



City of Springfield

Agenda

Planning and Zoning Commission

Britton Jobe, Chair

Natalie Broekhoven, Vice Chair
Helen Gunther
Christopher Lebeck
Betty Ridge

Bruce Colony
Bill Knuckles
Eric Pauly
Dan Scott

September 7, 2023

6:30 PM

City Council Chambers
Historic City Hall
830 Boonville Ave.

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. August 24, 2023

3. COMMUNICATIONS.

3.1. City Council Summary for August 2023

4. CONSENT ITEMS.

4.1. Relinquishment of Easement 938

4909 North Lyon Avenue (Applicant: Summit Iconic Development & Jer.29:11 Development, LLC)

4.2. Request to Acquire 543

811 & 813 North Boonville Avenue (Applicant: City of Springfield)

4.3. Lease Agreement 1

304 North Campbell Avenue and 355 & 455 West Olive Street and 220 West Water Street (Applicant: City of Springfield)

5. UNFINISHED BUSINESS.

5.1. Conditional Use Permit Amendments

Citywide (Applicant: City of Springfield)

5.2. Z-8-2023 w/COD 228

901 South West Bypass (Applicant: Carleton Resources, LLC)

6. PUBLIC HEARINGS.

- 6.1. Z-20-2023 w/COD 236
3900 South Lone Pine Avenue and 2955 & 2957 East Allen
Place (Applicant: Township 28, LLC)
- 6.2. Z-21-2023
1266 East Lark Street (Applicant: St. James Hotel Properties, LLC)
- 6.3. Z-23-2023 w/COD 238
505 & 509 West Grand Street and 931 & 937 South Market Avenue (Applicant: GDL
Enterprises, LLC)
- 6.4. Z-24-2023
529 West Grand Street (Applicant: City Utilities)
- 6.5. Z-26-2023 w/COD 239
3601 East Chestnut Expressway (Applicant: Joseph S. Manzardo and Kari J.
Manzardo Revocable Trust)
- 6.6. Conditional Use Permit 476
829 West Atlantic Street and 2015 North Missouri Avenue (Applicant: North Point
Church)

7. OTHER BUSINESS.

- 7.1. Initiate Section 36-350 Text Amendment
Citywide (Applicant: City of Springfield)

8. ADJOURN.

In accordance with ADA guidelines, if you need special accommodations when attending this meeting, please notify the Planning and Development office at 417-864-1611 as soon as possible to accommodate your needs.

August 24, 2023
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session in the City Council Chambers.

Roll Call - Present: Britton Jobe (Chairman), Natalie Broekhoven (Vice-Chairperson), Bill Knuckles, Christopher Lebeck, Eric Pauly, Bruce Colony, Betty Ridge, and Dan Scott. Absent: Helen Gunther

Staff in attendance: Brendan Griesemer, Acting Planning Director, Bob Hosmer, Planning Manager, and Jill Burris, Assistant City Attorney, and Matt Schaefer, Senior Planner.

MINUTES: The minutes of August 2023, were approved.

COMMUNICATIONS: None

CONSENT ITEMS:

UNFINISHED BUSINESS:

Z-27-2022 w/COD 220

1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133 & 1141 East Sunshine Street and 1138 East University Street

Applicant: BK&M, LLC

Postponed to the November 9, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken.

PUBLIC HEARINGS:

OTHER BUSINESS:

Master Sign Plan Sunshine Towne Centre

3444 West Sunshine Street and 1819 South Moore Road and 1903 South Farm Road 133 and 3503 West Washita Street

Applicant: Springfield West Partners, LLC

Mr. Schaefer stated that the intent of a Master Sign Plan is to provide clarity of signage regarding tenants and services to users of the premise or building group. Applicant requests approval of Master Sign Plan to allow placement of on-premises and off-premises, detached signage within the Sunshine Towne Centre retail development.

Mr. Jobe opened the public hearing.

Mr. Thomas Walker, 2 Hawthorne Estates, Town and County, MO noting that they attempted to create a very aesthetically sign and that Target is very particular about their logo and their colors. He noted the materials/makeup of the signage to match all the buildings and to tie in together and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** the Master Sign Plan Sunshine Towne Centre (3444 West Sunshine Street and 1819 South Moore Road and 1903 South Farm Road 133 and 3503 West Washita Street) as submitted. Mr. Lebeck seconded the motion.

Ayes: Jobe, Broekhoven, Pauly, Ridge, Scott, Colony, Lebeck and Knuckles. Nays: None. Abstain: None. Absent: Gunther.

ADJOURN: 6:40pm

PNZ City Council Results

Meeting Dates From: 08/01/2023 **To:** 08/31/2023

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-27-2022 COD 220 1755 S NATIONAL AVE 1739 S NATIONAL AVE 1745 S NATIONAL AVE 1111 E SUNSHINE ST 1119 E SUNSHINE ST 1133 E SUNSHINE ST 1141 E SUNSHINE ST 1138 E UNIVERSITY ST	8/24/2023 Tabled		
Conditional Use Permit Amendments Citywide	8/10/2023 Tabled		
PPlat of Cresthaven Park Renewal 3221 W KEARNEY ST	8/10/2023 Approved		
Z-22-2023 COD 237 4149 W CHESTNUT EXPY 4123 W CHESTNUT EXPY 430 N METEOR AVE	8/10/2023		
Landmarks Board Membership Amendment Citywide	8/10/2023 Approved		
Master Sign Plan Sunshine Towne Centre 3444 W SUNSHINE ST 1819 S FARM ROAD 133	8/24/2023 Approved		
A-4-2023 4808 E PARALLEL LN		8/7/2023 Complete	8/21/2023 Approved
Z-13-2023 COD 229 4808 E PARALLEL LN	7/13/2023 Approved	8/7/2023 Complete	8/21/2023 Approved
Z-16-2023 COD 232 6401 S FARMER BRANCH AVE	7/27/2023 Approved	8/7/2023 Complete	8/21/2023 Approved
Z-17-2023 COD 233 3520 E OLIVE ST	7/13/2023 Approved	8/7/2023 Complete	8/21/2023 Approved
A-5-2023 5500 E FARM ROAD 104		8/7/2023 Complete	8/21/2023 Approved
Z-18-2023 COD 234 5500 E FARM ROAD 104	7/13/2023 Approved	8/7/2023 Complete	8/21/2023 Approved

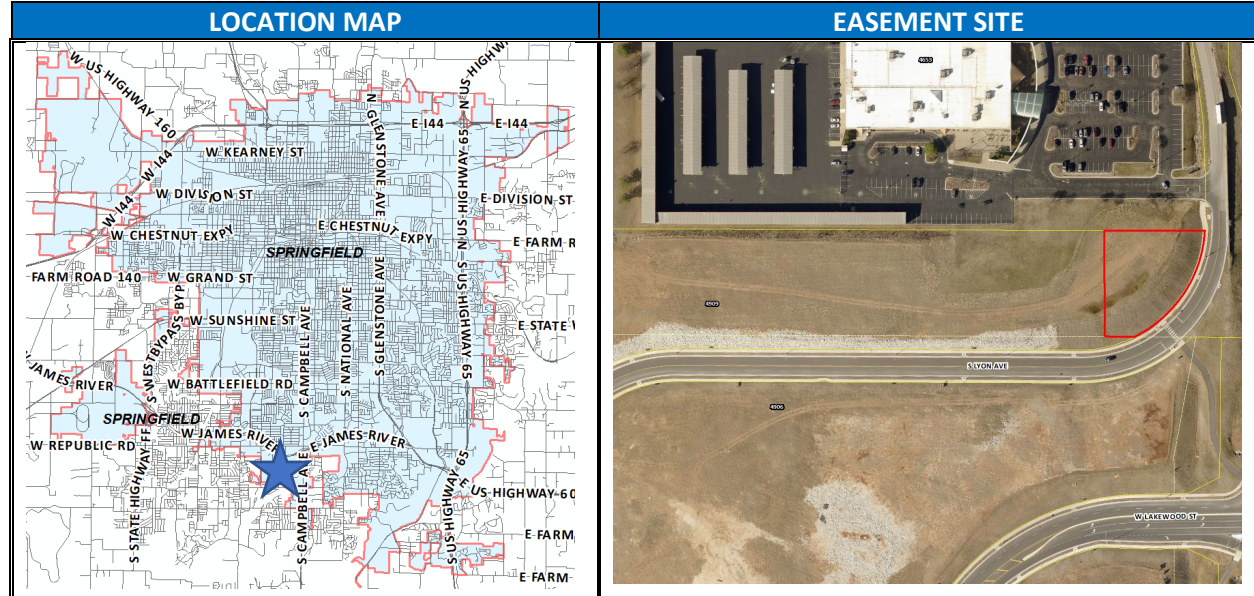
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Relinquishment of Easement 938
Location:	4909 S Lyon Avenue
Total Acres:	0.06 acres
Applicant:	Summit Iconic Development LLC et al & Jer. 29:11 Development, LLC ½ Interest Each
Existing Land Use:	Vacant
Planning and Zoning Commission:	September 7, 2023
City Council:	N/A
Staff:	Hanna Knopf, Associate Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to authorize the relinquishment of the drainage easement identified in the staff report for Relinquishment of Easement 938. (All commission motions are made in the affirmative.)
Required Vote:	Five (5) voting members to approve or deny.

PROJECT SUMMARY:

The applicant, Summit Iconic Development LLC et al, is requesting to relinquish a drainage easement that is no longer necessary or required.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-160. - Relinquishment of public utility easements.

- (a) The planning and zoning commission may authorize the relinquishment of a public utility easement upon determining the following:
 - (1) No one has objected to the relinquishment of the easement.
 - (2) The appropriate city agency (public works in the case of sewer easements, and city utilities in the case of electric, gas and water easements) has filed with the department of community development a statement that the easement is no longer needed to provide utility service.
 - (3) The retention of the easement no longer serves any useful public purpose.
- (b) Upon the planning and zoning commission determining that the conditions set forth in subsection (a) of this section have been satisfied, the commission may adopt a resolution authorizing the mayor of the city to quitclaim the city's interest in the public utility easement, which quitclaim deed shall be filed in the county land records. If the conditions set forth in subsection (a) of this section are not satisfied, any person who has filed a request for the relinquishment of the public utility easement can request that the city council consider the matter by filing a notice with the director of community development asking that the city council hear the matter.

DEPARTMENT COMMENTS:

1. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
PW-Stormwater supports the relinquishment application as presented. The drainage easement on 4909 S Lyon Ave was for a proposed detention basin on the lot. The Ridge at Ward Branch Public Improvement Project 2018PW0065 completed a Fee in lieu of detention application for this property as part of the whole subdivision. Therefore, the drainage easement is no longer required because no detention is required for development at 4909 S Lyon Ave.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

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

STAFF RECOMMENDATION:

1. Staff recommends approval with conditions based on the finding of facts above.

PLANNING AND ZONING OPTIONS:

1. Recommend that the relinquishment is determined to be generally consistent with the master plan (Comprehensive Plan Forward SGF).
2. Recommend that the relinquishment is determined to be not consistent with the master plan (Comprehensive Plan Forward SGF).

DEVELOPMENT REVIEW STAFF REPORT

REQUIREMENTS FOR APPROVAL:

TABLE A

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	No one has objected to the relinquishment of the easements.	No one has objected to the relinquishment of the easement.
2.	The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement. 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.

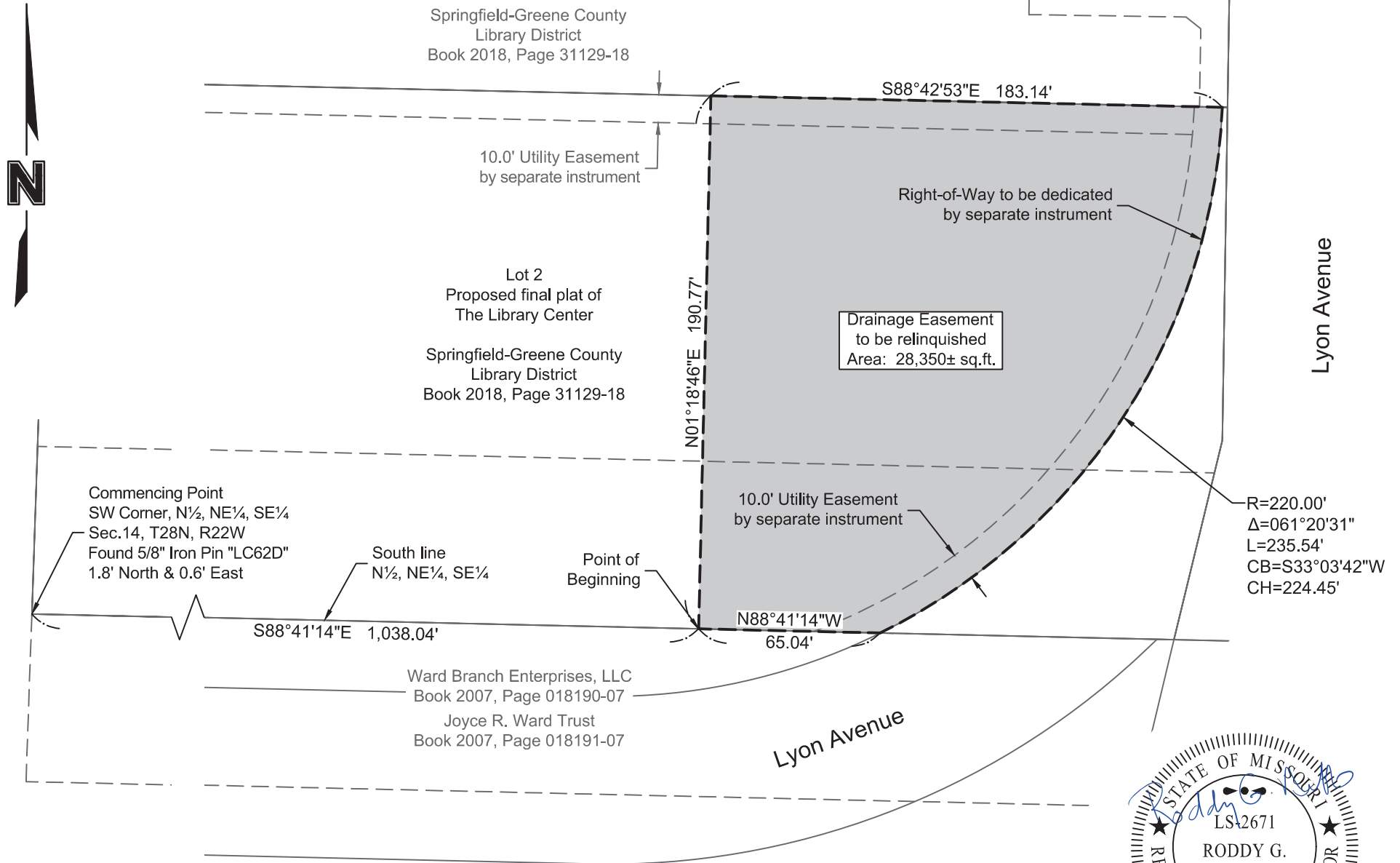
LEGAL DESCRIPTION:

All that part of the North One-Half (N½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 14, Township 28 North, Range 22 West, in the City of Springfield, Greene County, Missouri, being a part of the tract of land recorded in the Greene County Recorder's Office in Book 2018 at Page 31129-18, and being more particularly described as follows:

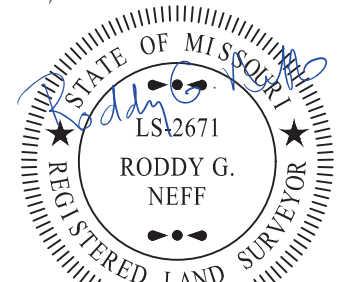
COMMENCING at the Southwest corner of said N½ of the NE¼ of the SE¼; thence S88°41'14"E, along the South line of said N½ of the NE¼ of the SE¼, a distance of 1038.04 feet to the POINT OF BEGINNING; thence N01°18'46"E, a distance of 190.77 feet to the North line of Lot 2 of the proposed final plat of The Library Center; thence S88°42'53"E, along said North line, a distance of 183.14 feet to a point on the proposed Westerly Right-of-Way line of Lyon Avenue, to be dedicated; thence along said proposed Westerly Right-of-Way line, along a non-tangent curve to the right, said curve having a radius of 220.00 feet, an arc length of 235.54 feet, a central angle of 61°20'31" and a chord distance of 224.45 feet which bears S33°03'42"W to a point on said South line of the N½ of the NE¼ of the SE¼; thence N88°41'14"W, along said South line, a distance of 65.04 feet to the POINT OF BEGINNING.

Containing 28,350 square feet, more or less, and subject to any rights-of-way, easements, and restrictions of record.

DWG: F:\2018\0501-1000\018-0851\40-Design\Survey\SRV\Sheets\Easements\ESM_Relinquishment_0180851.dwg
DATE: Aug 01, 2023 12:05pm
USER: camold
XREFS: V_BNDY_80851 V_FPI_Library_80851



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



Digitally signed by Roddy G. Neff
Date: 2023.08.01 12:16:44 -0500

PROJECT NO: 018-0851

DRAWN BY: CDA

DATE: 08.01.23

DRAINAGE EASEMENT RELINQUISHMENT
SPRINGFIELD, GREENE COUNTY, MISSOURI

olsson

Olsson, Inc. Survey MO
Certificate of Authority #LC366
550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802 FAX 417.890.8805

EXHIBIT

B

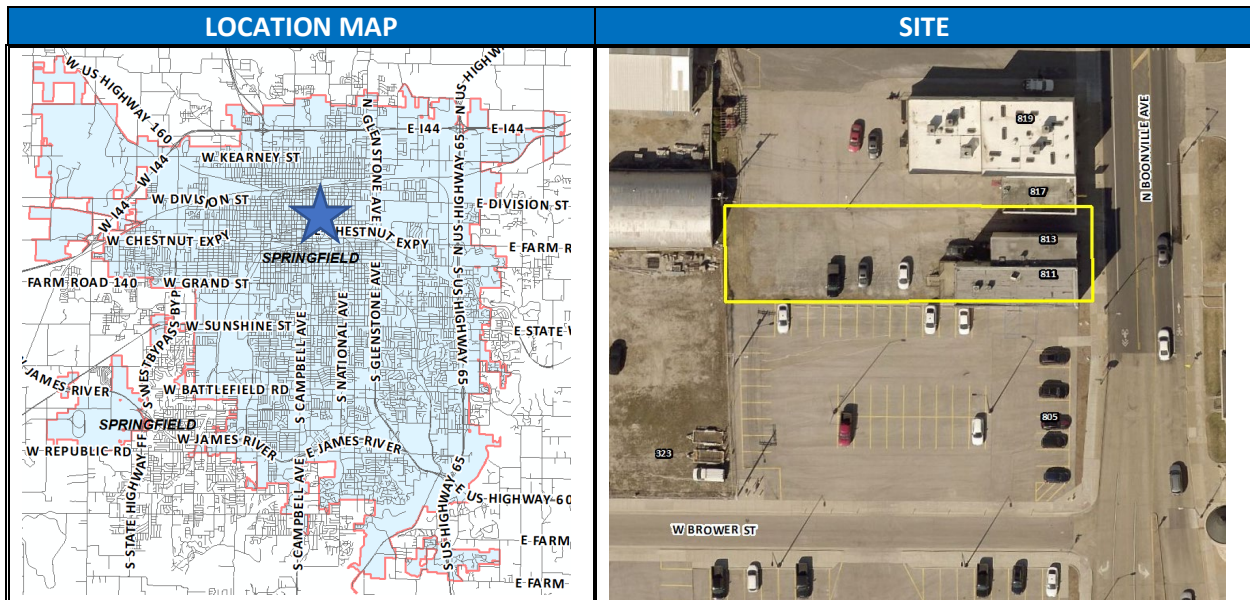
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Request to Acquire 543
Location:	811 & 813 N Boonville Ave
Total Acres:	0.225 acres
Applicant:	City of Springfield
Existing Land Use:	Law Office
Planning and Zoning Commission:	September 7, 2023
Staff:	Hanna Knopf, Associate Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in the staff report. (All commission motions are made in the affirmative.)
Required Vote:	Requires 5 voting members to approve or deny.

PROJECT SUMMARY:

The City is proposing to acquire the existing land and improvements located near the Government Plaza and other City owned property. The improvements will provide offices for relocated employees during the Historic City Hall project renovations.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was annexed into the City in 1855. This property has been zoned CC, Center City since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 11.7. - Legal status of master plan.

- (1) Master plan to provide general guidelines. The master plan shall be prepared and maintained as a general guide for the orderly and efficient development and redevelopment of the City of Springfield. The master plan shall be kept current through review not less than every five years. When required by this Charter or otherwise deemed necessary, such review shall include proposed revisions or alterations in the master plan and public hearings thereon.
- (2) Regulations to generally conform to master plan. All rezoning of land, subdivision plats, development proposals, and the zoning ordinance, subdivision ordinance and the zoning map should generally conform with the guidelines set forth in the master plan and should be reviewed for consistency with the master plan; provided, however, inconsistencies with the master plan shall not constitute cause to invalidate any such matter. The master plan shall not have the effect of a regulatory ordinance.
- (3) Master plan to guide public improvements. The master plan shall provide guidelines for the location of public streets, parks and other public ways, grounds and spaces, public buildings and structures, facilities of public or private utilities, and the acquisition of real property by the city for public use. To that end the planning and zoning commission shall review the following:
 - (a) All proposals to construct or extend public streets.
 - (b) All proposals to improve land as a park.
 - (c) All proposals to lay out or improve other public ways, grounds or spaces.
 - (d) All proposals to construct public buildings and structures.
 - (e) All proposals to lay out and construct facilities of public utilities, whether publicly or privately owned.
 - (f) All proposals to acquire real property for public purposes.

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

DEVELOPMENT REVIEW STAFF REPORT

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land, sale or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled.

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the commission shall have been authorized by the council or by the public officials submitting the proposal. In any case in which the commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The Request to acquire the subject property is consistent with the recommendations of the *Comprehensive Plan, Forward SGF*.

The *Comprehensive Plan's Land Use & Development* chapter identifies this property as the Institutional & Employment Center placetype. The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

DEVELOPMENT REVIEW STAFF REPORT

PRIMARY USES

Universities, colleges, and vocational schools
Government, healthcare and institutional facilities

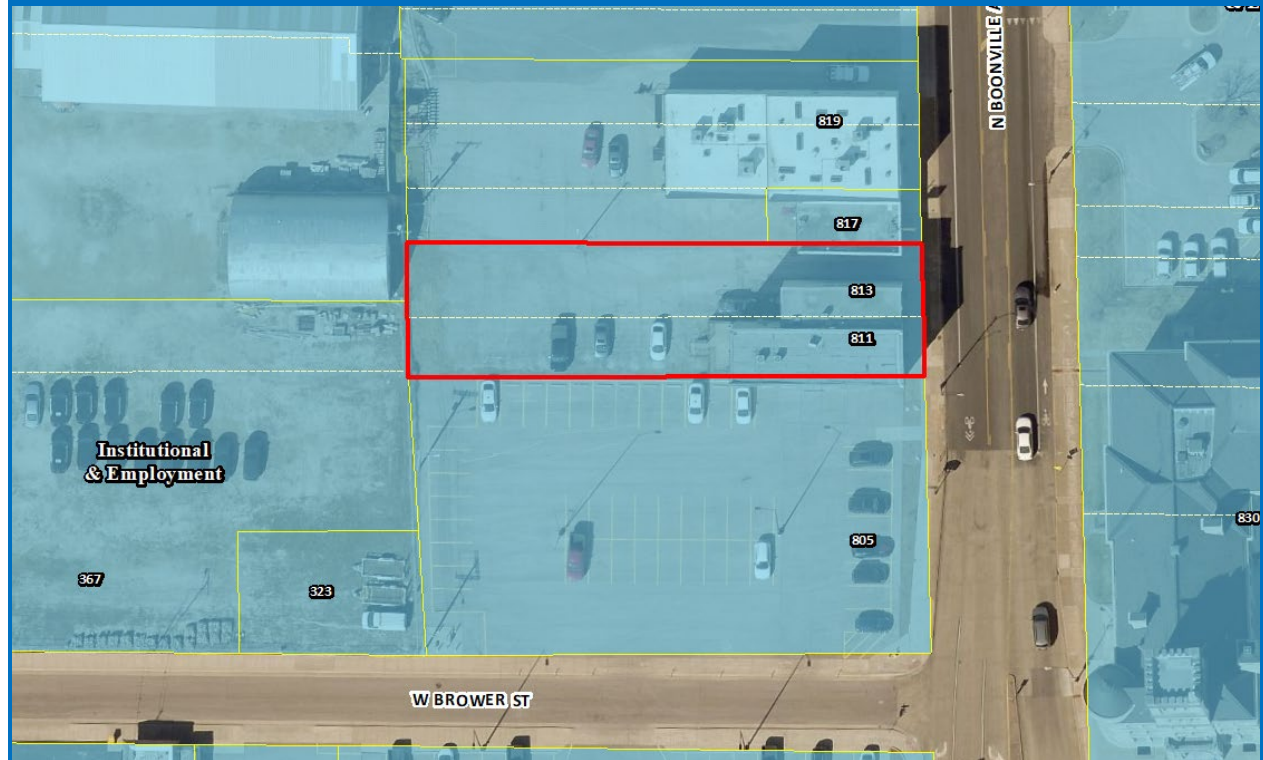
SUPPORTING USES

Single-family detached
Single-family attached
Multi-family
Parks, greenways, and open space
Sports complexes and recreational facilities

Office, hospitality, retail sales and service
Maker, artisan, and innovation spaces
Public and private schools and places of
worship

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

PLACETYPES	LAND USES														
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	◇	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

	NORTH	SOUTH	EAST	WEST
ZONING	Center City	Center City	Center City	General Manufacturing
LAND USE	Office Building	City Parking Lot	City Parking Lot	Public Works Barn
PLACETYPES	Institutional & Employment	Institutional & Employment	Institutional & Employment	Institutional & Employment

LAND ACQUISITION POLICY:

Planning and Zoning Commission adopted the following policy statement for land acquisition by public bodies:		Applicant's Response:
1.	All land acquisitions shall be consistent with the adopted Plans and Policies.	The proposed acquisition is consistent with City adopted Plans and Policies.
2.	Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.	The proposed office use will have no effect on the surrounding land uses.
3.	If no immediate use is intended for the acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.	The City proposes the acquisition of the existing land and improvements located near the Government Plaza and other City owned property. The improvements will provide offices for employees relocated during the Historic City Hall project renovations.
4.	At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place or make the structures available to the previous owner or public for moving or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of the property when conducted by a City agency shall be made pursuant to City ordinances including the City purchasing manual.	Improvements consist of two structures that represent highest and best use, are in good to excellent condition, and will be maintained.

DEVELOPMENT REVIEW STAFF REPORT

5.	To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.	The City proposes to use the property as additional office space and there are no plans to alter or remove the structures.
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STAFF ANALYSIS AND RECOMMENDATION:

1. The City of Springfield is requesting to acquire property generally located at 811 & 813 North Boonville Avenue.
2. The proposed site is zoned CC, Central City. The properties will be used for offices. The general office use group is permitted in the Center City district.
3. The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

LEGAL DESCRIPTION:

ALL OF LOTS ONE (1) AND TWO (2), IN THE PLAT OF THE POST OFFICE ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

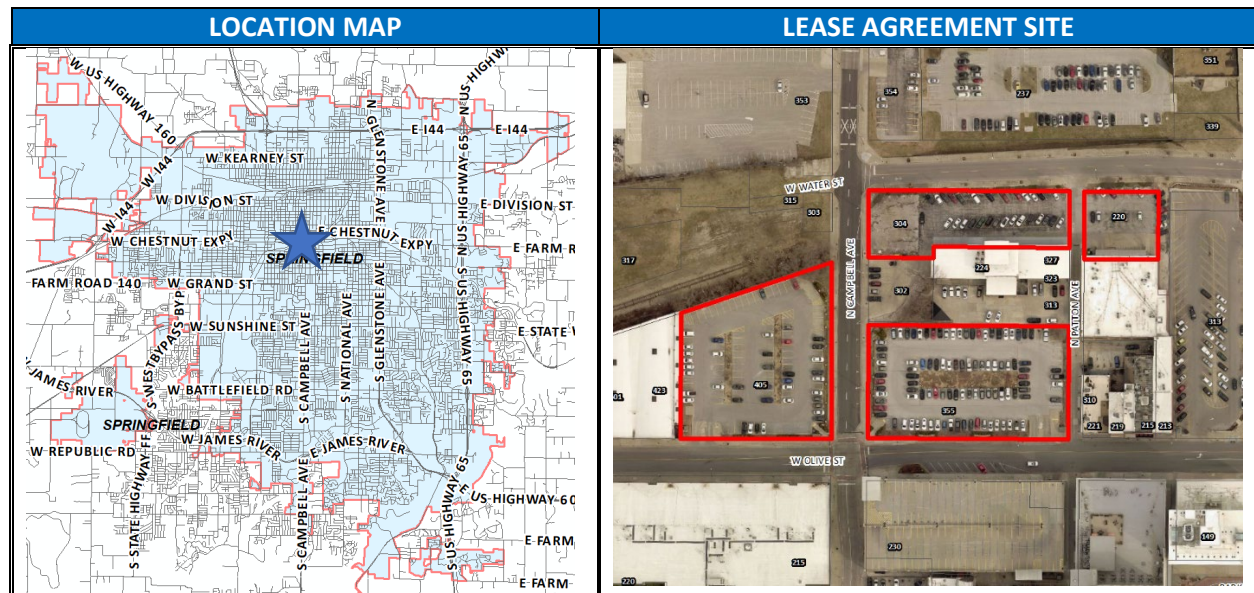
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Lease Agreement 1
Location:	304 North Campbell Avenue, 355 & 405 West Olive Street, and 220 West Water Street
Total Acres:	2.68 acres
Applicant:	City of Springfield
Existing Land Use:	Parking lots
Planning and Zoning Commission:	September 7, 2023
City Council:	To Be Determined
Staff:	Andrew Menke, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to approve the proposal for a lease agreement on the property identified in the staff report for Lease Agreement 1. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

The City of Springfield is proposing a lease agreement for the property generally located at 304 North Campbell Avenue, 355 & 405 West Olive Street, and 220 West Water Street. The property was originally purchased as a part of the College Station parking deck project. The State of Missouri leased the parking lots on these tracts at the time of purchase and has continued to use them. Approval of this request will allow for a new lease agreement between the City and the State for the subject property.

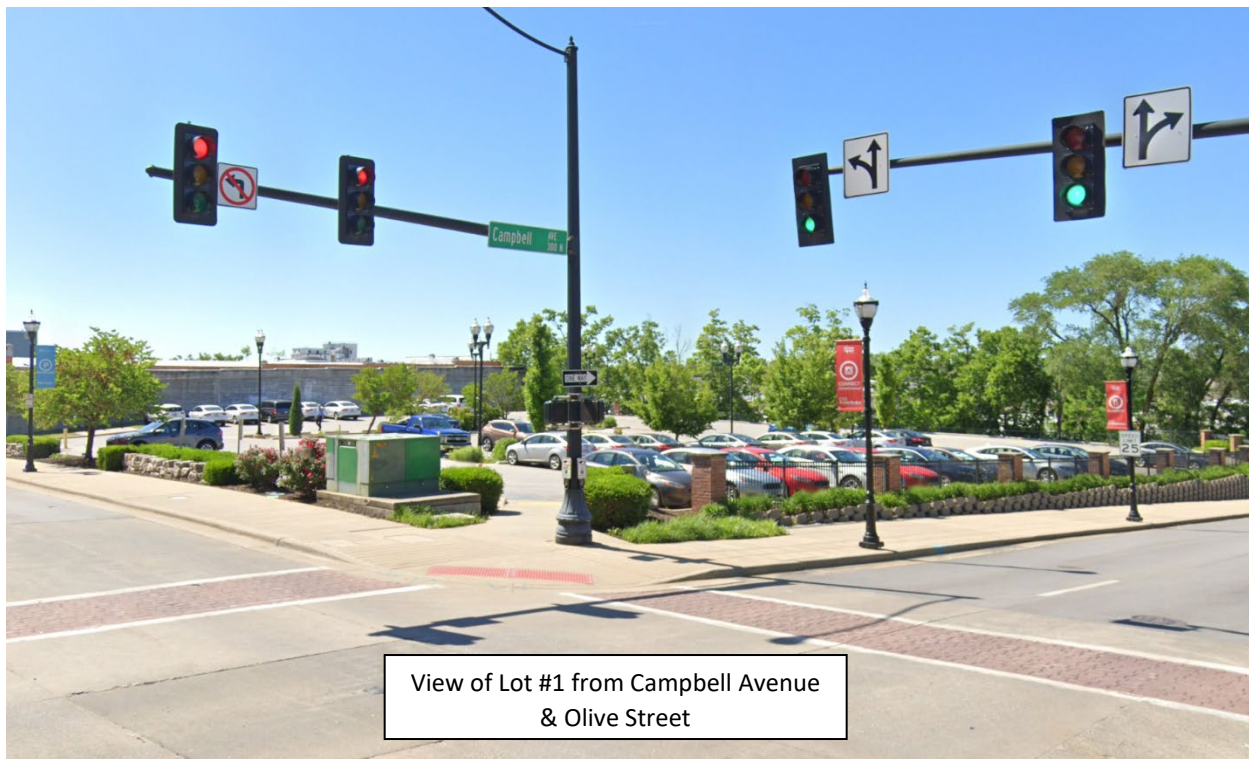


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



View of Lot #2 from Campbell Avenue
& Olive Street



View of Lot #3 from Water Street

DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 11.7. - Legal status of master plan.

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- (2) Regulations to generally conform to master plan. All rezoning of land, subdivision plats, development proposals, and the zoning ordinance, subdivision ordinance and the zoning map should generally conform with the guidelines set forth in the master plan and should be reviewed for consistency with the master plan; provided, however, inconsistencies with the master plan shall not constitute cause to invalidate any such matter. The master plan shall not have the effect of a regulatory ordinance.
- (3) Master plan to guide public improvements. The master plan shall provide guidelines for the location of public streets, parks and other public ways, grounds and spaces, public buildings and structures, facilities of public or private utilities, and the acquisition of real property by the city for public use. To that end the planning and zoning commission shall review the following:
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 - (d) All proposals to construct public buildings and structures.
 - (e) All proposals to lay out and construct facilities of public utilities, whether publicly or privately owned.
 - (f) All proposals to acquire real property for public purposes.

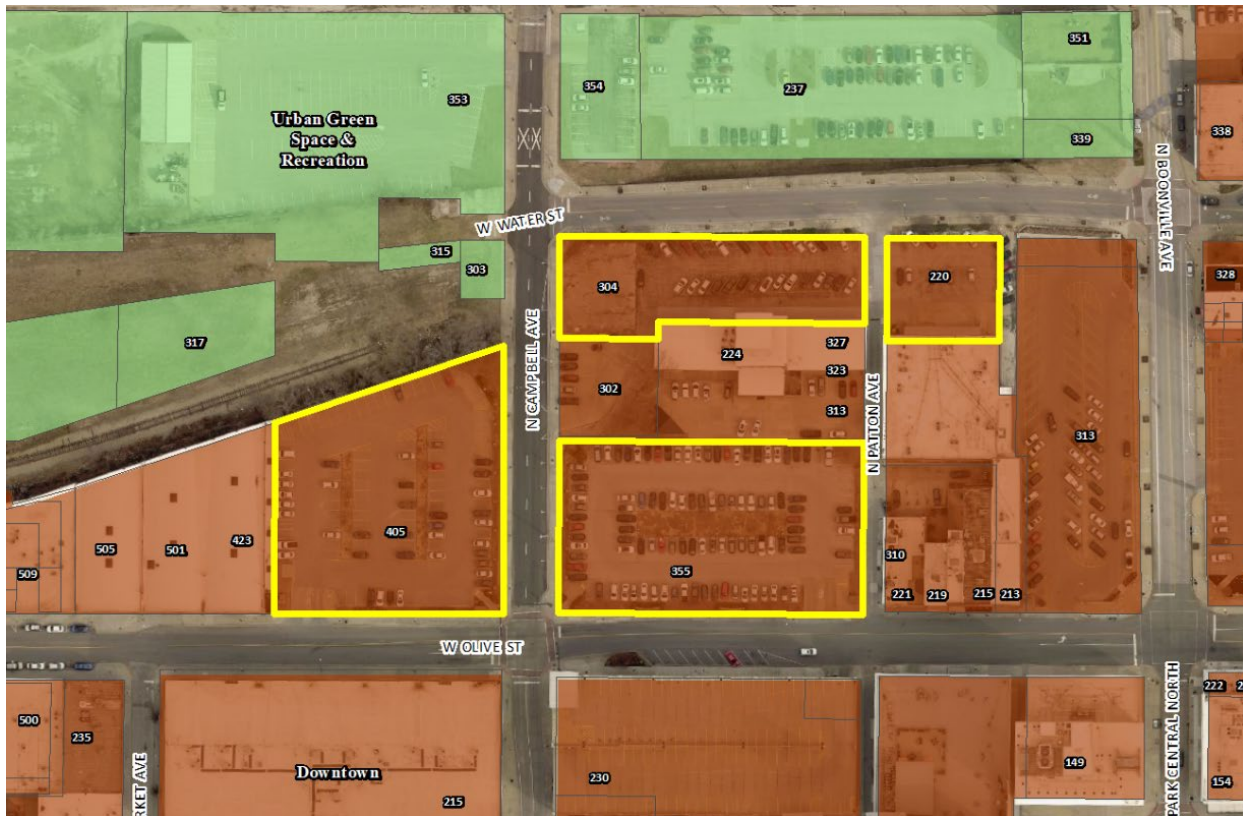
In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been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

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land, sale or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled.

