the information listed above within ten days of the neighborhood meeting, the application shall be considered incomplete and the applicant will be required to conduct a new meeting and the protest timeline will restart.

8. *Protest requirements.* If within the 21 days following the neighborhood meeting, a protest to the granting of the permit for the proposed Short-Term Rental Type 2 is signed by owner(s) representing 30 percent or more of the owners of all properties located within 500 feet of the proposed Short-Term Rental property as determined by line drawn parallel to and 500 feet distance from the boundaries of the STR, then the application shall be forwarded to City Council for its resolution in favor or against said application. If, however, no sufficient protest shall be filed within 21 days following the neighborhood meeting, then the permit may be issued, all other requirements of the law of the City of Springfield having been met and complied with.

9. The City shall have the authority from time to time to prepare forms to implement this section including protest forms, application forms, and forms for notice, forms for proof of ownership, and other appropriate requirements. Forms of protest shall be acknowledged by some person other than a protesting owner located within the 500-foot area, acknowledging the signatures of the persons contained thereon to be the free act and deed of the persons so signing. In determining those persons entitled to be counted in such protest, only those persons who are owners of the land of record on the date that the application shall have been filed shall be entitled to protest.

(3) Short-Term Rental Type 3

(a) This section shall apply to a Short-Term Rental use that:

1. is rented for a period of less than 30 consecutive days; and

2. is not located in an R-SF or R-TH zoning district.

(b) The following provisions shall apply to a Short-Term Rental Type 3:

1. No more than two Short-Term Rental Type 3 units are allowed on a premise.
2. A Short-Term Rental Type 3 shall provide notification as required by Section 36-472(4).
3. A Short-Term Rental Type 3 unit shall not be rented solely for receptions, parties, weddings or any similar activities.
4. It shall be a violation of this section for an owner or operator to advertise or promote a Short-Term Rental Type 3 which is not in compliance with the provisions of this section.

(c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(d) Annual business license shall be obtained.

(4) Short-Term Rental Notification Requirements.

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

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

(5) Short-Term Rental Revocation, Suspension or Denial of a License.

(a) The Director of Building Development Services may immediately revoke or suspend the license, or deny either the issuance or renewal thereof, if it is found that:

1. The owner or operator failed to comply with the Short-Term Rental requirements in this section or any other city codes and ordinances. The director may suspend, revoke or deny an application to renew a Short-Term Rental license for a period of 12 months. During that time, another Short-Term Rental may be established following the requirements and cause the revoked or denied Short-Term Rental from being re-established due to the separation requirement.
2. The director of building development services may, in writing, suspend, deny or revoke a license issued under provisions of this section whenever the license is issued on the basis of a misstatement of fact, fraud, or noncompliance with this article.
3. When a Short-Term Rental license is denied by the director of building development services, written notice shall be given of the denial to the owner, together with a brief written statement of the reason for the denial.

Such denials shall have referenced the section of this article or other pertinent code used as a standard for the basis of denial.

4. If the director of building development services denies, suspends or revokes the license, the owner may file an appeal request to City Council.

(6) Transferability.

(a) The owner of a licensed Short-Term Rental may transfer the property along with the permitted use to another, subject to the transferee completing an application and providing all required information to the City. This transfer does not trigger a new Certificate of Occupancy inspection by virtue of the transfer alone.

(7) Implementation.

(a) For the purpose of the implementation of the Short-Term Rental uses and fairness in dealing with potential conflicts based on spacing requirements, applications for Short-Term Rentals shall commence two weeks after the passage of this ordinance.

(b) Applications shall be made available at the Licensing office. All applications received within the first 30 days of the implementation of this ordinance shall be reviewed to determine if there are any conflicts based upon spacing requirements. All applicants whose properties are not conflicting will be notified to proceed with the licensing process. Applicants whose properties are in conflict with the spacing requirements will be notified. Those properties will be assigned a number for a lottery drawing of which addresses with assigned numbers will be randomly drawn by random number generation. As each property number is drawn, it will establish an exclusion area which prohibits any subsequent property within such area from being granted a license for a Short-Term Rental.

