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

December 14, 2023	**6:30 PM**	**Regional Police-Fire Training Center** **2620 West Battlefield Road** **Room 101, 102, and 103**

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. November 30, 2023

3. COMMUNICATIONS.

3.1. City Council Summary for November 2023

4. CONSENT ITEMS.

4.1. Request to Dispose 530
300 blk West Chestnut Street (Applicant: City of Springfield)

5. UNFINISHED BUSINESS.

5.1. Z-27-2022 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)

5.2. Planned Development 387
1137 & 1141 East Delmar Street (Applicant: MSU Housing, LLC and Faucett & Bates Properties, LLC)

6. PUBLIC HEARINGS.

6.1. Z-32-2023
1530 North Broadway Avenue (Applicant: KDR Real Estate, LLC)

6.2. Z-33-2023 COD 245
221, 225 & 227 East Sunshine Street (Applicant: Sanders Property, LLC)

6.3. Vacation 830
923, 927 & 935 South Campbell Avenue and 425 West Grand Street (Applicant: South Campbell Baptist Church)

7. OTHER BUSINESS.

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.

City of Springfield
Minutes
Planning and Zoning Commission

Britton Jobe, Chair

Natalie Broekhoven, Vice Chair	Bruce Colony
Helen Gunther	Bill Knuckles
Christopher Lebeck	Eric Pauly
Betty Ridge	Dan Scott

November 30, 2023	**6:30pm**	**Regional Police-Fire Training Center** **2620 West Battlefield Road** **Room 101, 102, and 103**

ROLL CALL.
Present: Commissioner Broekhoven, Commissioner Knuckles, Commissioner Gunther, Commissioner Lebeck, Commissioner Ridge, Commissioner Colony, Commissioner Pauly. Absent: Dan Scott and Britton Jobe

Staff in attendance: Brendan Griesemer, Interim Planning Director, Bob Hosmer, Planning Manager, Chris Hoeman, Assistant City Attorney, Daniel Neal and Michael Sparlin, Senior Planners.

APPROVAL OF MINUTES.
The minutes of November 9, 2023 were approved.

COMMUNICATIONS.
None

CONSENT ITEMS.
None

UNFINISHED BUSINESS.
Conditional Use Permit Amendments
Citywide
Applicant: City of Springfield

Mr. Chris Hoeman presented information on Code Item Section 36-367, Subsection 6 and noted that it calls for the Planning and Zoning Commission to make their recommendations within 30 days of a public hearing and wanted to bring it back to the attention of the Commission and Mr. Sparlin is here for any questions.

Mr. Colony asked Mr. Sparlin to be reminded why this amendment would improve the process.

Mr. Sparlin went over a scenario of when a project goes forward to City Council and the neighborhood has asked for a condition where the developer and the Council are both in agreement, and it makes it more convenient, and everyone is in agreement, and this would make an improvement of the process.

Mr. Colony went through this senecio where it was denied, and it goes before City Councils and items are added in order to get things going forward but does not come back to Planning and Zoning or the neighborhood and believes that is why the current process for Conditional Use Permits (CUP) is the correct one.

Mr. Hosmer noted whenever something has been modified by City Council, then the pubic would have a chance to speak on it due to the 2-week layover where it would be vetted to meet standards.

Mr. Hoeman noted the City Council holds open the hearing process to the amended item.

Mr. Colony asked about the Planning and Zoning Commission schedule and believes there needs to be conditional approval/comments from the Commission if this could be held over for more of a review.

Mr. Pauly asked if this amendment passes then would City Council would have the ability to delete any type of changes that Planning and Zoning Commission has placed on it.

Mr. Hosmer noted that City Council is an elected board and has the ability to make amendments, but this does not happen very often, and they are usually in sync with the Planning and Zoning Commission.

Mr. Pauly reaffirmed that his was initiated by the Plans and Policies Committee and noted the dates of November 17, 2022, to August 9, 2023, was when the committee only met and why is this so important to bring forward.

Mr. Lebeck commented on the date of November 17, 2022, of the original vote and why the urgency now.

Mr. Hosmer stated that this amendment is to bring it more into line on how we do our rezoning cases and went over what City Council's authority is.

Mr. Lebeck is asking why the change now.

Mr. Hosmer gave an example of where City Council could make modifications or other safeguards to go further, protect a neighborhood, etc.

Mr. Lebeck noted that the Planning and Zoning Commission has architects, engineers and other people equipped to read site-plans and make good recommendations again asking why the change and asking about the 30 days for recommendations.

Mr. Colony asked why it took nine months for this to come back to the Planning and Zoning Commission.

Mr. Sparlin noted that there were internal staff discussions and correction of errors and went over the timeframe.

Mr. Colony quoted, "if it ain't broke, don't fix it" and does not believe the current process is broken and wants items to be reviewed again by the Commission if a major amendment is made to the project or not voted unanimously by City Council.

Staff noted that conditions could be added, i.e., it could be part of the criteria that doesn't increase the density or intensity, or the zoning district, or if it does, then remand it back.

Mr. Colony is asking for it to be tabled and the commission to give a proper work-through as a group.

Mr. Sparlin stated that on item number 6 in the staff analysis and recommendations the current language has been interpreted that City Council does not have the ability to impose conditions and the purpose of the conditional use permit is to impose conditions and believes the legal analysis of the sections needed to be more clear and staff believes that it accomplishes the goals of providing City Council to impose conditions as well as modify and remove.

Ms. Ridge stated that she presumes this would streamline the process but does not see it as an emergency basis.

Mr. Lebeck went over his concerns and asked how the Commission gets their recommendations and/or support to the City Council.

Staff and the Commission further discussed the best pathway to not recommend approval to the proposed changes and suggested recommendations with some context as to why they are not recommending the change.

Mr. Hoeman noted that any recommendations proposed to City Council can come by a motion, second, and a vote of the Commission and this may require multiple votes if there are multiple recommendations.

Mr. Colony asked for clarification on how long has conditional use permits have been allowed in Springfield and staff noted since 1995, and asked if City Council does not have the authority to impose additional conditions how are they approving them?

Staff went over the process of the approval or denial.

Ms. Ridge voiced her concern for citizens to have input and to be informed.

Mr. Knuckles went over the proposed changes, noting that he would like to keep it as it is currently and will vote against it and would like to add a recommendation to the motion.

Ms. Broekhoven made comments regarding the process and the timeframe and believes they are being forced to make recommendations within 30 days and believes it does not allow for substantially meaningful conditions to go back to council. Believes this does not give the commission as well as the public the opportunity to review.

Staff went over that council members thought they had the authority to impose conditions, and that they wanted to strengthen the language to be very clear.

Ms. Broekhoven noted that the commission postponed it at the November 9, 2023, and noted that it aligns with the schedule of the new code development updates and asked if there are any opportunities for the commission to do their due diligence without advancing the text amendment further and she also mentioned for

Mr. Hoeman noted that he is not aware of any provisions in the code that would allow to withhold their recommendations.

Mr. Pauly made a comment about losing public input with the change.

Commission members reinstated their opposition to the change, specially noting that the Commission's minimum standards cannot be remanded back or heard again by the Commission and this change will allow City Council to engage in entitlement negotiations with substantial changes and not what was advertised with the public.

Mr. Lebeck noted the commission's frustration and would like to make a motion if this commission recommends denial of the text amendment and that the denial includes the following language.

Ms. Broekhoven closed the public hearing.

Commission Action #1
Planning and Zoning Commission Board Member Lebeck moved to recommend with comments for Conditional Use Permit Text Amendments (see below) and Commissioner Colony seconded the motion.

1. The city has not provided us with a reason why this change to our land development code is necessary;
2. the city recently passed a new comprehensive plan that will cause an entirely new land development code to be presented to the planning commission and ultimately city council;
3. allowing for changes and modifications without planning commission input takes away from the public another opportunity to comment and ultimately reduces transparency and
   development projects that affect our neighborhoods, citizens and city; and
4. this commission has placed on hold other text amendments out of respect for a new land development code coming forward.

It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott, Britton Jobe. Abstain: None.

Commission Action #2
Planning and Zoning Commission Board Member Lebeck moved to approve Conditional Use Permit Amendments, Commissioner Colony seconded the motion. It Failed with the following vote: Ayes: None. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Absent: Dan Scott, Britton Jobe. Abstain: None. **Motion Failed**

PUBLIC HEARINGS.
Z-29-2023 w/COD 242
5298 East Farm Road 104
Applicant: Kurk Wouk

Daniel Neal states that this is a request to rezone approximately 5.5 acres of property from County R-1, Suburban Residence District to HC, Highway Commercial District and establishing Conditional Overlay District No. 242 to allow for a Recreational Vehicle (RV) Park. This case was originally seen at the October 5, 2023, Planning and Zoning meeting, but it was determined that the rezoning or major subdivision process can not start until the voluntary annexation of the property has been completed which has been done by City Council on November 20, 2023.

Eric Pauly asked about the intersection located close by and if a traffic study would need to be completed and what improvements or development is expected.

Mr. Neal stated that he didn't know about improvements but expects low traffic volumes as it will be a RV park.

Eric Pauly also asked about the three roundabouts located in the area and the possibility of larger vehicles going around them and Mr. Neal noted that he does not see any issues and are built to MODOT standards.