DEVELOPMENT REVIEW STAFF REPORT

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the commission shall have been authorized by the council or by the public officials submitting the proposal. In any case in which the commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

SURROUNDING ZONING, LAND USES AND PLACETYPES:



	NORTH	SOUTH	EAST	WEST
ZONING	Center City & Heavy Manufacturing	Center City	Center City	Center City
LAND USE	Parking lot	Parking garage & commercial	Parking lot & commercial	Commercial & Green Space
PLACETYPES	Urban Green Space & Recreation	Downtown	Downtown	Downtown & Urban Green Space & Recreation

DEVELOPMENT REVIEW STAFF REPORT

LEASE AGREEMENT QUESTIONS:

1. Where is the property located?

Parking Lot #1 is located at the Northwest corner of Campbell Avenue and Olive Street.

Parking Lot #2 is located at the Northeast corner of Campbell Avenue and Olive Street.

Parking Lot #3 is located at the Northeast corner of Campbell Avenue and Water Street.

2. Legal description.

See last section of staff report.

3. Why does the City of Springfield not need the property at this time?

The City purchased the three parking lots, July 1, 2004, in conjunction with other property for development of College Station. These parking lots were leased, at the time of purchase, to the State of Missouri for employee parking during business hours. The State continues to use these lot for employee parking.

4. What is currently located on the property?

Improved surface parking lots leased during business hours and available to the public at other times.

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

Part of the property purchased was required for development of the College Station parking deck and other project related public improvements. The owner of several key properties necessary for the development, also owned the lots leased to the State and wanted to sell all his property interests in the project area.

6. Who will lease the property?

The State of Missouri.

STAFF ANALYSIS AND RECOMMENDATION:

1. The subject property is within the city limits of the City of Springfield.
2. The proposed lease agreement will not adversely affect the City of Springfield's operations.
3. The property was purchased as a part of the College Station parking deck project.
4. The subject property will be leased by the State of Missouri.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the finding of facts above.

DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING OPTIONS:

1. Recommend that the request to lease is determined to be generally consistent with the master plan (Comprehensive Plan Forward SGF).
2. Recommend that the request to lease is determined to be not consistent with the master plan (Comprehensive Plan Forward SGF).

DEVELOPMENT REVIEW STAFF REPORT**LEGAL DESCRIPTION:**Parking Lot 1:

Parcel #3

Tract #1:

Commencing at the Northwest corner of Campbell and Olive Streets; running thence North along the West line of Campbell Street to the South right of way of the Springfield Southwestern Railway (Missouri Pacific); thence in a Southwesterly direction along the South line of said railway right of way, to a point on what was formerly the West line of Denton and McLaughlin's Addition before said addition was vacated; thence South to Olive Street; thence East along the North side of Olive Street to the place of beginning, in the City of Springfield, Greene County, Missouri.

Parcel #4:

Beginning at the Southwest corner of Lot One (1), Denton & McLaughlin's Addition, thence North to railroad right of way, thence Southwesterly along the South line of said right of way 66 feet; thence South to Olive Street; thence East to the beginning, in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Parking Lot 2:

Parcel #2:

That part of Lot 8, Block 3, Second Tier of Lots in the Original Plat of Springfield, Missouri, commencing at the Southeast corner of said Lot 8, Block 3, thence West 133 feet and 3 inches, more or less, to the West line of a tract conveyed by Alice Holland and husband to Kate E. Keet by deed recorded in Book 198 at page 62 of the Deed Records of Greene County, Missouri, thence North 170 feet, thence East 133 feet and 3 inches to Patton Alley, thence South 170 feet to the place of beginning, except that portion thereof on the South side of the above described tract taken by the City in the widening of Olive Street.

Tract #2:

Beginning at the Northeast corner of Olive Street and Campbell Avenue as the said streets are now located in the City of Springfield, Missouri; thence East along the North line of Olive Street as now located and extended, 140 feet; thence North 150 feet more or less to the North line of Lot Eight (8) in Block Three (3) of the Original Plat of the Town of Springfield, Missouri; thence West along the North line of Lot Eight (8) and Lot Seven (7) in said Block Three (3) to the East

DEVELOPMENT REVIEW STAFF REPORT

line of Campbell Avenue as now extended; thence South along the East line of said Campbell Avenue 150 feet more or less to the place of beginning, the same being all of Lot Seven (7) and part of Lot Eight (8) in Block Three (3) of the Original Plat now City of Springfield, Missouri. Also the South $4\frac{3}{4}$ feet of Lot Six (6) of Block Three (3) of the Original Plat to Springfield, Missouri.

Parking Lot 3:

Parcels No. 71 and 73:

Beginning at the Northwest corner of Block 3, Original Plat of Springfield, Missouri; thence South 92.75 feet; thence East 88.25 feet to the lot of J.P. McCammon; thence North 15.56 feet to the Northwest corner of said McCammon's lot; thence East 92.5 feet to a point 80.095 South of Water Street; thence North to Water Street; thence West with the South line of Water Street to the beginning, excepting from this conveyance strip of ground beginning 83.25 feet East of said Northwest corner of Block 3; thence South 92.75 feet; East 5 feet; North 15.56 feet; East 5 feet; North 77.19 feet to Water Street; thence West 10 feet to the beginning, in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Parcel No. 74:

Beginning at the Southwestern intersection of Water Street and Patton Alley in the City of Springfield, Missouri; thence West with the South line of Water Street 87.5 feet; thence South 80 feet, more or less, thence Easterly to a point on Patton Alley, 83 feet more or less South of the beginning; thence North to beginning, being a part of Lot 5 of Block 3, Original Plat of Springfield, Missouri, in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Description of area lying between Parcel 73 and Parcel 74:

Beginning at a point 87.5 feet West of the Northeast corner of lot 5, Block 3 of the Original Plat of Springfield, Missouri, said point being on the South line of Water Street; thence West along the South line of said Water Street a distance of 9.61 feet to a point 180.75 feet East of the Northwest corner of Block 3 of the Original Plat of Springfield; thence South and parallel to the West line of said Block 3 a distance of 77.30 feet; thence Easterly a distance of 9.06 feet to a point 87.5 feet West of the East line of said Block 3; thence North a distance of 77.31 feet to the point of beginning, being a part of Lot 5, Block 3 of the Original Plat of Springfield, in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

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

DATE: August 31, 2023

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Conditional Use Permit Amendments

This case is postponed to the next Planning and Zoning Commission meeting on October 5, 2023.

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

DATE: August 25, 2023

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Z-8-2023 COD 228

The applicant has requested this case be postponed to the Planning and Zoning Commission meeting on October 5, 2023.

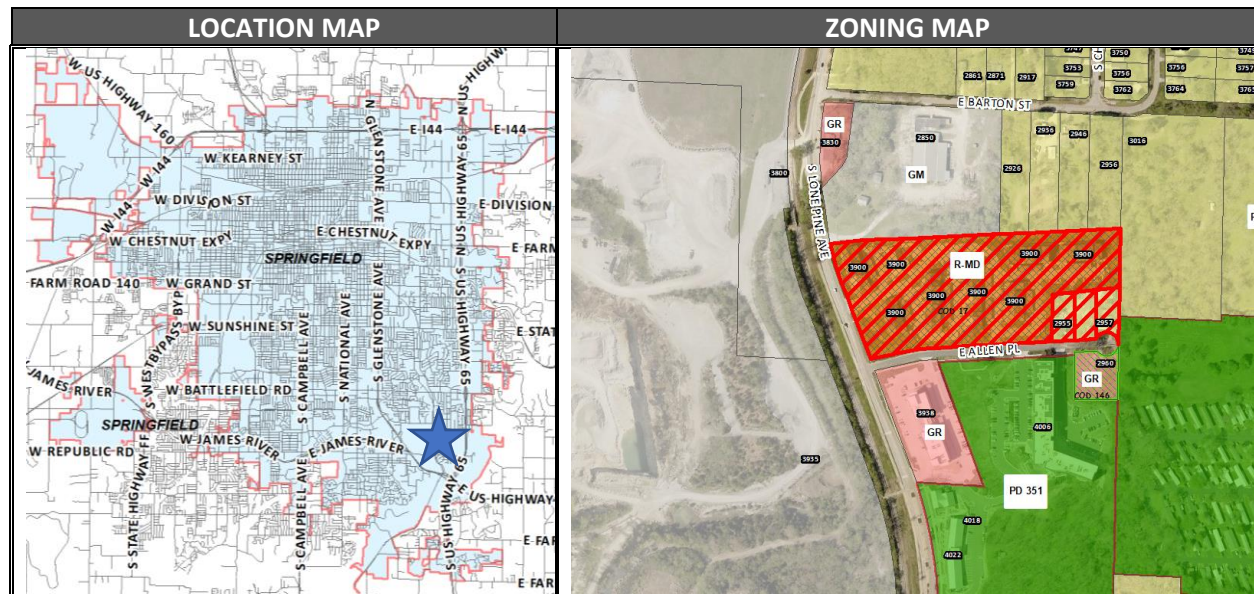
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-20-2023 with Conditional Overlay District No. 236
Location:	3900 South Lone Pine Avenue, 2955 and 2957 East Allen Place
Total Acres:	7.84 acres
Applicant:	Township 28, LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	July 20, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-20-2023 with Conditional Overlay District No. 236 as set forth in Attachment 1 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 7.84 acres of property generally located at 3900 South Lone Pine Avenue, 2955 and 2957 East Allen Place from R-MD, Medium-Density Multi-Family Residential District w/ COD No. 212 to R-MD, Medium-Density Multi-Family Residential District with Conditional Overlay No. 236

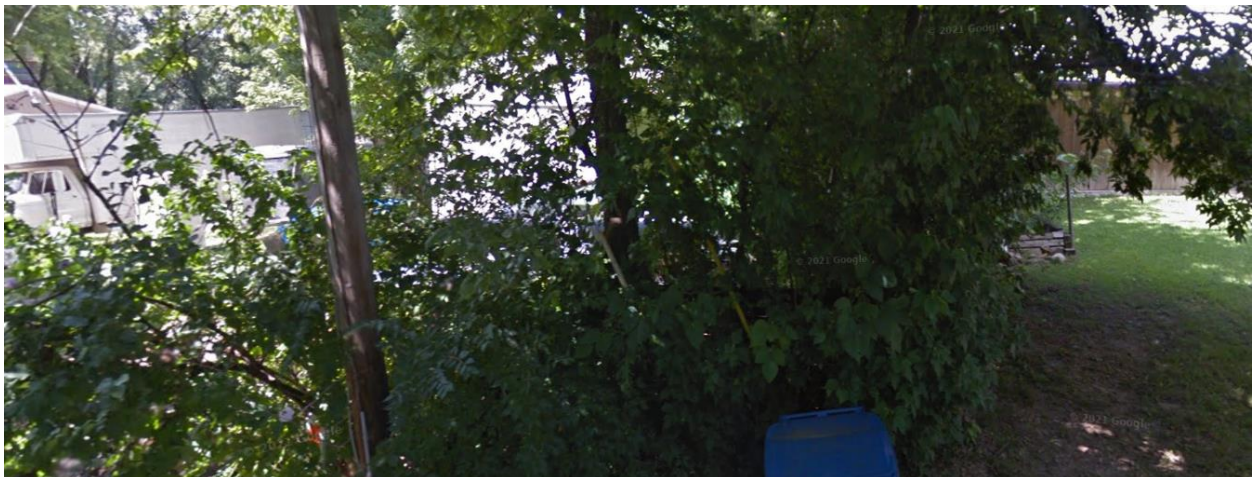
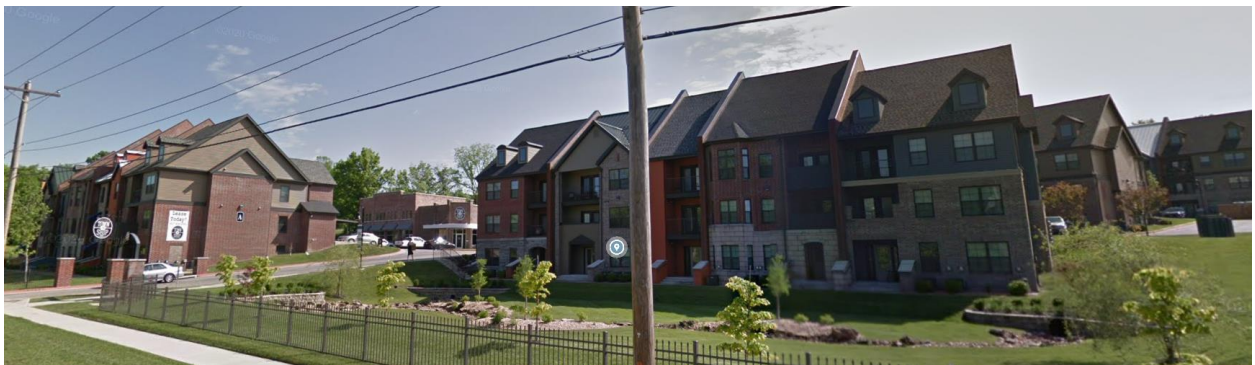


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The portion of subject property that is 3900 South Lone Pine (existing Township 28 development) was rezoned to R-MD zoning in 2008. The R-SF portion of the subject property located at 2955 and 2957 East Allen Place was added to the existing development and both were rezoned to R-MD with COD No. 212 in July 2022.

The applicant wishes to amend the approved site plan by reducing the number of structures from two to one structure and altering the elevations. These amendments require a rezoning for the subject property.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan.
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary.
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity.
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property.
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-MD
Minimum Yard Requirements	Front yard: 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.
Maximum Height	Thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required.
Minimum Open Space	Not less than 20 percent.

DEVELOPMENT REVIEW STAFF REPORT

Buffering and Landscaping

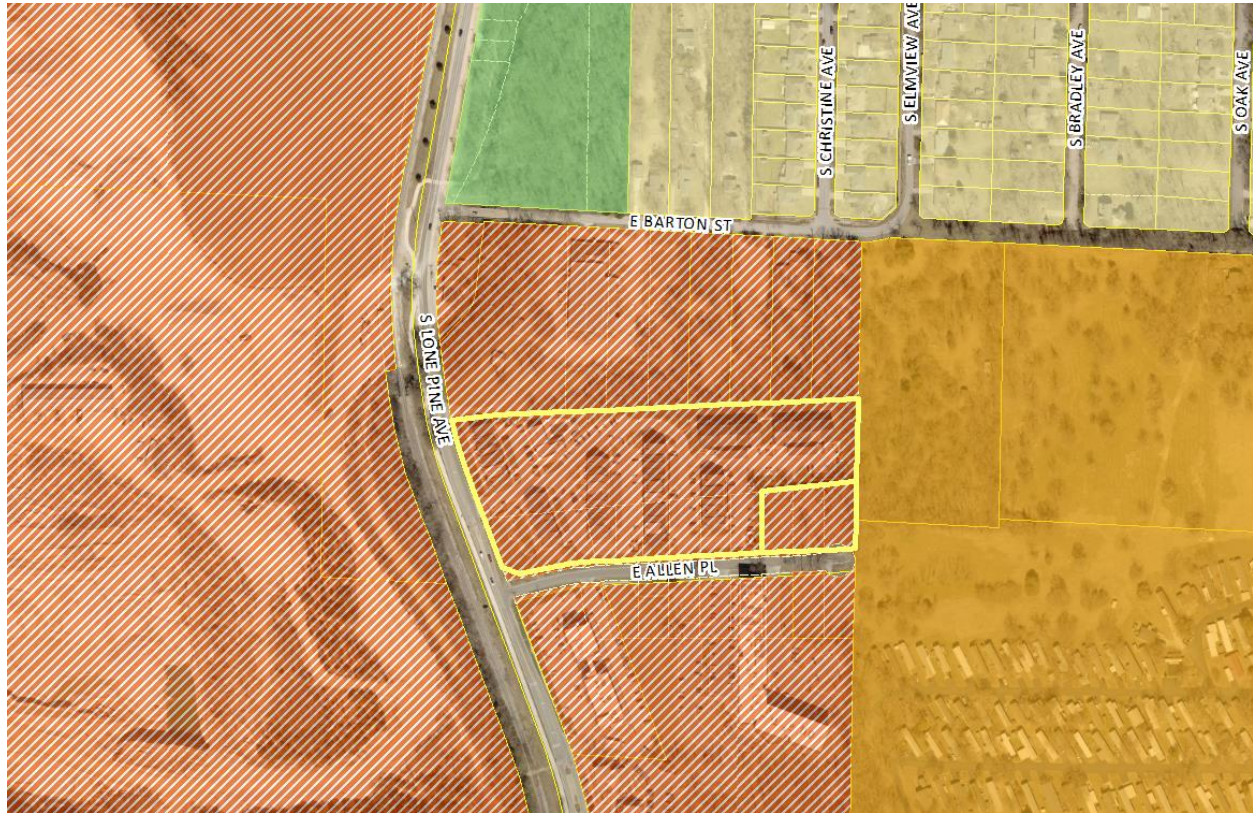
A Type C bufferyard is required adjacent to property zoned R-SF.

COMPATIBILITY WITH COMPREHENSIVE PLAN:PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Use placetype. Areas within this placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehousing & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	○	○	○	○	○	○	○	○	○
Downtown	●	●	○	○	○	●	●	●	●	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM, R-SF	GR and PD 351	R-SF & PD 276	HM
LAND USE	Manufacturing/Warehouse, single family residence	Mixed-use Multi-family and commercial uses	Single-family, undeveloped land and mobile home development	Quarry
PLACETYPES	Mixed Use	Mixed Use	Mixed Residential	Mixed Use

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed planned development.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

DEVELOPMENT REVIEW STAFF REPORT

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	S. Lone Pine Avenue	Secondary Arterial	City	35	30	NA	No	Yes	Yes
Street 2	E. Allen Place	Local	City	25	25	NA	Yes	Yes	Yes

ACCESS - There is currently one driveway access point onto the property from S. Lone Pine Avenue and E. Allen Place. All access to the development shall be per current City of Springfield standards.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There is a Greenway Trail near the property. There are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

3900 S Lone Pine is a 6.8-acre lot that is approximately 70% existing impervious area. The site generally drains from East to West and into the Galloway Creek on the west side of Lone Pine Ave. A fee in lieu of constructing onsite stormwater detention was permitted for the existing development. Water quality is provided on site through an extended dry detention basin. The property is in the **Galloway Creek** drainage basin. The property is partially located in a FEMA designated floodplain. Staff is aware of flooding problems associated with Lone Pine Ave. within the Galloway Creek floodplain. The city is **not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of detention for this development is permissible dependent on the runoff flowing through the Township 28 Apartment complex. E Allen Place is not improved with curb and gutter and not capable of handling the runoff from the development. Drainage will need to be connected to the Township 28 Apartments and is not allowed to drain into Allen St. A fee in lieu of on-site stormwater detention **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**.

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PW Stormwater has no concerns with the proposed rezoning. The submitted application includes a site plan showing the future development. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

(1) To a Public Right-of-way.

(2) A recorded drainage easement, continuing to a public right-of-way or public drainage system.

(3) A certified natural watercourse.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

a. Water Quality will be required based on the development being part of a larger common plan. Water Quality can be designed on the new addition or incorporated into the Water Quality Basin built with PRJ2014-00730.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

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1. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0. As-builts of the detention and water quality improvements are required. We would like the following as-built notes on the plans: The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 7.84 acres of property generally located at 3900 South Lone Pine Avenue, 2955 and 2957 East Allen Place from R-MD, Medium-Density Multi-Family Residential District w/ COD No. 212 to R-MD, Medium-Density Multi-Family Residential District with Conditional Overlay No. 236. The intent is to expand the existing multi-family development (Township 28) on the property located at 2955 and 2957 East Allen Place. This application will bring the entire development under one zoning district.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Use placetype. Areas within this placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements.
3. The subject property is in an area that has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area.
4. The R-MD District is intended to accommodate multi-family developments at densities up to approximately twenty-nine (29) dwelling units per acre. The applicant is requesting a maximum of twenty-two (22) dwelling units per acre. This density has been determined to be appropriate for this area based on an assessment completed under the Revised Multi-Family Development Location and Design Guidelines. That assessment resulted in a density of 21 to 24 dwelling units per acre with the Opportunities and Constraints section. Staff can support an increase in density based upon being adjacent to higher intensity uses, being in a redevelopment area and a physical barrier in the area. Further analysis of the proposed development under the Revised Multi-Family Development Location and Design Guidelines is attached (Attachment 2). The development must be in substantial conformance to the attached site plan (Attachment 5).
5. Approval of this application will allow the expansion of the existing multi-family development (Township 28) by incorporating a neighboring property and place the entire development under one zoning and Conditional Overlay District.

DEVELOPMENT REVIEW STAFF REPORT

6. Approval of this application will allow for an established multi-family use to expand development of this property and promote infill development where investments have already been made in public services and infrastructure.
7. The Galloway Guidelines are a policy that was accepted by City Council in 2019 and have been addressed by the applicant in the development of this project (Attachment 4).
8. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
9. There are changing conditions in the area affected that make the proposed rezoning necessary. This area has rapidly seen new development and this rezoning is consistent with the redevelop that is happening in this area.
10. The range of uses in the proposed R-MD and COD are compatible with the uses permitted on other property in the immediate vicinity.
11. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
12. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity. This application requires a traffic study at the time of development.
13. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
14. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Use Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will

DEVELOPMENT REVIEW STAFF REPORT

protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 233

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

1. The maximum density shall be limited to twenty-two (22) dwelling units per acre for a maximum of 168 dwelling units located within this district.
2. The development of the subject property shall be in substantial conformance to the Revised Multi-Family Location and Design Guidelines and the attached site plan (Attachment 5).

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2

MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINE ASSESSMENT

ZONING CASE Z-20-2022 & CONDITIONAL OVERLAY DISTRICT NO. 236

The applicant is requesting approval of 168-unit multi-family apartments on 7.84 acres of property. According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 12 points. This density increase, combined with credits from the Opportunities and Constraints and Assessment Criteria Score, would allow for 21-24 dwelling units per acre.

Below is an analysis of the four categories used to calculate the Matrix score.

- A. Land Use Accessibility (1/3 points)
One point was given for land use accessibility. There is neighborhood retail mix and greenway within 1/4 mile of the subject property.
- B. Connectivity Analysis (1/5 points)
One out of a maximum of five points were given for connectivity. The proposed development received scores for its proximity to transit, sidewalks, and roadways.
- C. Road Network Evaluation (1/2 points)
A maximum of one point were given for the road network evaluation.
- D. Design Guidelines (6/6 points)
A maximum of six points were given for design guideline criteria. Below are the design considerations that have been incorporated into the proposed development.
 - 1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Pedestrian-scale lighting shall be provided within the development. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 30 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.
 - 2. Building Scale and Articulation - Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall follow the attached site plan and elevations.

DEVELOPMENT REVIEW STAFF REPORT

3. Building Orientation and Interior Landscaping – All building orientations will address Main Avenue and Walnut Lawn Street to receive design points for this element. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted conforming to these requirements for building permits.
4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features: windows; entrances; arcades; arbors; awnings (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations.
5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system in accordance with the attached site plan.
6. Useable Recreational Area/Facility – Benches will be located throughout the common areas providing for useable tenant amenities in accordance with the attached site plan; however, a minimum of 20% usable open space is required.
7. Amenity Calculation – Three of the following amenities shall be provided: a tot lot with a minimum of 900 square-feet, picnic area of 900 square-feet, swimming pool, clubhouse, and dog run area.
8. Preservation of Trees –All existing trees of 6” caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the attached site plan and the city ordinance.

DENSITY: The initial assessment criteria resulted in a total of 9 points for a maximum density of 12 to 14 dwelling units per acre. The applicant has requested a density of 22 dwelling units per acre and to allow the additional density under the Opportunity and Constraints section.

Opportunities and Constraints

Although the maximum density based on the multi-family guidelines evaluation recommended 14 dwelling units per acre, additional density can be allowed based on special circumstances as described in the Guidelines Opportunity and

DEVELOPMENT REVIEW STAFF REPORT

Constraints section. Staff can support an increase in density based upon being adjacent to higher intensity uses, supports revitalization goals, and has a physical barrier within ½ mile of the site.

Opportunities and Constraints that apply:

1. How much higher density exists or is planned/approved for area?
Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the site is contiguous to higher intensity uses such as higher density multi-family, retail, office, and institutional uses on two or more sides.

The site is situated adjacent on to mixed-use multi-family and retail uses.
2. Does the proposal support redevelopment/revitalization goals?
Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the site is located with a redevelopment or revitalization area. The area is located within the Galloway Area Redevelopment Plan which was adopted in 2014 and within the Southeast Development Study Area which was adopted in 2002.
3. Are there physical or other natural barriers within ½ mile of the site?
Staff may consider a recommendation of a higher density. The subject property is adjacent to a large quarry which has the effect of limiting the density points.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: RMD COD 212 to RMD COD 235
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 20, 2023 4:00 pm to 6:30 pm
3. Meeting Location: 3900 S. Lone Pine Township 28 Clubhouse
4. Number of invitations that were sent: 47
5. How the mailing list was generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 4
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).

- WHAT IS DIFFERENT FROM PREVIOUS PROPOSAL?
ANSWER: SINGLE BUILDING IN LIEU OF TWO SEPARATE BUILDINGS, ORIENTATION EAST/WEST TO REDUCE EXTENT OF EXCAVATION AND ACCOMMODATE LENGTH OF BUILDING, FLAT ROOF IN LIEU OF PITCHED.
- NO CONCERNS EXPRESSED.

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

NONE SUBMITTED.

I, HARLAN HILL (print name), attest that the neighborhood meeting was held on 7/20/2023 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

HARLAN HILL, OWNER'S REPRESENTATIVE
Printed name of person completing affidavit

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 3

GALLOWAY RECOMMENDATIONS

The Galloway Area Recommendations, passed October 21, 2019, provides staff recommendations that apply to developers, city staff, and residents when pursuing future developments within the specified area. This checklist refers to the recommendations that apply specifically to the applicant/developer for a project. This is to be used only as a reference for those recommendations. The original Galloway Recommendations document must still be reviewed as this is only a supplemental visual to what is outlined in that document. This checklist also references The Galloway Community Improvement District, which was approved by City Council on August 12, 2019.

Staff has reviewed the applicant's attached exhibits (1-12) for compliance to the Galloway Recommendations as outlined below.

A. Public Safety (1/1)

1 out of 1 recommendation was addressed. Recommendation #1 is not applicable to the proposed development since it is not adjacent to Galloway Trail.

- 1) Clearly delineate parking areas along the street edge from the street surface.
- 2) Install physical barrier or fencing between trail and roadway where feasible.

B. Environmental Protection (3/3)

2 out of 2 recommendations were addressed. Recommendation #2 does not apply since there is not a stream buffer on the property.

- 1) Water quality protection and stormwater management for new developments. Innovative techniques are welcomed and encouraged. (Examples include Maximizing open space, green roofs, rainwater collection systems, rain gardens, and berms.)
- 2) Establish stream buffer easements for all new developments.
- 3) Protect the tree canopy through preservation of healthy trees and installing high quality landscaping where possible.

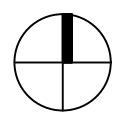
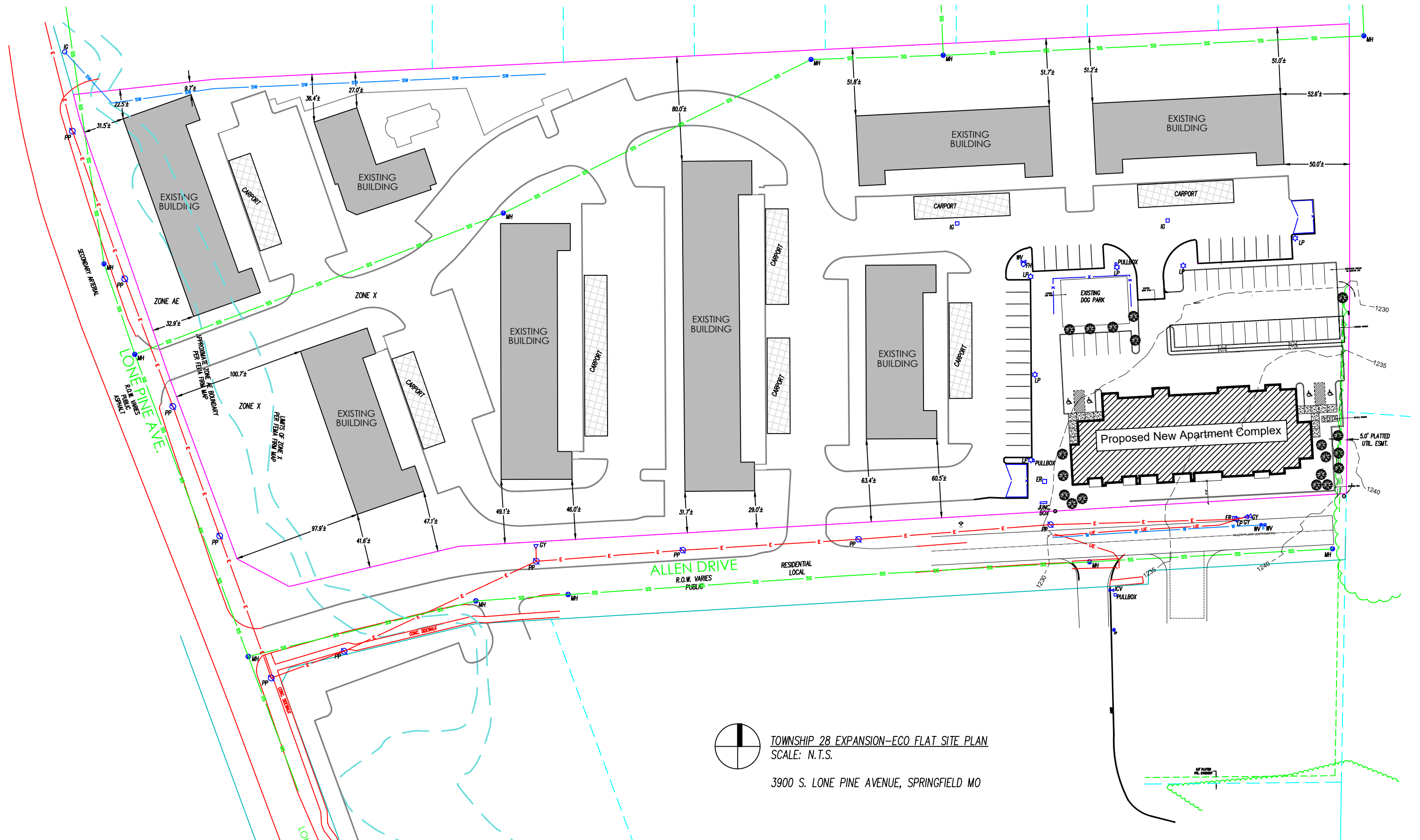
C. Image Enhancement (4/4)

4 out of 4 recommendations were addressed. Recommendations #1 & #2 are not applicable to the proposed development since it is not adjacent to Galloway Trail. Recommendation #5 is not applicable because this is not a mixed-use development.

- 1) Plant trees along the Galloway Trail.
- 2) Develop pocket parks along the Galloway Trail.
- 3) Preserve village feel through:
 - a. Mixed-use of small businesses
 - b. Reuse of existing structures

DEVELOPMENT REVIEW STAFF REPORT

- c. Complimentary architectural styles
 - 4) Promote a high-quality streetscape experience that is supported by the Galloway CID and Multi-Family Development Guidelines; Examples include:
 - a. Planters and window boxes
 - b. Brightly colored doors or building accents
 - c. Attractive landscaping and plantings
 - d. Public art
 - e. Fountains
 - f. Dog watering stations
 - g. Outdoor seating
 - h. Street trees
 - i. Decorative lighting
 - 5) Mixed-Use development
 - 6) Use Conditional Overlay Districts; Examples include:
 - a. Limit uses (e.g., storage units, gas stations, drive-thru businesses, car washes, cell towers, etc.
 - b. Limit signage types (e.g., size, illumination, placement, number, prohibition of digital)
 - c. Restrict glazing ratios to no more than 40% of exterior surface.
 - d. Limit building height through bulk plan regulations (exceptions to this are discouraged)
 - e. Require parking lots be located behind buildings where feasible.
 - f. Require tree canopy preservation.
 - g. Limit excessive grading or rock blasting.
 - h. Restrictions on retaining walls (limit height and require minimum distance between tiers)
 - 7) Increase landscaping requirements. Encourage canopy trees and high-quality plantings in landscaping.
- D. General Recommendations (2/2)
- 2 out of 2 recommendations were addressed.
- 1) Proactively communicate with area stakeholders and the city.
 - 2) Emphasize the history of the area/site through artwork, signage, place-naming, and historic designations, and preservation.



TOWNSHIP 28 EXPANSION-ECO FLAT SITE PLAN
SCALE: N.T.S.

3900 S. LONE PINE AVENUE, SPRINGFIELD MO

CONSULTANTS

Preliminary Only
Not for Construction

ECO FLATS APARTMENT BUILDING
FOR THE CORYELL GROUP
2955 EAST ALLEN PLACE
SPRINGFIELD, GREENE COUNTY, MISSOURI

ISSUE DATE

07-15-2023

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REVISIONS

NO.	DATE	TYPE
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PROJECT NO.

DRAWING TITLE

GROUND FLOOR PLAN

DRAWING NO.