Short-Term Rental Separation and Notification/Protest Area

500' Notification/Protest Area

500' Separation Requirement

★ Short-Term Stay Location

Properties would not be allowed to operate a Short-Term Rental if they were within 500' of another Short-Term Rental.

Property owners wishing to operate a Short-Term Rental would be required to notify all property owners within 500'. These property owners would have the ability to sign a protest petition if they wish. Within the 500' protest area, for a valid petition, 30% of property owners would need to sign.

Properties within 500' - 113
30% of property owners - 34

Prepared by: City of Springfield

Neal, Daniel

Subject: COMMENTS REQUESTED - Proposed Short-Term Rental and Council Action Amendments to P&Z and CC

From: Pete Radecki <ppradecki@gmail.com>
Sent: Thursday, October 4, 2018 8:32 AM
Subject: RE: COMMENTS REQUESTED - Proposed Short-Term Rental and Council Action Amendments to P&Z and CC

Thanks, Dan, for sending this out for comment.

My only concern with the Committee recommendations is the recommendation to change the 200 ft/50% requirement for needing to engage City Council to 500 ft/30%. It more than doubles the effort required by concerned neighbors to catalyze City Council engagement, and brings in property owners who are as much as almost 2 football fields away from the proposed STSR which may be well beyond the distance likely to have proximity impact. I would agree that a reduction in the percentage makes sense due to the general difficulty in reaching property owners and the fact that it does not in-and-of-itself carry an impediment to approval of a proposed STSR. On this basis, I might suggest a more reasonable standard might be 250 ft and 40%. The distance rationale is that 250 ft is half the exclusion distance to another STSR which implies the radius of impact is effectively 250 ft for most closely proximal STSRs. The reduced percentage makes for a more realistic goal for a concerned group of neighbors to address. I would also encourage the Committee and P&Z to consider adding that a City Council hearing should be required if the city-authorized neighborhood association for the geographic area where the proposed STSR is located would request such a hearing. This affords the ability for neighborhood association to be reasonably engaged in the process for the betterment of the neighborhood as a whole.

Again, thanks for your work and that of your colleagues on this matter.

Pete Radecki

From: Neal, Daniel [mailto:dneal@springfieldmo.gov]
Sent: Wednesday, October 03, 2018 4:03 PM
Subject: COMMENTS REQUESTED - Proposed Short-Term Rental and Council Action Amendments to P&Z and CC

Staff is proposing text amendments (attached) at the Planning and Zoning Commission meeting for public hearing on October 11, 2018. The Short-Term Rental Amendments will then be forwarded to City Council for public hearing on November 5th and second reading on November 19th.

October 7, 2018

This memo is in response to the *Developmental Staff Report* concerning new language for *ATTACHMENT 2 SHORT-TERM RENTAL AMENDMENTS* recently circulated for review and opinion.

Overview:

Phelps Neighborhood has a unique and special character that would be harmed by approval of STRs in this area. The Phelps Neighborhood Association (PNA) stands firmly opposed to any use of Short-Term Rentals (STRs) within its boundaries. Issues can be minor to major from increased vehicle traffic to shooting pornographic videos. At their most insidious, short-term rentals have been linked to drugs, bed bugs, prostitution, pornography and other crimes. Unchecked, this situation can lead to a revolving door of unknown people who may have little or no respect for the property and neighbors. It is completely out of the character of the Phelps Neighborhood, and it exacerbates an already growing issue of overcrowding and the problems that it has caused in this area.