Eric Pauly asked about stormwater drainage and the creek, and Joe Codichini, Public Works stated that there are two detention basins that go to the farm pond and are shared by Buc-ee's development and the current project. The South Dry Sac Creek is not a tributary, so it is not classified as a stream, and further study will be needed to determine if the current farm pond can be used as a detention.

Eric Pauly also asked about the drinking water north of the property and Joe Codichini stated that there are no concerns at this time.

Bill Knuckles made a comment about improvements and that they would be addressed by a traffic study.

Geoff Butler 4449 E. Valley stated that this is straight forward and intersects with Buc-cee's development.

Eric Pauly asked approximately how many RV's can be accommodated?

Geoff Butler stated that he does not know at this time, possibly 30 RV's and should probably be short-term with a pathway available to get to Buc-ee's.

Natalie Broekhoven closed the public hearing.

COMMISSION ACTION
Planning and Zoning Commission Board Member Knuckles moved to approve Z-29-2023 w/COD 242 and Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Dan Scott and Britton Jobe. Abstain: None.

OTHER BUSINESS.
2024 Planning and Zoning Commission Schedule

Mr. Hosmer noted that meeting information is stated in the City Charter after questions on how many meetings are required each month.

Planning and Zoning Commission Board Member Lebeck moved to approve 2024 Planning and Zoning Commission Schedule and Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott, Britton Jobe. Abstain: None.

ADJOURN.

PNZ City Council Results

Meeting Dates From: 11/01/2023 **To:** 11/30/2023

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	11/9/2023 Tabled		
Conditional Use Permit Amendments Citywide	11/9/2023 Tabled		
Conditional Use Permit Amendments Citywide	11/30/2023 Denied		
Relinquishment of Easement 933 2835 N OAK GROVE AVE	11/9/2023 Approved		
Subdivision Variance 355 1007 E KEARNEY ST 1019 E KEARNEY ST 1027 E KEARNEY ST	11/9/2023 Approved		
PPlat of Patel Subdivision 4808 E PARALLEL LN	11/9/2023 Approved		
Z-29-2023 COD 242 5298 E FARM ROAD 104	11/30/2023 Approved		
Vacation 829 2000 N LYON AVE	11/9/2023 Approved		
PD 12 FDP 1249 E KINGSLEY ST	11/9/2023 Approved		
Z-30-2023 COD 243 2555 N NEERGARD AVE	11/9/2023 Approved		
Relinquishment of Easement 939 2000 N LYON AVE	11/9/2023 Approved		
Request to Acquire 544 2000 N LYON AVE	11/9/2023 Approved		
Z-31-2023 COD 244 1650 S INGRAM MILL RD	11/9/2023 Approved		
Planned Development 387 1141 E DELMAR ST 1137 E DELMAR ST	11/9/2023 Tabled		

PNZ City Council Results

Meeting Dates From: 11/01/2023 **To:** 11/30/2023

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-8-2023 COD 228 901 S WESTBYPASS BYP 849 S SUBURBAN AVE	10/5/2023 Approved	11/6/2023 Complete	11/20/2023 Approved
PPlat of Kay Pointe Place 901 S WESTBYPASS BYP 849 S SUBURBAN AVE	10/5/2023 Approved	11/6/2023 Complete	11/20/2023 Approved
Z-27-2023 COD 240 1218 E PACIFIC ST	10/5/2023 Approved	11/6/2023 Complete	11/20/2023 Approved
Z-28-2023 COD 241 4149 W CHESTNUT EXPY 4123 W CHESTNUT EXPY 4149 W CHESTNUT EXPY 430 N METEOR AVE	10/5/2023 Approved	11/6/2023 Complete	11/20/2023 Approved
A-6-2023 5298 E FARM ROAD 104		11/6/2023 Complete	11/20/2023 Approved

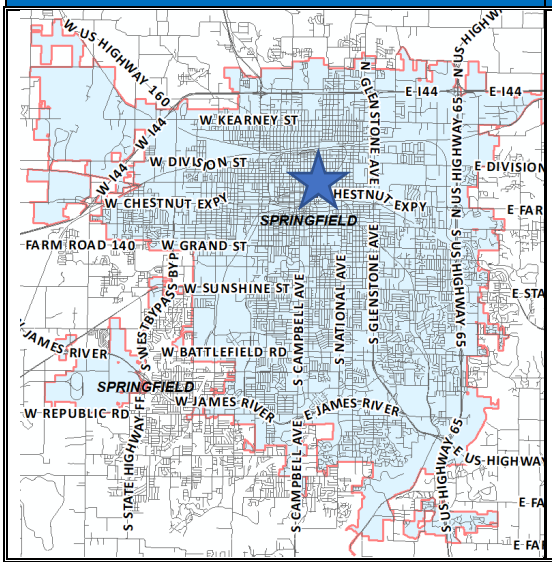
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Request to Dispose 530
Location:	300 block of West Chestnut Street
Total Acres:	0.43 acres
Applicant:	City of Springfield
Existing Land Use:	Parking Lot
Planning and Zoning Commission:	December 14, 2023
City Council:	January 22, 2024
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:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

The City of Springfield is proposing to dispose of the property generally located at the 300 block of West Chestnut Street. Springfield QOZ Self-Storage LLC, doing business as Devon Self-Storage, owns the parcel south of this property and will purchase the property if approved.

LOCATION MAP	CHANGE OF USE SITE
	

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. 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.

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	General Manufacturing	Center City	General Manufacturing
LAND USE	Right-of-way	Self-Storage Facility	Office	Office
PLACETYPES	Institutional & Employment	Downtown	Downtown	Downtown

LAND DISPOSAL POLICY:

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

1. **Where is the property located?**
   The northern half of the now-vacated Chestnut Street between Boonville and Campbell, and an area used as a parking lot by Gannett Missouri Publishing (Springfield News-Leader) when it occupied the building at 651 N Boonville Ave. This parking lot was constructed on City-owned property by Gannett pursuant to a license agreement authorized by Special Ordinance 23957.

2. **Legal description.**
   See last section of staff report.

3. **Why doesn't the City of Springfield need the property anymore?**
   The City has no use for the parking spaces on City property and does not wish to maintain the parking spaces. The entrances to this area, the now-vacated Chestnut Street, is too close to Chestnut Expressway, and is less suitable for parking by the public.

4. **When was the current building erected?**
   The parking lot was erected in 2000 or 2001.

5. **Why was property acquired? What did the city originally intend to do with the property?**
   This area was deeded to the City by the Missouri Highway and Transportation Commission in 1986. It consisted of excess land acquired by the state (fee

simple by warranty deed, not just right-of-way) in the 1950s for the construction of Chestnut Expressway.

6. **Who will purchase property?**
   Springfield QOZ Self-Storage LLC, doing business as *Devon Self-Storage, the new owners of the News-Leader building, will be purchasing the property.*

DEPARTMENT COMMENTS:

1. CITY UTILITIES:
   CU has electric/gas/water in the area to be disposed of/vacated. Replacement easements will be needed. The exact dimensions of the easements needed are to be determined.

2. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
   There is public sewer located in the proposed disposal. The sewer main east of manhole number N19SW073 does not serve any other properties. 605 N Boonville is served from the public main south of Tampa. Since the sewer main in Chestnut St. east of manhole N19SW073 is not used by anyone else, Environmental Services is willing to relinquish the sewer in Chestnut St. east of manhole number N19SW073 to private maintenance. Need to insert language in the agreement that specifies that this section of sewer main will no longer be maintained by Env. Services.

   Need to reserve a sanitary sewer easement from manhole 73 to the north, a minimum of 7.5' wide. Refer to the markup on the Disposal Diagram for reference.

3. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:
   No comment.

STAFF ANALYSIS AND RECOMMENDATION:

1. The subject property is within the city limits of the City of Springfield.

2. The proposed disposal will not adversely affect City of Springfield's operations.

3. The disposed property will be purchased by the adjacent property owner, Springfield QOZ Self-Storage LLC, doing business as Devon Self-Storage.

4. Replacement easements are to be dedicated for utilities within Chestnut Street at closing following City Council approval.