A2.1



North (Parking Lot) Elevation

Scale 1/8" = 1'-0"



South (Street) Elevation

Scale 1/8" = 1'-0"

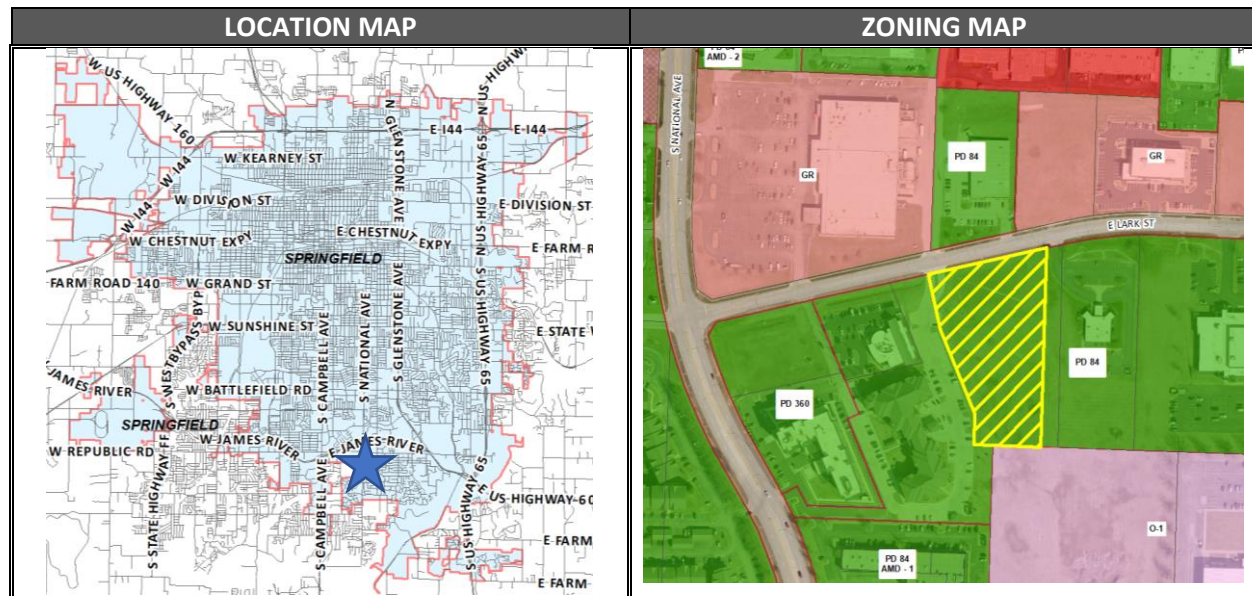
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-21-2023
Location:	1266 East Lark Street
Total Acres:	2.7 acres
Applicant:	St. James Hotel Properties, LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	August 10, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-21-2023 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 2.7 acres of property generally located at 1266 East Lark Street from Planned Development No. 84 to GR, General Retail District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

The subject property was zoned from R-1 to Planned Development No. 84 in December 1987 and has remained undeveloped.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be

DEVELOPMENT REVIEW STAFF REPORT

	required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b)No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c)All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d)No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (e)Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f)Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.
Maximum 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 20 percent
Buffering and Landscaping	A bufferyard Type F is required along the north property line and extending along the east property line to the edge of the northern vehicular access to the property. All other plantings within the perimeter landscape area shall consist of the same as a bufferyard type S2.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

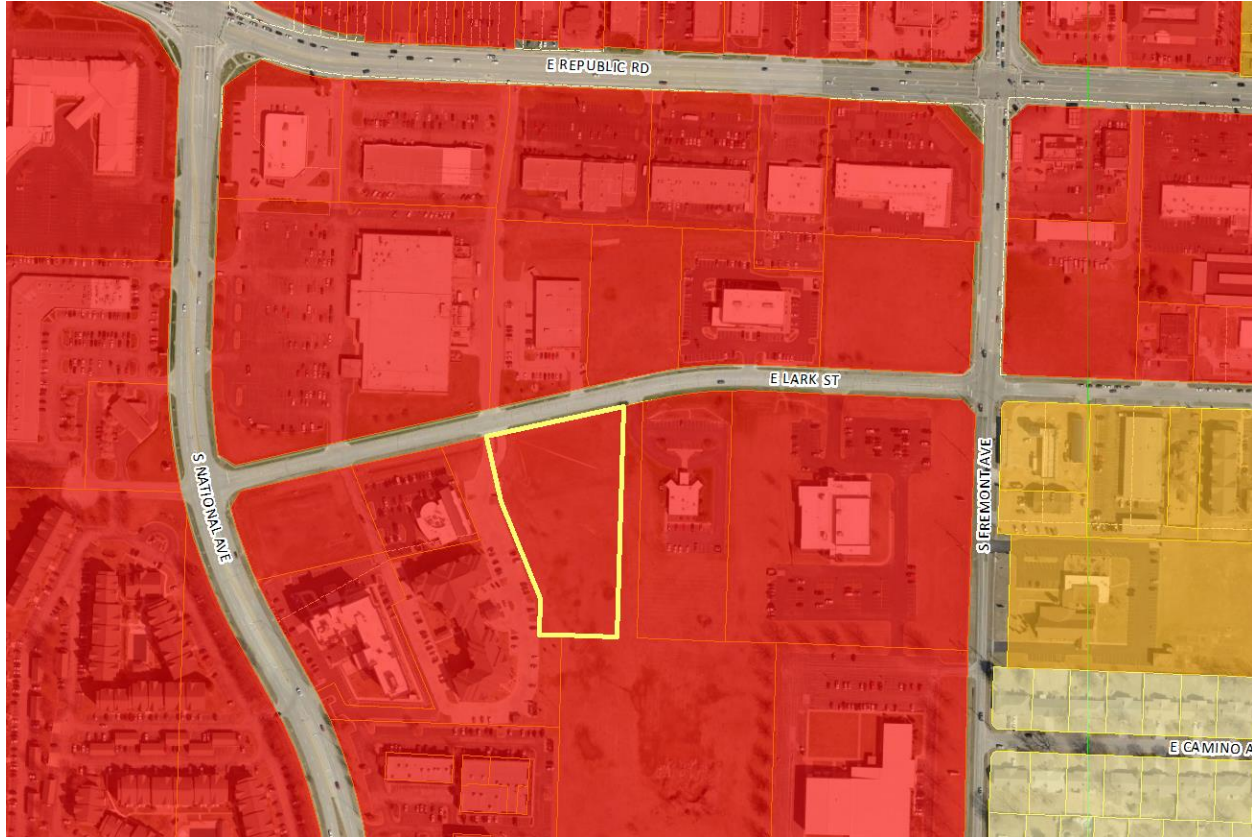
The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. This placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers.

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Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES														
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office / Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Heavy Industry & Manufacturing
Residential Neighborhood	●	○	◇	○	◇	◇	○								
Mixed Residential	●	●	○	○	◇	◇	○								
Downtown			●	○	○	○	●	○	○	○					
Mixed-Use	○	○	●	○	○	○	○	○							
City Corridor			●	○	○	○	○	○	○	○					
Institutional & Employment Center			○	○	○	○	○	○	○	○					
Business Flex				○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○										

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	PD 84, GR	O-1	PD 84	PD 84
LAND USE	Office, Undeveloped Land	Undeveloped land	Senior living community	Medical clinic and office
PLACETYPES	City Corridor	City corridor	City Corridor	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:

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No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Lark Street	Non-Residential Local	City	30	30	NA	No	No	No

ACCESS - There is currently one driveway access point onto the property from E. Lark Street. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops along E. Lark Street near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

1266 E Lark St is a 2.7 Acre lot with an existing regional detention and water quality basin on site. PD84 requires all relevant Stormwater infrastructure constructed prior to building permits. The property is in the **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **is not applicable because the site is built out**.

PW Stormwater has no concerns for the proposed rezoning because the PD84 has required the Stormwater detention and infrastructure to be built prior to construction on site. The existing regional flood control basin will remain and is the property owner's responsibility to maintain. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Stormwater flood control basin the regional basin on site as part of the Lark Pointe subdivision. Any development or redevelopment that increases runoff, through the increase in

DEVELOPMENT REVIEW STAFF REPORT

impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works. Any new impervious area on site will be evaluated against the existing basin's design. .

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 2.7 acres of property generally located at 1266 East Lark Street from Planned Development No. 84 to GR, General Retail District with Conditional Overlay No. 239.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. This placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of

DEVELOPMENT REVIEW STAFF REPORT

traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

3. The *Comprehensive Plan's Land Use & Development* chapter identifies office, hospitality, retail sales and service as a primary land use within the city corridor placetype.
4. The subject property is located in an area that has experienced development that has affected the character of this area.
5. The existing Planned Development permits a mix of office, retail and residential uses. The existing zoning is very similar to the GR, General Retail District with respect to the uses permitted. However, the existing Planned Development requires Planning and Zoning Commission review of any new or revised final development plans and has a limitation of maximum gross floor area within each "Tract" of the Planned Development. The Planned Development delineates a total amount of development permitted within each "Tract" of the Planned Development rather than simply per individual lot. The cumulative requirement for each "Tract" requires the tracking of gross floor area for each development and can become cumbersome as more area within each Tract is developed and infilled. Approval of this request for GR zoning will result in significantly the same type of development as could be achieved under the existing zoning, however development of the property will be more streamlined without having to track the previous developments within the "Tract" and go through the Final Development Plan process that is required as part of the existing Planned Development.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are changing conditions in the area affected that make the proposed rezoning necessary. This area has seen new development and this rezoning is consistent with the development that is happening in this area.
8. The range of uses in the proposed GR district are compatible with the uses permitted on other property in the immediate vicinity. Other properties in Planned Development have rezoned to GR, General Retail.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application requires a traffic study at the time of development.

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11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Planned Development 84 to General Retail
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 8/10/2023, 4:00 PM
3. Meeting Location: The Library Center 4653 S Campbell Springfield, MO 65810
4. Number of invitations that were sent: 34
5. How the mailing list was generated: Generated by City of Springfield Planning
6. Number of neighbors in attendance (attach a sign-in sheet): 2
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

None applicable to the rezone process

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

None to address

I, Robert Wilson (print name), attest that the neighborhood meeting was held on 8/10/2023 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Robert Wilson

Printed name of person completing affidavit

ST JAMES PROPERTIES LLC

[illegible]

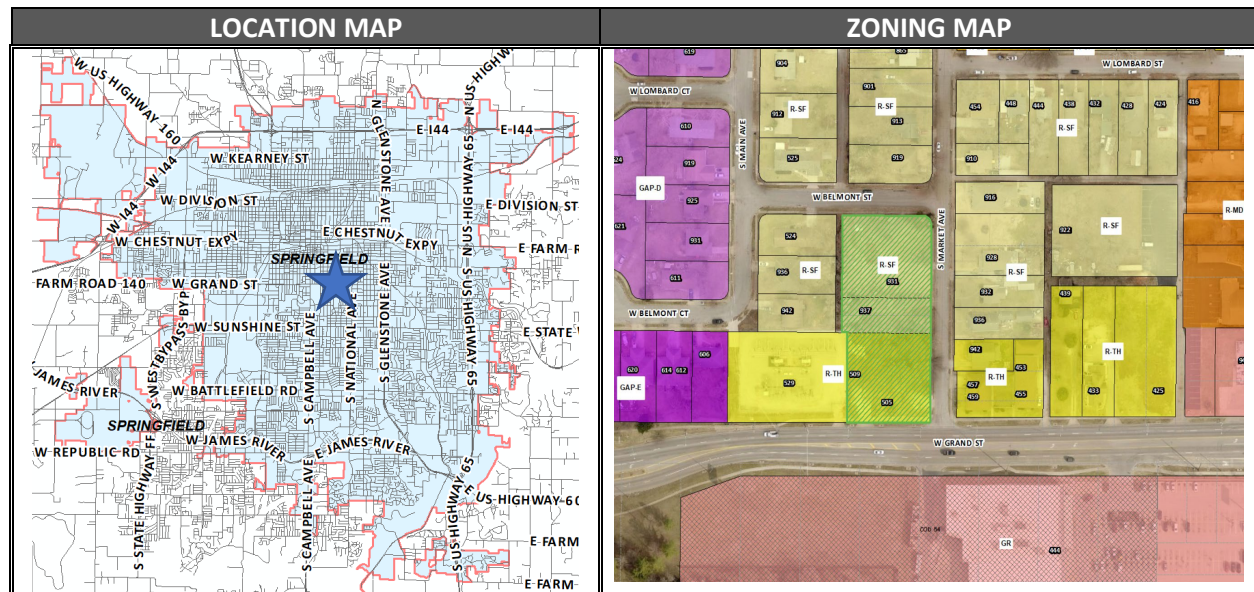
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-23-2023 with Conditional Overlay District No. 238
Location:	505 and 509 W. Grand Street & 931 and 937 S. Market Avenue
Total Acres:	1.08 acres
Applicant:	GDL Enterprises, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	July 20, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-23-2023 with Conditional Overlay District No. 238 as set forth in Attachment 1. (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

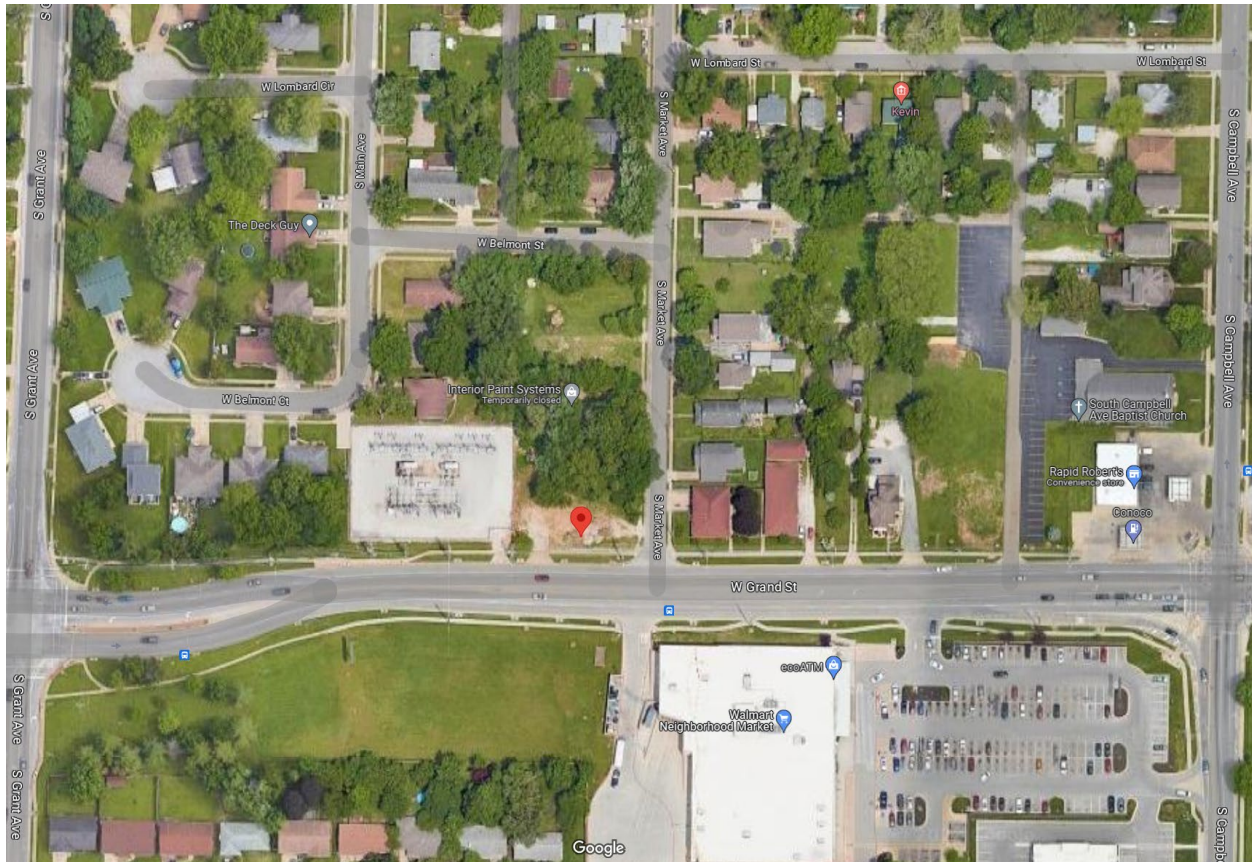
PROJECT SUMMARY:

Request to rezone from R-SF, Single Family Residential District and R-TH, Residential Townhouse District to R-MD, Medium-Density Multi-family Residential District with Conditional Overlay District No. 238.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

The subject property has been zoned R-SF and R-TH since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR MEDIUM-DENSITY MULTIFAMILY RESIDENTIAL DISTRICT
Use Limitations	(4) (a) Single-family detached and single-family semi-detached dwellings are not permitted unless they exist at the time the district is mapped. (b) All uses shall operate in accordance with the noise standards contained in Section 36-485, Noise standards. (c) No use shall emit an odor that creates a nuisance as determined by Chapter 2A, Article X, Springfield City Code.
Minimum Lot Size	(5) (a) Minimum lot area: 1. Each townhouse on a separate platted lot: 2,000 square feet. 2. Existing single-family detached dwellings: 5,000 square feet. 3. Duplexes: 5,500 square feet. 4. Existing single-family semi-detached dwellings: 3,750 square feet. 5. All other uses: 8,250 square feet. (5) (b) Minimum lot width:

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	1. Each townhouse on a separate platted lot: a. End lots: 30 feet. b. Interior lots with driveway in front yard: 26 feet. c. Interior lots without driveway in front yard: 20 feet. 2. Existing single-family semi-detached dwelling units: 30 feet. 3. All other uses: 45 feet. (5) (c) Minimum lot depth: 1. Each townhouse on a separate platted lot: 75 feet. 2. All other uses: 100 feet.
Maximum Height	(6) (a) Maximum structure height: 1. Thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required.
Bulk Plane	(6) (a) Maximum structure height: 2. No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. Any multifamily dwelling for which a building permit has been issued prior to July 1, 2009, that does not conform to the 45-degree bulk plane shall be considered conforming with regard to the 45-degree bulk plane.
Minimum Yard Requirements	(6) (b) Minimum yard requirements: 1. Front yard: a. Twenty-five feet along a street classified as a collector or higher classification street or as required by Section 36-453. b. Fifteen 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). 2. Side yards: Six feet or as required by Section 36-453, provided that no side yard is required for any building that has a common wall on a lot line. 3. Rear yard: Ten percent of the lot depth but may not be less than ten feet, nor will more than 20 feet be required.
Minimum Open Space	(6) (c) Minimum open space: Not less than 20% of the total lot area shall be devoted to open space including required bufferyards unless modified in accordance with subsection 36-482 (15). Open space shall not include areas covered by buildings, structures, parking areas, driveways, and

DEVELOPMENT REVIEW STAFF REPORT

	internal streets. Open space shall contain living ground cover and other landscaping materials. (6) (d) Maximum impervious area: The combined area occupied by all main and accessory buildings or structures, parking areas, driveways and any other surfaces which reduce and prevent absorption of stormwater shall not exceed 80 percent of the total lot area unless modified in accordance with subsection 36-482 (15).
Buffering and Landscaping	(9) Whenever any development in an R-MD district is located adjacent to another zoning district or a nonresidential use in an R-MD district is located adjacent to a residential use in an R-MD district, 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:

PLACETYPE:

The subject property is located within *ForwardSGF's* Mixed Residential Placetype, which applies to most of the properties to the north of W. Grand between N. Campbell Avenue (to the east) and N. Grant Avenue (to the west). This Placetype, typically located near major employment or activity centers, is primarily used for higher density single-family attached and multifamily residential dwellings, including townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Nonresidential supporting land uses include parks and open space, public and private schools, and places of worship, as well as low-intensity urban agriculture and neighborhood-serving commercial uses. Based on the mix of residential densities supported within this Placetype, new construction is intended to utilize thoughtful building and site design which reflects, complements, and/or enhances the character of the area and the adjacent streetscape.

The R-MD, Medium-density multifamily residential district, as requested by the applicant, accommodates a mix of residential dwelling types at densities up to 29 dwelling units per acre. This district is intended to serve as a transition between major streets or commercial areas and nearby lower density residential areas. Reflecting the intent to act as a transition, this district prohibits the construction of new detached single-family dwellings so as to not preempt multifamily projects with less intense development not befitting this zoning designation. This district also permits certain other nonresidential uses necessary to serve the governmental, educational, religious, recreational, or other needs of a given neighborhood or area.

The *Land Use and Development* recommends a "step-down approach should be used to create a gradual transition where more intense housing types and dissimilar uses converge along the edges of the neighborhood." The subject property is located on the edge of a neighborhood in an area where commercial, duplex and single-family land uses and zoning converge.

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Based on the variety of residential dwelling types and low-intensity nonresidential uses permitted within the R-MD district, staff has determined that the requested rezoning from the R-SF, Single-family residential district and R-TH, Residential Townhouse district to the R-MD, Medium-density multifamily residential district is generally compatible with the objectives and intent of the *Comprehensive Plan*.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	◇	◇	◇	○							
Downtown			●	●	●	●	●	●	●	●	●	●	●	●
Mixed-Use	○	○	●	○	○	○	●	○						
City Corridor			●	○	○	○	●	○	○	○	○			
Institutional & Employment Center			○	○	○	○	○	○	○	○	○	○	○	○
Business Flex				○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○									

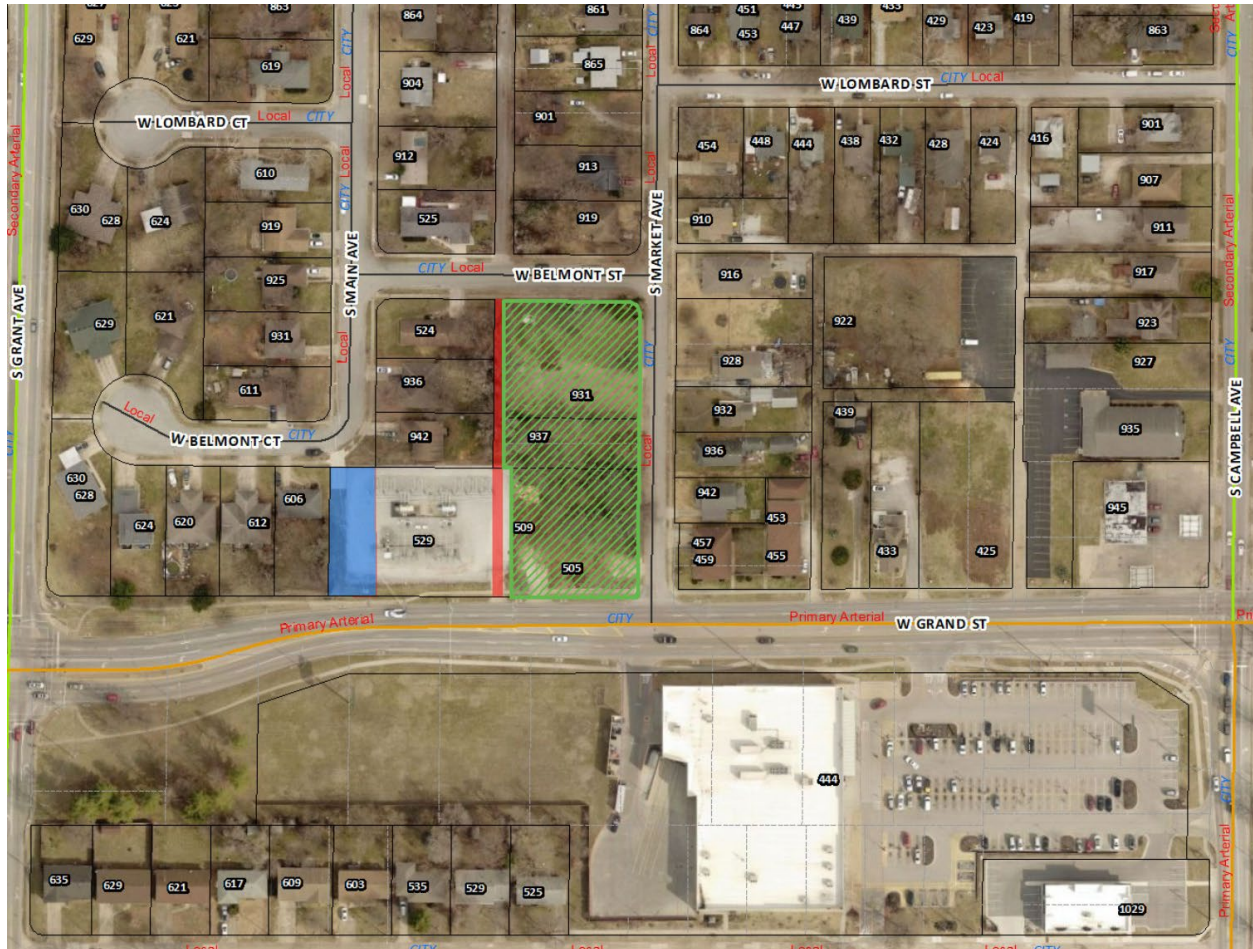
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	GR	R-SF & R-TH	R-SF & R-TH
LAND USE	Single-family residence	Grocery/retail store	Single-family residences and duplexes	Single-family residences and CU substation
PLACETYPES	Mixed Residential	Mixed Use	Mixed Residential	Mixed Residential

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DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning; although, we have the following review comments for developing the property:

1. Public sewer is available however the property is not in a sewer district. City code requires that if a property is not in a sewer district, they must file a special connection agreement (City Code Section 120-249 & Section 120-250). The city code can be viewed here: https://library.municode.com/mo/springfield/codes/code_of_ordinances. There are two types of special connection agreements: refundable and non-refundable. Refer to the city code for more information or call Matt Taylor at 417-864-1934.

FIRE DEPARTMENT:

No objections to rezoning. Project shall comply with 2018 IFC

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Grand Street	Primary Arterial	City	50	30	NA	No	Yes	Yes
Street 2	S. Market Avenue	Local	City	25	20	NA	No	Yes	Yes
Street 3	W. Belmont Street	Local	City	25	25	NA	Yes	Yes	Yes
			Daily	AM	PM				
Trips Generated (Existing Zoning)			52	4	5				
Trips Generated (Proposed Zoning)			194	15	18				
Additional Trips Generated			142	11	13				

DEVELOPMENT REVIEW STAFF REPORT

ACCESS - There are currently no driveway access points onto the property from W. Grand Street and W. Belmont Street. There are three driveway access points onto the property from S. Market Avenue. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. No direct access will be allowed from W. Grand Street.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one bus stop along W. Grand Street near the property.

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

The below comments will need to be addressed as the project moves thru the subdivision process and site plans.

ROW - When Subdivision activity occurs, per City Code Section [36-223](#), [36-243](#) & [36-453](#) and Section 8 of [Public Works Design Standards](#), the developer shall dedicate ROW as shown below, in addition to appropriate sight triangles measured from the intersections of the new ROW line. The applicant may apply to the ARC for a reduction in ROW to be dedicated but must demonstrate that the reduced amount of ROW will meet the needs for transportation, access, utilities, and future planning for the ARC to approve the application.

- Grand St: Required minimum ROW width from centerline is 50 ft. Based on GIS and the old plat, there appears to be only 30 ft of ROW. An additional 20 ft of ROW will need to be platted. A survey will be needed to verify.

- Market Ave: Required minimum ROW width from centerline is 25 ft. Based on GIS and the old plat, there appears to be only 20 ft of ROW. An additional 5 ft of ROW will need to be platted. A survey will be needed to verify.

- Belmont St: Required minimum ROW width from centerline is 25 ft. Based on GIS and the old plat, this requirement appears to be met.

- Sight Triangles: Required minimum ROW sight triangle at the corner of Grand and Market is 10 ft x 10 ft. Based on GIS, a sight triangle will need to be platted.

Driveways - Driveway spacing for all existing and new driveways shall be in accordance with City Code Section [36-251](#) and Sections 8 & 10 of the [Public Works Design Standards](#). Any new/modified driveway approaches must comply with current City Standard [ST-9](#) and City Code [Section 98](#).

- Grand St: No access is allowed. Existing driveway will need to be completely removed and replaced with curb and gutter, and sidewalk.

- Market Ave. Required minimum distance from the near ROW line of Grant St to the edge of driveway is 110 ft. Required minimum distance from edge of driveway to edge of driveway is 20 ft.

DEVELOPMENT REVIEW STAFF REPORT

- Belmont St. Required minimum distance from the near ROW line of Market Ave to the edge of driveway is 20 ft. Required minimum distance from edge of driveway to edge of driveway is 20 ft.

Gates - All gates shall be per city ordinance 5116. Gates shall not swing towards the street/ROW. Ordinance has been uploaded into the attachments folder.

Sidewalks - No additional public sidewalks are required.

All off-street parking areas will need to be in accordance with [ST-6](#) of PW Standard Drawings and City Code Section [36-455](#) & [36-483](#). All parking areas shall be an all-weather, hard surface of either asphalt, concrete, or pervious pavement.

Proposed signs and/or landscaping shall not be located within public ROW or sight triangles.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

505 W Grand is a 1.1 acre lot with no existing impervious area. The Site drains from East to West. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater has no concerns for the proposed rezoning. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1 Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

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FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone from R-SF, Single Family Residential District and R-TH, Residential Townhouse District to R-MD, Medium-Density Multi-family Residential District with Conditional Overlay District No. 238. This will facilitate the development of an apartment building.
2. The subject property is located within *ForwardSGF's* Mixed Residential Placetype, which applies to most of the properties to the north of W. Grand between N. Campbell Avenue (to the east) and N. Grant Avenue (to the west). This Placetype, typically located near major employment or activity centers, is primarily used for higher density single-family attached and multifamily residential dwellings, including townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Nonresidential supporting land uses include parks and open space, public and private schools, and places of worship, as well as low-intensity urban agriculture and neighborhood-serving commercial uses. Based on the mix of residential densities supported within this Placetype, new construction is intended to utilize thoughtful building and site design which reflects, complements, and/or enhances the character of the area and the adjacent streetscape.
3. The R-MD, Medium Density Multi-Family District is consistent with the goals and objectives of the Mixed Residential placetype.
4. City staff has reviewed the proposed multi-family site plan and determined that it was in general compliance with the Multi-Family Location and Design Guidelines. The one issue that is pointed out in the guidelines analysis section is that the outdoor living area for

DEVELOPMENT REVIEW STAFF REPORT

gathering, reading, relaxing and gardening is not a listed amenity in the guidelines; however, commission and council can determine that this be counted as an amenity. Commission and Council have made this same determination with dog parks which aren't specifically listed as an amenity.

5. The proposed multi-family structure will be three stories and approximately 38 feet tall (above grade). This would be below the minimum height requirements for the district of 35 feet plus one additional foot for each two feet of setback and also below a 45 degree bulk plane from any R-SF or R-TH district.
6. The subject properties once combined will be located along Grand Street which is primary arterial roadway that has a diversity of uses in the vicinity including convenience stores with fuel pumps, a grocery/retail store, an electrical substation, duplexes and single-family residences.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy.
8. There are changing conditions in the area affected that make the proposed rezoning necessary. This area is in a redevelopment area near the Grant Avenue Parkway Plan and this rezoning is consistent with the redevelopment that is happening in this area. It is also supported by the new Comprehensive Plan's placetype designation.
9. The range of uses in the proposed R-MD district are compatible with the uses permitted on other property in the immediate vicinity.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application does not require a traffic study.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Residential Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

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REQUIREMENTS FOR APPROVAL:

ATTACHMENT 1 CONDITIONAL OVERLAY DISTRICT PROVISIONS

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

1. The development shall have a maximum density of 28 dwelling units per acre for a total of 30 dwelling units.
2. Minimum lot size shall be at least one (1) acre following the requirements of the Subdivision Regulations.
3. The development of the subject property shall be in conformance with the Multi-Family Location and Design Guidelines (Attachment 2) and site plan (Attachment 4).

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 2****MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINES ASSESSMENT**

The applicant is requesting approval of multi-family apartments on 1.08 acres of property. According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 13 points, which would allow up to 25 to 28 dwelling units per acre. The applicant is requesting a total of 30 units (28 du/ac).

A. Land Use Accessibility (2/3 points)

Two points were given for land use accessibility. There is a recreational-parks-greenway and supermarket use within a ¼ mile and a neighborhood retail mixture and hospital/medical/dental use located within a ½ mile.

B. Connectivity Analysis (3/5 points)

Three out of a maximum of five points were given for connectivity. The proposed development received scores for its proximity to transit routes, roadway and sidewalk connectivity.

C. Road Network Evaluation (1/2 points)

One point was given for the road network evaluation.

D. Design Guidelines (6/6 points)

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

1. **Pedestrian Amenities** - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Pedestrian-scale lighting shall be provided within the development. Lighting sources or luminaries that have a cutoff shall not exceed a maximum of 30 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.
2. **Building Scale and Articulation** – Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan.
3. **Building Orientation and Interior Landscaping** – Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted conforming to these requirements for building permits. Buildings adjacent to the street shall not have parking lots located between the building and the street.

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4. Avoidance of Blank Walls along pedestrian circulation areas – Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features: windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations.
 5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system.
 6. Useable Recreational Area/Facility – A minimum of 15% usable open space is required.
 7. Amenities – The development will have an outdoor living area as shown on the site plan. While an outdoor living area isn't a listed amenity in the guidelines, commission and council can determine if this qualifies.
 8. Preservation of Trees – All existing trees of 6" caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the site plan, MFM design guidelines and other city ordinances.
- E. Opportunities and Constraints (1 point)
1. The proposed development is located within a redevelopment area, and therefore meets the criteria for Item #2 in the Opportunities or Constraints section. This would add one additional point to the assessment.

Attachment 3

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF & R-TH to R-MD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 07/20/2023 - 4 PM - 6:30 PM
3. Meeting Location: Fire Station 1 Community Room - 720 E. Grand St. Springfield, MO
4. Number of invitations that were sent: 500' - 167 invitations; 185' - 38 envelopes
5. How the mailing list was generated: City Planning
6. Number of neighbors in attendance (attach a sign-in sheet): 8
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

Amy & Devin Durham – Concerns of student or section 8 housing; Not student or section 8 housing. While available to students, they will be fair market pricing.
Allen Kemper – Please have high lighting in this area and security & concerned for parking along the road that may block drives; Lighting and on-site parking will be provided to resident per city code.
Kathleen Cowens – Parking concerns outside of complex along the road; on-site parking will be provided to resident
Martha Mincey – Parking concerns outside of complex, will block road & drives; on-site parking will be provided to the residents per city code.
All items above were discussed and addressed at the meeting.

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

See Attached E-mail Comment - The development will adhere to City of Springfield regulations and traffic will be considered as a part of the development.

I, Jared Davis (print name), attest that the neighborhood meeting was held on 07/20/23 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Jared Davis - OWN, Inc.
Printed name of person completing affidavit



CLIENT _____
 CLIENT No. _____ SHEET No. _____ Of _____
 CALCULATED By _____ DATE _____
 CHECKED By _____ DATE _____
 PROJECT _____
 CALCULATIONS FOR _____

Sign In

Name	Email	Phone	Contact?
Devin/Amy Durham	amyamyemai@gmail.com	417-849-9499	Yes
Allen Kemper	AllenKemper@mail.com	417-414-7131	Yes
John E Koch	GHOSTYSZ.SK@gmail.com	417-599-0898	YES
Nicole Fienhold	nicole.fienhold@gmail.com	417 770 0655	Yes
Kathleen Cowens	Kcowens@gmail.com Kathleen Cowens	417-496-8699	Yes
MARTHA MURPHY	MARTHAMURPHY@MISSOURI STATE	417-860-5163	yes
Diane Keys	diane.keys@gmail.com	417 234 1677	yes

From: [David Patrick](#)
To: Zoning@springfieldmo.gov
Subject: My comment to Nexrdoor website regarding GDL Enterprises project at Grand and Market
Date: Thursday, July 13, 2023 11:21:11 AM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

My notification letter arrived yesterday, 8 days before this meeting. I'm sure that wasn't done intentionally to insure low attendance and little resistance to the plan. /s I guarantee P&Z has already given the green light to this project, and this meeting is just going through the motions. It will be a replay of the Walmart disaster, just across the street. EVERY negative outcome the neighbors predicted about that store has materialized, plus even worse problems than what we imagined. These new developers will get everything they want and the rest of us will just have to suck it up, as always. When the additional traffic from this complex makes it even more difficult to turn left from Market onto Grand, P&Z will continue to ignore our requests for a safe outlet from the bottleneck they have created in our area. Placing a traffic light (or roundabout!) at Grand and Market or making Campbell 2-way between Grand and Madison would be 2 solutions, but they won't consider any such safety measures. Nobody on P&Z lives in this neighborhood, so why should they care?

David Patrick
865 S Market Ave
417 536-0493



5039 S National Avenue | Springfield, MO 65810 | 417.887.6595

OWNER
GDL ENTERPRISES, LLC
1736 East Sunshine Suite 913
Springfield, Missouri 65804
573.999.3702

PROJECT TEAM

CIVIL ENGINEER
CONSULTANT 1 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

MEP ENGINEER
CONSULTANT 2 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

STRUCTURAL ENGINEER
CONSULTANT 3 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

MEP ENGINEER
CONSULTANT 4 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

INTERIOR DESIGN
CONSULTANT 5 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

KITCHEN EQUIPMENT
CONSULTANT 6 NAME
1234 S NATIONAL
SPRINGFIELD, MO 65810
417.555.5555

FIRE RESISTANCE RATED CONSTRUCTION (TABLES 601,602 &602.4)

BUILDING ELEMENTS:

STRUCTURAL FRAME 1 HOUR
EXT. BEARING WALL 1 HOUR
EXT. NON-BEARING WALL 0 HOUR
INT. BEARING WALL 1 HOUR
INT. NON-BEARING WALL 0 HOUR
FLOOR CONSTRUCTION 1 HOUR
ROOF CONSTRUCTION 1 HOUR

(1009) STAIRWELLS N/A
(713) ELEVATOR SHAFTS N/A
(1019) CORRIDOR R-2 1 HOUR

(TABLE 716.5) FIRE RATED DOORS
FIRE RATED IN 2 HOUR WALL 90 MIN.
FIRE RATED IN 1 HOUR WALL 20 MIN.
(708) DEMISING/PARTITION WALL 1 HOUR
(707) FIRE BARRIER N/A
(706) FIRE WALL N/A
(718.4) DRAFTSTOPS YES

CHECKED WIDTH OF OPENINGS IN FIRE RATED WALLS (706.8 + 707.6)
YES, 196 S.F. MAX ALLOWED; 25% MAX. WIDTH ALLOWED
ROOF COVERING CLASSIFICATION PROVIDED (TABLE 1505.1): TYPE B

BUILDING CODES

BUILDING CODE 2018 IBC
MECHANICAL CODE 2018 INTERNATIONAL MECHANICAL CODE
PLUMBING CODE 2018 INTERNATIONAL PLUMBING CODE
ELECTRICAL CODE 2017 NEC
FIRE CODE 2018 INTERNATIONAL FIRE PREVENTION CODE
FUEL GAS CODE 2018 INTERNATIONAL FUEL AND GAS CODE
ACCESSIBILITY CODE 2009 ICC/ANSI A117.1
ENERGY CODE 2012 ENERGY CODE

CODE DATA

PRIMARY USE GROUPS (CHAP. #3) R-2, RESIDENTIAL

ACCESSORY USE GROUPS S-2, STORAGE

CONSTRUCTION TYPE VB

TOTAL AREA 9,930 S.F. FIRST FLOOR
10,750 S.F. SECOND FLOOR
10,750 S.F. THIRD FLOOR
31,430 S.F. TOTAL AREA

SPRINKLERED BUILDING YES, NFPA 13R

FIRE ALARMS YES, SEE MEP SHEETS

EMERGENCY LIGHTING YES, SEE MEP SHEETS

ALLOWABLE BUILDING HEIGHT + AREA

ALLOWABLE AREA OF NONSEPARATED OCCUPANCY IS CALCULATED FROM THE MOST RESTRICTIVE OF PROVIDED USES.