PNA believes:

1. The entire Phelps neighborhood already has special exemption against some STRs through its U.C.D.
2. All three types of STRs should be banned in Phelps Neighborhood with no grandfathering of existing units.
3. The proposed code is far too complex. Use a law in San Francisco as an example. [1] It's easy as 1, 2, 3.
    a. You must be a permanent resident of unit you wish to rent
    b. You must be registered with city or face fines (see below)
    c. You may only rent total 90 nights per year.
4. Springfield should discourage STRs by limiting any stand-alone residence or apartment unit to not be rentable for less than 30 consecutive days. Type 1 rentals where owner occupies as their primary residence would be exempt from this. This prevents someone from investing in property solely for STR. Language should be added to identify what owner occupy means in terms of days per month or year.
5. The city currently doesn't have enough inspectors with BDS. The burden of the proposed code would exacerbate the problem and squeeze an already tight budget.
6. The 500 foot measurement referred to in proposed language should be a radius from the center point of the property with the STR. This should be for both the notification of neighbors within that radius and the measurement for separation of nearest other STR. (see photo illustration below)
7. If STRs are allowed, Springfield must collect its 5% Hotel/Motel tax. This is done automatically through vetted services like AirB&B and VRBO. The potential income would help with already squeezed city budgets and help with hiring of inspectors for enforcement of code violations.[2] [3]
8. Application of a city license for all three types of STRs should be at a higher fee and require proof of insurance that covers STRs. Application should be minimum of renewed every 24 months.

[1] https://shorttermrentals.sfgov.org/about#7396
[2] https://homeownershipmatters.realtor/issues/short-term-rentals-impact-neighborhood/
[3] https://hostcompliance.com/how-do-short-term-vacation-rentals-impact-communities/

9. STRs should require pre-inspection for occupancy and code violations prior to approval by city.
10. There is no proposed penalty for violation of proposed City code for STRs. Other cities have learned this the hard way.
    a. Without penalty, few will accept or follow the new codes. San Francisco reported less than 25% compliance of advertised units after implementing their 2014 regulations on STRs. New laws in San Francisco were applied in January 2018. Hosts that failed to register for $250 face $1,000 per day fine. AirB&B listings dropped immediately by 50%
    b. New York City has fines of up to $7,500 in place.
    c. Miami Beach, FL found a $2,500 fine was not a deterrent for illegal STRs. They have since raised it in 2016 to $20,000 for the first violation, rising to as much as $100,000 for the fifth.
11. Cities with SRTs exacerbates housing issues. This removes properties from people that live and work in Springfield, especially with Type 2 and 3 STRs. [4] [5] [6]
12. Rental rates rise in cities and neighborhoods with STRs. [7]

Proposed additional restrictions for short term rentals in Springfield, MO

PNA believes the entire Phelps Neighborhood already has special exemption against most STRs. However we want to have special call out to exempt PN from STRs.

1. According to the *Phelps Neighborhood Plan* adopted February 18, 1997 (excerpts from plan below)
    a. Problems are serious enough to warrant special action by the city
    b. One method . . .is through designation of Urban Conservation Districts (U.C.D.)
    c. Definition: "An urban conservation district is a zoning designation that can be used to replace all of some of the zoning restrictions.
    d. It can be used to enact new regulations for an area
2. Phelps Neighborhood has a U.C.D. that states (excerpts below)
    a. Cannot have accessory apartments, mother-in-law quarters, including carriage houses, unless 1939 or prior.

3. Additional language should be added to 36-472 or Sec 36-464 (proposed) that states:
    a. One issue that has happened with STRs, adult film projects using STRs for their "sets."
    b. STRs cannot use for any other purpose other than overnight stay or sleeping quarters. No other contracted business or entertainment purpose may be served by this facility including commercial filming or video, commercial photography, parties, events, or other business activities, e.g., anything that is already against code in 36-451 (Home Occupations).

[4] https://www.nytimes.com/2018/07/18/nyregion/new-york-city-airbnb-crackdown.html
[5] https://www.citylab.com/equity/2018/03/what-airbnb-did-to-new-york-city/552749/
[6] https://mcgill.ca/newsroom/files/newsroom/channels/attach/airbnb-report.pdf
[7] https://homeownershipmatters.realtor/issues/short-term-rentals-impact-neighborhood/

Language in (proposed) 36-472

36-472 (2) (e) 9 – language about who can protest and that it must be owner of property.