5. A replacement sewer easement will either be dedicated at closing, or the line will become privately maintained by the property owner.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

DEVELOPMENT REVIEW STAFF REPORT

LEGAL DESCRIPTION:

A PART OF THE GRANTOR'S LAND AS RECORDED IN A QUIT-CLAIM DEED IN BOOK 1931 AT PAGE 354, AND A PART OF CHESTNUT STREET VACATION RECORDED IN BOOK 2769 AT PAGE 1063, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IS DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 02 DEGREES 16 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1308.30 FEET; THENCE SOUTH 89 DEGREES 07 MINUTES 35 SECONDS EAST, A DISTANCE OF 16.87 FEET TO THE SOUTHWEST CORNER OF SAID CHESTNUT STREET VACATION, ON THE EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE, A DISTANCE OF 17.52 FEET, TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 47.70 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 393.12 FEET, TO THE WEST RIGHT-OF-WAY LINE OF BOONVILLE AVENUE; THENCE SOUTH 01 DEGREES 51 MINUTES 54 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 46.86 FEET, TO SAID SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION; THENCE NORTH 89 DEGREES 01 MINUTES 17 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

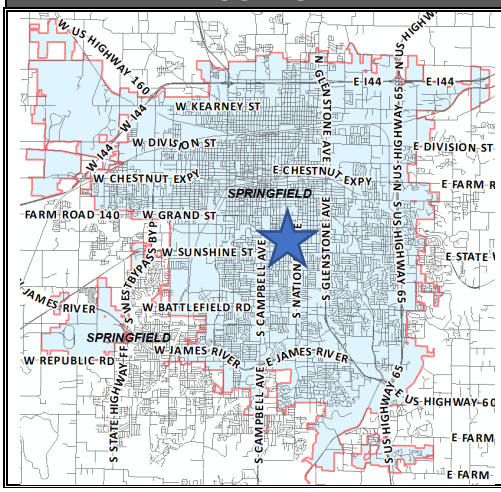
CONTAINING 18,662 SQUARE FEET, MORE OR LESS.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-27-2022 w/COD No. 220
Location:	1739, 1745 and 1755 S. National Avenue and 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street
Total Acres:	2.6 acres
Applicant:	BK&M, LLC
Existing Land Use:	Single-family residential and vacant lots
Neighborhood Meeting:	October 24, 2022
Planning and Zoning Commission:	December 14, 2023
City Council:	January 22, 2024
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-27-2022 with Conditional Overlay District No. 220 as set forth in Attachment 1, and subject to the conditions listed in Attachment 2 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

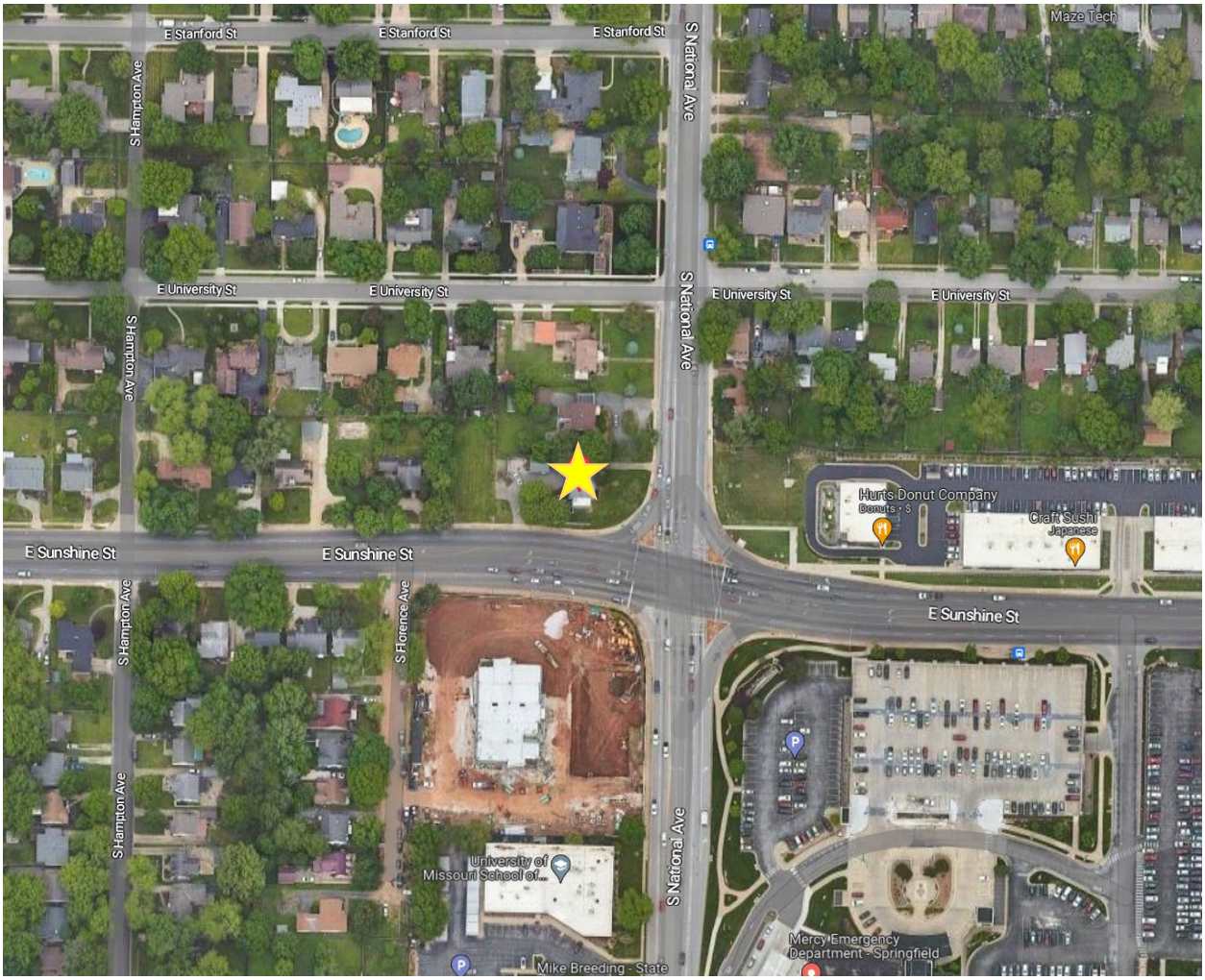
PROJECT SUMMARY:

On May 22, 2023, the City Council remanded this application back to the Planning and Zoning Commission. This is a supplemental report which provides additional information based on the changes made by the applicant. This request is to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 220.

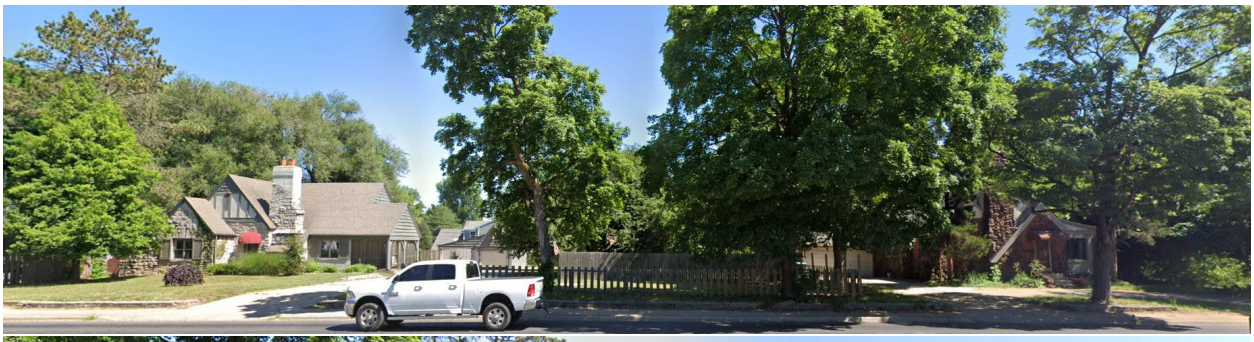
LOCATION MAP	ZONING MAP
	

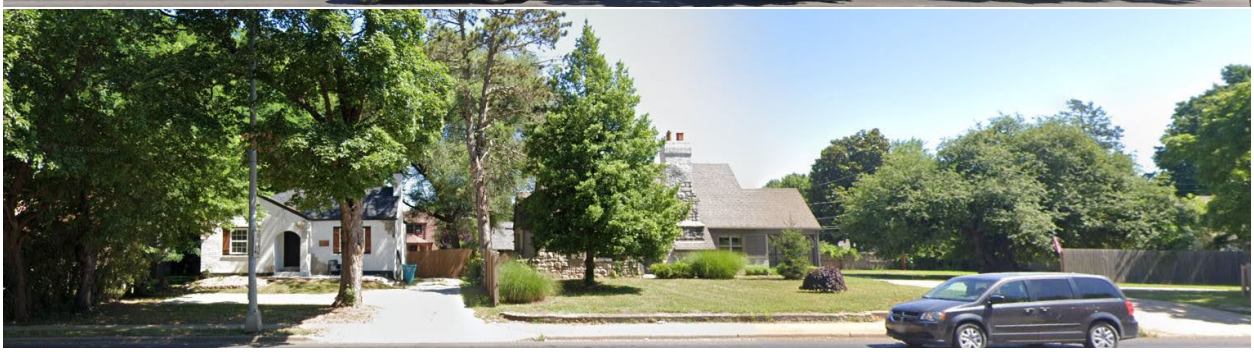
DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:





PROPERTY HISTORY:

These properties were annexed in 1926 and have been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995.

The original rezoning application was submitted in August of 2022 for the rezoning of 5 lots to General Retail (GR) with a conditional overlay district. In November 2022, a revised rezoning application was submitted that included 3 additional lots along Sunshine Street with a revised conditional overlay district.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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.

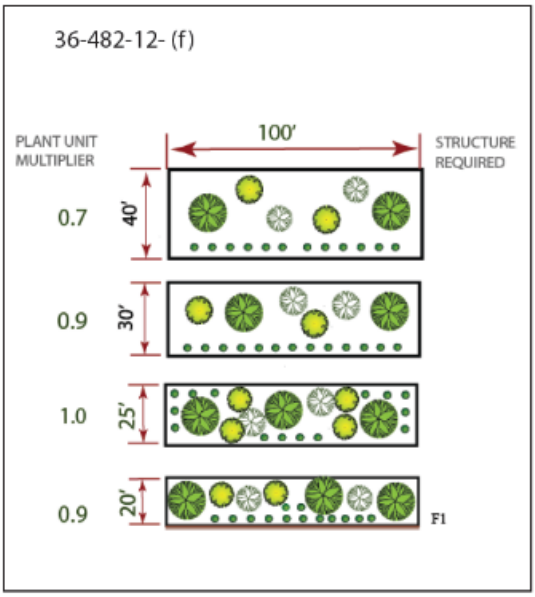
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property.
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GENERAL RETAIL DISTRICT
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 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 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.
Minimum Lot Size	Not applicable to the GR, General Retail District
Maximum Height	Not applicable to the GR, General Retail District
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.