ALLOWABLE AREA BY TABLE 503 (R-2) 28,000 S.F.
(S-2) 54,000 S.F.

PROVIDED AREAS (R-2) 31,180 S.F.
(S-2) 250 S.F. (ACCESSORY USE)

ALLOWABLE HEIGHT/AREA (TABLE 503) (R-2) 3 STORIES / 37'-8" FEET (ABOVE GRADE)

PROVIDED HEIGHT 3 STORY / 37'-8" FEET (ABOVE GRADE)

MIXED USE, NON-SEPARATED (508)

508.3.1 OCCUPANCY CLASSIFICATION

INTERPRETATION: R-2 IS THE MOST RESTRICTIVE OCCUPANCY CLASSIFICATION AND WILL BE USED AS MEANS FOR ALLOWABLE BUILDING HEIGHT AND AREA

508.3.2 ALLOWABLE BUILDING AREA AND HEIGHT

INTERPRETATION: SEE ALLOWABLE BUILDING AREA SECTION ABOVE

508.3.3 SEPARATION: WALLS SEPARATING R-2 UNITS ARE REQUIRED TO BE 1 HOUR RATED FIRE PARTITIONS

FLOOR AREA PER OCCUPANT (1004)

R-2, RESIDENTIAL: 1 OCCUPANT PER 200 GROSS S.F.
S-2, STORAGE/MECH AREA: 1 OCCUPANT PER 300 GROSS S.F.

MEANS OF EGRESS

EGRESS WIDTH (1005)

R-2 EGRESS (WITH SPRINKLER): 0.15 PER OCCUPANT

DOOR OPERATIONS (1008) YES
STAIRWAYS (1009) YES
EXIT SIGNS (1006 & 1011) YES

TRAVEL DISTANCE (1016)
OCCUPANCY R-2 = MAX. 260'-0" WITH SPRINKLER SYSTEM.
MAX. AS DESIGNED 120'-0" (SEE PLANS).

EXIT QUANTITY (1021)
THREE OR MORE EXITS SHALL BE PROVIDED FROM ANY STORY WITH AN OCCUPANT LOAD FROM 501-1000.

ACCESSIBILITY (1107)

SECTION 1107.6.2.1.1 FOR GROUP R-2: "AT LEAST 2 PERCENT, BUT NOT LESS THAN ONE, OF THE DWELLING UNITS AND SLEEPING UNITS SHALL BE A TYPE A UNIT."

OUT OF 30 UNITS, 2 WILL BE A TYPE A UNIT. (1) ONE BEDROOM
(1) TWO BEDROOM

MULTI-FAMILY DEV MATRIX

PLEASE NOTE THAT THE POINTS INCLUDED IN THE INFORMATION BELOW WERE PROVIDED BY CITY STAFF FOR SECTIONS 5.4, 5.5, AND 5.6. SECTIONS 5.7 AND 5.8 ARE DEPENDANT UPON THE SITE DESIGN LAYOUT AS HEREBY PROVIDED. WE HAVE INDICATED THE ANTICIPATED POINTS THAT WOULD BE AWARDED TO COMPLY WITH THE DENSITY PROPOSED.

5.3: OPPORTUNITIES AND CONSTRAINTS
DOES THE PROPOSAL SUPPORT REDEVELOPMENT/ REVITALIZATION GOALS? IF AN APPROVED PLAN FOR REDEVELOPMENT OR REVITALIZATION OF AN AREA RECOMMENDS A LOWER OR HIGHER DENSITY THAN THAT DETERMINED BE THE MATRIX CALCULATION, STAFF MAY CONSIDER RECOMMENDATION OF A DENSITY MORE CONSISTENT WITH THE APPROVED PLANS.

5.4: LAND USE ACCESSIBILITY

5.5: CONNECTIVITY ANALYSIS

5.6: ROAD NETWORK EVALUATION

5.7: DESIGN GUIDELINES

A. DESIGN TO ENCOURAGE PEDESTRIAN ACTIVITY

1. PEDESTRIAN AMENITIES

PEDESTRIAN SCALE LIGHTING & NON ROW STREET FURNITURE

2. BLEND BUILDING SCALE

STREET FACING WALLS THAT ARE GREATER THAN 50 FEET SHALL BE ARTICULATED AT LEAST EVERY 25 FEET WITH BAYS.

PROJECTIONS, OR RECESSES, ARTICULATION MEANS A DIFFERENCE IN THE VERTICAL PLANE OF THE BUILDING OF AT LEAST 18 INCHES OR MORE.

3. BUILDING ORIENTATION & INT. LANDSCAPING

4. AVOID BLANK WALLS PROVIDED

FACADES THAT FACE STREETS OR CONNECTING PEDESTRIAN FRONTAGE THAT ARE GREATER THAN 25 FEET IN LENGTH SHALL BE SUBDIVIDED AND PROPORTIONED USING AT LEAST ONE OR MORE OF THE FOLLOWING FEATURES: WINDOWS, ENTRANCES, ARCADES, ARBORS, AWNINGS DISTRIBUTED ALONG THE FACADE AT LEAST ONCE EVERY 25 FEET.

5. AVOID TEARING DOWN BUILDINGS

6. ON-STREET PARKING

B. PROVIDE A GOOD CIRCULATION SYSTEM

1. EXTERNAL CONNECTIVITY

2. INTERNAL CONNECTIVITY

3. PEDESTRIAN & BICYCLE CONNECTIONS

4. SHARED DRIVEWAYS

5. DRIVE ALIGNMENT

6. INTERNAL STREETS

C. RESPECT THE NATURAL ENVIRONMENT

1. USEABLE RECREATIONAL AREA/FACILITY

2. AMENITIES (1 REQUIRED)

3. PRESERVATION OF TREES

TOTAL OF POINTS 13 POINTS

13 POINTS THROUGH BASE CALCULATIONS ALLOWS 28 UNITS PER ACRE.

ZONING DATA

AREA OF SITE (ACRES) 1.08 ACRES

YARD REQUIREMENTS

FRONT YARD MINIMUM - 15 FEET
FRONT YARD MAXIMUM - 25 FEET
EXTERIOR SIDE YARD MINIMUM - 15 FEET
EXTERIOR SIDE YARD MAXIMUM - 25 FEET
INTERIOR SIDE YARD MINIMUM - 6 FEET
"IF PARTY-WALL EXISTS, 0" SHALL BE PERMITTED
REAR YARD - N/A

PLANNED UNIT DENSITY 28 DU/AC (30 UNITS ON 1.08 ACRES)

BUILDING HEIGHT 3 STORIES

OPEN SPACE REQUIREMENT 20%

OPEN SPACE PROVIDED 17,630 SF OPEN SPACE/47,966.5 SF TOTAL = .368
36.8% PROVIDED

CURRENT ZONING SF & TH

PROPOSED ZONING R-MD

DWELLING UNIT COUNTS

STUDIO - 6 UNITS
1 BED - 15 UNITS
2 BED - 9 UNITS
ACCESSIBLE UNITS: 2

PARKING REQUIREMENTS MICRO STUDIO - ONE SPACE/UNIT
STUDIO/1 BED - ONE & ONE-HALF SPACES/UNIT
TWO OR MORE BED - TWO SPACES/UNIT