PNA recommends:

1. Nearest STR would be outside of a 500 foot radius. (Minimum of 500 foot between STR is most districts, but especially in SF-R
    a. This is easy to plot with free on-line tools, e.g,. Google Earth
    b. This is far easier to understand than current proposed language as measured along streets
    c. Suggest radius is from center point of property housing STR.
2. What constitutes an owner? PNA believes it should be owner-occupied. If a large swatch of rental homes owned by landlords, LLCs, and corporations are asked they will lean toward allowing STRs, and can easily outvote local owner occupants of the neighborhood.
3. Needs to be a stated method of how to get action in case of STR that becomes problem. Currently nothing stated in proposed language offers a way to pursue a problem property. Incentive for STR owner would be every thirty-six months a new neighborhood review should take place. Possibly alternative is a "three strikes, you're out" approach.
4. STRs registered with city must use certified short-term rental company, e.g., AirB&B, VRBO, Homeaway, Hostfully, etc. These provide some insurance and records of tenants that can be obtained for investigations.

Tax Revenue is missing from this plan:

The City is missing hotel / motel taxes opportunity. 5% on sleeping rooms and overnight accommodations should be added. The city complains about budgets and this allows more money to be raised. AirB&B automatically provides methods for collection of this tax. Amend current hotel/motel tax guidelines to include STRs.

PNA believes a 500 foot radius is easier and better way for distance between STRs and Neighbors that can comment on property

Illustration of proposed 500 foot radius. Much simpler to define and free on-line tools like Google Earth make it simple to define what falls within this area around any STR

October 11, 2018

Dear Planning and Zoning Committee,

We are submitting this letter as homeowners who live across the street from a Type 2 short-term vacation rental (STVR). As such, we are very familiar with the challenges of having a STVR located in a residential neighborhood. The STVR is located at 2106 South Mayfair Ave.

We, and the neighbors who live in close proximity to the STVR, have submitted two letters to City Council expressing our concerns regarding noise, parking, traffic, and parties. We appreciate the fact that Planning and Zoning and the city is working to address this concern.

Out of fairness and a strong desire for accuracy on this issue, we want to note that the *current* owners of this STVR are doing a far better job of mitigating the concerns (noise, parking, traffic, and parties) when compared to the original owner. We don't know if this is due to a differing business plan or simply the amount of scrutiny via the work of Planning and Zoning and the city. We believe it is the latter and we remain very concerned about this issue.

We want to address a few items noted in the newly proposed ordinances:

1. STVR are not "self-regulating" – homeowners do not have a voice in the established process. Business owners can "rate" the renters and the renters can "rate" the business owners. But, if the renters disturb the neighbors… That is the issue we, as homeowners, face over and over again.
2. Regarding the neighborhood meetings and protesting the location of a STVR, it is the homes in the immediate area, close proximity to the STVR, who endure the problems….not 5 or 6 or 7 houses down the street and certainly not a block or two away. .
3. …not rented "solely" for receptions, weddings – Please define "solely"- If renters rent the property for 3 days and on day 2 they host a party, does that qualify? Again, we firmly believe a lodging and event venue business location should NOT be located in a residential neighborhood. The neighbors should not be subject to the parking, notice, and traffic concerns.

These concerns (items 1-3) are based on the current proposed ordinances. It is our bottom-line view that a Type 2 STVR is ***not*** suitable for a residential neighborhood. *For this reason, we urge you to enforce the current ordinances and not allow any type of STVR to be located in an area zoned for single family homes.*

T*he Investors make money from the commercial use of the property.*
The tourist save money by using the STVR lodging and event venue business
But *it is the homeowners who bear the cost and burden of the noise and traffic.*

Sincerely,
William and Jacqueline Hawks

DEVELOPMENT REVIEW STAFF REPORT

Request to Repeal the Redevelopment Plan for the Monroe Redevelopment Area

DATE: September 27, 2018

PURPOSE: To repeal the Redevelopment Plan for the Monroe Redevelopment Area

LOCATION: Northeast corner of East Bear Boulevard and South Florence Avenue (1141 East Bear Boulevard)

APPLICANT: City of Springfield

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Monroe Redevelopment Area be **repealed**.