Minimum Yard Requirements	Front yards – 25 feet when fronting on a street classified as collector or higher, or as required by Section 36-453, Supplemental open space, and yard regulations. 15 feet when fronting a street classified as local, or as required by Section 36-453. The front yard setback may be reduced below the minimum required above if a Conditional Use Permit is approved in accordance with Section 36-363, Conditional use permits, or if a preliminary plat is approved in accordance with the City's subdivision regulations. Side yards – None, except as required by Section 36-453 and the bufferyard requirements contained in Section 36-482, Landscaping and bufferyards. Rear yards – None, except as required by the bufferyard requirements contained in Section 36-482.
Minimum Open Space	Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and bufferyards unless modified in accordance with subsection 36-482 (15). Open space shall not include areas covered by buildings, structures, parking, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan, meeting the requirements of Section 36-360, Site plan review, shall be submitted and approved. (b) A landscape plan, meeting the requirements of Sections 36-482 and 36-483, Off-street parking and loading design standards, shall be submitted, and approved. (c) Off-street parking and vehicular use areas shall be screened from all residential uses, in accordance with Section 36-480, Screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with Section 36-480. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with Section 36-480. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with Section 36-484, Lighting standards. (g) Accessory buildings and structures shall meet the requirements of Section 36-450, Accessory structures and uses.
Buffering and Landscaping	Future development must comply with the interior and perimeter landscaping requirements, as applicable to a future site plan, per subsections 36-482 (9) (a) and (b), unless the property owner opts to utilize the point system described in subsection 36-482 (10) instead. Based on the proposed zoning for the subject area and the zoning of its

	neighbors, a Bufferyard Type F will be required along the north and west property line where immediately adjacent to property zoned R-SF, Single-Family Residential District. A Bufferyard S2 will be required when R-SF is across a public street from the GR District.

BULK PLANE	LANDSCAPING
A 30-degree bulk plane is required from the boundaries of a R-SF zoning district. The result of applying a bulk plane standard is that the taller part of a structure may be pushed away from neighboring residential development, towards the center of the lots immediately surrounding the intersection (in this case) thus assisting to mitigate the differences in building height and land uses.	Bufferyard Type F when adjacent to R-SF 

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject property is in the northwest quadrant of the intersection of National Avenue and Sunshine Street. The *Growth Management and Land Use Plan* designate this area as appropriate for Low Density Housing uses and neither the northwest nor the northeast quadrants of this intersection are specifically identified by the Land Use Map as being located within an activity center, which is the preferred location for commercial land uses. The southeast corner is designated as community-public and only the southwest corner is indicated for medium intensity retail, office, or housing. Non-residential land uses such as the existing Mercy Hospital and related clinics have established themselves in the area along with other commercial and office uses, primarily along the eastern half of Sunshine Street and the southern half of National Avenue, on both the east and west sides. Over time, redevelopment in these areas have formed an established non-residential land use pattern and a foundation for a transitional corridor in the immediate vicinity from residential to non-residential land uses.

Different from the other three quadrants, the land use pattern at the northwest corner heading westward, on both the north and south sides of Sunshine Street have remained single family

residential from the intersection and westward along Sunshine Avenue for approximately one mile. Residential development in the northwest quadrant of this intersection and along the north and south sides of Sunshine Street to the west is viable, functioning, well established and vibrant despite the large volumes of traffic that pass through the intersection and along Sunshine Street and National Avenue. As previously noted, this has not been the pattern of development for properties along Sunshine Street, east of the intersection, where a pattern of commercial and other non-residential land uses have been established along the north and south sides of Sunshine Street, over time The last remaining piece of property at the northeast corner of Sunshine and National was rezoned to General Retail in 2016 and developed with low intensity (single story) retail and office uses, linking the older, already established commercial land uses to the east and an existing office use (later demolished) at the corner of the intersection.

The Plan encourages higher density development, particularly employment, shopping, and multi-family housing, served by transit, major roads and bicycle routes in Activity Centers and the established development pattern in the northeast, southwest and southeast quadrants of this intersection reflect the intent of the plan. This is the preferred development pattern for the Springfield area, as a means of encouraging infill growth, of using infrastructure efficiently, of reducing auto trips and creating diverse, exciting urban locations. The Major Thoroughfare Plan classifies Sunshine Street and National Avenue as primary arterial roadways, and University Street is classified as a local roadway. The *Growth Management and Land Use Plan* encourages the future location of community scale shopping areas near intersections of arterials and collector streets.

The Plan encourages higher density development, particularly employment, shopping, and multi-family housing, served by transit, major roads and bicycle routes in Activity Centers and the development pattern in the northeast, southwest and southeast quadrants of this intersection reflect the intent of the plan. This is the preferred development pattern for the Springfield area, as a means of encouraging infill growth, of using infrastructure efficiently, of reducing auto trips and creating diverse, exciting urban locations. The Major Thoroughfare Plan classifies Sunshine Street and National Avenue as primary arterial roadways and the subject properties are located at the corner of a major intersection. The *Growth Management and Land Use Plan* encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets.

Activity Centers, a key concept in the preferred development pattern for the Springfield area, are intended as a means of encouraging infill growth, of using infrastructure efficiently, of reducing auto trips and creating diverse, exciting urban locations. The encourage higher density development, particularly employment, shopping and multi-family housing, served by transit, major roads and bicycle routes.

It is intended that additional development be concentrated in and around the Activity Centers so as to optimize transportation investments, citizen convenience, investor confidence, a compact growth pattern, and a sense of urban excitement. Land in each Activity Center would be intensively and efficiently used.

The elements of an Activity Center will vary from one to another, but each should include, at a minimum, retail and office buildings and, ideally, multi-family housing, restaurants, and hotels, entertainment, and community facilities such as churches, public agencies, libraries, parks, etc.

The *Growth Management and Land Use Plan* recommends limiting auto-oriented commercial districts to major arterial streets when the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-oriented land uses can be compatibly concentrated. The properties are located at a major intersection of two arterial roadways. Commercial and office uses exist at all other corners of this major intersection. The Plan seeks to identify and designate locations as mixed-use that are close to higher density residential neighborhoods, encouraging a mix of mutually supportive commercial and entertainment activities, pedestrian-friendly gathering places, transit service, and flexible parking requirements. Site design standards that attract pedestrians by bringing storefronts and windows to the sidewalk and orienting building faces to the street are encouraged.

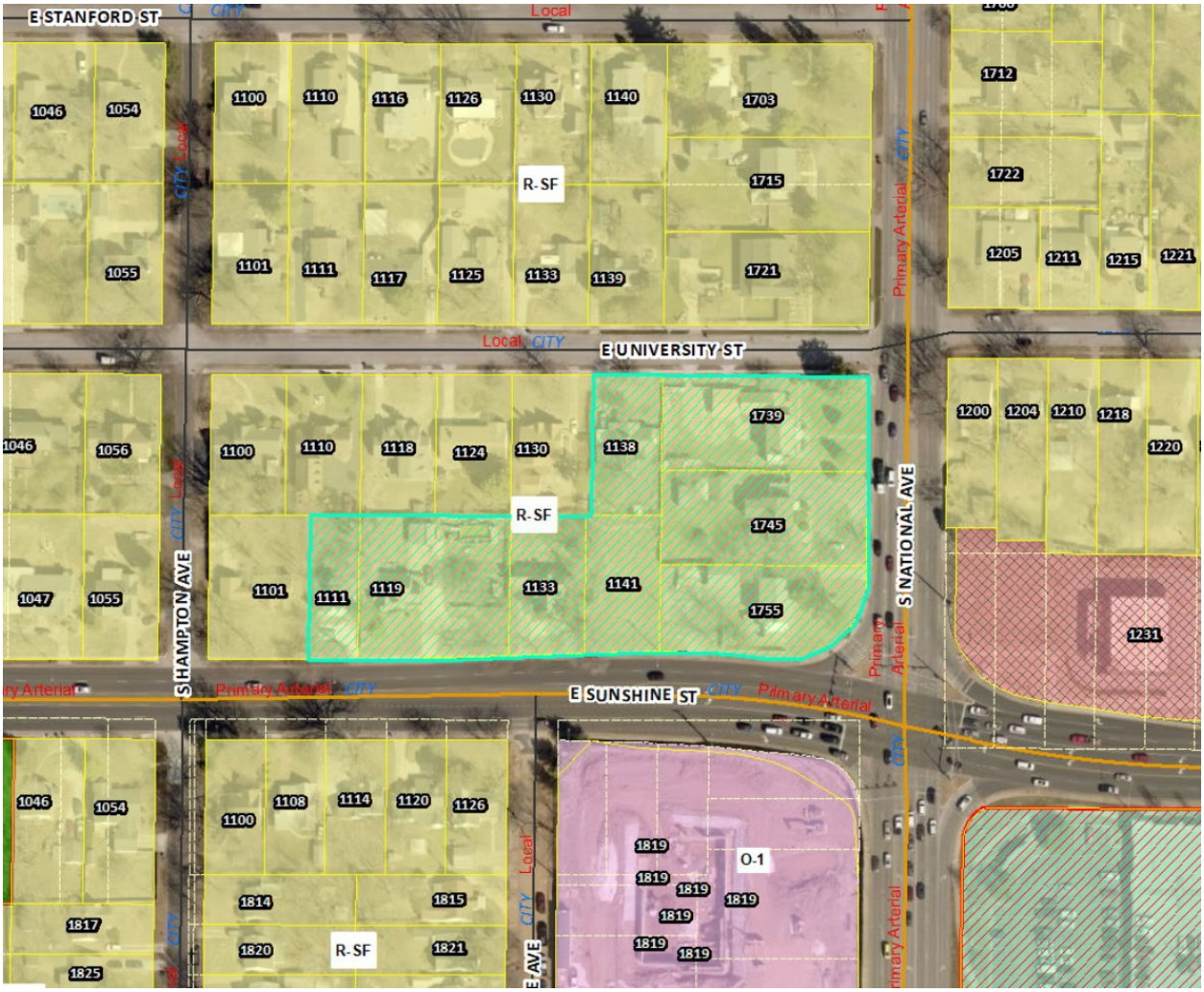
The *Growth Management and Land Use Plan* of the *Comprehensive Plan* also states that new development should be compatible with existing development in terms of scale, materials, rooflines setbacks and open space. Landscaped transitions should be used between sharply differing types of land use. The Plan encourages the effective use of location, design and landscaping of commercial uses to screen and buffer neighborhoods from lights, signs, traffic noise and pollution, and other factors incompatible or conflicting with adjacent land uses. These practices will help ensure the integrity and function of the road system, reduce the length and frequency of auto trips, minimize impact on residential areas and contribute to the overall attractiveness of the community.