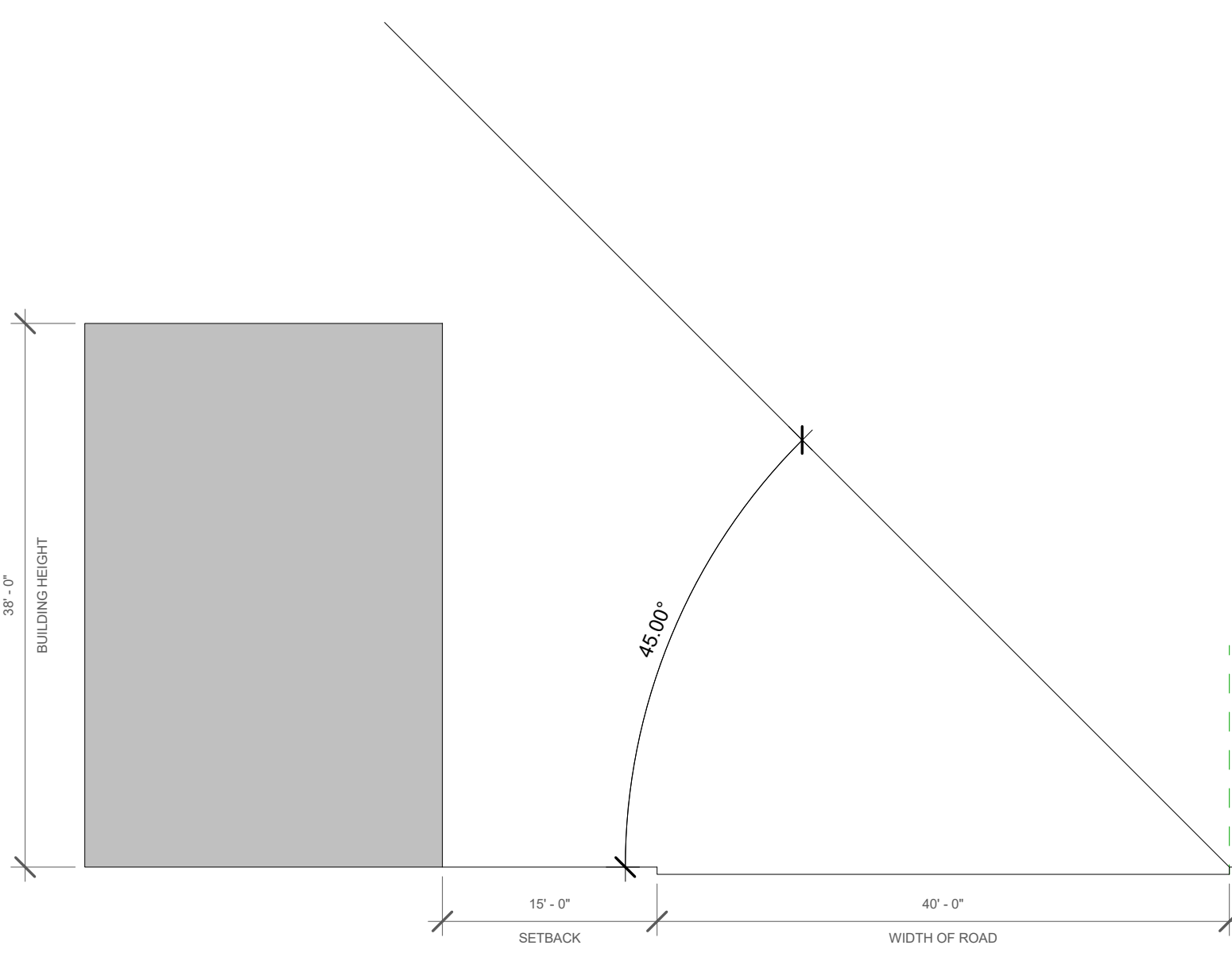
SPACES REQUIRED: 50 SPACES

BICYCLE PARKING REDUCTION 10% REDUCTION
10 BIKE SPACES
- 5 VEHICLE SPACES

PARKING PROVIDED 46 VEHICLE SPACES

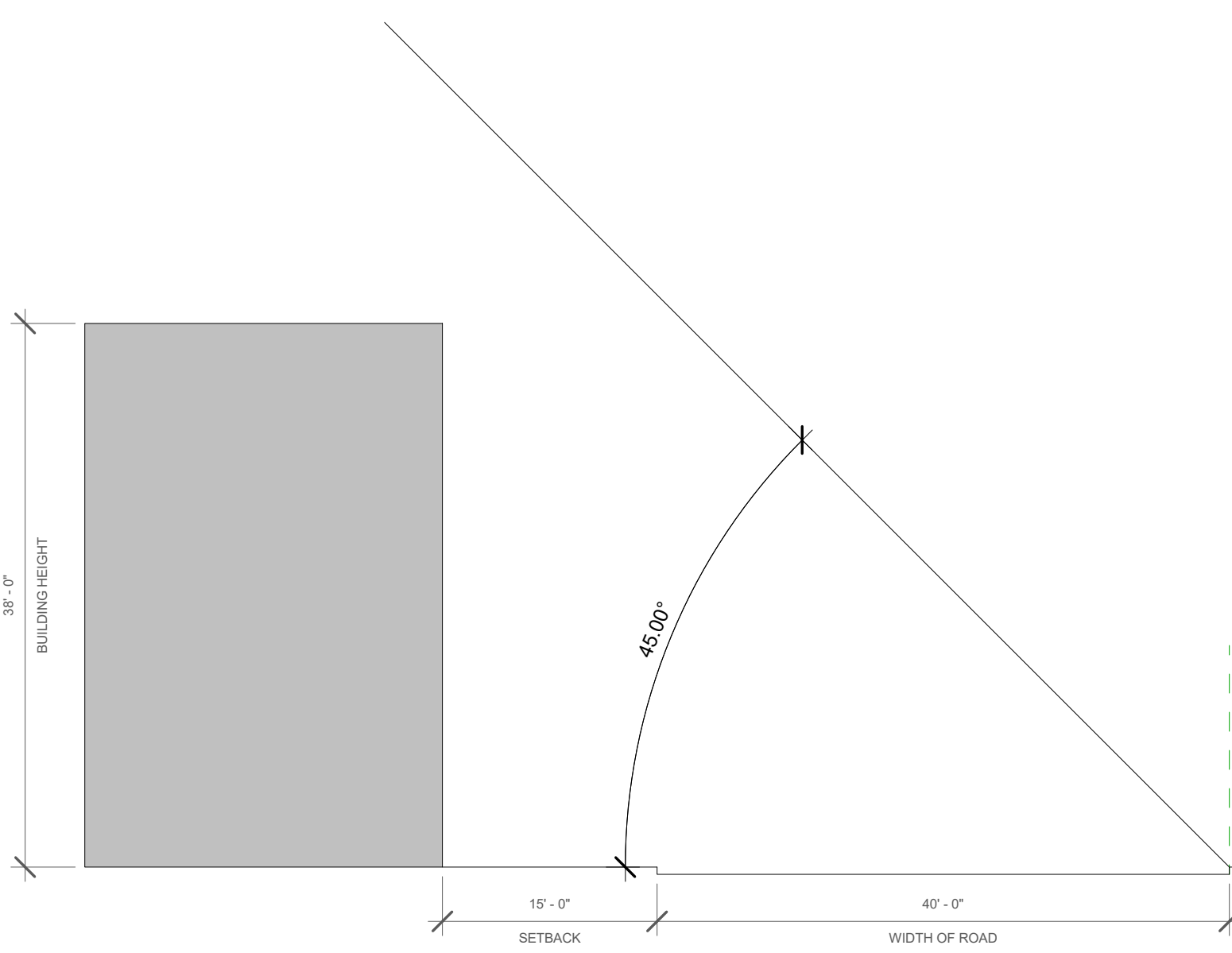
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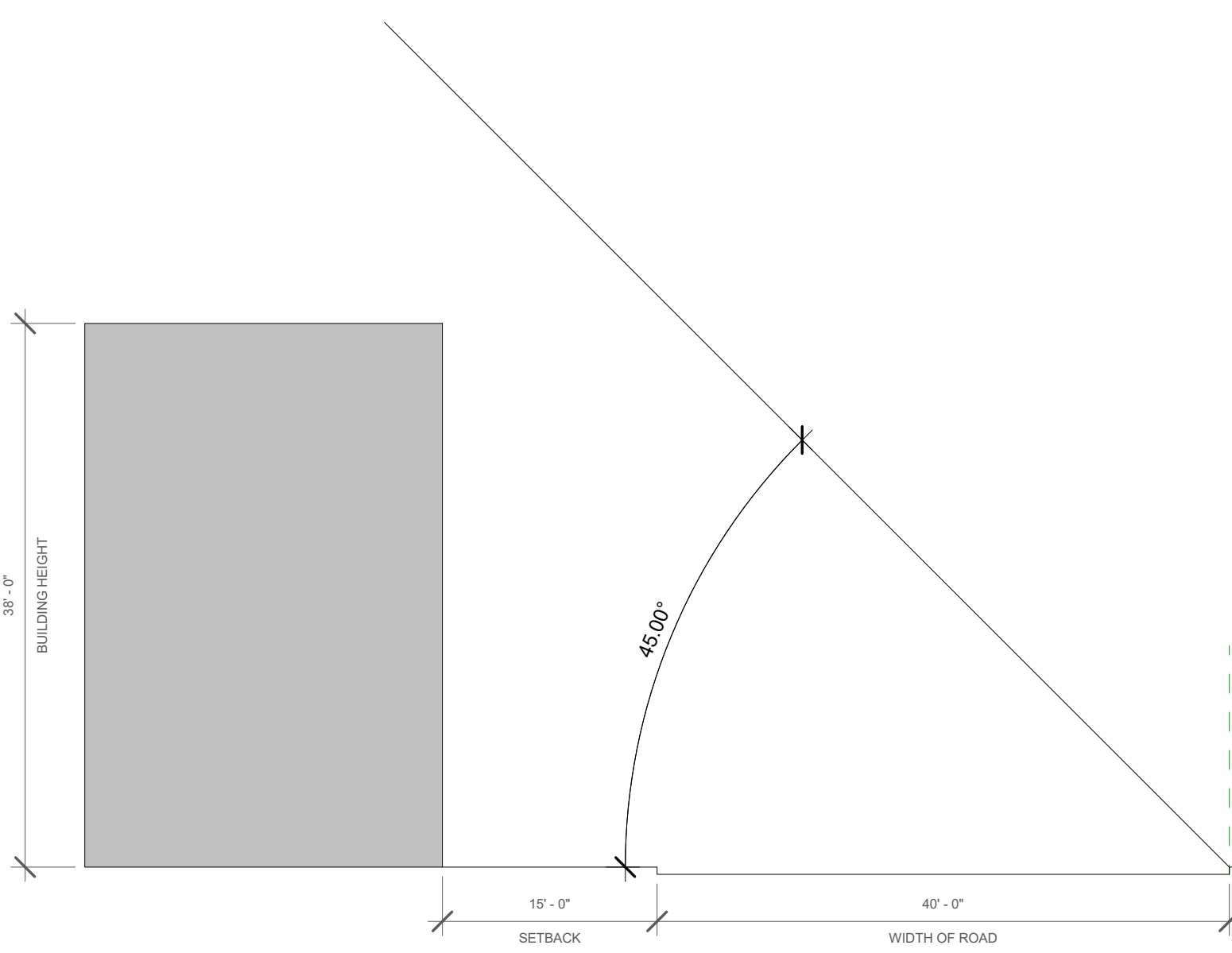
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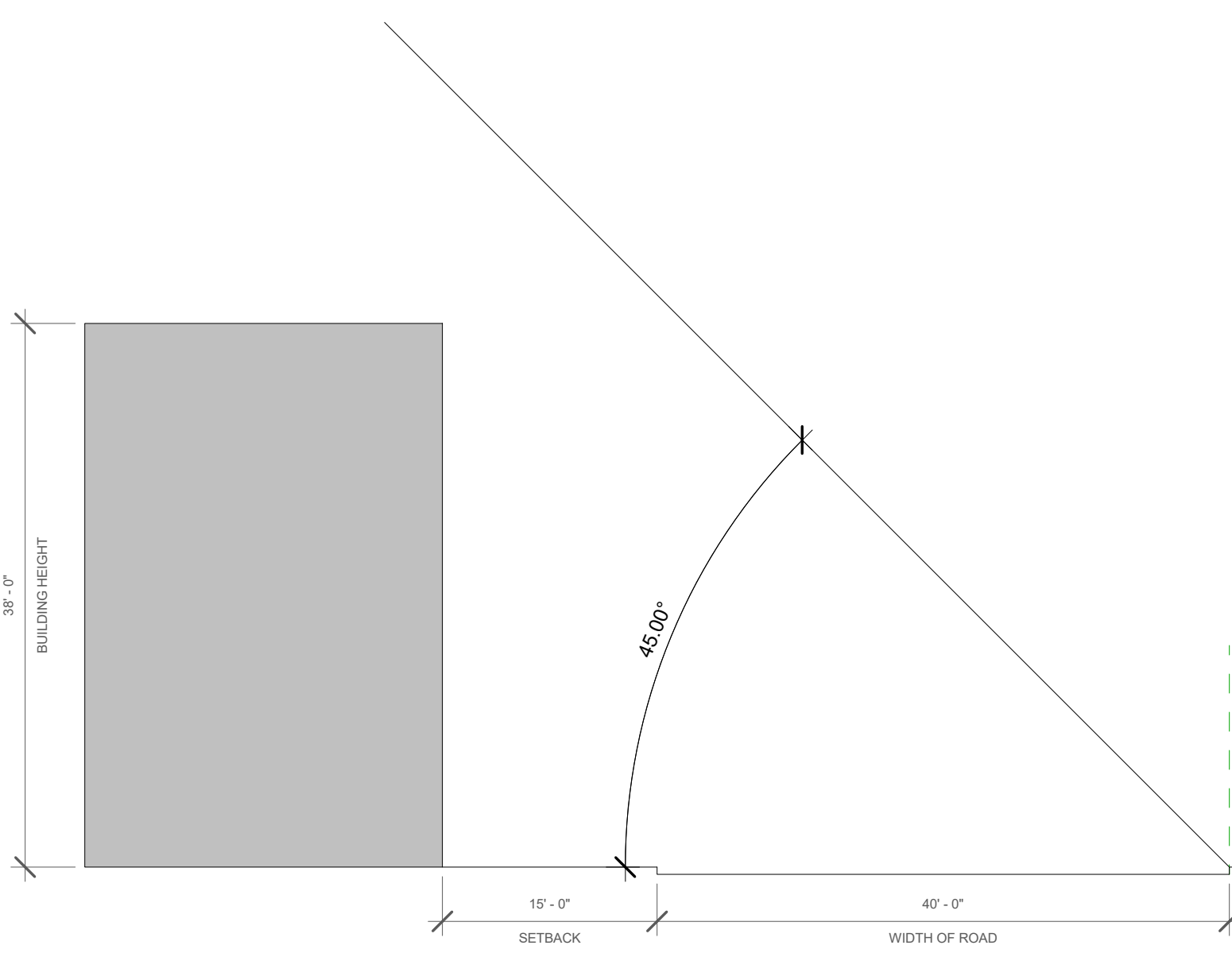
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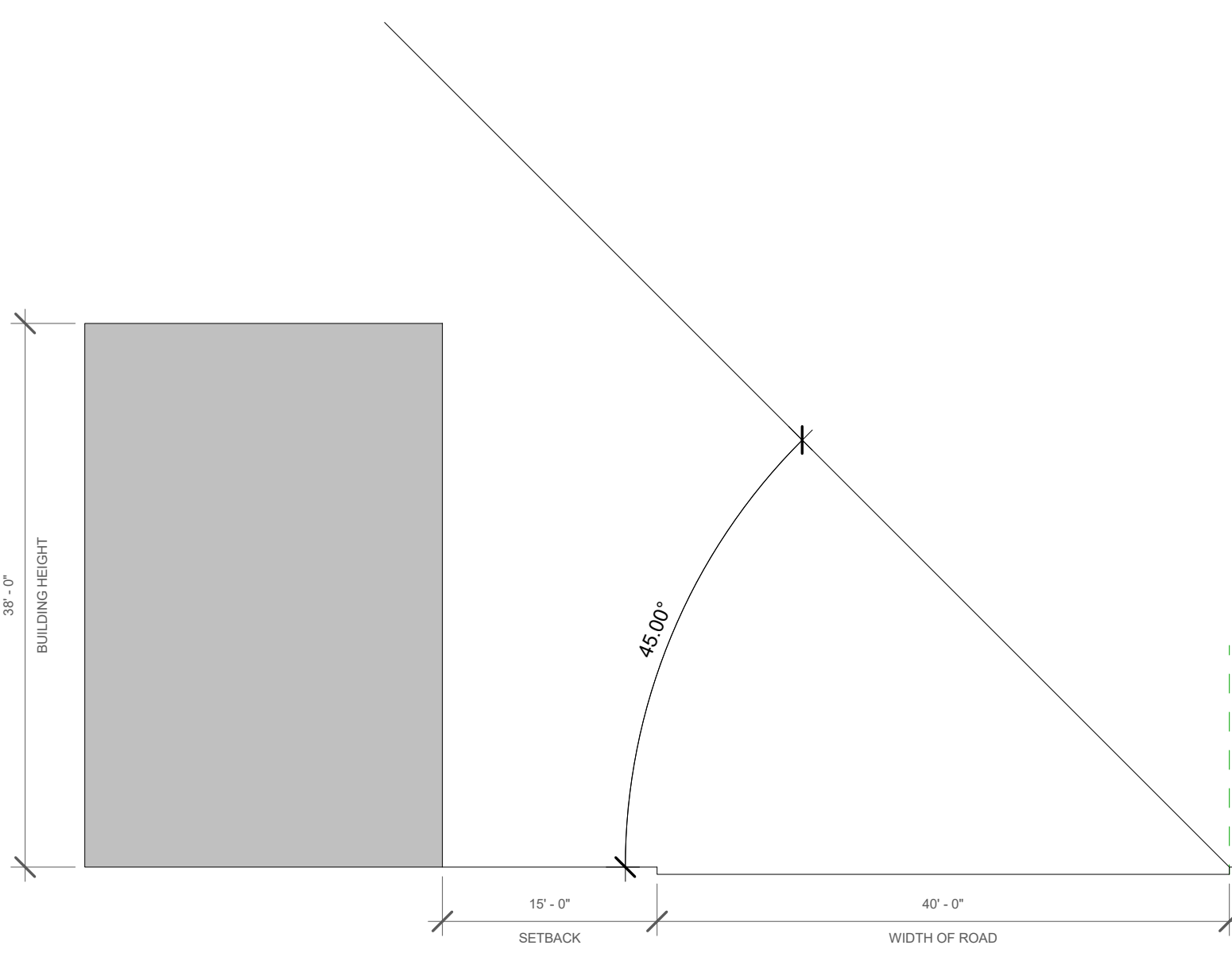
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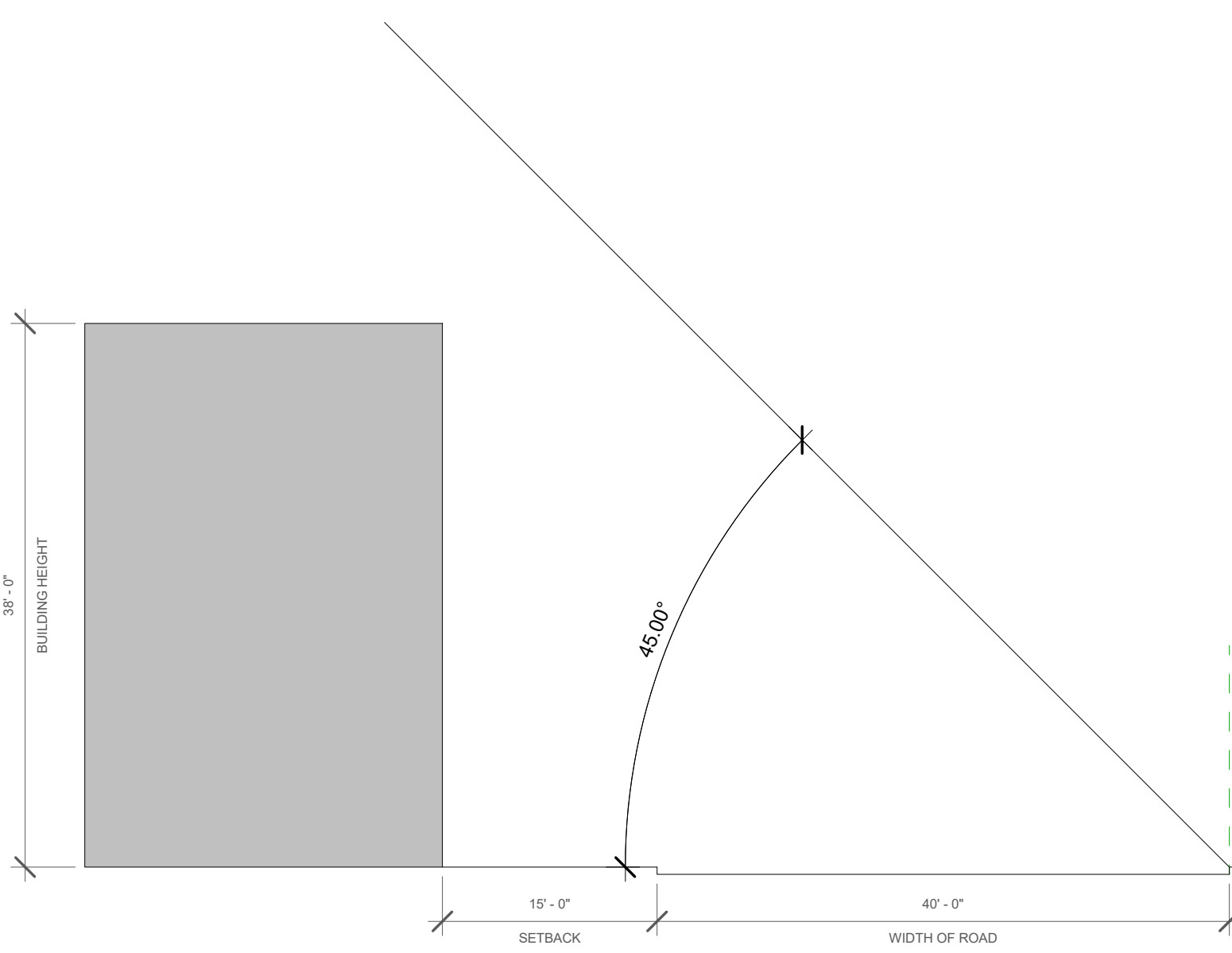
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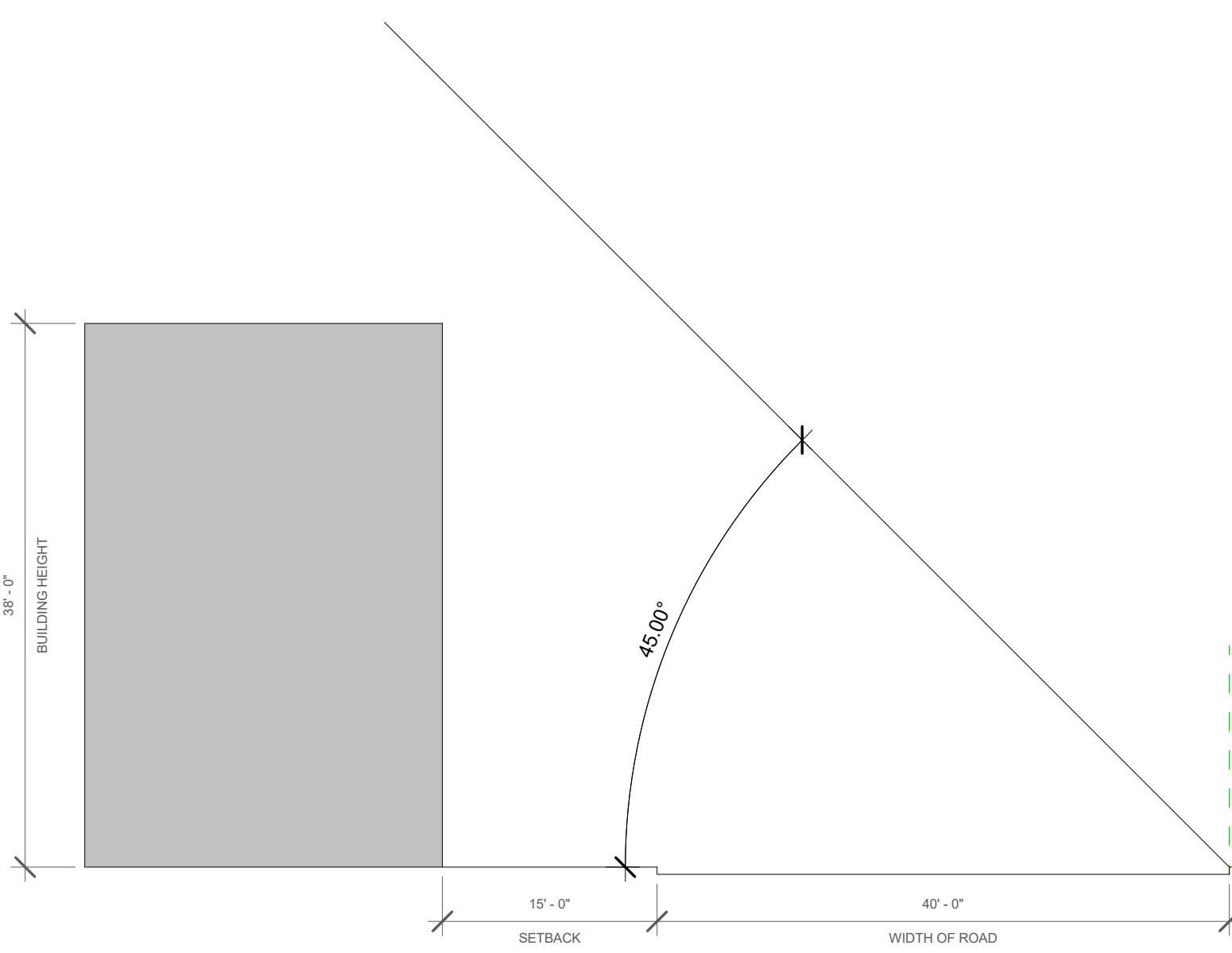
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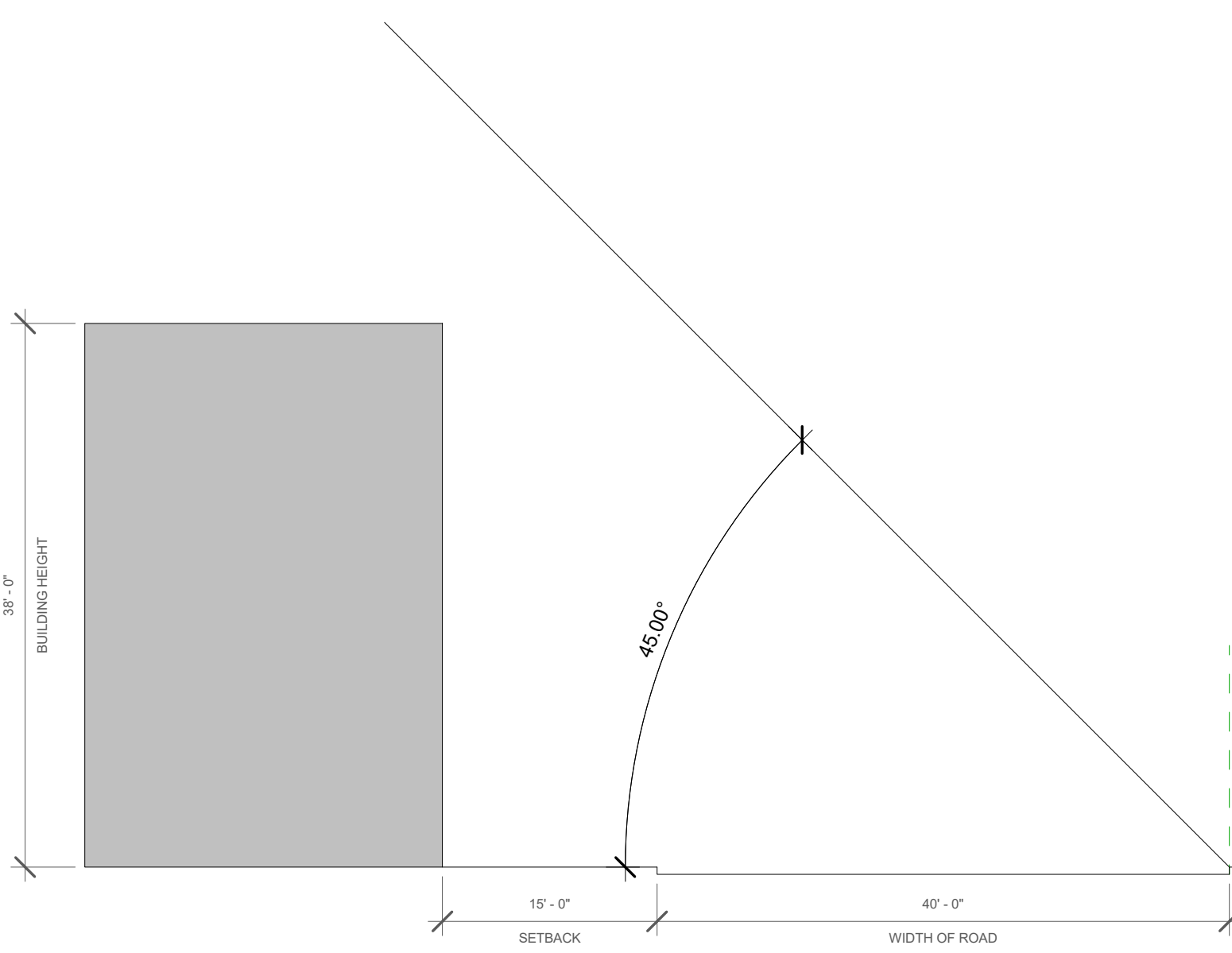
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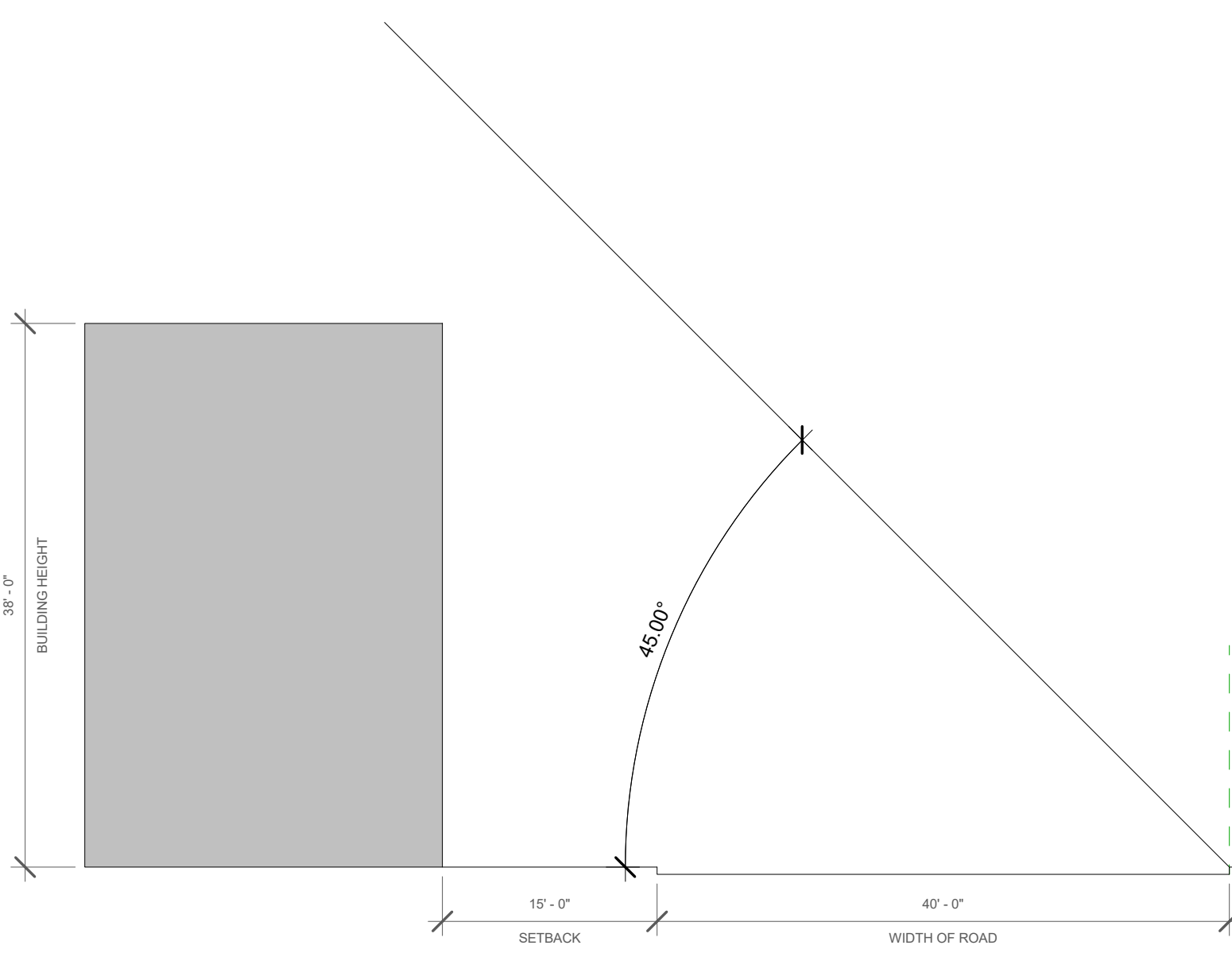
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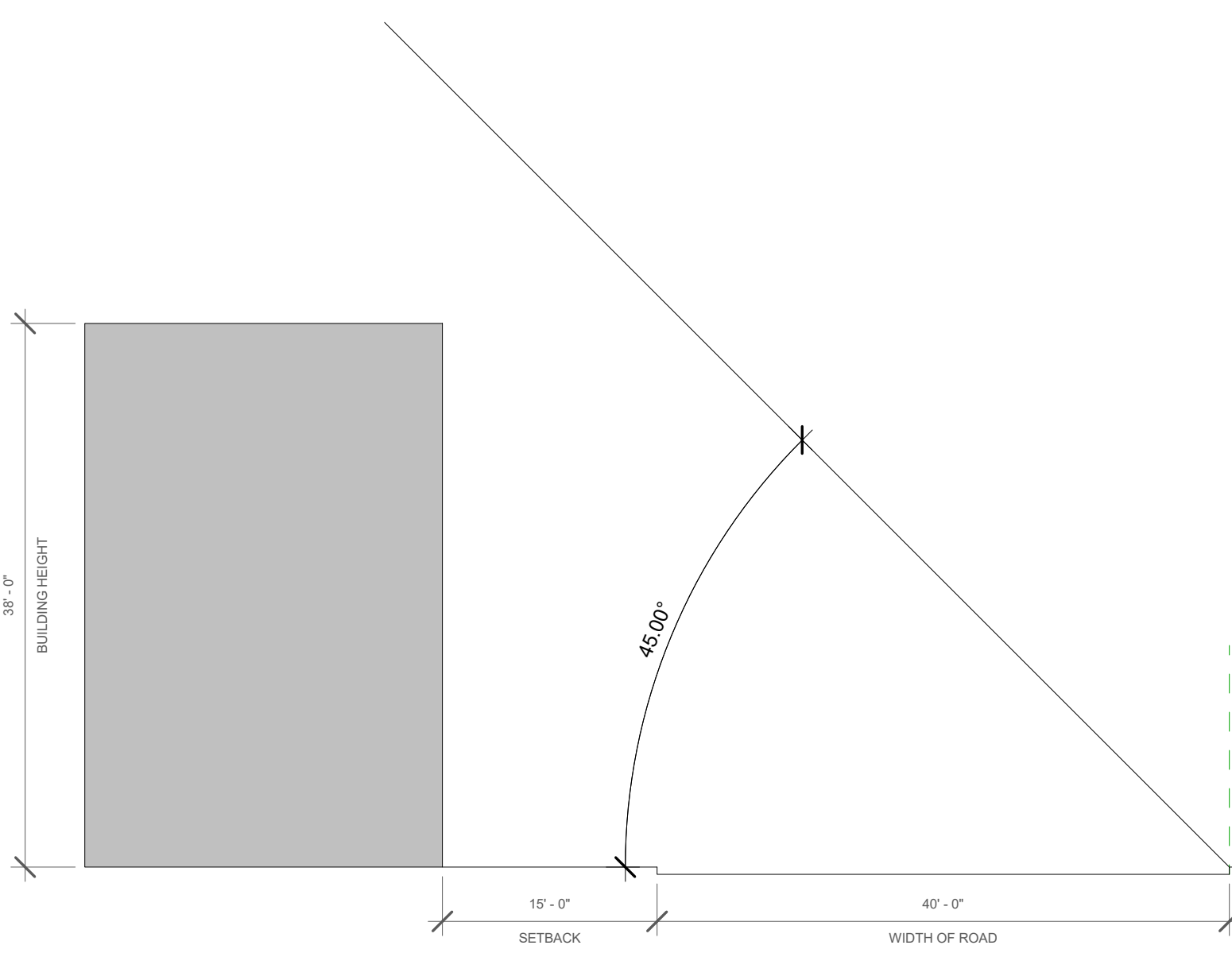
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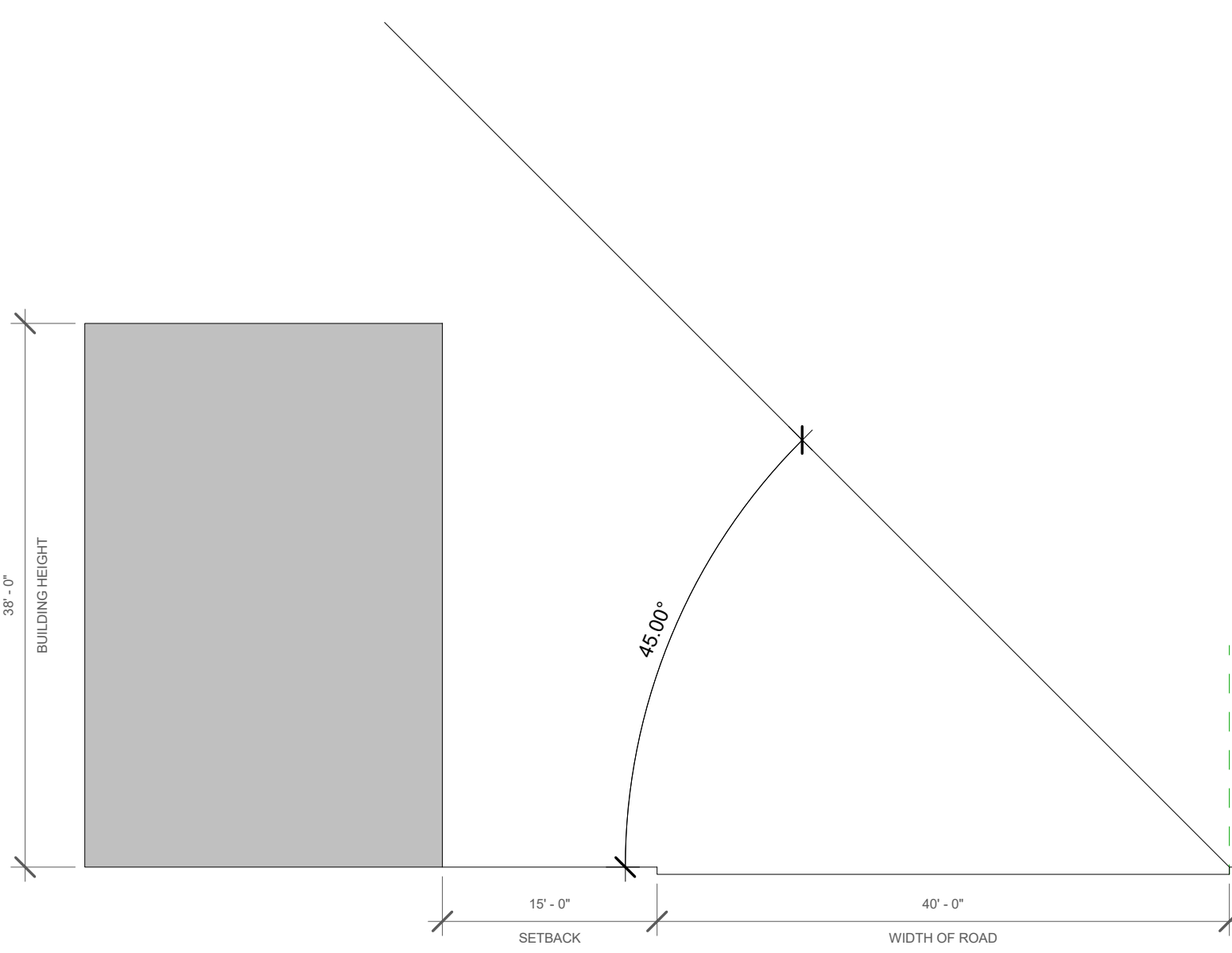
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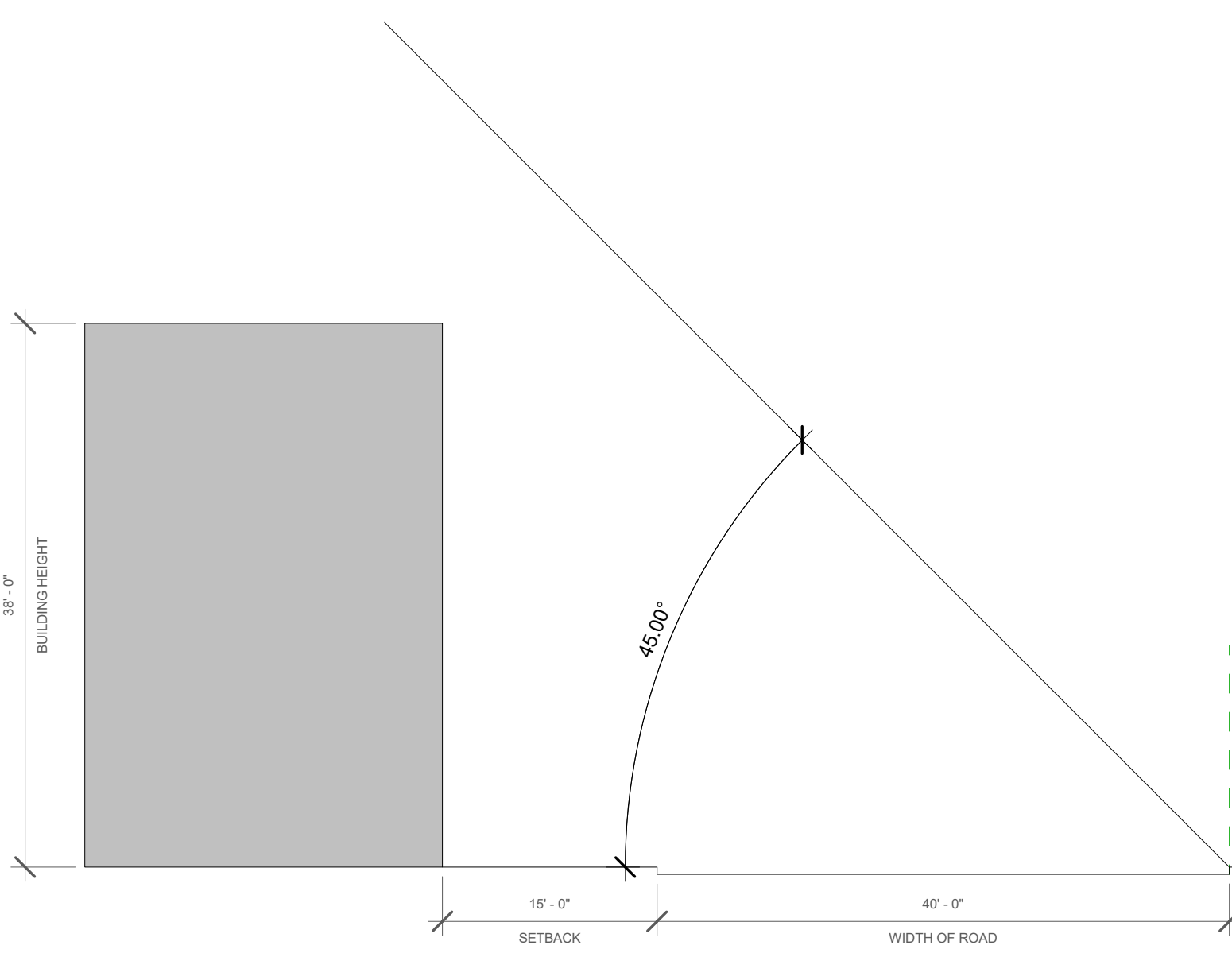
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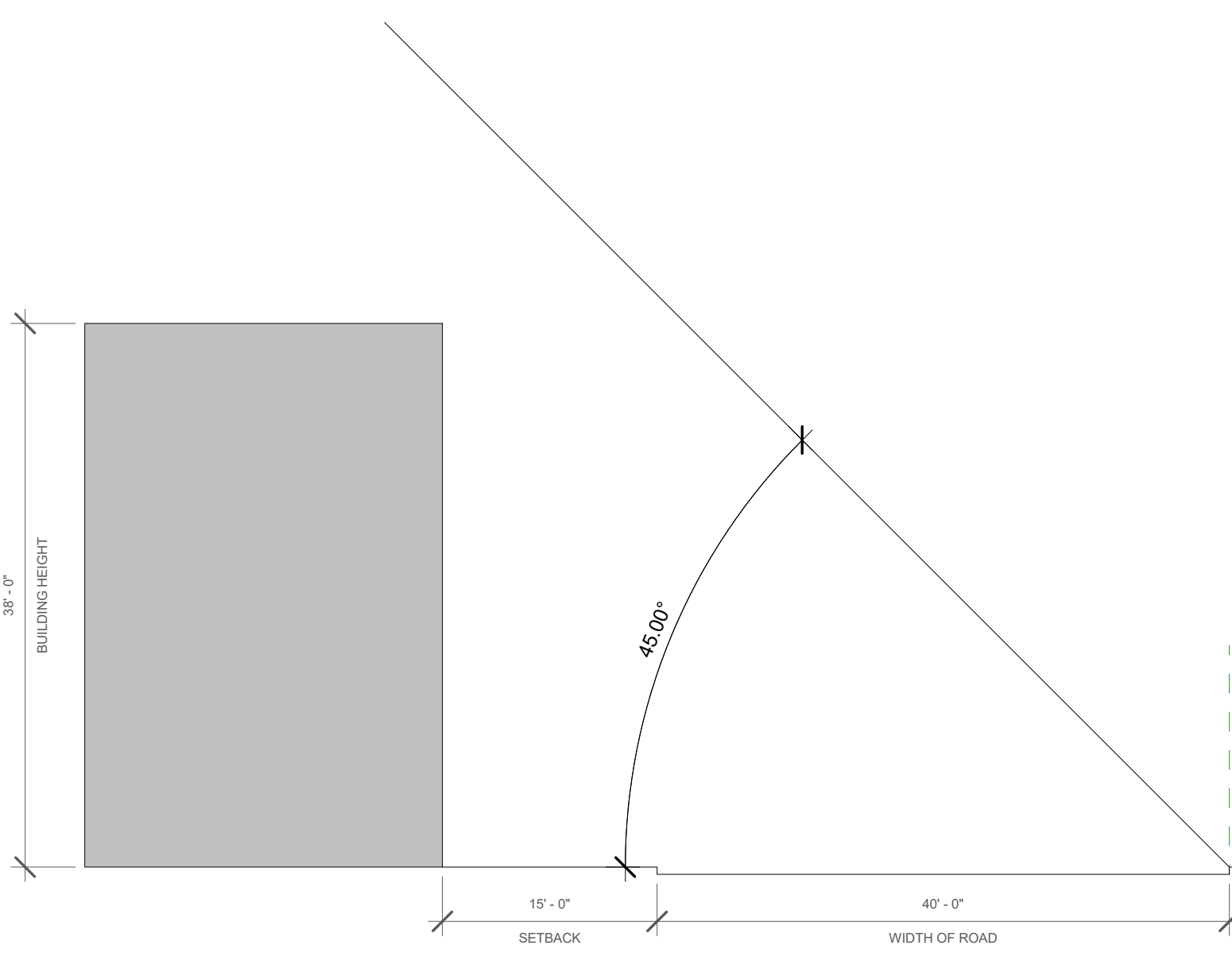
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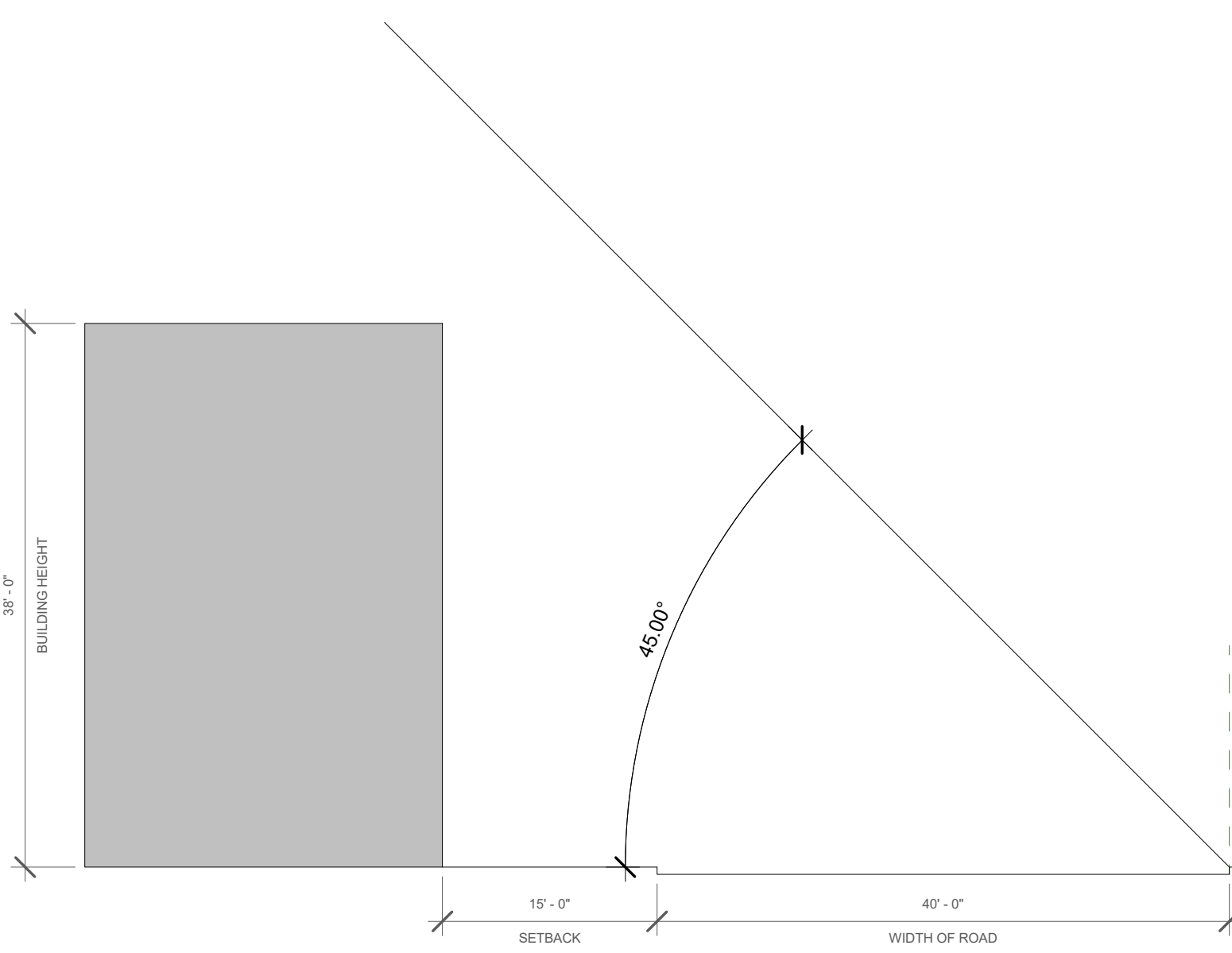
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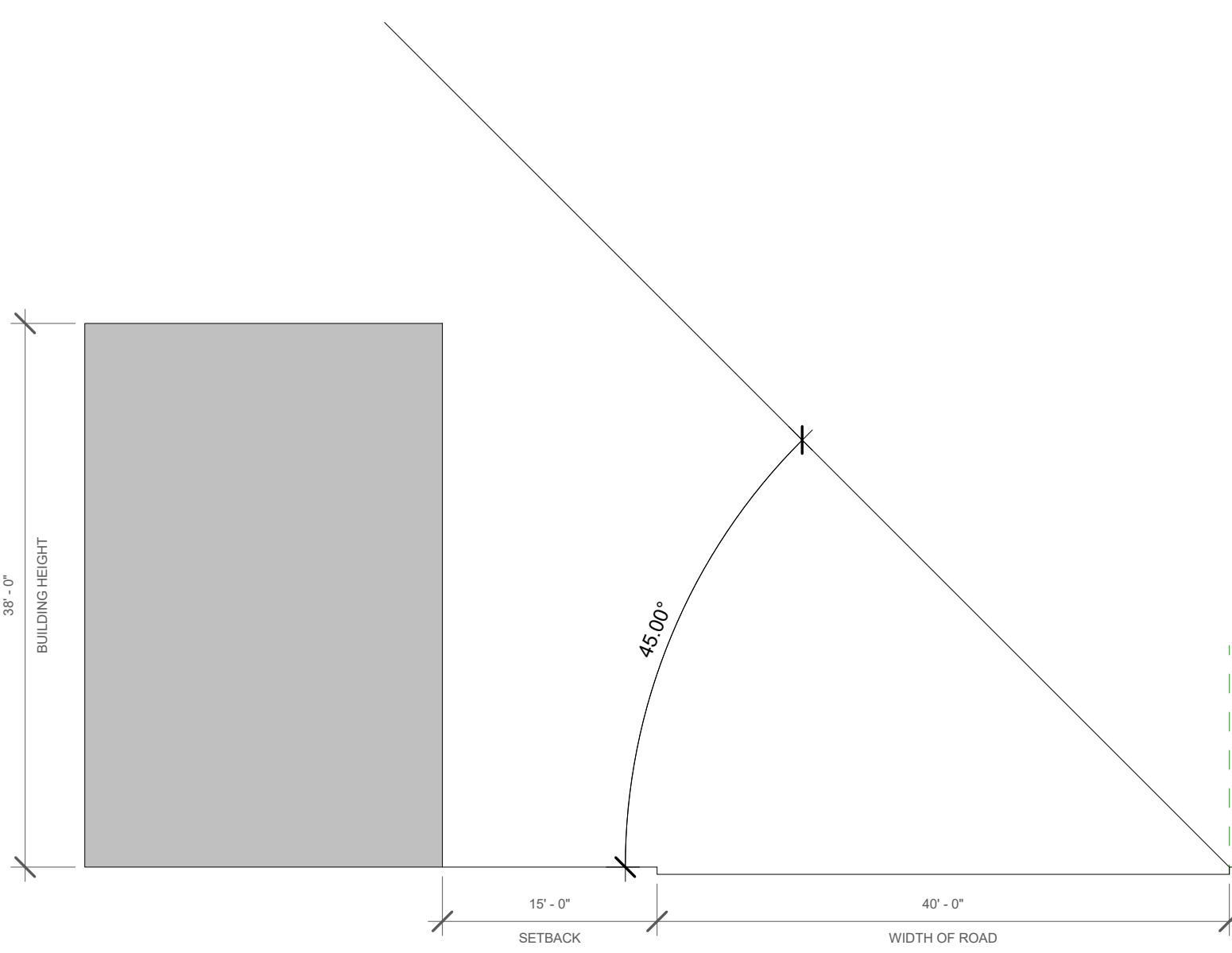
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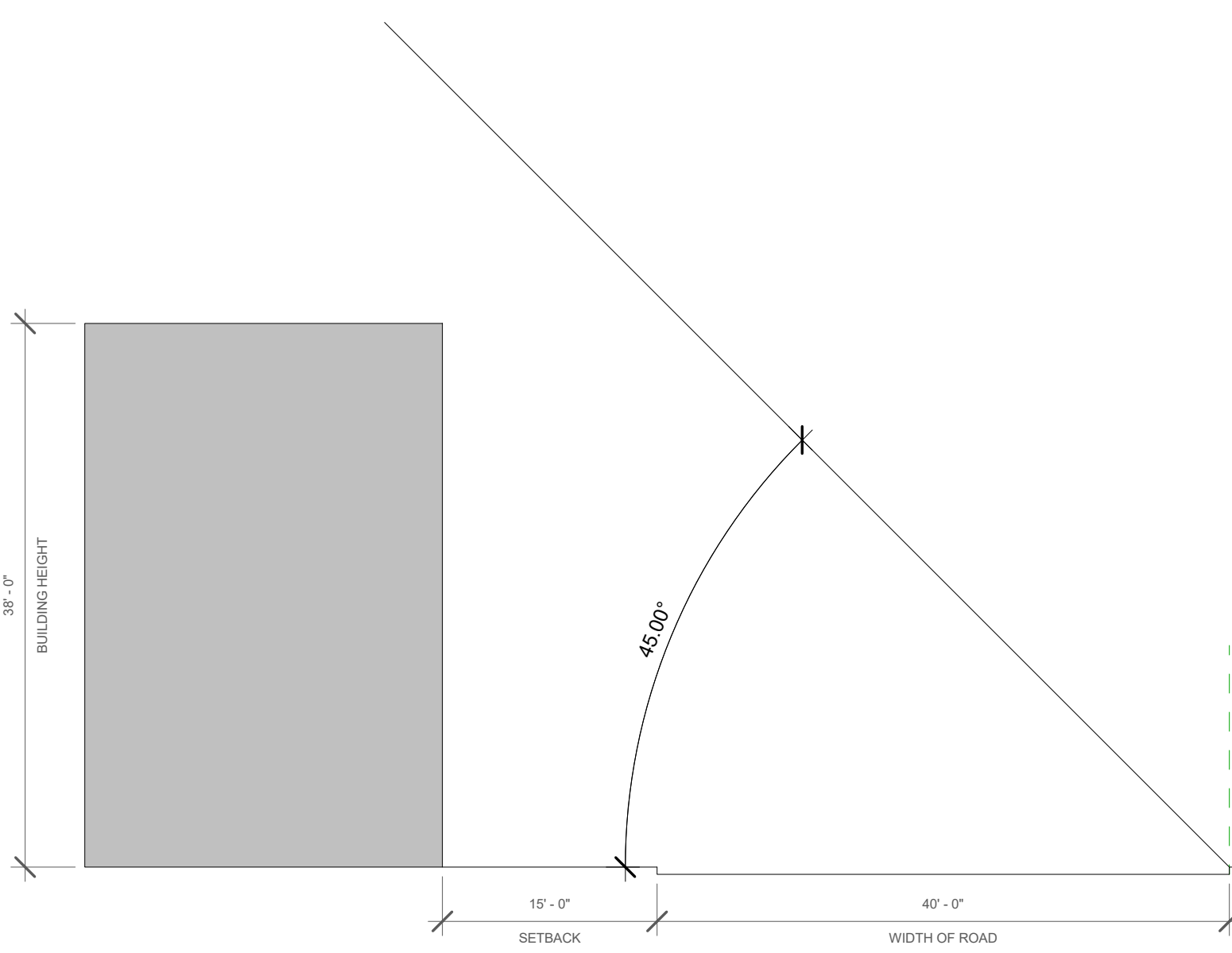
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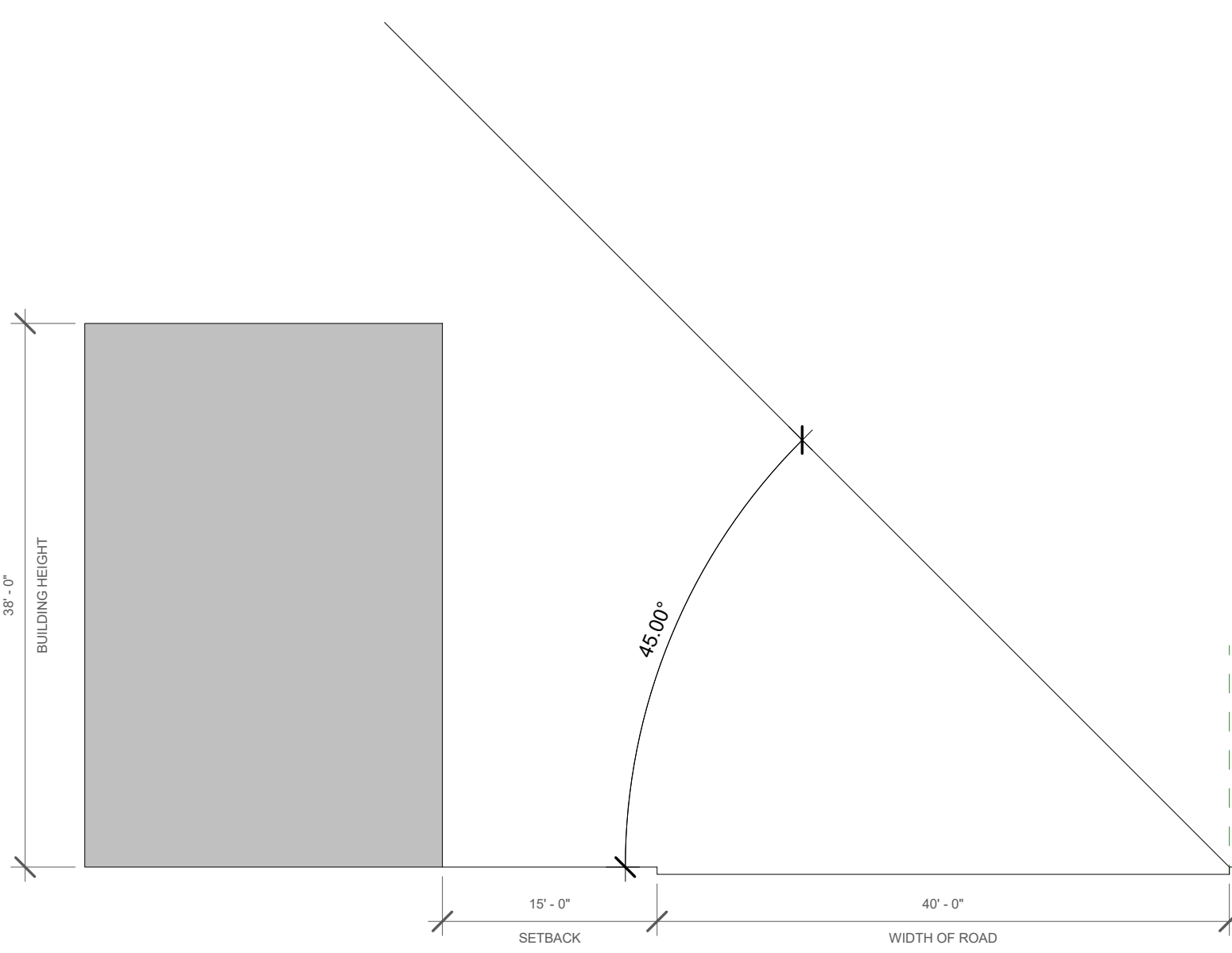
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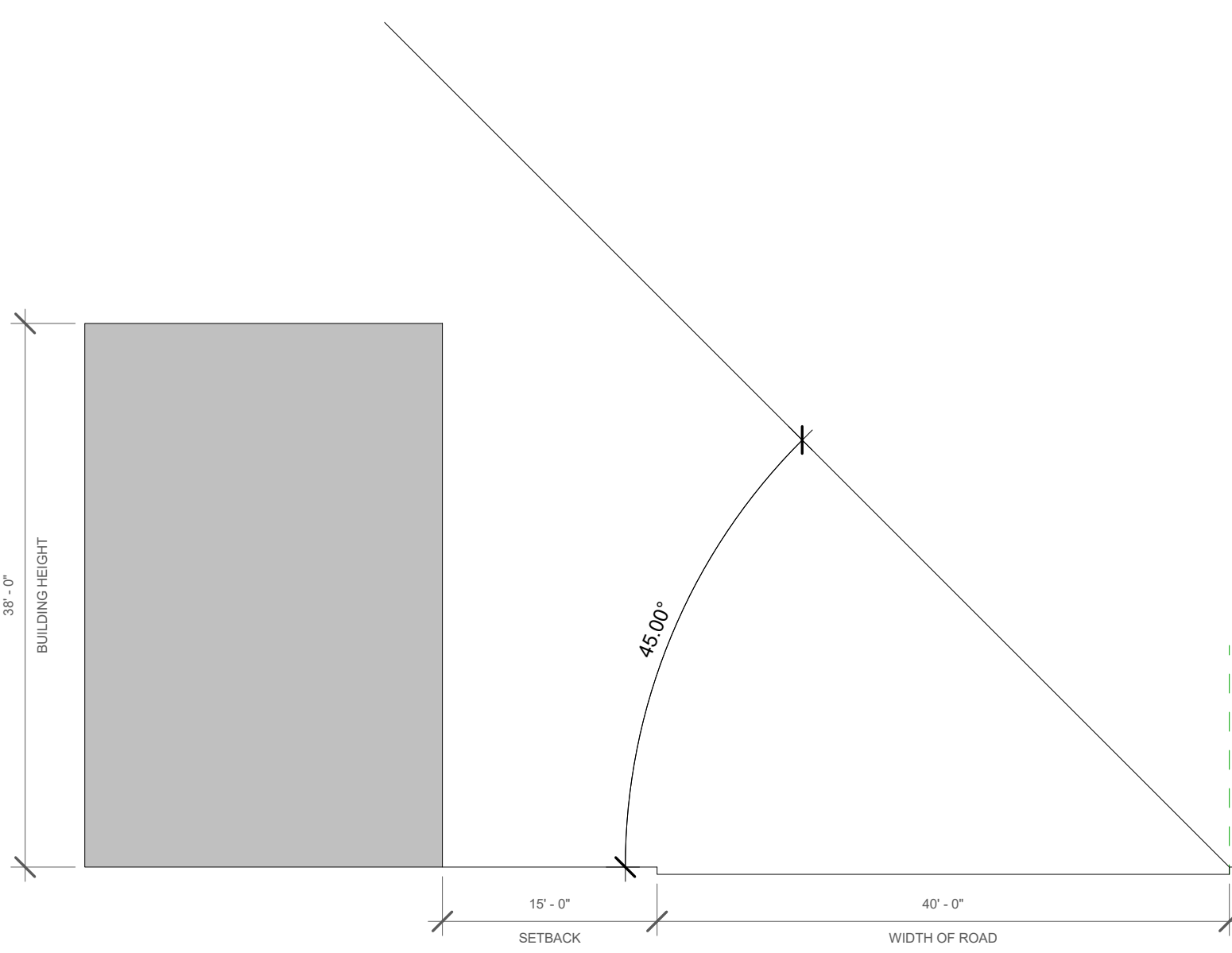
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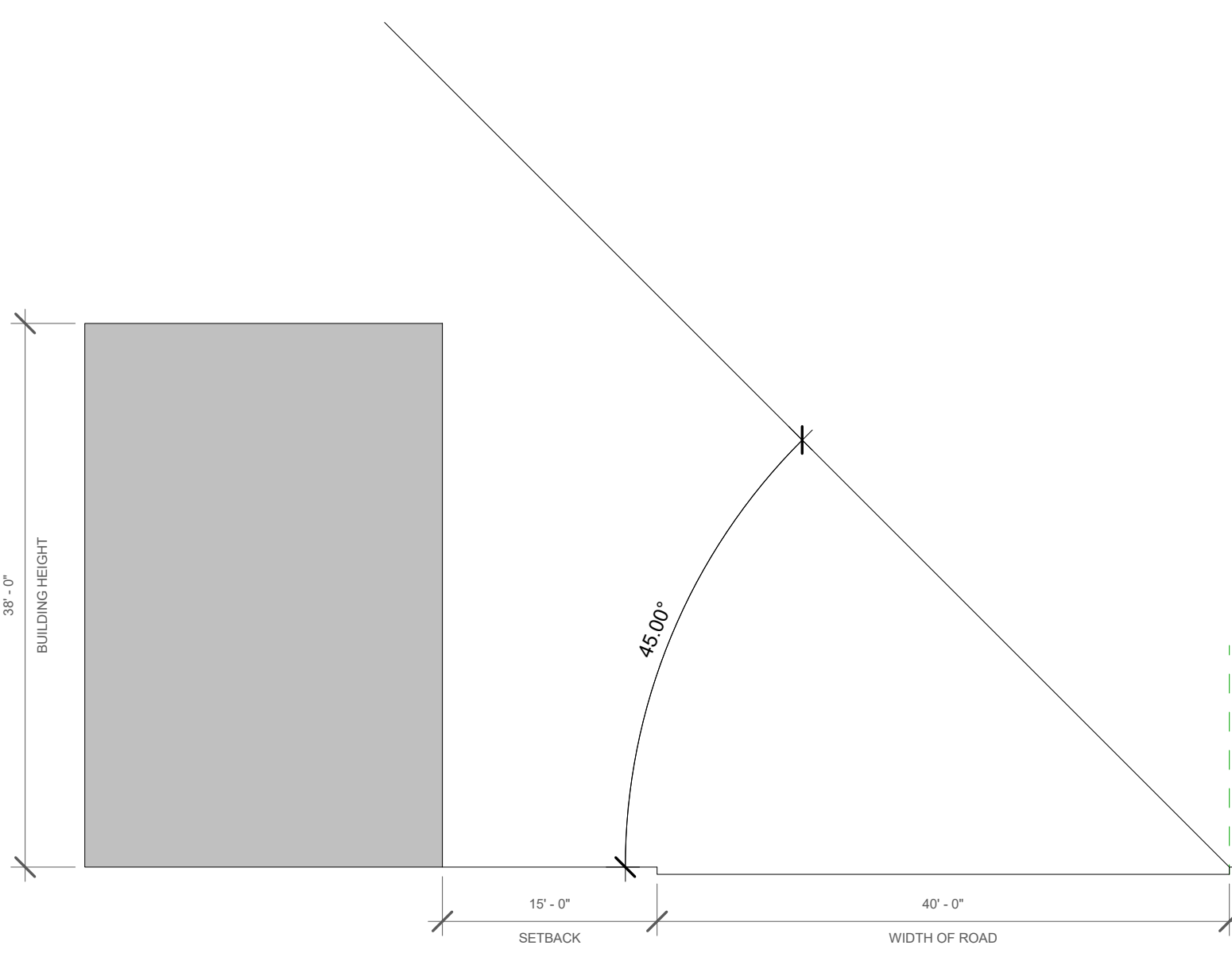
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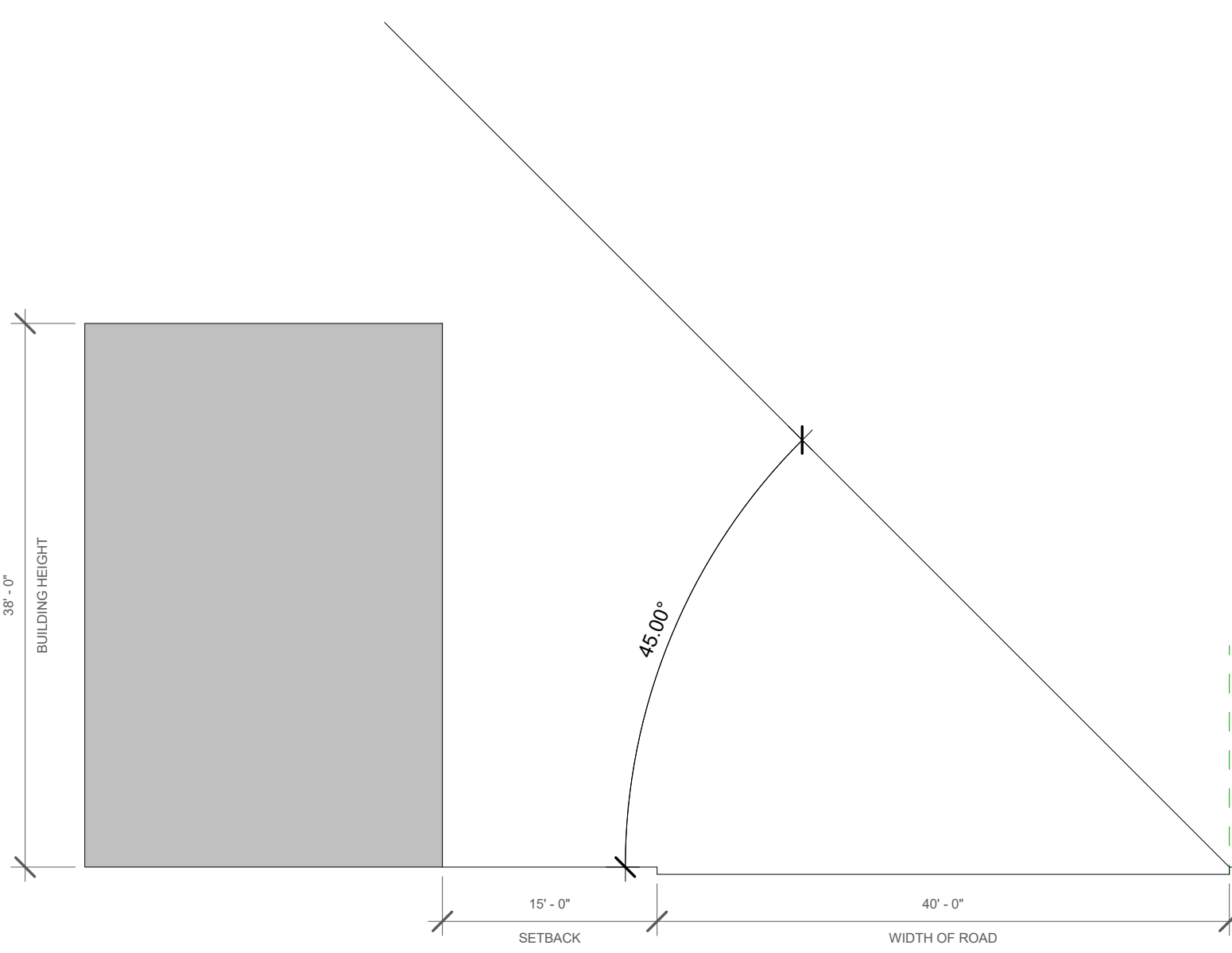
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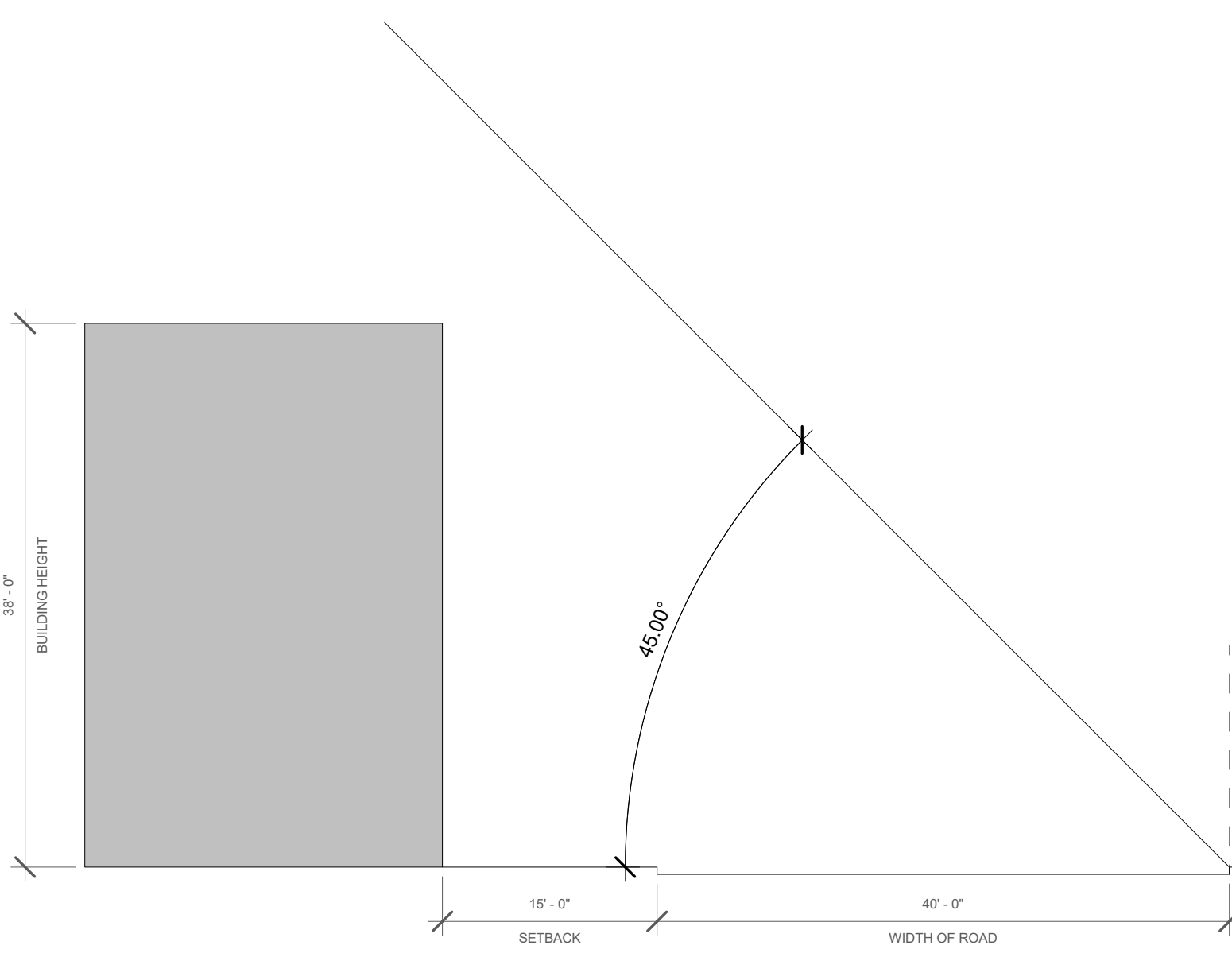
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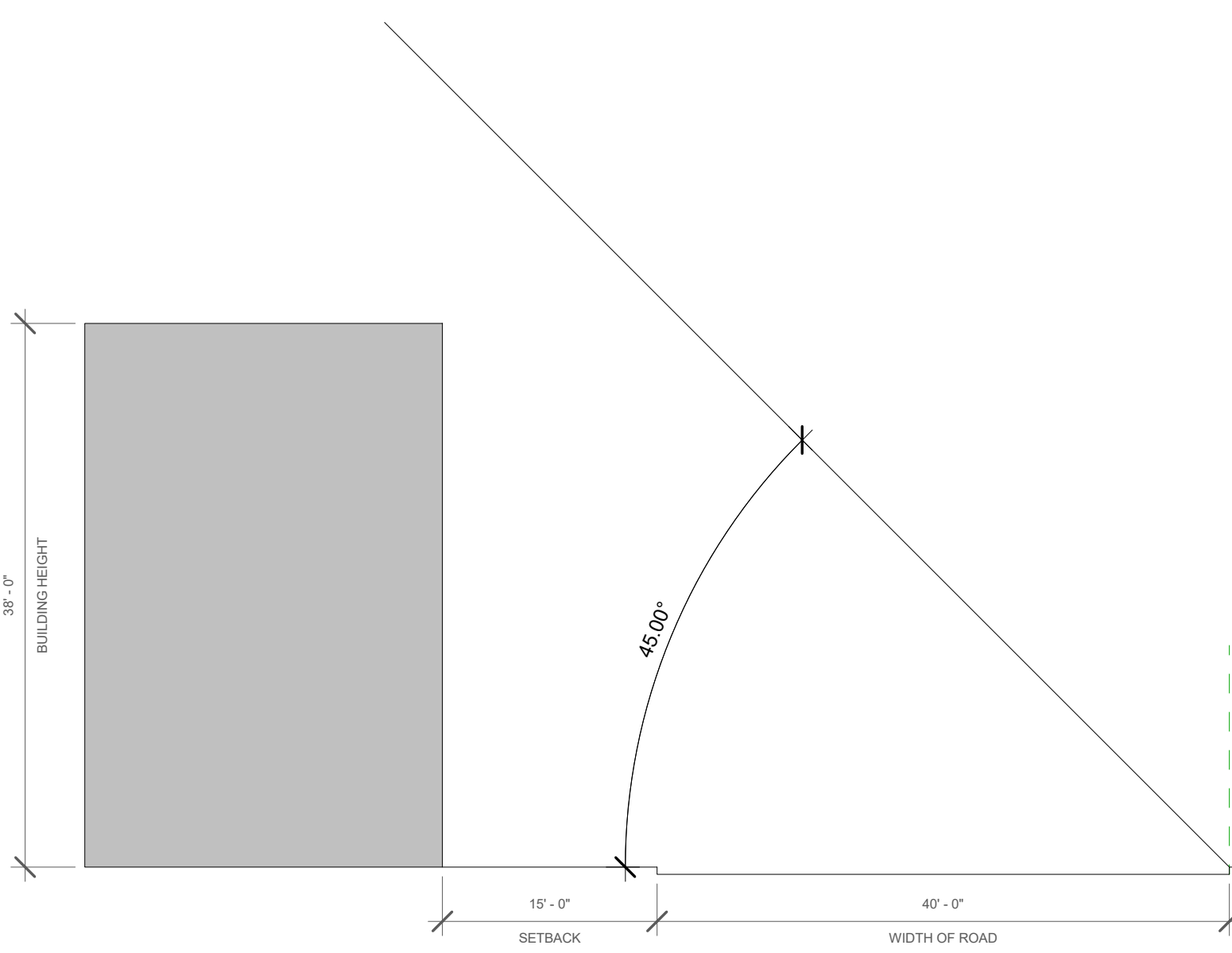
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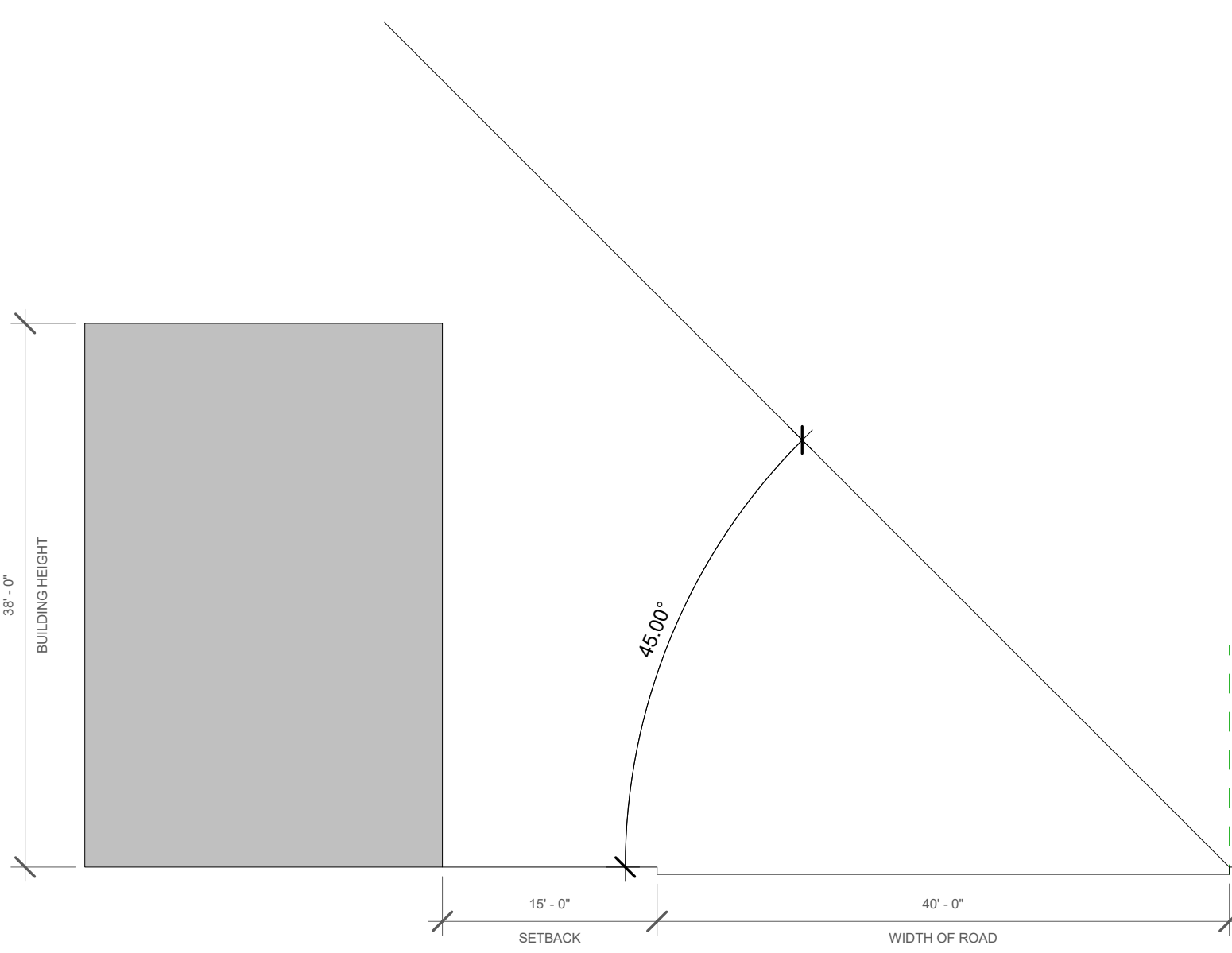
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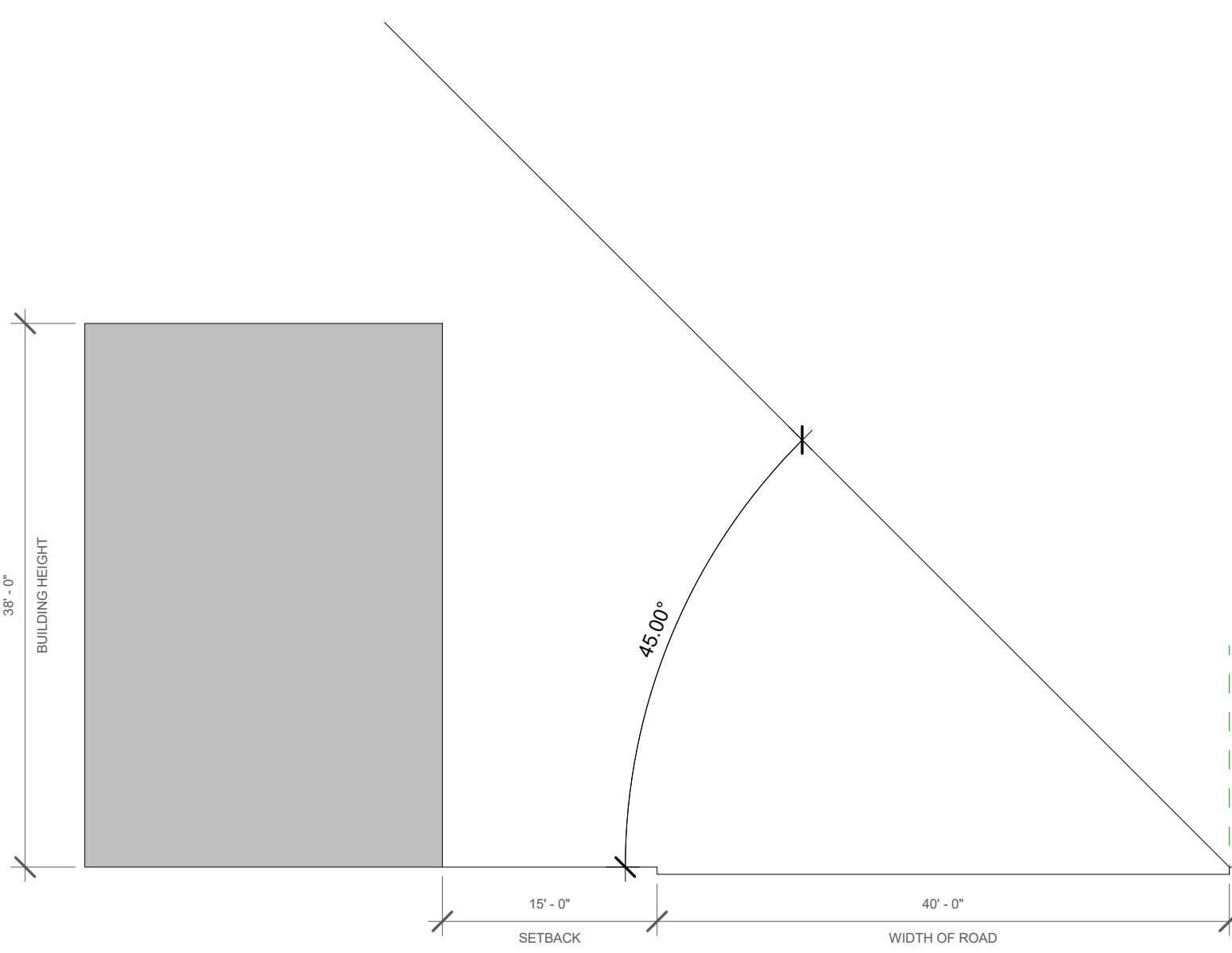
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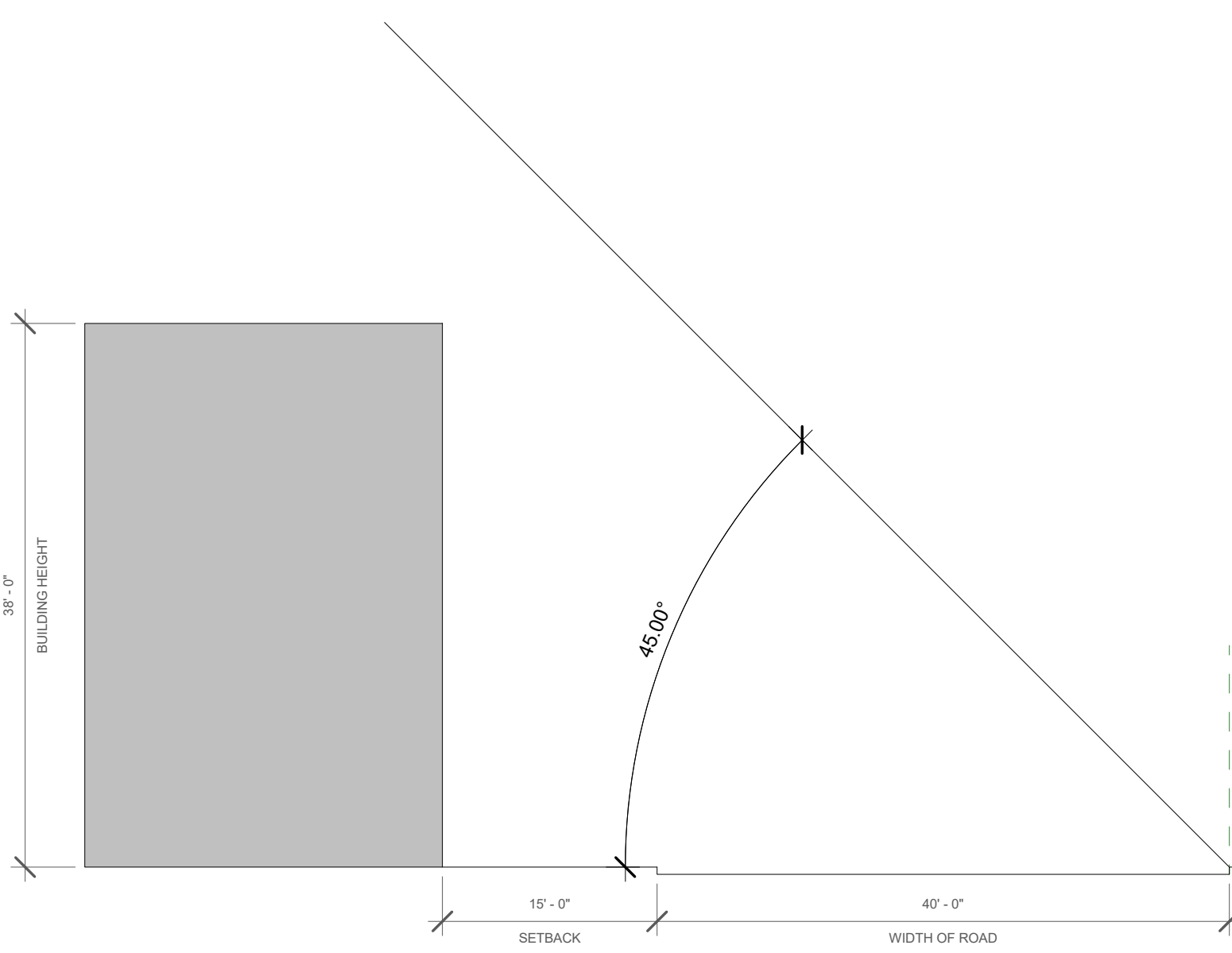
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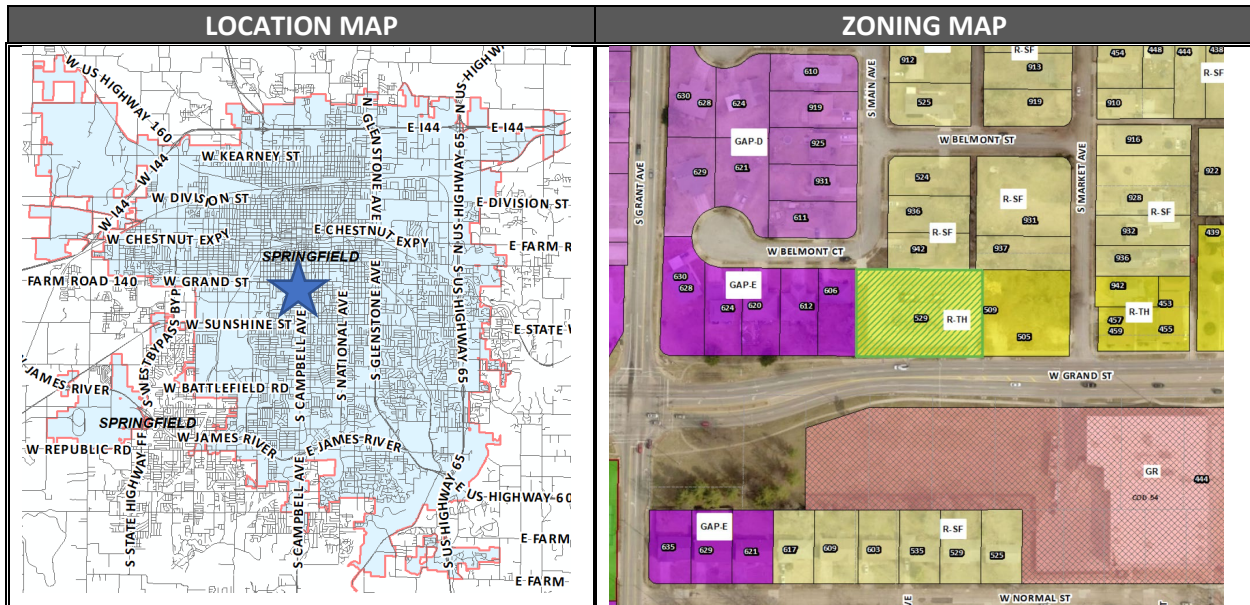
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-24-2023
Location:	529 W. Grand Street
Total Acres:	0.66 acre
Applicant:	City Utilities of Springfield
Existing Land Use:	Utility substation
Neighborhood Meeting:	July 20, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-24-2023. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