FINDINGS:

The Redevelopment Plan for the Monroe Redevelopment Area has been fully implemented. The Redevelopment Plan is no longer effective and may therefore, be repealed.

STAFF CONTACT:

Matt D. Schaefer, AICP
Senior Planner
417-864-1100

ATTACHMENTS:

Attachment A: Background Report
Exhibit I: Legal Description
Exhibit II: Location Map

ATTACHMENT A
Background Report
Repeal of the Redevelopment Plan for the Monroe Redevelopment Area

In March 2011, United Campus Housing, LLC filed an application requesting approval of a redevelopment plan pursuant to the Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority (LCRA) Law, for the Monroe Redevelopment Area. The Redevelopment Area consists of a 0.94-acre tract of land located at the northeast corner of South Florence Avenue and East Bear Boulevard that had been previously declared blighted as part of the former Southwest Missouri State College Urban Renewal Area. The Redevelopment Plan for the Monroe Redevelopment Area proposed to demolish the existing structures and construct a four-story, 38-unit (122-bed) multi-family housing development that would be marketed to students attending Missouri State University.

The Redevelopment Plan was adopted by the City Council on May 16, 2011 by Special Ordinance No. 25907. The LCRA later certified the student housing development for real property tax abatement on June 29, 2011 by Resolution No 3134. The project was completed and opened for occupancy in fall 2011.

In December 2012, Missouri State University purchased the development from United Campus Housing, LLC and has since used it for on-campus housing. Consequently, the development is now tax-exempt and no longer subject to real property tax abatement. Furthermore, a large portion of former Southwest Missouri State College Urban Renewal Area that includes the Monroe Redevelopment Area was declared remediated and no longer blighted on April 13, 2015 by Special Ordinance No. 26547. As a result, the Redevelopment Plan for the Monroe Redevelopment Area is no longer effective and may be repealed.

Staff Comments:

1. The LCRA Law is an economic development tool that is used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.
2. The redevelopment project, which was completed in 2011, received only one year of real property tax before it was sold to Missouri State University in December 2012. The property within the Redevelopment Area is tax-exempt and no longer subject to real property tax abatement.
3. The Planning and Zoning Commission reviews redevelopment plans for conformance with the City's Comprehensive Plan and makes recommendations

to the City Council for their adoption. Likewise, the Commission shall make recommendations to the City Council for the repeal of redevelopment plans.

4. The Springfield Land Clearance for Redevelopment Authority considered a resolution recommending the Redevelopment Plan for the Monroe Redevelopment Area be repealed on October 2, 2018. The Authority approved the resolution by a vote of 4 to 0.

EXHIBIT I
Legal Description - The Monroe Redevelopment Area

TRACT I:
ALL OF LOTS FORTY-THREE (43) AND FORTY-FOUR (44) AND FORTY-FIVE (45), IN BIGGS AND GRAY'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT II:
ALL OF LOTS FORTY-TWO (42), FORTY-ONE (41) AND THE SOUTH 20.18 FEET OF LOT FORTY (40), IN BIGGS AND GRAY'S SUBDIVISION, IN GREENE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FORTY-TWO (42); THENCE ALONG THE EAST RIGHT-OF-WAY OF FLORENCE STREET NORTH 01°50'37"EAST, 125.42 FEET; THENCE PARALLEL WITH THE SOUTH LINE OF LOT FORTY-TWO (42), SOUTH 88°45'25"EAST, 145.04 FEET TO THE WEST LINE OF A 15 FOOT ALLEY; THENCE SOUTH 01°47'39"WEST, 125.42 FEET TO THE SOUTHEAST CORNER OF LOT FORTY-TWO (42); THENCE ALONG THE SOUTH LINE OF LOT FORTY-TWO (42), NORTH 88°46'43"WEST 145.15 FEET TO THE POINT OF BEGINNING; ALL IN GREENE COUNTY, MISSOURI.

EXHIBIT II
Location Map – The Monroe Redevelopment Area