The Planned Development District should be used in Activity Centers per the Plan, where mixed- and multiple-use projects are promoted, and higher residential densities are desired. (Mixed-use implies housing or offices above retail or service businesses.) The Planned Development District is “wide open” in terms of what land uses it allows and how they are arranged. Despite staff’s recommendation to use the Planned Development rezoning process, the applicant opted not to use it and instead chose to incorporate enhanced development standards and other development related restrictions through a request to rezone the property to General Retail (GR) with a COD. This is allowable under the current Zoning Regulations.

The impact to University Street (local roadway) has been addressed by the traffic impact analysis, submitted with the rezoning application. The traffic impact analysis looked at the impact of traffic utilizing local streets. It is recognized that some traffic will utilize local streets, however the traffic impact analysis determined that there would be no substantial impact to the residential streets in this area. The amount of traffic projected by the report will not be enough to create a reasonably significant safety or traffic volume concern. The residential streets will be able to reasonably accommodate the traffic generated by the proposed development. Streets in this area are interconnected, and interconnectivity enhances neighborhood access to the potential retail or personal services of the development without subjecting additional traffic to National Avenue or Sunshine Street. This type of connectivity is supported by the Growth Management and Land Use Plan of the Comprehensive Plan which states that commercial areas should be served by major roads which have adequate capacity and should provide access at locations that do not contribute to congestion at major intersections.

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	O-1 & R-SF	GR & R-SF	R-SF
LAND USE	Single-family residential uses	Medical clinic and single-family residential uses	Shopping center and single-family residential uses	Single-family residential uses

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
   No issues with the proposed rezoning.

2. CITY UTILITIES:
   No issues with the proposed rezoning or COD.

3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
   No objections to the rezoning; however, we have the following comments:
   a. Public sewer is available in Sunshine, National and University. There are several existing 4-inch clay service laterals available in University and Sunshine. It is recommended that the new development extend public sewer onsite for better access. Public sewer would need to be designed and constructed according to City design standards.

4. FIRE DEPARTMENT:
   All development must comply with 2018 IFC. Installation of fire hydrants and fire access lanes shall comply with 2018 IFC.

5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
   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 at this location. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does not have a stream buffer on site**.

   PW Stormwater only concerns with the property is based on the large amount of new impervious surface area draining to R-SF properties and the National Ave right-of-way (Primary Arterial). The PW-Stormwater concerns are addressed through the Flood Control and Water Quality Protection manual standards for Stormwater Control Measures and would not prevent a rezoning or COD. 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.

   <u>Detention Requirements:</u>
   a. Any development or redevelopment that increases runoff, through the increase in impervious surface, must meet current detention requirements per Chapter 3 Sec. 2.3.3.
      i. Detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed job description and future

site plan has eight properties combining into one lot. The combined lot and future development will add 1.23 acres of impervious area (see table below).

Total Combined Area	2.6 acres
Existing Impervious Area	0.85 acres
Proposed Impervious Area	2.08 acres
New Impervious Area	1.23 acres

b. The current property has two drainage areas draining West and East/Northeast with the high point at 1119 E Sunshine St. The West drainage area is 0.3 acres and drains to 1111 E Sunshine St and 1110/1118 E University St. The East drainage area is 2.3 acres and drains to S National Ave along with part of E Sunshine St. The proposed site plan does not show elevations but is capable of being graded to change the drainage patterns to all 2.6 acres draining to the east.
c. PW-Stormwater would recommend the onsite detention connect to the 48”x30” Box Culvert running North along the East side of S National Ave. The development can possibly connect to the street curb inlet box on S National Ave by 1721 E University St. The area inlet is connected the Box Culvert through an 18-inch diameter RCP.

<u>Water Quality Requirements:</u>

a. 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.
    i. Water Quality is required for the project with over 1 acre disturbed and over 1 acre of new impervious area. For the approximately 0.85 acres of area that can qualify as redevelopment the Rainfall Factor, P=0.5 inches can be used in the volume calculations.

<u>Additional Stormwater Standards to be met:</u>

a. A land disturbance permit will be required with disturbing one acre or greater per Chapter 4 Section 5 of the City’s Flood Control and Water Quality Protection Manual.
b. As-builts of the detention and water quality improvements are required. Staff recommends the following as-built notes on the plans:
    i. 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 measures.
c. 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.

d. Include on the plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post-Development Impervious Surface Area, and Post-Development Open Space Area. Per Chapter 4 Sec. 3.2 for Detention Summary.
    i. Existing gravel surfaces meeting the above definition are eligible for 50% credit.

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

Street Classification, Right-Of-Way, and Jurisdiction:

City's Transportation Plan classifies S. National Avenue and E. Sunshine Street as Primary Arterial roadways and E. University Street as a Residential Local roadway. The standard right-of-way width for both S. National Avenue and E. Sunshine Street is 50-feet from the centerline. The standard right-of-way width for E. University Street is 25-feet from the centerline. It appears an additional 10-feet of right-of-way is needed along both S. National Avenue and E. Sunshine Street to meet this requirement. It appears no additional right-of-way is needed along E. University Street. A 100-feet x 100-feet right-of-way sight triangle is required at the intersection of S. National Avenue and E. Sunshine Street. A 10-feet x 10-feet right-of-way sight triangle is required at the intersection of S. National Avenue and E. University Street. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed or placed within the required right of way. S. National Avenue, E. Sunshine Street, and E. University Street are city-maintained streets.

Traffic Counts & On-Street Parking:

The most recent traffic count for S. National Avenue is 31,910 vehicles per day and 28,940 vehicles per day for E. Sunshine Street. The most recent traffic count for E. University Street is 275 vehicles per day. On-street parking is not allowed along S. National Avenue or E. Sunshine Street. On-street parking is allowed along E. University Street.

Driveway Access:

There is currently two driveway access points onto the properties from S. National Avenue, five driveway access points onto the properties from E. Sunshine Street, and three driveway access points onto the properties from E. University Street. Current City Code requires access on National to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue. There is not enough property frontage to meet these requirements along S. National Avenue. Access will not be allowed on S. National Avenue. Current City Code requires access on E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this requirement.

Sidewalk:

There is existing sidewalk along the property frontage of S. National Avenue, E. Sunshine Street, and E. University Street.

Trails, Bus Stops, and Additional Information:
There is no Greenway Trail in the area surrounding the property pertaining to this zoning. There are no bus stops in the vicinity of the property pertaining to this zoning.

Improvements:
A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Ave. restricting access to University St to Right-in/Right-out only on the west side of National Ave. and Right-in/Right-out/Left-in only on the east side of National Ave.; a raised concrete median on Sunshine St. restricting access to the development to Right-in/Right-out/Left-in only; traffic calming measures on University St. and/or Hampton Ave; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Ave. to westbound Sunshine St. turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	S. National Avenue	Primary Arterial	No	40	50
Street	E. Sunshine Street	Primary Arterial	No	40	50
Street 3	E. University Street	Residential – Local	Yes	25	25

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	10	12	120	
***Proposed Trips Generated**	40	75	769	
Additional Trips Generated	30	63	649	

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

STAFF ANALYSIS AND RECOMMENDATION:

1. This rezoning application was submitted prior to the adoption of the Forward SGF Comprehensive Plan, therefore the previously adopted Vision 20/20 Comprehensive Plan and the elements of that plan will be used to evaluate this rezoning request.

2. The *Growth Management and Land Use Plan* designate this area as appropriate for Low Density Housing uses. The Vision 20/20 Plan identifies the area south of Sunshine Street/National Avenue intersection as a planned/potential Community Scale Activity Center, which is slated for locations of significant business and high-density housing development, however, the northwest quadrant (subject site) is not identified on the map as within the Activity Center.