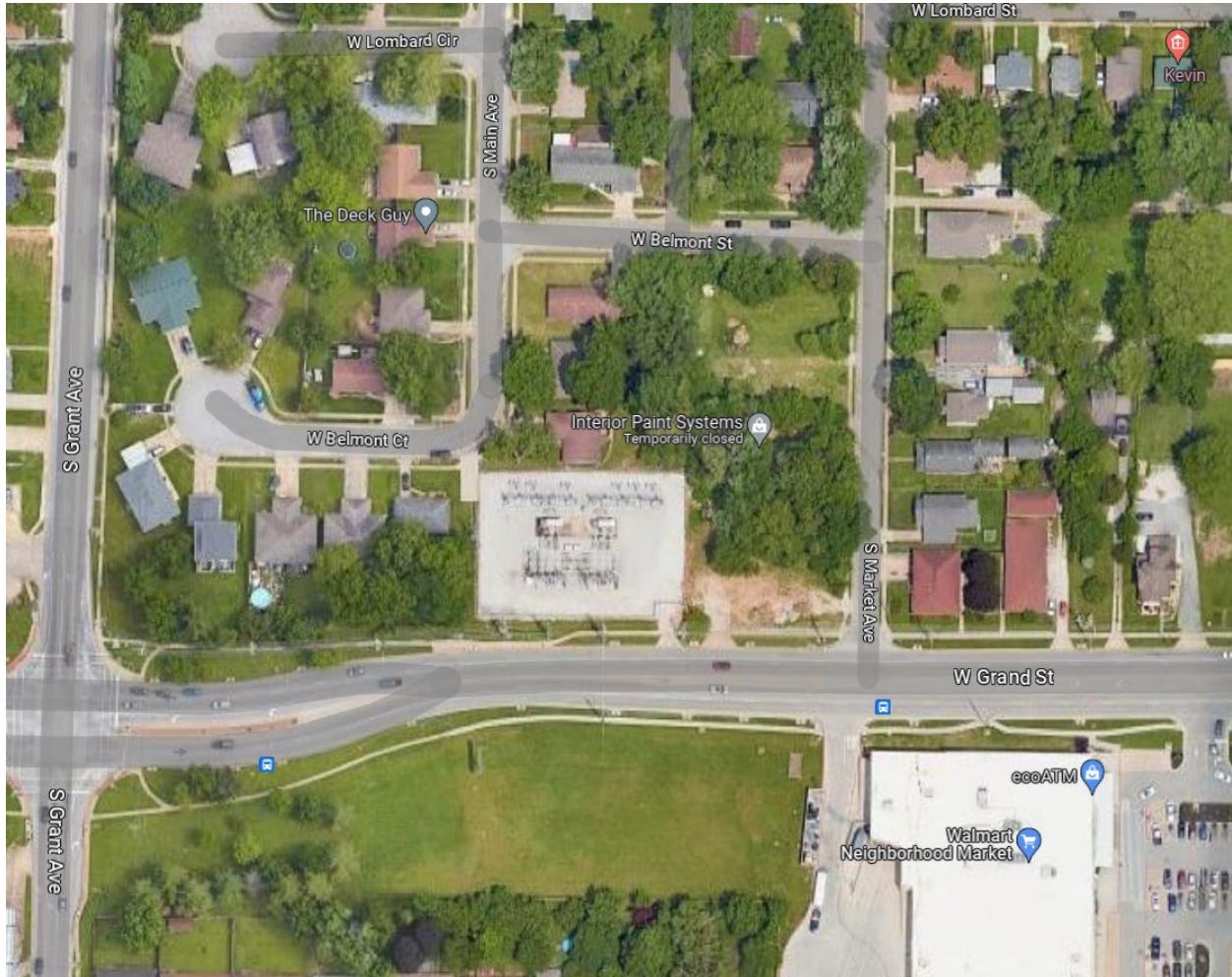
PROJECT SUMMARY:

Request to rezone approximately 0.66 acre of property generally located at 529 West Grand Street from R-TH, Residential Townhouse district to GI, Government and institutional use district.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned to R-TH, Residential Townhouse district in the city-wide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GI
Use Limitations	(a)No landfill activities shall occur within 1,000 feet of a residential district. (b)All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c)No use shall emit an odor than creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (d)Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum 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 20 percent
Buffering and Landscaping	If redeveloped, a landscape plan meeting the requirements of sections 36-482, landscaping and bufferyards, and 36-483.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

DEVELOPMENT REVIEW STAFF REPORT

PLACETYPE:

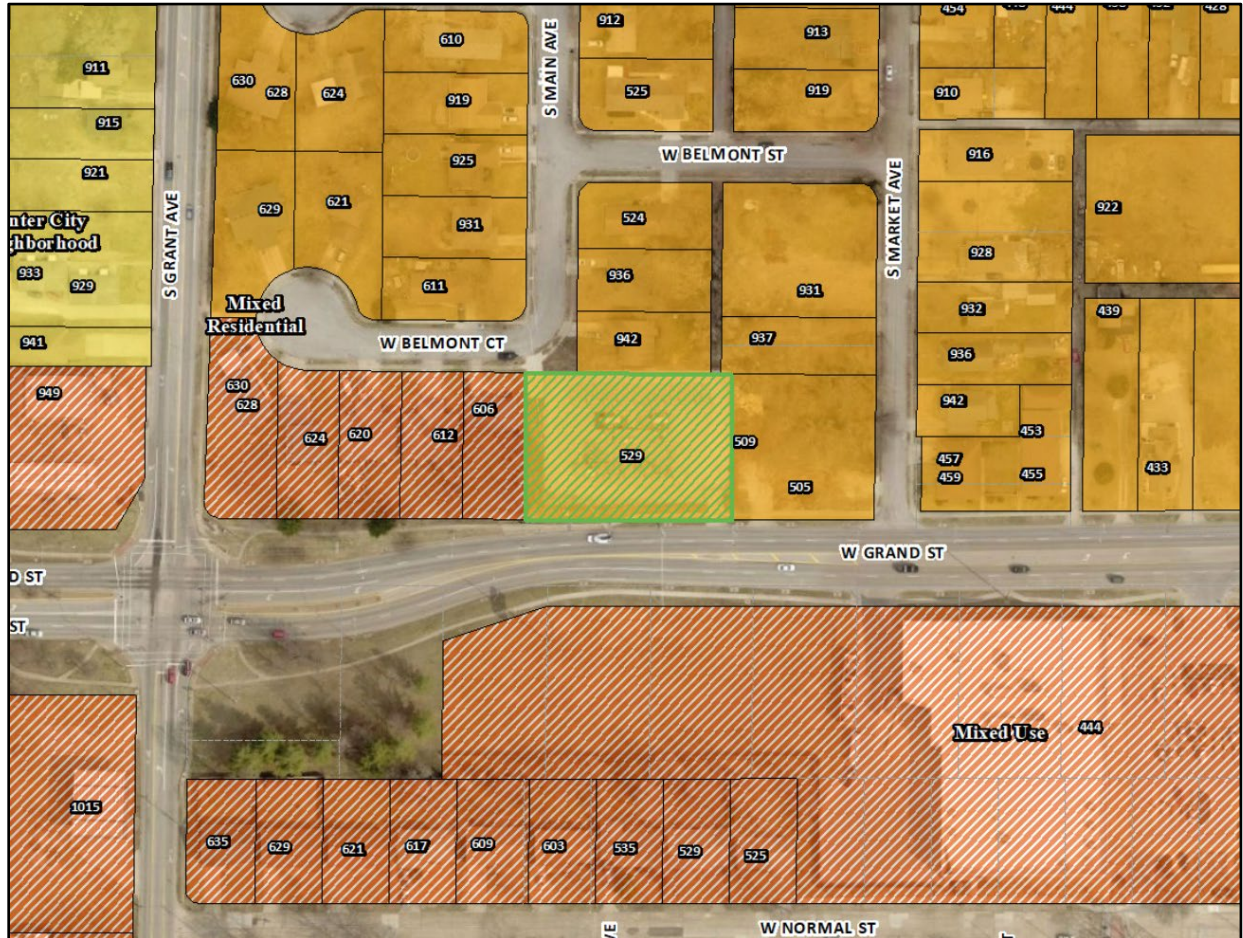
The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Residential placetype. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship. Housing for university and college students, young professionals looking for housing close to work, and seniors desiring to downsize are prioritized within this placetype.