3. It is intended that additional development be concentrated in and around the Activity Centers to optimize transportation investments, citizen convenience, investor confidence, and a compact growth pattern. Land in each Activity Center would be intensively and efficiently used. Objective 9 of the Plan notes that plans, regulations, and public investments should promote additional new employment, intensified retail business, higher density housing and convenient transit service, noting that the elements of an Activity Center will vary from one another, but each should include at a minimum, retail and office buildings and ideally multifamily housing, restaurants, and community facilities. Surrounding properties in and around the same intersection have been developed with medical office and retail land uses and have formed the foundation for long-term growth and a change in the land use pattern to the north, south and east. The areas around the hospital campus have created a non-residential/mixed-use development pattern along Sunshine Street. Development at the northeast corner is a mix of retail and office space and at the southwest corner, medical office. Despite the redevelopment within the three quadrants surrounding the intersection within the Activity Center, the subject properties have remained developed as medium density single family residential. It's unknown if that is as a result of the map designating the subject site outside of the Activity Center or for some other reason.

4. The *Growth Management and Land Use Plan* identifies Sunshine Street, Campbell and National Avenues as Transitional Roadway Corridors. Over time, nonresidential development patterns in this area have created a transportation and land use relationship that have shifted from one in which there was low roadway traffic volume and low access demand to one of high volume and higher access demand. The Plan suggests that housing quality may deteriorate in such locations because few people want to make a long-term ownership commitment in an environment degraded by high auto traffic volumes however the plan also suggests that it is possible to sustain single family housing along a busy arterial road depending on several factors inherent in the neighborhood such as convenience to jobs, shopping, and community amenities. The neighborhood adjacent to the subject site appears to be viable and intact. Little to no degradation of quality is apparent and the development pattern along Sunshine Street and National Avenue west of the intersection has not been punctuated by non-residential land uses over time, unlike that which has occurred east of National Avenue, along Sunshine Street, where the corridor has changed from residential to non-residential.

5. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.

6. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the *Growth Management and Land Use Plan* of the *Comprehensive Plan* states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pick-up window or drive-thru facilities which can be a high- volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor are also prohibited amongst others as listed in the COD (Attachment 1). Staff is of the opinion that compatibility with neighboring residential land uses is enhanced through the elimination of these land uses, however, merely eliminating potentially noncompatible land uses does not ensure compatibility absent specific design and location criteria as it relates to any structures built on the site, site layout and buffering.

7. The *Plan* states that new development and the mix of land uses should be compatible with existing development in terms of scale, materials, rooflines, setbacks and open space.

8. The applicant must meet the bulk plane requirements for the proposed GR zoning district. The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal. The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a **30-degree bulk plane** for the height of structures in a GR District measured from the R-SF District boundary line. **This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below).** This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).

9. The proposed COD is also attempting to limit the architectural style of the proposed development. Each of the styles proposed (Bisman, French Country and English Tudor) are common to the University Heights neighborhood; however, the proposed language will make the interpretation of the proposed styles very subjective and there isn't enough detail to truly limit the development like one could in a Planned Development with approved elevations, site plans and renderings. The standards in the COD pertaining to architectural style are written in such a manner as to give a significant amount of discretion to the developer, therefore there is no guarantee that the building design, placement, or proposed land uses will be established as previously shown by the developer, at community meetings and to staff.

10. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

11. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. Three or more design elements will be incorporated for each 50 horizontal feet of a building façade (i.e., changes in color, texture or material; projections, recesses and reveals; groupings of windows or fenestration).

12. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 30 percent brick, stone or stucco in the design and the materials are consistent with the materials used in the adjacent residential neighborhood. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. All stories of all building facades facing a public right-of-way shall include at least 40 percent of the subject facade in windows or doors. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as desired by the Comprehensive Plan.

13. The applicant is voluntarily proposing to install more mature landscaping than is currently required by code and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.

14. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover and signage will be required to be compatible with the style of the building.

15. The proposed Conditions of Approval (Attachment 2) are City staff recommended conditions that aren't incorporated in the Conditional Overlay District. These conditions include the requirements for lot combinations, additional right-of-way to meet current standards, access restrictions and site plan review.

16. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* promotes the use of Planned Development Districts for development in existing and proposed Activity Centers, where mixed- and multiple-use projects are promoted, and higher residential densities are desired. (Mixed-use implies housing or offices above retail or service businesses.) The Planned Development District is "wide open" in terms of what land uses it allows and how they are arranged on a site. However, because the applicant is proposing a rezoning to GR, the intensities and densities of development are not guaranteed and may only be limited based on the traffic impact analysis/study and other site restraints.

17. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of feet from the nearest right-of-way line of S. National Avenue. There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City code.

18. The General Retail District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community- wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. Areas zoned GR are intended to be at least five acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme.

19. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. Development for non-residential land uses at major intersections is contemplated and encouraged by the Comprehensive Plan.

20. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.

21. The supplemental and open space requirements (Section 36-453) require a 25-foot setback within 100 feet of the residential district so this would apply to property to the west along Sunshine Street. This section also requires a setback of not less than ½ of the existing or required minimum front yard setback which would make the side yard setbacks along Sunshine Street 12 ½ feet wide. This would not include the new right-of-way that would need to be dedicated to the city.

22. A Traffic Impact Analysis (TIA) has been completed and accepted by the City (Attachment 5). The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

23. Private covenants or restrictions on private property are a civil matter. The City does not consider or enforce such matters as their legal status must be determined by a court.

24. Water quality measures and detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed development has eight properties combining into one lot. The combined lots and future development will add approximately 1.23 acres of impervious area.

25. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).

26. The applicant held a neighborhood meeting on October 24, 2022, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

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

In Summary:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* states that protection of our existing residential neighborhoods is a prime concern. It is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. Mixed land uses, as well as mixed residential densities, will need to be accommodated in the future. These must be accommodated with sensitivity to existing residential neighborhoods. The plan encourages mixed use. However, where commercial areas are concentrated, they should be sited and designed to have a minimal effect on adjacent lower-intensity development, and the environment.

The Community Physical Image and Character Plan element of the Comprehensive Plan developed goals to improve the visual appearance of the urban area and the Growth Management and Land Use Plan element encourages the protection of residential neighborhoods from adverse impacts of proposed development and inappropriate land use changes. New development should be compatible with existing development in terms of scale, materials, rooflines, setbacks, and open space.

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* also states that new development should be compatible with existing development in terms of scale, materials, rooflines setbacks and open space. Landscaped transitions should be used between sharply differing types of land use. The Plan encourages the effective use of location, design, and landscaping of commercial uses to screen and buffer neighborhoods from lights, signs, traffic noise and pollution, and other factors incompatible or conflicting with adjacent land uses. These practices will help ensure the integrity and function of the road system, reduce the length and frequency of auto trips, minimize impact on residential areas and contribute to the overall attractiveness of the community.

Since the previous staff report was released in December, the applicant has resubmitted a revised conditional overlay district to address staff's concerns with compatibility of the proposed development with the adjacent neighborhood. Staff had cited the Plan's section that states new development should be compatible with existing development in terms of scale, materials, rooflines, setbacks and opens space. While the proposal is not tied itself to a specific layout or design elevation, there have been advances made towards providing more parameters to enhance compatibility with the neighboring properties and development in the area.

In terms of scale, the proposed development must meet the 30-degree bulk plan requirements which will limit height of structures when located near an R-SF district. Staff has produced a draft visual depiction to show how the height of any structures to the north or west of the site would be reduced to 20-30 feet if structures were built as close as possible to the 20-foot wide bufferyard. It doesn't appear feasible to have short buildings on the western edge with off-street parking along the National and Sunshine, therefore the bulk plane will likely cause the building to be constructed along National Avenue and Sunshine Street frontages to gain the height of five stories as originally proposed, however there is nothing in the COD that limits the height to five stories. While the height of the structure is a concern of staff, the bulk plane is the standard that is applied to all commercial development that is constructed adjacent to or near R-SF or R-TH. It is the same height standard that was applied to the GR development to the east. With that being said, the applicant has also requested a structure height limit of 75 feet which will restrict the height in the areas along National Avenue and Sunshine Street where there isn't a R-SF district within 130 feet. The height of structures near the intersection of National and Sunshine could reach as high as 170 feet by the applicant's calculations. If each floor was 10 feet in height, this could perceivably allow a 7-story building in areas at least 130 feet away from an R-SF district. Staff is aware that developer provided illustrations shown at the neighborhood meetings indicated a 5-story building; however, the actual height limits could allow for a building much taller very close to the intersection of National Avenue and Sunshine Street.

In terms of building materials, the applicant has made many significant changes to the COD. The applicant references three different types of architectural styles that they will adhere to, however that will be difficult to enforce without more specific design standards that reflect those styles. The addition of many Multi-Family Location and Design Guidelines and Planned Development related review guidelines will give staff the ability to review and require changes to any future site plan and building elevations. The review would be based on the design requirements listed in the COD such as pedestrian circulation, natural environment preservation, building façade architectural finishes, and building materials and colors. There is also a provision for site plan review by the Administrative Review Committee (ARC) who would determine if the COD's stated design requirements were met. Staff believes these recent changes have enhanced the development's ability to be compatible with the neighborhood.

City staff had also recommended language in the COD for varying roofline requirements. Those were not approved by the applicant and are not a part of this COD; however, the bulk plane will play a significant factor in reducing the height as any buildings get closer to the north or west. The bulk plane requirement will force the buildings to be constructed in a step-down approach to the neighboring residential developments, which will enhance compatibility in terms of building scale.

In terms of setbacks, the applicant has proposed full bufferyards to the north (Bufferyard S2, 15 foot wide) and west (Bufferyard F, 20 foot wide) adjacent to or across the street from the R-SF. The standard building setbacks along National Avenue will be 25 feet from the front property line after any additional right-of-way is dedicated and 12 ½ feet along Sunshine Street except for the far west side which requires a 25-foot building setback when within 100 feet of the R-SF district. Those are all standard setbacks including the bulk plane which yet again, plays a factor in actual building setbacks especially to the north and west.

In terms of open space, the applicant has added some of the Multi-Family Location and Design Guidelines for landscaping and open space which provides additional landscaping in areas that weren't required to have any before. The GR District requires at least 20 percent open space and while part of that will be bufferyards and stormwater infrastructure, the rest will need to meet the requirements for trees and shrubs in those open space areas. Perimeter landscaping standards will apply to the exterior portions of the site when there isn't a building between the off-street parking areas and property boundaries. Interior landscaping of 5 percent will apply to the off-street parking areas internal to the development. There will also be screening requirements for off-street parking and equipment. A solid wood, brick or masonry fence wall a maximum of 6 foot high must be provided as part of the open space bufferyard as well.

The Planned Development District could be effectively used in the proposed Activity Centers, where mixed- and multiple-use projects are promoted, and higher residential densities are desired. Staff strongly encouraged the applicant to rezone the property through the Planned Development process, but the applicant refused, consequently the proposed COD requirements, although extensive, leave some room for discretion and provide less assurance as to the project's site design, building height and building placement (mixed-use implies housing or offices above retail or service businesses.) The Planned Development District is "wide open" in terms of what land uses it allows and how they are arranged, and the Planned Development District rezoning process allows an in-depth evaluation of the design, layout, building placement, landscaping, buffering, and building placement for purposes of determining

compatibility with adjacent properties are set forth in the Comprehensive Plan. The Planned Development process, as recommended by the Plan provides for the ability to modify land uses, set defined development, and design standards, but also requires a site plan review process to examine the layout and design features, in detail, with dimensions and quantified design standards so that an actual, accurate assessment can be made and details of design as it relates to compatibility can be assessed.

Although the location of the subject site is not within the mapped boundaries of an Activity Center, the land use designation is residential and although staff is of the opinion that the mix of land uses as proposed by the applicant meets certain objectives of the Plan or parts thereof, where it is intended that additional development be concentrated in and around the Activity Centers so as to optimize transportation investments, citizen convenience, a compact growth pattern and where land in each Activity Center would be intensively and efficiently used. The range of proposed uses are compatible with the uses permitted on other property in the immediate vicinity. Adequate utilities exist and the impact of the uses on the volume of vehicular and pedestrian traffic and traffic safety are or have been mitigated via use limitations in the COD and traffic related conditions of approval recommended by staff.

The applicant is attempting to use the straight zoning (not a Planned Development) with a Conditional Overlay (COD) as a hybrid to the Planned Development (PD) process. Although recommended several times to the developer that the PD process is what's preferred, they opted to use the rezone/COD process and that process is allowable under current code.

There are some weaknesses associated with the COD process that are problematic:

1. No specific site plan is required and approved as part of the ordinance, therefore no specific site layout via a site plan is guaranteed; no building elevations (design) can be approved with certainty, and no staff review of the site plan in advance of the rezoning occurs, resulting in a lack of specificity of design. Therefore, one can only rely upon the provisions of the COD and staff recommended conditions to "imagine" what the design of the site will look like. Staff has attempted to mitigate the weaknesses of the COD process by working with the developer to commit to specific design criteria, however, under the provisions of the code, COD requirements have to be "volunteered" by the applicant. In addition to the COD requirements agreed to by the developer, staff has provided a set of staff recommended conditions which require that a site plan be provided to the Administrative Review Committee (ARC) to review the plan to ensure it is compliant with the conditions of the COD and to ensure compatible design, prior to the issuance of building permits, as alternative measure to overcome the weakness of utilizing the COD process vs the PD rezone process. As noted above, should the Planning and Zoning Commission choose to recommend approval of the project, it is important that the staff conditions be approved as a condition of that recommendation, otherwise staff will lose that authority to review site plan and implement traffic requirements per the recommendations of the traffic study and the public works staff.

While the applicant did not commit to design details to the extent staff would prefer, staff has determined that enough parameters have been set to provide compatibility between the subject property and neighboring properties to the degree that satisfies the Comprehensive Plan.

SUPPLEMENTAL STAFF ANALYSIS AND RECOMMENDATION:

1. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR, General Retail District, with Conditional Overlay District No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case has since been postponed until the December 14th Planning and Zoning Commission meeting.

2. The applicant is proposing four main revisions from the previous Conditional Overlay District language and three clarifying revisions.

3. The first revision to the COD is to add automobile washing businesses, pawn shops and self-service storage facilities to the prohibited uses section.

   - Automobile washing businesses;
   - Pawn shops;
   - Self-service storage facilities;

4. The second revision is to specify that the hours of operation use limitation doesn't apply to hotels. Temporary Lodging Use Group which includes hotels, motels, inns and hostels, is a permitted use in the GR, General Retail District, and wasn't prohibited as a use in the previous COD provisions. This revision will clarify that hotels are permitted to operate without any hours of operation limitations.

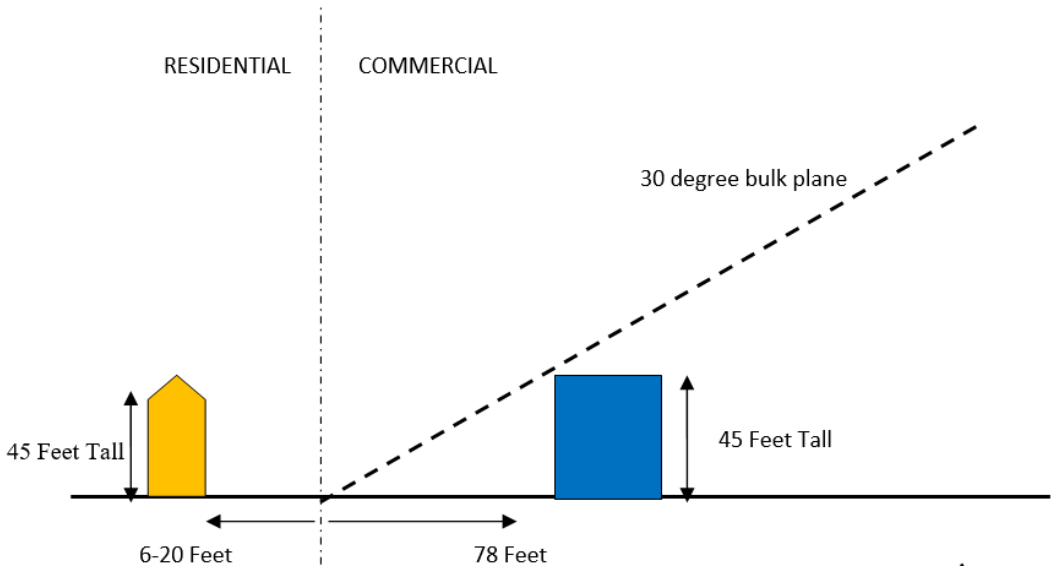
   1. Businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. daily. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.

5. The third revision to the COD is to reduce the structure height limit from 75 feet to 45 feet or three stories above finished grade which is the same height requirements as the R-SF District. This reduces the potential height of any structures by two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant has stated in their additional information that they are no longer doing a large 5-6 story development. This proposal is more restrictive, than the previous COD proposal so staff supports this revision.

   1. Maximum structure height: 45 feet or three stories above the finished grade ~~Structure height limit: Structures shall not exceed 75 feet from average ground level at the base of the structure~~; and

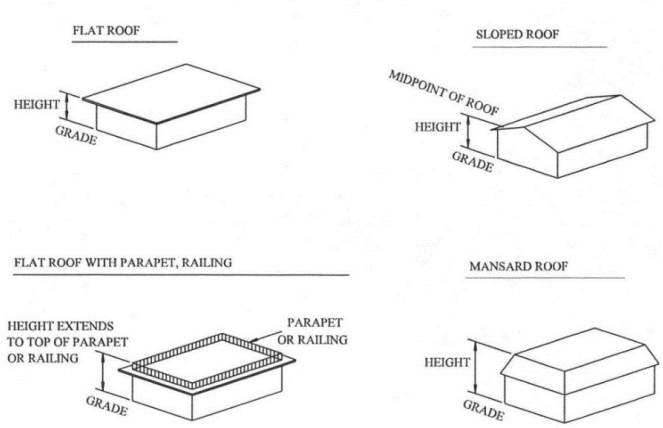
   The applicant must meet the bulk plane requirements for the proposed GR zoning district. The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal. The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a **30-degree bulk plane** for the height of structures in a GR District measured from the R-SF District boundary line. **This means that**

for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below). This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



The applicant is proposing to limit the height of the structure to 45 feet with the same maximum height language as the R-SF District. The definition of height is the vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.