Mixed Residential placetypes near the Downtown and city corridors help generate activity and increase access to local shoppers, while providing high-quality, affordable housing options. Mixed Residential developments are prioritized and supported in locations adjacent to major employment centers, activity centers, healthcare facilities, higher education facilities, schools, major parks, greenways, recreational facilities, and existing city corridors in need of an expanded customer-base and reinvestment.

The Mixed Residential placetype identifies, government, healthcare, and institutional facilities as supporting land uses within this category.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Health Care & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown	●	●	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○

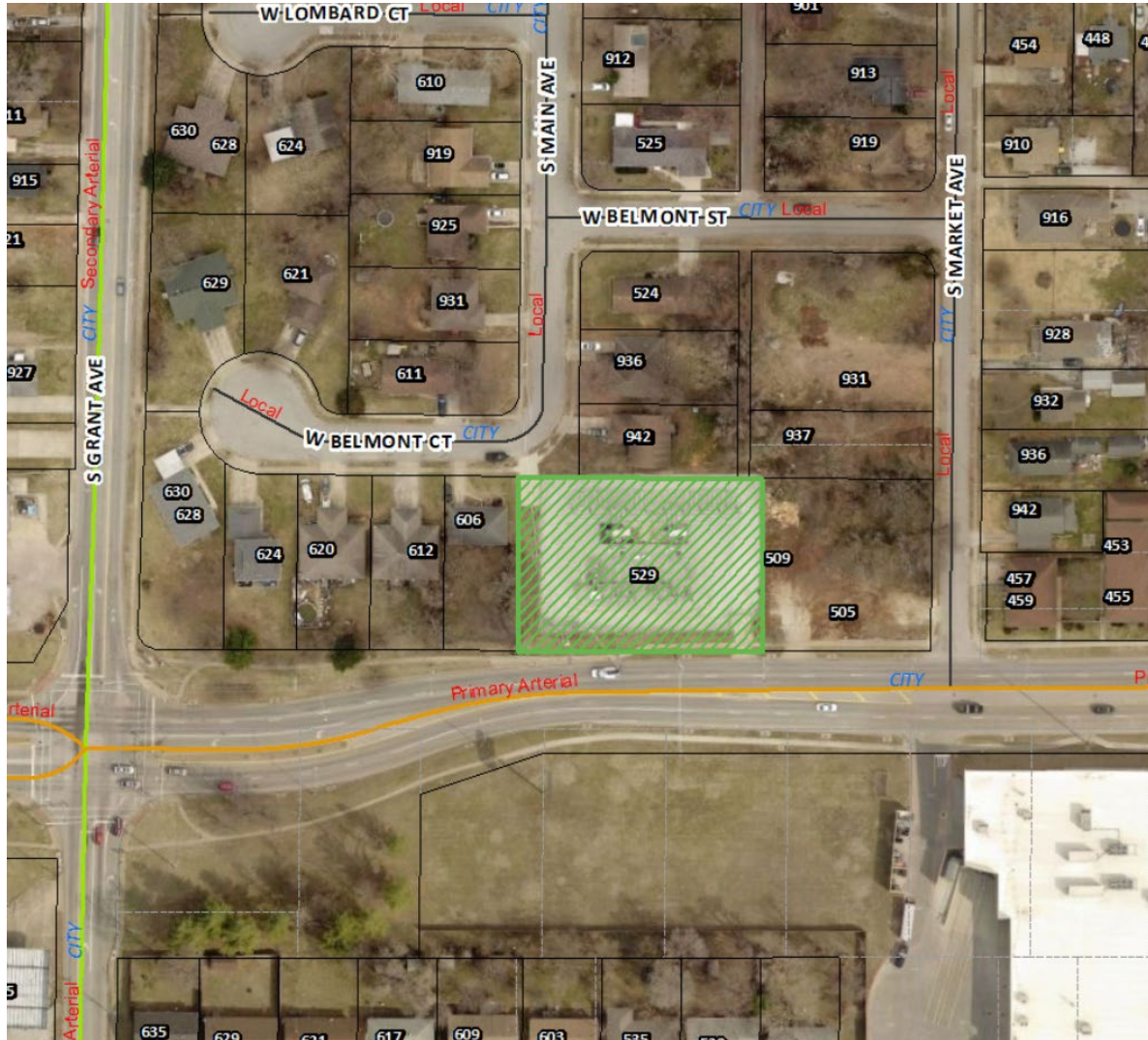
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	GR	R-TH	GAP-E
LAND USE	Single-family residences	Grocery/retail store	City Utilities Meter & Service Center	Single-family residence
PLACETYPES	Mixed Residential	Mixed Use	Mixed Residential	Mixed Use

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objections to rezoning.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Grand Street	Primary Arterial	City	50	30	NA	No	Yes	Yes
Street 2	W. Belmont Court	Local	City	25	25	NA	Yes	Yes	Yes

ACCESS - There is currently one driveway access point onto the property from both W. Grand Street and W. Belmont Court. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one bus stop along W. Grand Street near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

529 W Grand St is a 0.66 acre lot that is approximately 95% existing impervious area. The Site drains from East to West. The Fassnight Creek Box Culvert is in a Drainage Easement on the West side of the Lot. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or

DEVELOPMENT REVIEW STAFF REPORT

downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **is not applicable because the site is built out**.

PW Stormwater has no concerns for the proposed rezoning from R-TH to GI. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. The site is built out and contains City Utilities infrastructure. Fee in lieu of detention would be permissible if additional impervious area is added.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.66 acre of property generally located at 529 West Grand Street from R-TH, Residential Townhouse district to GI, Government and Institutional use district. The applicant is rezoning to allow adjacent properties to redevelop without providing bufferyards to a utility substation.
2. This site has been a City Utilities owned substation since 1967 and is planned to remain that way for the foreseeable future.
3. The GI, Government and Institutional use district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. This district is also intended to classify land that is vacant but has been designated for the activities listed above in an adopted plan. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings. Park and recreational facilities would not ordinarily be placed in this zone. Certain nongovernmental and non-institutional uses are permitted to provide necessary services to governmental and institutional uses. The existing utility substation use meets the intent of the GI District.
4. The subject property is located along Grand Street, classified as a Primary Arterial roadway and Belmont Court, classified as a local roadway.
5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy.
6. The proposed rezoning to the east is causing the proposed change because an unnecessary bufferyard will be required since the subject property is currently zoned R-SF. While R-SF allows for public utilities, the GI District better suits this property's intensity of use and facilitates adjacent properties to develop more efficiently following the new Comprehensive Plan's Land Use and Development plan.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact the uses, which would be permitted if the property were rezoned, will not significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity.
9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Residential Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

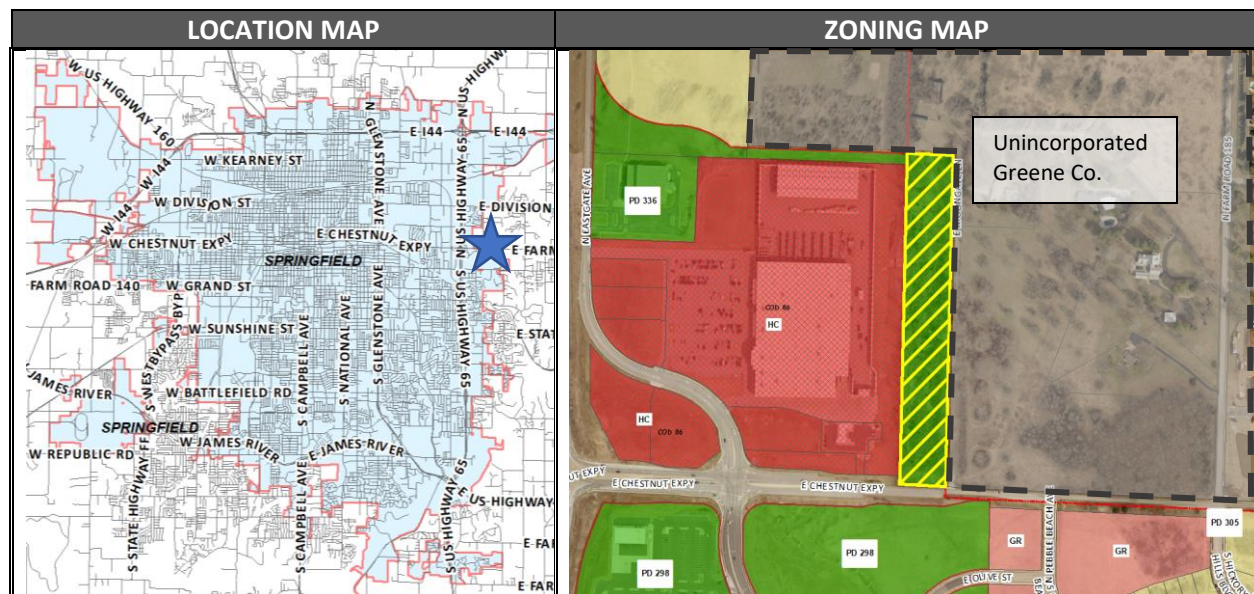
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-26-2023 with Conditional Overlay District No. 239
Location:	3601 East Chestnut Expressway
Total Acres:	6 acres
Applicant:	Joseph S. Manzardo & Kari J. Manzardo Revocable Trust
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	August 15, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-26-2023 with Conditional Overlay District No. 239 as set forth in Attachment 1 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

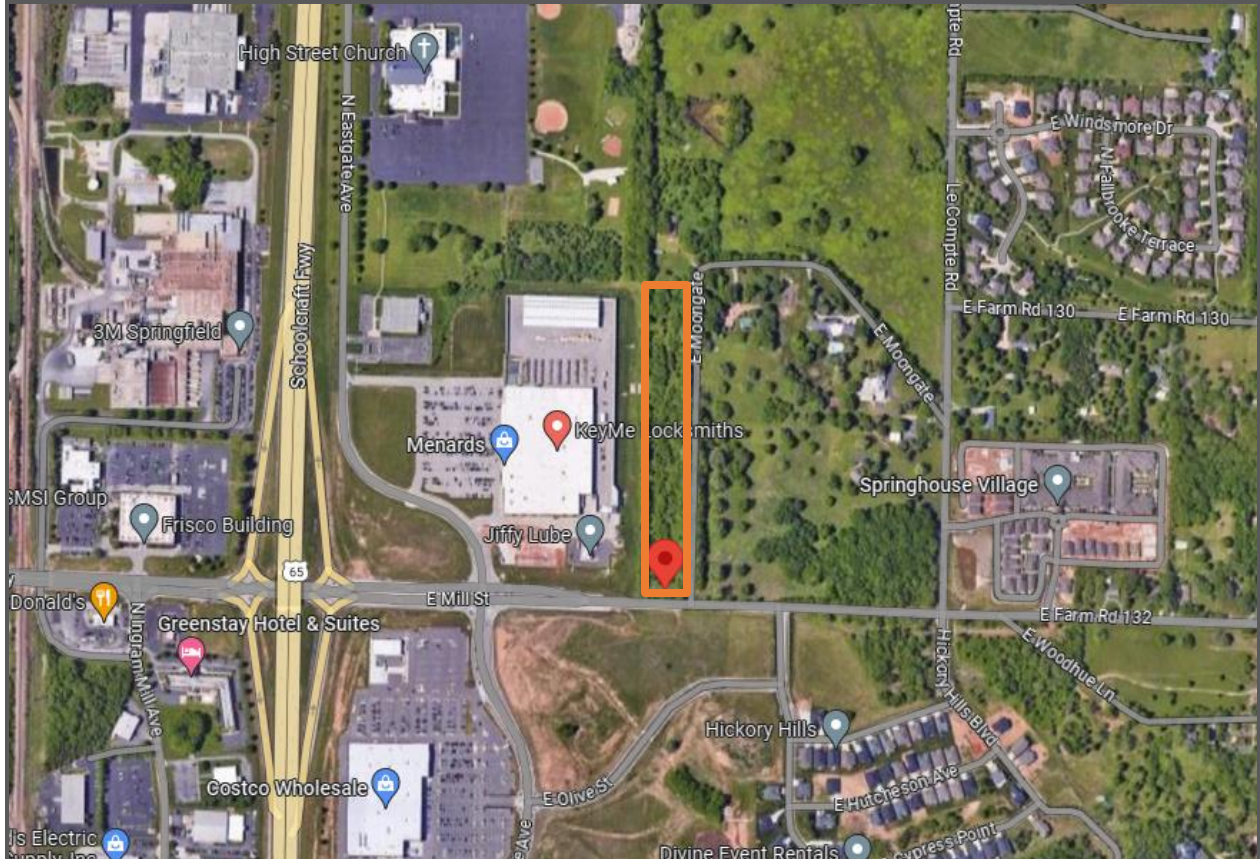
PROJECT SUMMARY:

Request to rezone approximately 6 acres of property generally located at 3601 East Chestnut Expressway from Planned Development No. 336 to HC, Highway Commercial District with Conditional Overlay No. 239.

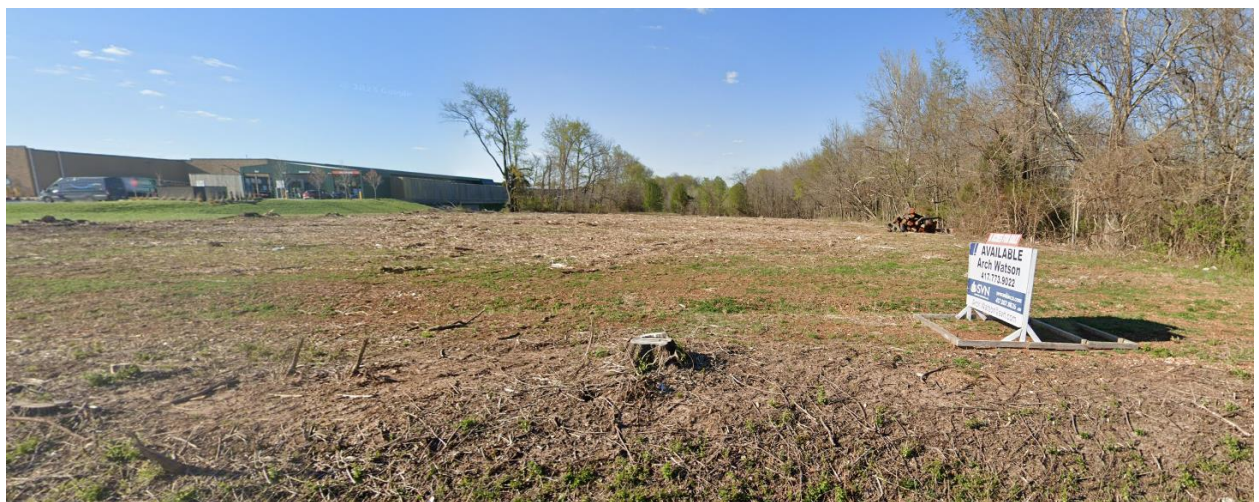


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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Minimum Yard Requirements	Front yard: 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.
Maximum Height	Thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	A Type C bufferyard is required adjacent to property zoned R-SF.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. This placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family

DEVELOPMENT REVIEW STAFF REPORT

developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES														
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○								
Mixed Residential	●	●	○	○	◇	◇	○								
Downtown			●	○	○	○	●	○	○	○					
Mixed-Use	○	○	●	○	○	○	○	○	○	○					
City Corridor			●	○	○	○	○	○	○	○					
Institutional & Employment Center			○	○	○	○	○	○	○	○					
Business Flex				○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○										

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	County A-1	PD 298	HC	A-1
LAND USE	Undeveloped Land	Undeveloped land	Single-family, undeveloped land	Home store
PLACETYPES	Traditional neighborhood	City corridor	Traditional neighborhood	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Chestnut Expressway	Primary Arterial	City	50	22	NA	No	Yes	No

ACCESS - There are currently no driveway access points onto the property from W. Chestnut Expressway. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops along W. Chestnut Expressway near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

3601 E. Chestnut is a 6 acre lot that is completely undeveloped with 0% existing impervious area. The site drains north and south towards the middle of the tract into an existing natural channel. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Pierson Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater has no concerns for the proposed rezoning from PD to HC. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1 Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

- (1) To a Public Right-of-way.
- (2) A recorded drainage easement, continuing to a public right-of-way or public drainage system.
- (3) A certified natural watercourse.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1

DEVELOPMENT REVIEW STAFF REPORT

acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

1. A Category D Small Tributary is present through the middle of the Lot. The rezoning triggers the requirement for recording the 60 feet wide stream buffer easement. Chapter 8, Sec 4.1.1, the stream buffer requirements apply to streams for all new applications for land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases.

a. Chapter 8, Sec 4.1.3 Ownership and Recording: Stream buffers consisting of the stream and approved buffer zones shall be designated as a Stream Buffer Area on any replat, preliminary plat, or final plat in accordance with City Code Sec. 36-253, or recorded in a stream buffer easement.

<https://www.springfieldmo.gov/documentcenter/view/36832>

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 6 acres of property generally located at 3601 East Chestnut Expressway from Planned Development No. 336 to HC, Highway Commercial District with Conditional Overlay No. 239.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. This placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.
3. The proposed HC zoning with a Conditional Overlay District prohibits many permitted uses to closely match the GR, General Retail district with the exception for self-service storage facilities. Storage facilities will only be permitted on the north half of the property and will not

DEVELOPMENT REVIEW STAFF REPORT

be highly visible from Chestnut Expressway. The COD maintains the existing, healthy trees and vegetation along the east property line and places a solid, six-foot fence on the west-side of the bufferyard (development side). The COD also restricts the structure height to one-story.

4. The *Comprehensive Plan's Land Use & Development* chapter identifies office, hospitality, retail sales and service as a primary land use within the City Corridor Placetype. Personal storage is listed as a supporting land use.
5. The subject property is in an area that has recently experienced rapid development and that has affected the character of this area.
6. The subject property is a small remnant of the larger, 44-acre Planned Development No. 336 which has since been almost all rezoned to HC, Highway Commercial with COD No. 86 for the existing Menards and out-lot development.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
8. There are changing conditions in the area affected that make the proposed rezoning necessary. This area has rapidly seen new development and this rezoning is consistent with the redevelopment that is happening in this area.
9. The range of uses in the proposed HC district and COD are compatible with the uses permitted on other property in the immediate vicinity.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application requires a traffic study at the time of development.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

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1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 239

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

1. The following uses shall be prohibited:
 - a. Ambulance services.
 - b. Residential uses
 - c. Auction sales and flea markets entirely within enclosed buildings.
 - d. Automobile service garages.
 - e. Automobile service stations.
 - f. Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.
 - g. Awning and canvas sales and rental.
 - h. Bed and breakfast.
 - i. Boarding, rooming, and lodging houses.
 - j. Bus stations.
 - k. Campgrounds and recreational vehicle parks.
 - l. Catering businesses.
 - m. Cemeteries.
 - n. Churches and other places of worship, including parish houses, and Sunday schools.
 - o. Civic, convention, and cultural centers.
 - p. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
 - q. Commercial off-street parking lots and structures.
 - r. Commercial outdoor recreation use group.
 - s. Day care centers
 - t. Household resource recovery collection centers
 - u. Manufactured housing (mobile home) and trailer sales, leasing and service.
 - v. Medical or comprehensive marijuana cultivation facility
 - w. Medical or comprehensive or microbusiness marijuana dispensary facility.
 - x. Medical or comprehensive marijuana-infused products manufacturing type 2 post-extraction facility.
 - y. Telecommunication Towers of any height.
 - z. miniature golf courses and driving ranges.
 - aa. Short-term rental type 3.
 - bb. Swimming pool sales and displays.
 - cc. Taxi dispatch yards and offices.
 - dd. Taxidermists.
 - ee. Temporary lodging use group.
 - ff. Temporary uses.
 - gg. Temporary vendors.

DEVELOPMENT REVIEW STAFF REPORT

- hh. Overnight shelters or transitional service shelters.
 - ii. Conditional Uses per Section 36-422, subsection (3).
2. The maximum floor area ratio shall not exceed 0.30.
 3. The maximum structure height shall not exceed one (1) story.
 4. Minimum open space: Not less than thirty (30) percent of the gross site area shall be devoted to open space including required yards and bufferyards.
 5. A bufferyard type F is required along the east property line. This bufferyard shall maintain all existing native and healthy trees and vegetation and place a solid six (6) foot solid, wooden fence on the west side of the bufferyard.
 6. Self-service storage facilities are only permitted on the north half of the property (measured six-hundred and sixty (660) feet north of the south property line).

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD336 to Highway Commercial with Conditional Overlay District
2. Meeting Date & Time: Tuesday August 15th 2023 4:00 to 6:30 PM
3. Meeting Location: Moongate Lane and Chestnut (adjacent to tract)
4. Number of invitations that were sent: Twenty
5. How the mailing list was generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): Two
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).

Mike Lohmeyer is one of the Lohmeyer family that owns the acreage east of the tract - No objections

John Consalus is a neighbor north east of tract. No objections.

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

I did have a phone conversation with Audrey Garard who lives northeast of the tract on Moongate lane. We discussed the rezoning and that this allowed the same uses which the PD allowed but also added self storage to the zoning uses. She prefers self storage to any sort of commercial use which would have more traffic.

I, Geoffrey H. Butler (print name), attest that the neighborhood meeting was held on August 15th, 2023 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Geoffrey H. Butler

Printed name of person completing affidavit

NEIGHBORHOOD MEETING - SIGN IN SHEET REZONING 3601 E CHESTNUT

AUG 13, 2023 - 4:00 PM - 6:30 PM

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
MIKE LOHMEYER	1524 E COUNTY LINE RD REGINA, MO 65743	417-543-3522
JOHN CONSALUS	497 N FR 185	417 865 3607

Sparlin, Michael

From: Ballard, James <James.Ballard@CommerceBank.com>
Sent: Friday, August 18, 2023 2:58 PM
To: Zoning@springfieldmo.gov
Subject: Proposed Zoning Changes to 3601 E Chestnut

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Good afternoon.

My family and I own the property located at 3774 E Moongate Ln., Springfield, MO 65802. I'm writing to you regarding the proposed zoning changes to 3601 E Chestnut and associated plans called Moongate Plaza Storage. We did not receive written notice of the neighborhood meeting that took place last week, but received information about the proposed changes from a neighbor.

It would not be our preference to rezone this area as we're concerned about it negatively affecting our property values. I also have concerns about water drainage and whether this property would create flooding on our properties and cause the continued deterioration of our private road. However, should the rezoning be approved, we'd request the following changes in the proposed plans.

1. That the name Moongate not be used for this commercial property. We do not want our address and neighborhood to be confused as being affiliated with the storage facilities.
2. That the private drive, Moongate Lane, remain in vegetive appearance as it does today. We want the trees to remain on the west side of the road as well as all the overgrowth and undergrowth. This currently provides a buffer between our residential homes and the commercial development on Chestnut. The vegetation helps views from our homes, acts as a sound barrier, and helps with water drainage.
3. That a decorative, ornamental, or attractive privacy fence of some kind that is not chain link be used.
4. That the buildings be single story and attractive in style and color that blends in with the landscape.

Thank you for your time and attention to this matter.



James M Ballard
Private Client Advisor II
1345 E. Battlefield St
Springfield Missouri 65804
417-837-5263 | F 417-837-5293

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Sparlin, Michael

From: Audrey Garard <agarard@groomsinc.com>
Sent: Friday, August 18, 2023 2:19 PM
To: Zoning@springfieldmo.gov
Subject: rezoning 3601 E Chestnut

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Hello, I am writing to you concerning the proposed zoning changes to the plans called Moongate Plaza storage. We were unable to attend the neighborhood meeting, but I do appreciate your time in discussing the details with me over the phone. While we are not thrilled with the idea of storage units next to our property, we do realize that it is a less offensive option than other things that could be built there. We are concerned about the potential for this type of development to negatively affect our property values along with our other neighbors on Moongate Lane. Our request would be that our private drive Moongate Lane would remain in vegetive appearance as it does today. We want the trees to remain on the west side of the road as well as all the overgrowth and undergrowth. This currently provides a buffer between our residential homes and commercial development. The vegetive barrier helps views from our living rooms and patios of Menards in the summer and helps a little in the winter. You wouldn't believe the sound barrier the leaves and vegetation create in the summer from the highway traffic on 65. I would like to request a decorative or ornamental fence of some kind that is not chain link with Razor wire to make it look more attractive and not like a typical storage unit facility. We were concerned about light pollution and appreciate your feedback and Joey's that there would not be light post only lighting on the west side on the buildings themselves. We desire that the buildings themselves be single story and attractive in style and color that blends in with the landscape as best as possible. I feel strongly that the area that is the stream buffer that has been cleared will be addressed and that water is managed properly over the Moongate. It is not in great shape and continues to deteriorate and be washed out when it rains heavily, or the ground is saturated. Roads are expensive to fix, and we don't need more issues than we currently have. My final request sounds silly, but I am hoping that the name of this storage facility be called anything other than Moongate storage or Moongate Plaza. I know that is near Moongate drive but we don't want our address or Moongate Estates where we live to be wrapped up or affiliated with a storage facility of commercial properties.

Audrey Garard and Jonathan Garard

Owner
Office: 417-883-4646
Mobile: 417-818-8998
1285 E Montclair St | Springfield, MO 65804

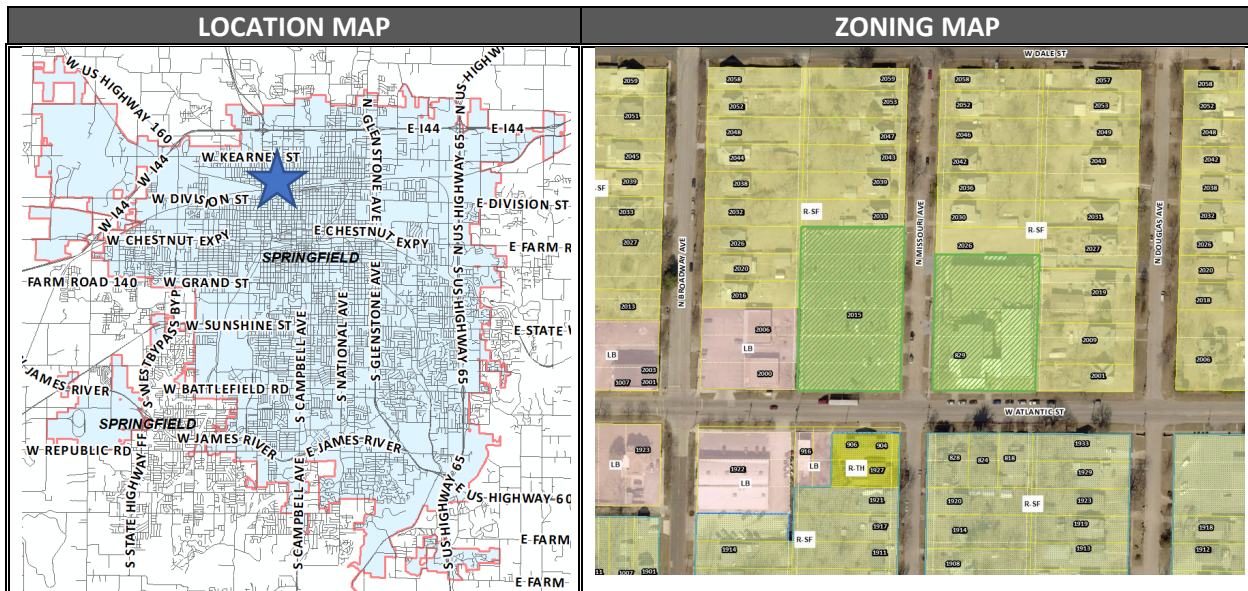


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PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 476
Location:	829 W. Atlantic Street and 2015 N. Missouri Avenue
Total Acres:	2.4 acres
Applicant:	North Point Church
Existing Land Use:	Church, nonprofit community center & office uses
Neighborhood Meeting:	July 31, 2023
Planning and Zoning Commission:	September 7, 2023
City Council:	October 2, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner, (417) 864-1036
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 to the staff report as the findings of fact and recommend approval of CUP 476 subject to the conditions listed in Attachment 1 to the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to establish an Adaptive Use of a Nonresidential structure in a residential district and a nonprofit community center as a Conditional Use Permit within a R-SF, Single-family residential district generally located at 829 W. Atlantic Street and 2015 N. Missouri Avenue. The applicant, North Point Church, is requesting a Conditional Use Permit to continue operations of The Dream Center which is a nonprofit community resource center and allow additional nonprofit offices, classrooms and day care operations.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

The subject property has been zoned R-SF, Single-family residential district since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. – Conditional Use Permit

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety, and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(8) *Period of validity.*

(a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18 months period:

1. A building permit is obtained, and the erection or alteration of a structure is started; or
2. An occupancy permit is obtained, and the conditional use is commenced.

The city council may grant one additional extension not exceeding 18 months, upon written application, without notice or hearing provided such grant is approved by city council prior to the expiration of the original 18-month period. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit. This additional extension shall be considered to have begun on the date of expiration of the original conditional use permit regardless of when this additional extension is granted by city council.

(b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

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COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject property is located within *Forward SGF's* Mixed Use Placetype, which applies to the properties to the north, south and west along National Avenue. The Mixed Use placetype is intended to accommodate existing districts and facilitate the creation of new districts and subareas. This placetype should be reserved for areas in Springfield that contain a diverse range of uses that would not fit into the other, more focused placetypes. These places can include vertically stacked or horizontally laid out mixed-use buildings, like Historic Commercial Street, or they can take the form of larger-scale mixed-use developments, like Chesterfield Village or Galloway Village. Besides mixed-use buildings, this placetype can also include a mixture of primary and supporting uses on separate parcels.

The Mixed Use placetype can include small concentrations of neighborhood-serving businesses, along former streetcar routes. These areas can feature adaptive reuse of non-residential and residential buildings, like those located at the intersection of Cherry and Pickwick in the Rountree Neighborhood. Mixed Use placetypes also include evolving and planned districts or light manufacturing, warehousing, and artisan districts, like the Moon City Creative District or the Trafficway subarea.

PRIMARY USES

- Multi-family
- Office, hospitality, retail sales and service
- Maker, artisan, and innovation spaces
- Entertainment

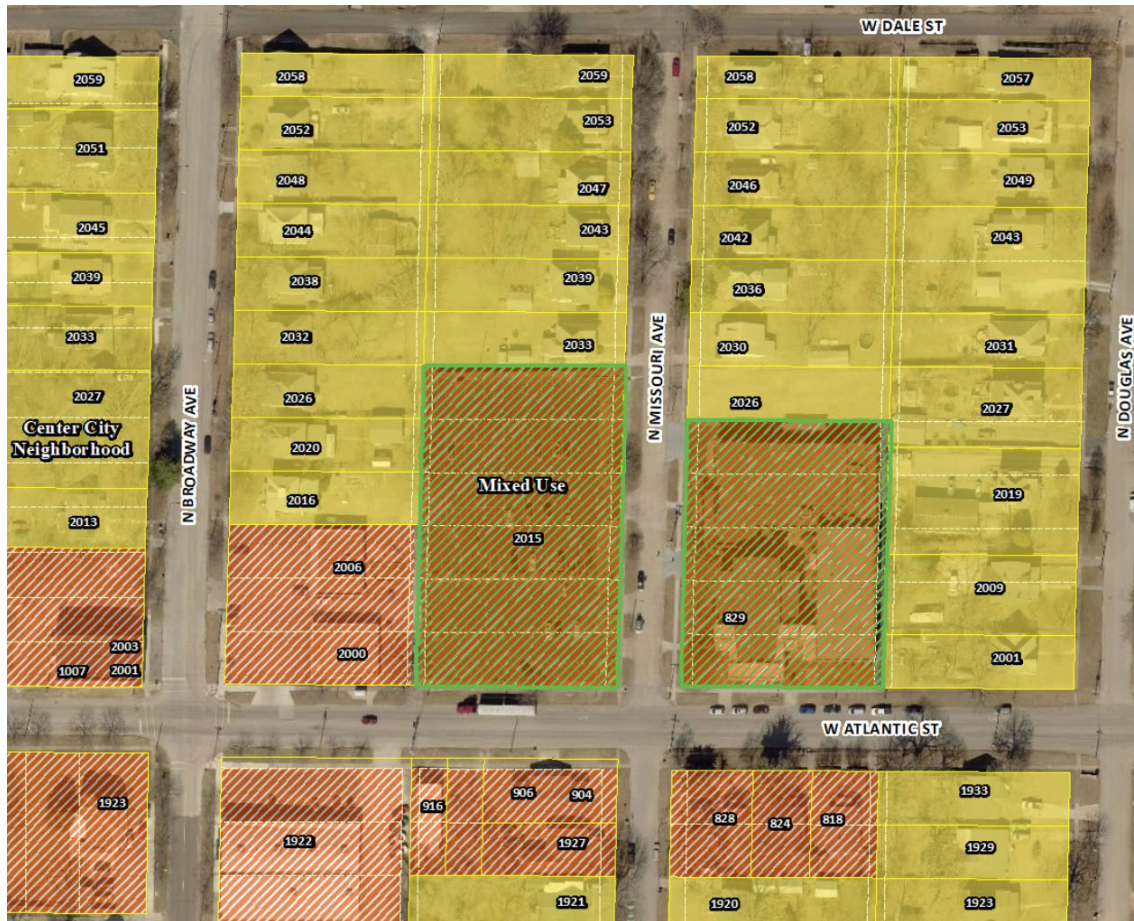
SUPPORTING USES

- Parks, greenways, and open space
- Government, healthcare, and institutional facilities
- Universities, colleges, and vocational schools
- Public and private schools and places of worship
- Low-intensity urban agriculture
- Sports complexes and recreational facilities
- Single-family detached
- Single-family attached

While the Mixed Use Placetype supports a variety of uses which encourage more density or intensity, the proposed nonprofit community center and adaptive uses provide beneficial services to the community in an existing church that has been a part of the area for many years.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES												
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality & Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service
Residential Neighborhood	●	○	◇	○	◇	◇	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	◇	○	○	○	○	○	○	○
Downtown	●	●	●	○	○	○	●	●	●	●	●	●	●
Mixed-Use	○	○	●	○	○	○	●	●	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○

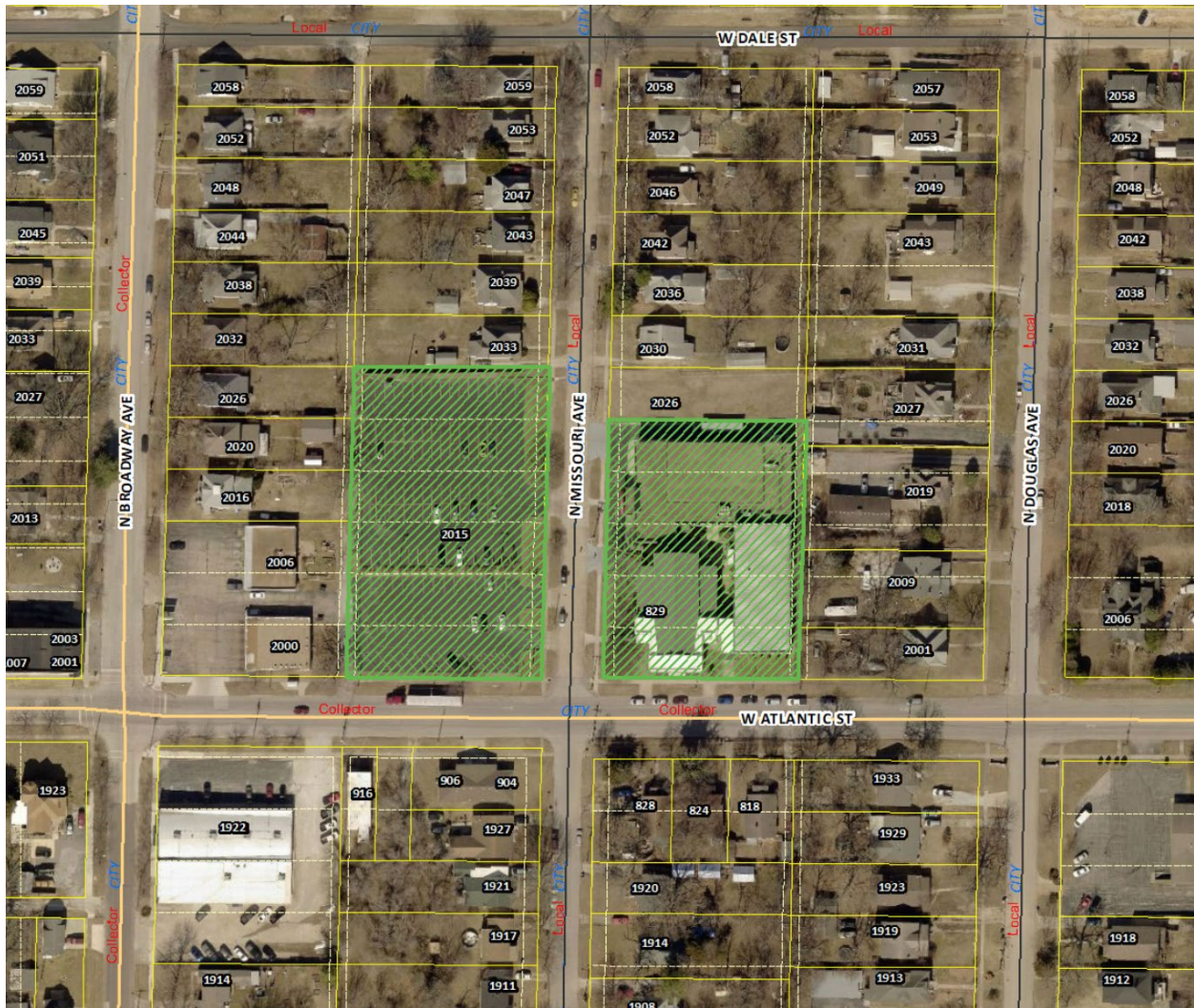
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family residences	Single-family residences	Single-family residences	Single-family residences
PLACETYPES	Center City Neighborhood	Mixed Use	Center City Neighborhood	Center City Neighborhood & Mixed Use

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.

DEVELOPMENT REVIEW STAFF REPORT

2. CITY UTILITIES:
No issues with the proposed conditional use.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No issues with CUP. Property has access to public sewer.
4. FIRE DEPARTMENT:
No comments.
5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

829 W Atlantic St is a multiple lot area that is approximately 2.4 acres in area. The lots are 90% existing impervious area. The Site drains from South to North and is directed through curbs to N Missouri Ave. The property is in the **Pea Ridge Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **is not applicable because the site is built out**.

PW Stormwater has no concerns for the proposed Conditional Use Permit. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. The site is primarily existing impervious area. Any new impervious area requires detention. A fee in lieu of detention is not permissible because of downstream flooding reports. No mention of future site improvements have been made.

WATER QUALITY REQUIREMENTS

1. No redevelopment for the site was mentioned in the application. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

DEVELOPMENT REVIEW STAFF REPORT

2. A land disturbance permit will be required if disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Atlantic Street	Collector	City	30	40	NA	Yes	Yes	Yes
Street 2	N. Missouri Avenue	Local	City	30	30	NA	Yes	Yes	Yes

ACCESS - All new access to the development shall be per current City of Springfield standards.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are two bus stops along W. Atlantic Street near the property.

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant, North Point Church, has requested this Conditional Use Permit to establish an Adaptive Use of a Nonresidential structure in a residential district and a nonprofit community center as a Conditional Use Permit within a R-SF, Single-family residential district generally located at 829 W. Atlantic Street and 2015 N. Missouri Avenue. The applicant, North Point Church, is requesting a Conditional Use Permit to

DEVELOPMENT REVIEW STAFF REPORT

continue operations of The Dream Center which is a nonprofit community resource center and allow additional nonprofit offices, classrooms and day care operations.

2. There are two different conditional uses requested with this application. The first request is for the adaptive use of a non-residential structure in a residential district. The applicant is requesting that the existing church facility be allowed to have professional and business offices and day care center uses for nonprofit organizations. The second request is for the establishment and continued use of the buildings for a nonprofit community center. The R-SF, Single-Family Residential District currently allows for churches. With the conditional use permit, the applicant is proposing to continue the existing nonprofit community center operations and sublease additional office space and classrooms for other nonprofit organizations.
3. The business and professional office and day care center uses would have the following limitations per Section 36-363 of the Zoning Ordinance:
 - a) Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m. unless specifically modified by the conditional use permit. The applicant shall demonstrate that additional hours are necessary and will not have an adverse impact on adjoining properties.
 - b) Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated by any means unless specifically modified by the conditional use permit. The applicant shall demonstrate that lighting of signs is necessary and will not have an adverse impact on adjoining properties or those using the public rights-of-way.
 - c) Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less, may be approved at the time the conditional use permit is granted.
4. The nonprofit community center use doesn't have any prescribed approval standards, but staff has recommended the following conditions:
 - a) Hours of operation from 7:00 a.m. to 10 p.m.
5. A site plan has been provided (Attachment 3 & 4) showing the existing site and structures and proposed changes to the bufferyards between adjacent R-SF properties.
6. A bufferyard Type D (15 foot wide) is typically required when a new R-SF non-residential use is established adjacent to or across an alley from a R-SF residential use which in this case along the north, east and a portion of the west property line; however, the sites on the east and west of Missouri Avenue have many existing conditions that encroach or limit the areas for buffering such as buildings, driveways, curbs, retaining walls, walkways and vegetation. The site has been a church for many years with these conditions and the applicant has requested that they provide solid wood fencing and additional plantings in areas where feasible as shown on their site plan.

DEVELOPMENT REVIEW STAFF REPORT

7. New additions or expansions to the existing structure is allowed as prescribed in Subsection 36-363(9).
8. The existing signage for the site was permitted by Building Development Services in 2017 and found to be in compliance with the sign code. No new signage is permitted for business and professional offices or day care center in association with the adaptive use of a nonresidential structure in a residential district unless all existing signs are brought into compliance with the current Sign regulations in the Zoning Ordinance.
9. Staff has determined that the requested rezoning and Conditional Use Permit are in general alignment with the objectives and intent of the *Comprehensive Plan's* Mixed Use Placetype as outlined in the Compatibility with the Comprehensive Plan section, above.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the *Comprehensive Plan's* Mixed Use Placetype and based on the development's compliance with the standards of approval below (Attachment 2).

PLANNING AND ZONING OPTIONS:

The Planning and Zoning Commission shall make one of the following recommendations in connection with each proposed conditional use:

1. Recommend against the proposed conditional use,
2. Recommend approval of the proposed conditional use, or
3. Recommend approval of the proposed conditional use together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed conditional use is consistent with the purpose and intent of this article.

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ATTACHMENT 1 CONDITIONAL USE PERMIT NO. 476

1. The adaptive use of a nonresidential use in a residential district (business and professional offices and day care center) and nonprofit community center shall comply with all the standards listed in Attachment 2.
2. The adaptive use of a nonresidential use in a residential district (business and professional offices and day care center) and nonprofit community center shall be permitted in conformance with Attachment 4.
3. The hours of operation for business and professional offices and day care center uses as part of the adaptive use of a nonresidential structure in a residential district shall be from 7:00 a.m. to 6:00 p.m. The hours of operation for the nonprofit community center shall be from 7:00 a.m. to 10:00 p.m.
4. No new signage is permitted for business and professional offices or day care center in association with the adaptive use of a nonresidential structure in a residential district unless all existing signs are brought into compliance with the current Sign regulations in the Zoning Ordinance.
5. Bufferyards and landscaping must be in conformance with the site plan (Attachment 4).
6. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

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ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 476

Sec. 36-363 (10) Standards. An application for a Conditional Use Permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Applicant's response:	Staff's response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield <i>Comprehensive Plan</i> .	The uses are consistent with the Mixed Use placetype.	Staff has concluded that the proposed conditional use within the requested R-SF district is in general alignment with the <i>Comprehensive Plan's</i> Mixed Use Placetype designation.
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	The proposed conditional use should not result in any changes to traffic or pedestrians	Public Works – Traffic has reviewed the proposed conditional use and has determined that it will not adversely affect the safety of the motoring public or of pedestrians using the facility or within the immediate surroundings of the proposal.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	The Springfield Dream Center is regularly inspected for fire safety and has had no incidents.	The Fire Department has reviewed the proposed conditional use and has not noted any concerns about fire safety and fire control measures. The Fire Department's comments are provided within the Department Comments section of the staff report, above.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	There are currently no planned changes to our building or land that would result in additional flood or water risk.	Public Works – Stormwater has reviewed the proposed conditional use and has provided their comments within the Department Comments section of the staff report, above.
5. The proposed conditional use will not have noise characteristics that exceed	We don't expect any uses to exceed noise levels. Additionally, the work of the	Staff does not have any concerns pertaining to the anticipated noise levels

DEVELOPMENT REVIEW STAFF REPORT

the sound levels that are typical of uses permitted as a matter of right in the district.	Springfield Dream Center is intended to improve the neighborhood, residents, and general welfare of the community	associated with the community center or adaptive use since it has a large gymnasium for events.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	There are privacy fences on the north and west sides of the parking lots. Landscaping is planned on the south side of the parking lot to further improve any lights or glare.	All future stationary lighting will be required to be meet the requirements and limitations of Section 36-484, Exterior lighting.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	No additional signage is planned.	All future signage must comply with the requirements and limitations of Section 36-454, Signs, of the Zoning Ordinance.
8. Such signs will not have an adverse effect on any adjacent properties.	No additional signage is planned.	All future signage must comply with the requirements and limitations of Section 36-454, Signs, of the Zoning Ordinance.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	No change in traffic is anticipated. Current street right-of-way and pavement width are appropriate.	As noted by Public Works – Traffic, there are no concerns at this time regarding the proposal's impact on traffic in the area.
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	No changes are anticipated. Additionally, the work of the Springfield Dream Center is intended to improve the neighborhood, residents, and general welfare of the community.	Staff does not anticipate that the proposed development will adversely impact or be incompatible with the surrounding property. Where this property abuts R-SF or R-TH zoning to the north, east or west, a bufferyard, with privacy screening, will be required to be installed.

DEVELOPMENT REVIEW STAFF REPORT

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.	No changes are planned to the building's exterior. Additional trees are planned on the south side of our parking lot, which will provide more screening.	Staff does not anticipate any changes that would dominate the immediate vicinity or interfere with the development and use of the neighboring property. The applicant is complying with the R-SF requirements for nonresidential uses.
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	No such changes are planned.	Staff has no concerns with the effects this use will have to surrounding properties as they are using the existing facilities.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	No such changes are planned.	The applicant is preserving the existing structure.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk	This use should comply with all known requirements.	The proposed use and site plan appear to comply with all regulations except bufferyards which weren't required when originally constructed as a church facility.

DEVELOPMENT REVIEW STAFF REPORT

regulations, use limitations and performance standards.		
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The Springfield Dream Center is a nonprofit organization, and its resources contribute to the welfare of the public.	The proposed use is for an adaptive use and community center that will serve local residents.
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located to protect such residential uses from any injurious effect.	The Springfield Dream Center has 131 parking spots in a paved, off-road parking lot. The building has a protected loading area that can accommodate 4 vehicles.	It was identified that the bufferyard and perimeter landscaping could be brought into further compliance and the applicant has agreed to meet standards where they can.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	The accesses and driveways are existing and we don't plan on any changes.	PW Traffic indicates no issues with existing access.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	The vehicular circulation is existing and we don't plan on any changes.	Since the facilities and uses are existing, staff does not expect the creation of traffic or pedestrian hazards with the approval of this Conditional Use Permit.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	Agreed.	There is not any known interference with any public rights-of-way or easements.
20. In the case of existing structures proposed to be converted to uses requiring	No such changes are planned.	Any new or converted facilities must meet all City code requirements.

DEVELOPMENT REVIEW STAFF REPORT

a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.		
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	Essential public facilities and services are already provided to site.	The property is currently served by all public facilities and services.

Attachment 3

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

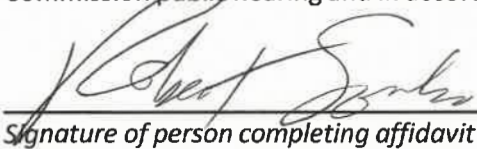
1. Conditional Use Permit for: Springfield Dream Center, 829 West Atlantic St
2. Meeting Date & Time: July 31, 2023, 4pm - 6:30pm
3. Meeting Location: 829 West Atlantic Street, Springfield, MO 65803
4. Number of invitations that were sent: 211
5. How was the mailing list generated: Provided by Planning and Zoning Office
6. Number of neighbors in attendance (attach a sign-in sheet): 3
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Virgil Lawson brought a page of concerns (attached), and as we discussed them. No additional concerns or issues were brought up.

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

Virgil Lawson brought a page of concerns (attached). His main concerns were related to if we'd be adding programming that had overnight guests (homeless shelter, cold shelter), but we have no plans to do that. He also brought up some traffic concerns that occur during the busiest parts of our programming — we will look into this to see if we can improve this situation. Before he left the meeting, he said that all of his concerns were resolved.

I, Robert Sorbo (print name), attest that the neighborhood meeting was held on July 31, 2023 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Robert Sorbo
Printed name of person completing affidavit

Sign In Sheet: Springfield Dream Center Rezoning Meeting

July 31, 2023

4:00 pm – 6:30 pm

	Name	Address	Phone Number
1.	Cheryl David Lawson	2033 N. Missouri	417-825-5094
2.	Becky Volz	1910 N. Grant Ave	417-880-4210
3.			
4.			
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30.			

Virgil Lawson

- ① will people be staying over at night
- ② will it be used as a shelter in bad weather
- ③ is there going to be security and do they pick up there trash
- ④ People already sleep in parking lot
- ⑤ will it cost money to join
- ⑥ move Trash been away from my property
- ⑦ is it only for our Community
- ⑧ They park 3 or 4 Busses and you cant turn on
- ⑨ Missouri
They park on Atlantic and you cant see to leave Missouri

From: [Scott Bybee](#)
To: Zoning@springfieldmo.gov
Subject: Springfield Dream Center Neighborhood Meeting Comments
Date: Thursday, July 27, 2023 10:33:04 AM
Attachments: [image001.png](#)
[image002.png](#)

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Good Morning,

We received the notice about the proposed zoning changes at the Springfield Dream Center (829 West Atlantic St). I cannot attend the meeting, but as a neighbor and supporter of the Dream Center, we support the proposed changes. The Dream Center continues to be an excellent neighbor and their efforts are making a difference in the Woodland Heights neighborhood and in all of Zone 1. We fully support any desired changes that they have, knowing that they will be used to better serve our community.

Thanks for your attention,
Scott



SCOTT BYBEE, PE

President/CEO
p 417.831.5500
c 417.860.6553

www.ESCFirm.com

1922 N. Broadway Avenue
Springfield MO 65803



From: [Jennifer Wolken](#)
To: Zoning@springfieldmo.gov
Subject: Springfield Dream Center
Date: Wednesday, August 23, 2023 10:56:38 AM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

I am writing in response to the proposed zoning change to the Dream Center at 829 West Atlantic St. My address: 2020 N Broadway Ave, meets up with the Dream Center's parking lot property on a vacated alley with a utility easement.

First I want to say that the proposed "change" seems to just be bringing into compliance activities they have been carrying on for five years. In this time the Dream Center is a marked difference in activity from the Church that occupied the building previously.

My main complaint from the start of their operations has been the lights and signage.

The new bright LED lighting they installed on the parking lot when they set up resembles a baseball stadium and is on all night. While I appreciate the safety that lighting can bring, do they have to be on top of 30 foot poles so that there is no way I can be in my back yard or have windows that direction open without bright glaring lights? Could the lights be mounted lower? My neighbor once mentioned to me that he could read a newspaper in his back yard at midnight. That's just not right.

The signage they installed on Missouri street along with lighting all along the top edge of the gymnasium part of the building is more suited to Kearney street or Glenstone than the small residential street of Missouri. It is entirely inappropriate and after looking at code requirements for community center signage in Springfield, I can't believe that they ran it past your office before hand. Is there a way this could be reviewed? By the way it too is lite up all night long.

The traffic during events is very disruptive to the neighborhood as well. So called Block parties several times a year bring families from all over the region to our neighborhood and they park all over our streets. Some of the homes in this area do not have a driveway to park in and so on street parking is our only option. I feel resident only parking might be the only way to keep the parking open for us during these events.

These are a few of my concerns. I have tried to communicate these directly to the Dream Center and they do not seem interested in my concerns.

Thank you for your time,
Jennifer Wolken
2020 N Broadway Ave
417-880-8769



Planning and Zoning Responses:

During the public feedback process of the Springfield Dream Center's rezoning, several considerations and complaints were submitted. Below is the summary of the complaints as well as the Dream Center's response.

1. Congested traffic on Missouri Avenue during the afternoons

During the Springfield Public School's school year, we host an SPS program and students are bussed in and out. Before and after school, the Missouri-Avenue facing portion of our building has a lineup of 3-4 buses. These buses often arrive early and idle on Missouri Avenue for approximately an hour.

Since the beginning of the 2023-2024 school year, these buses have not been arriving early and idling, but instead only stay for a few minutes. At the most, only one or two buses at a time have been in front of our building. We will continue to monitor bus timing. If they begin to arrive early and idle we will request they idle in the parking lot and only pull up on Missouri Street during their load in time.

2. Poor visibility turning onto Atlantic Street from Missouri Avenue, due to cars parked on the street

We have instructed the personnel via written document who use the South side of the building to only use street parking on Atlantic Street for loading and unloading, then park in our parking lot.

Additionally, an overgrown tree on Atlantic Street will be cut back to help improve visibility for anyone turning towards the West onto Atlantic.

3. Heavy crowds during our events that disrupt traffic and nearby street parking

We acknowledge that some of our early events this was an issue. We quickly began looking for better parking solutions when planning future events. Now we take time before large events to secure overflow parking at nearby churches and businesses. A map is created of these locations, and it is posted on social media, which is heavily followed by our program beneficiaries. Our social media posts, and any email reminders to participants and volunteers include the note to NOT park on any street.

Additionally, we provide a shuttle to the Dream Center from these additional parking lots.

When appropriate, we coordinate with the City to close portions of Missouri Avenue. Also, when appropriate, we have volunteers assigned to lots to help with parking, or to ask people to not park in front of homes and occasionally use No Parking signs in front of homes.

The largest traffic generated by the Dream Center was from our drive-thru dinners, which we stopped doing in November 2022. This was a temporary program from 2020 through 2022 due to COVID-19 precautions.

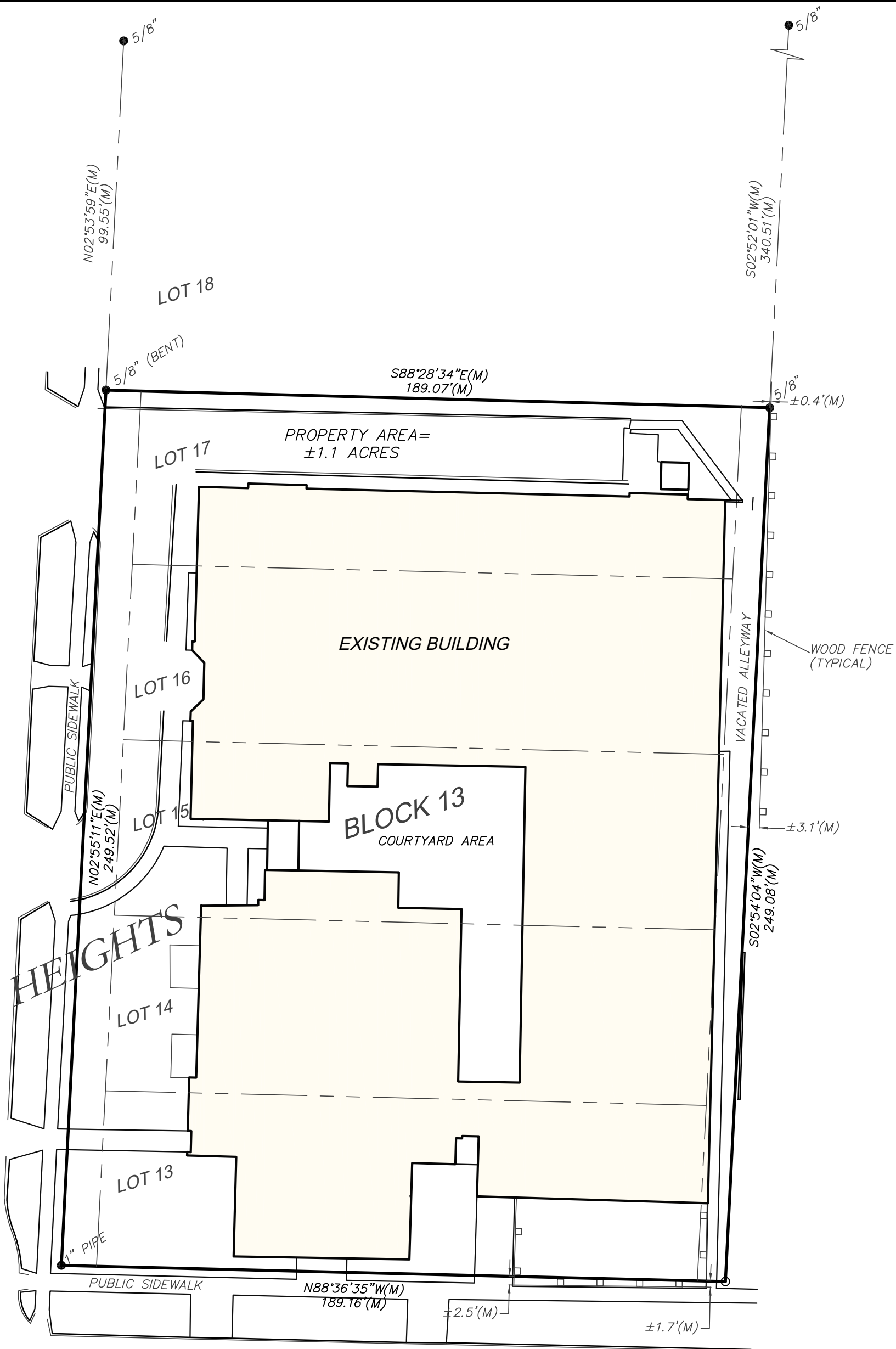
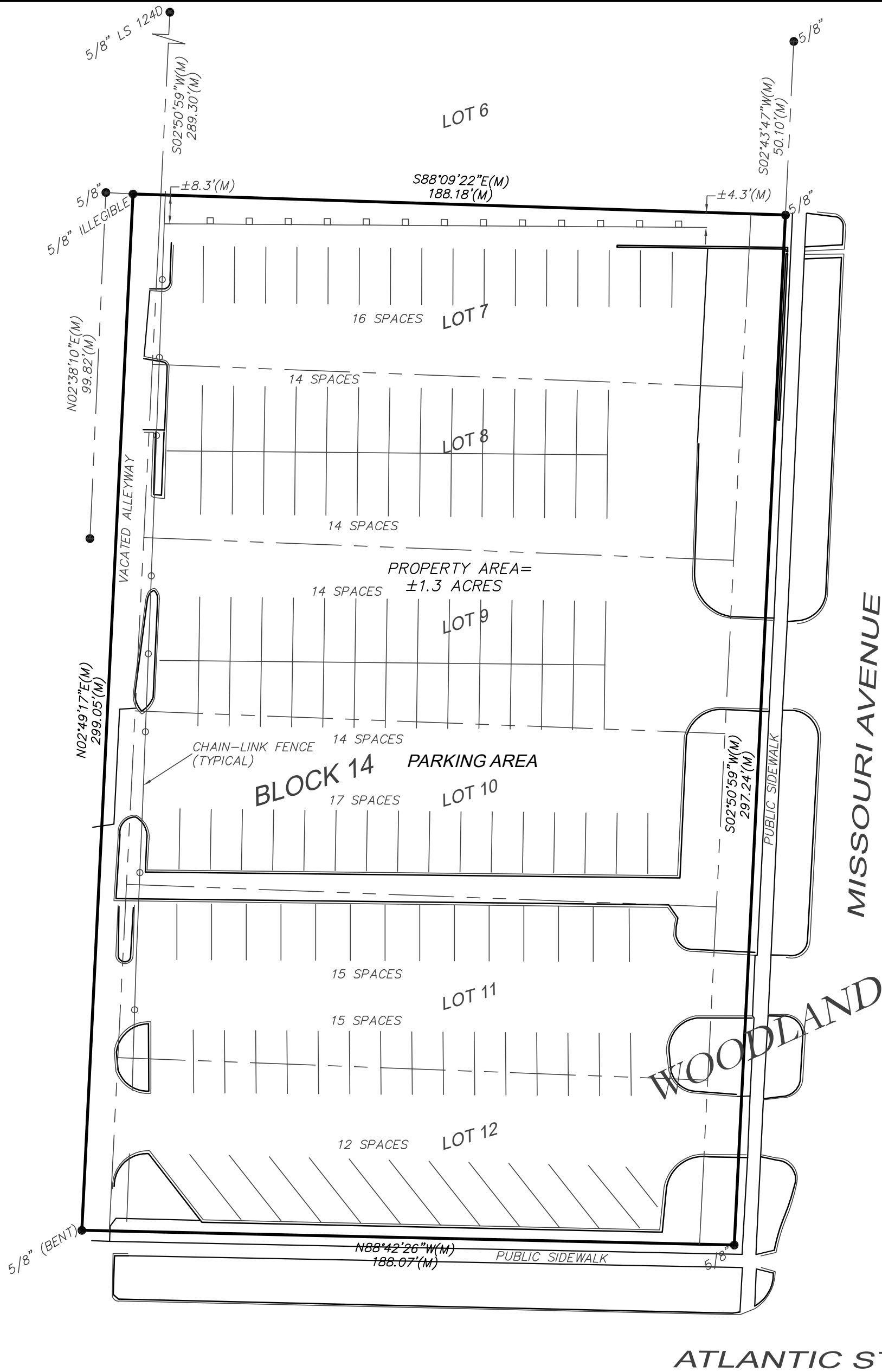
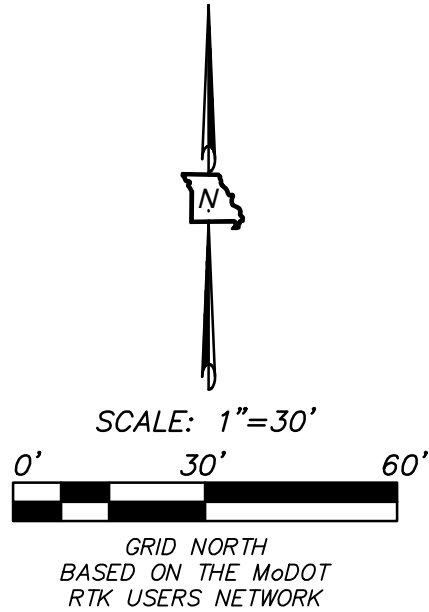
4. The parking lot lights and our building signage create too much light pollution and are left on overnight

We consulted with Pinnacle Signs, who installed and maintain our building signage and lighting. Below is a response from Darren Pearce, the President and CEO of Pinnacle:

Your lighting meets the city ordinances. However, you are smart in wanting to be a good neighbor and compromise where you can. As far as a dimer to turn down the LED lighting; there is not one. But, you could arrange a timer to turn the signs off at a certain time (but don't sacrifice Security doing so because the signs do make the property more viable).

In regards to the parking lot lighting; I am not sure what type of fixtures you have now, but they typically cannot be dimmed. However, we will send a technician review the lights that are concerning your neighbor and try adjust their positioning.

As stated by Darren, we have scheduled a technician who will review the placement of our parking lot lights in order to minimize any unnecessary bleed into our neighbors' properties. Since the parking lot lighting is positioned on a swivel, we believe that recent storms may have repositioned some of the lamps, so the technicians will review this.



ATLANTIC STREET

SOURCES USED

1. WARRANTY DEED – BOOK 2019, PAGE 000129–19
2. PLAT OF WOODLAND HEIGHTS ADDITION.

RECORD DESCRIPTION OF PROPERTIES

WARRANTY DEED – BOOK 2019, PAGE 000129–19

ALL OF LOTS THIRTEEN (13) THRU SEVENTEEN (17), BLOCK THIRTEEN (13), WOODLAND HEIGHTS ADDITION, GREENE COUNTY, MISSOURI.

AND

ALL OF LOTS SEVEN (7) THRU TWELVE (12), BLOCK FOURTEEN (14), WOODLAND HEIGHTS ADDITION, GREENE COUNTY, MISSOURI, TOGETHER WITH A STRIP 10 FEET WIDE EAST OF ADJOINING ABOVE PROPERTY BEING THAT PART OF MISSOURI AVENUE VACATED BY THE CITY OF SPRINGFIELD, ALSO A STRIP 8 FEET WIDE WEST AND ADJOINING ABOVE PROPERTY BEING THAT PART OF AN ALLEY, IN THE CITY OF MISSOURI.

SYMBOL INDEX
(M) MEASURE BEARING or DISTANCE
● EXISTING IRON PIN (AS NOTED)
○ SET 1/2" IRON PIN "WLS LSC 370"

SURVEYORS DECLARATION

I HEREBY DECLARE TO THE DREAM CENTER:

THAT THE INFORMATION SHOWN HEREON IS BASED UPON AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN, WHICH WAS PERFORMED TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR AN URBAN CLASS PROPERTY. LOCATIONS OF IMPROVEMENTS, IF ANY, ARE TAKEN FROM VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN, IF ANY, ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE. APPARENT OWNERSHIPS, AS SHOWN, ARE BASED UPON INFORMATION PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION OF TITLE.

THIS SURVEY HAS BEEN PREPARED EXCLUSIVELY FOR THE USE OF THE PERSON(S) LISTED ABOVE AND IS NOT TRANSFERABLE TO ANY OTHER PARTY. THERE IS NO IMPLIED WARRANTY OR GUARANTEE WITH THIS SURVEY.

WHITE
LAND SURVEYING, LLC
222 OLD TOWN RD.
BILLINGS, MISSOURI
PHONE: 417.732.0005
email: info@whitelandsurvey.com
www.whitelandsurvey.com

SURVEY DATE: 01.24.2023

DWG DATE: 01.26.2023

DRAWN BY: MW

S/T/R: 11/29/22

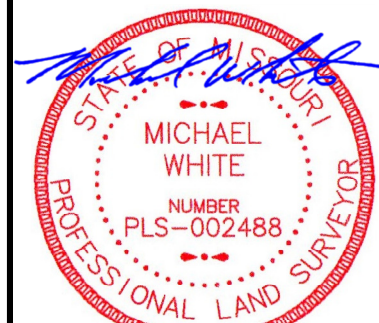
PROJECT No.: 2023-008

RESULTS OF SURVEY
PREPARED FOR
THE DREAM CENTER
PROJECT LOCATION: MISSOURI AVE. & ATLANTIC STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI

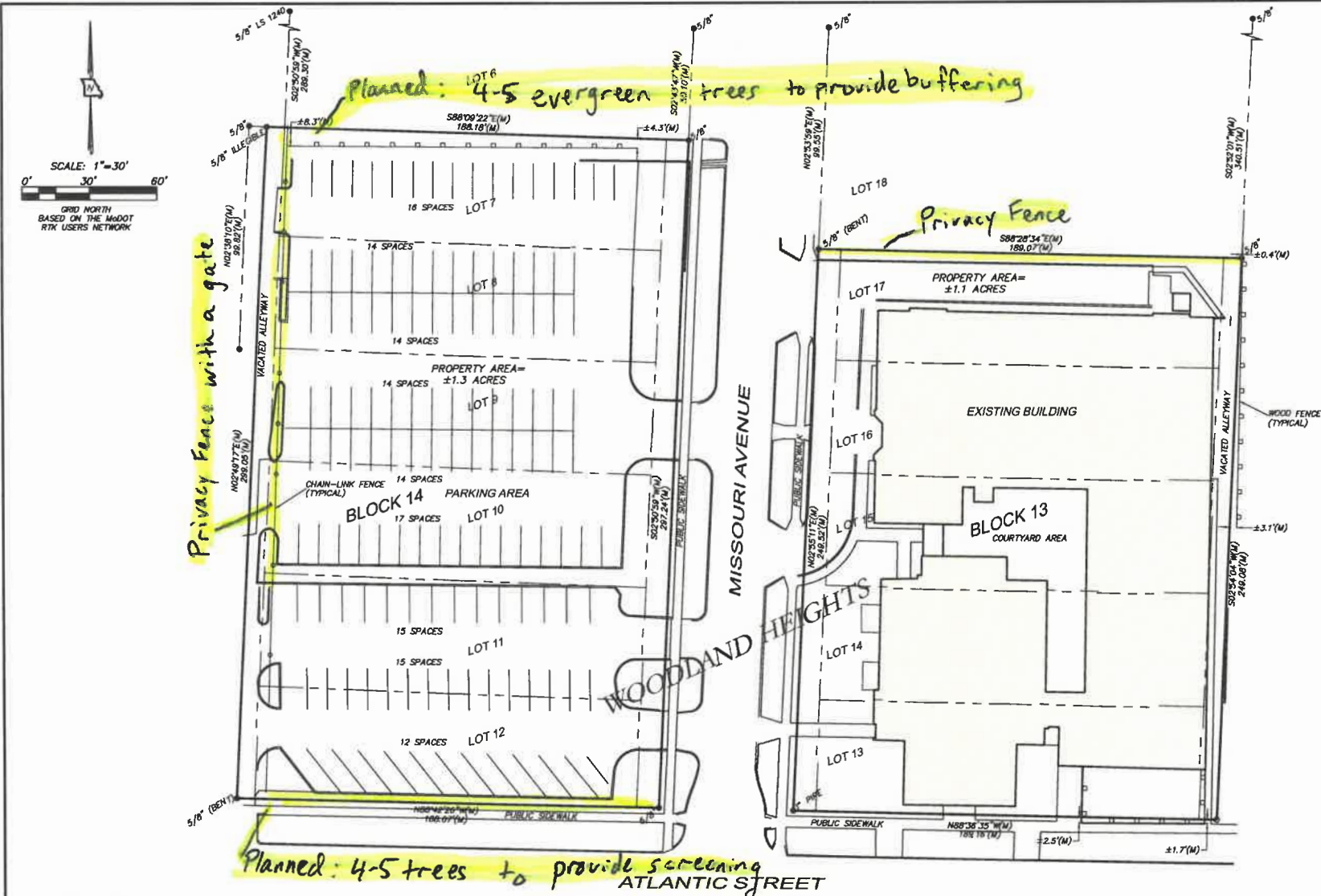
PREPARED BY:

MICHAEL WHITE – MISSOURI
PROFESSIONAL LAND
SURVEYOR #2488

WHITE LAND SURVEYING, LLC –
MISSOURI PROFESSIONAL
LAND SURVEYING
CORPORATION #2003000370



01/26/2023



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PREPARED BY:
MICHAEL WHITE - MISSOURI
PROFESSIONAL LAND
SURVEYOR #2408
WHITE LAND SURVEYING, LLC -
MISSOURI PROFESSIONAL
LAND SURVEYING
CORPORATION #2003000370

01/26/2023

- SOURCES USED**
1. WARRANTY DEED - BOOK 2019, PAGE 000129-19
 2. PLAT OF WOODLAND HEIGHTS ADDITION.

RECORD DESCRIPTION OF PROPERTIES

WARRANTY DEED - BOOK 2019, PAGE 000129-19

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**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: August 30, 2023

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate amendments to the Zoning Ordinance Section 36-350, Planning
and Zoning Commission

Planning and Zoning Commission is requesting amendments to Section 36-350 of the Zoning Ordinance.

If approved, staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at the next available date for both the Commission and the City Council.