Figure 2-5



This height limitation of 45 feet would not start limiting the structure until 78 feet from any R-SF district boundary into the site if the site was completely flat. The site increases approximately 10 feet in grade from University Street to Sunshine Street (from northeast to southwest) with the highest points at the southwest portion of the property along Sunshine Street.

6. The fourth revision to the COD places an additional landscaping requirement. The applicant is proposing a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements. This revision is more restrictive than the previous COD requirements and staff supports the additional landscape screening when adjacent to a less intense zoning district.

   b. A collective minimum total of 60 non-deciduous evergreen trees shall be planted in the bufferyards (type-F adjacent to R-SF and S2 along University Street). Each tree shall be a minimum of approximately 12 feet tall when planted. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;

7. The applicant is proposing three clarifications in the prohibited uses section of the COD language. The word "outdoor" has been added next to playgrounds which clarifies that public and private parks, outdoor playgrounds and golf courses, including miniature golf courses and driving ranges are prohibited. Indoor playgrounds would clearly be permitted with this revision.

   15. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges;

8. The second clarification is to add a statement after the prohibited use of commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This statement would say "this limitation does not apply to indoor or outdoor athletic courts." This particular use was never listed as a prohibited use, but this statement clarifies that an athletic court is not a use to be interpreted as a prohibited use within this grouping.

   1. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor or outdoor athletic courts.

9. The last clarification is in response to the applicant suggesting a requirement for a six-foot solid masonry wall in the bufferyard adjacent to the R-SF District and along University

Street; however, the applicant would like the ability to utilize one of the other options in the bufferyard requirements such as a six-foot solid wood fence, six foot brick wall or six foot solid evergreen hedge. This would apply to properties along the north, northwest and west of the proposed development area. This fence, wall or hedge would act as the solid screening required in the bufferyard requirements and would be paired with the prescribed landscaping in the bufferyard F as well as the minimum of 60 evergreen trees that would be at least 12 feet tall at planting. Staff believes that all screening options are viable and that one isn't better than another.

4. Screening~~, in the form of a solid masonry wall a maximum of six (6) feet in height,~~ shall be provided along the property lines adjacent to the R-SF district boundary when abutting a single-family residence and shall not interfere with sight distance or other city code requirements

10. At the Planning and Zoning Commission meeting on April 6th, it was discussed that purpose statements of the GR, HC, CS, LI and IC zoning districts state that areas within these districts are intended to be at least five acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme. Because the 5-acre reference is located in Purpose statement, it is therefore, non-regulatory. If it was regulatory, there would be a minimum parcel size requirement stated in the development standards of each of the aforementioned zoning districts. The language says it's intended (not required) to be at least five acres in size unless the zoning is based on an adopted plan – which all City zoning is based on an adopted plan.

11. Private covenants or restrictions on private property are a civil matter. The City does not consider or enforce such matters as their legal status must be determined by a court.

12. The public notice was advertised in the Daily Events on July 13, 2023 and the public hearing has been postponed until December 14, 2023. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff finds the proposed rezoning request to be consistent with the Vision 20/20 Comprehensive Plan and the findings set forth in Section 36-367 of the Zoning Regulations and recommends approval of the requested rezoning to General Retail (GR) COD No. 220 subject to the staff conditions of approval as set forth in Attachment 2.

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.

ATTACHMENT 1
Conditional Overlay District No. 220 Provisions

The requirements of General Retail District Section 36-421. of the Springfield Municipal Code Ordinances shall be modified herein for the development proposed in the district to be rezoned:

A. Uses Permitted

Section 36-421(2), permitted uses, shall be amended to prohibit the following uses:

1. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor or outdoor athletic courts;
2. Commercial off-street parking lots and structures;
3. Comprehensive marijuana-infused products manufacturing type-2 post extraction facility;
4. Convenience stores with gas pumps;
5. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities;
6. Flea Markets entirely within closed buildings;
7. Funeral homes and mortuaries;
8. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing;
9. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions;
10. Medical Marijuana-infused products manufacturing type-2 post-extraction facility;
11. Pawn shops;
12. Payday loans or payday lending services or other activities related to credit intermediation;
13. Photo processing with drive-through facilities;
14. Police and fire stations;
15. Private clubs and lodges;
16. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges;
17. Public service and public utility uses;
18. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking;
19. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses;
20. Self-service laundromats;
21. Recording studios;
22. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions;
23. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales;
24. Taverns, nightclubs or bars;
25. Taxidermists;
26. Television and radio stations;
27. Tier I, III, IV, and V wireless facilities;
28. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower;

29. Vape shops (standalone);
30. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.

B. Conditional Uses

Section 36-421(3), conditional uses, shall be amended to prohibit the following uses:

1. Automobile service garages;
2. Automobile service stations;
3. Automobile washing businesses;
4. Self-service storage facilities;
5. Tier V wireless facilities in accordance with section 36-466, telecommunication towers;
6. Towers other than wireless facilities exceeding 100 feet in height, and related facilities.

C. Use Limitations

Section 36-421 of the Springfield Municipal Code of Ordinances shall further be modified for development in the proposed district to be rezoned to require the following:

2. Businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. daily. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.

D. Bulk, Area, and Height Requirements

Development in the proposed rezoning district shall adhere to the following standards:

1. Maximum structure height: 45 feet or three stories above the finished grade; and

2. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

E. Design Requirements

Section 36-421 of the Springfield Municipal Code of Ordinances shall further be modified for development in the proposed rezoning district to include the following design requirements:

1. Building development in the proposed rezoning district shall be limited to one of the following architectural styles[1]:

   a. Bisman. This style is a reference to a typology of single-family homes developed near the site by a builder carrying the same name. This style is typified by a strong sensitivity to scale and a mixture of textures and colors with heavy use of stone and brick;

   b. French Country. This style is referenced throughout the neighboring community and is typified by roof forms and materials that date to a historical and locational reference of rural France. This building type uses but is not limited to plaster, stone, and local materials; or

c. English Tudor style. This style is referenced throughout the neighboring community and is typified by roof forms and materials that date to a historical and locational reference of rural England. This building type uses but is not limited to plaster, stone, and local materials.

[1] Styles are based on existing references within the context of the adjacent neighboring community and are intended to create harmony between this site and the neighboring community.

2. The site shall be designed to encourage pedestrian activity and shall:

   a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment. There shall be one (1) park/street bench provided within each multi-family development, thereafter, one (1) park/street bench for every 50 dwelling units;

   b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;

   c. Avoid blank walls along all street frontage and pedestrian circulation areas;

   d. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and

   e. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.

3. The site shall be designed to provide a good circulation system and shall:

   a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and

   b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.

4. The site shall be designed to respect the natural environment and shall:

   a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas;

   b. A tree six inches or greater in diameter measured 4 1/2 feet above ground must be preserved or replaced with a tree of at least two inches (2") in diameter—for a maximum total of 7 trees per acre. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement. A tree survey site plan must be submitted in order to assess this requirement; and;

c. Provide tree protection for trees being preserved onsite.

5. The building facades shall be designed with the following requirements:

a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design. Three or more of the following design elements shall be incorporated for each fifty (50) horizontal feet of a building façade or wall:

(1) Changes in color, texture, or material;
(2) Projections, recesses and reveals expressing structural bays, entrances, or other aspects of the architecture; or
(3) Groupings of windows or fenestration.

b. Building materials and colors.

(1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.
(2) Façade shall incorporate no less than 30% brick, stone, or stucco into the design.
(3) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.
(4) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. All stories of all building facades facing a public right-of-way shall include at least 40 percent of the subject facade in windows or doors.

c. Service and Loading Areas. Off-street loading shall be regulated in accordance with Sections 36-456 and 36-483 of the Springfield Municipal Code of Ordinances. The following requirements are supplementary.

(1) All service and loading areas shall be in the side or rear yard of buildings.
(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

F. Open Space, Landscaping & Screening

The landscaping and screening provisions are intended to improve the physical appearance of the District, to improve the environmental performance by contributing to the abatement of heat,

glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. The bufferyard requirements for the proposed zoning district shall be amended so that:

    a. The use of the narrow or shallow lot exemption provisions of Section 36- 482(16) for the required bufferyards of the proposed rezoning district shall not be allowed;
    b. A collective minimum total of 60 non-deciduous evergreen trees shall be planted in the bufferyards (type-F adjacent to R-SF and S2 along University Street). Each tree shall be a minimum of approximately 12 feet tall when planted. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;
    c. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
    d. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements;
    e. Bufferyards shall be landscaped in conformance with bufferyard type-F and bufferyard S2 and the open space landscaping requirements in Subsection a.2 of this Section F.

2. The open space landscaping requirements for the proposed rezoning district shall be amended so that:

    a. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision:
    (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees; and
    (2) Three (3) shrubs.
    b. Tree species, sizes and spacing shall be approved consistent with the City of Springfield's Arboricultural Design Guidelines on file with the Planning and Development Director;
    c. Preservation of each healthy existing tree of an approved species that is at least four and one-half (4-1/2) inches caliper shall count as two (2) trees toward fulfillment of the tree requirements of this District; and
    d. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

3. An opaque barrier six (6) feet in height shall be provided which visually screens a potentially offensive feature from less-intensive uses or districts. The opaque barrier shall be a solid wood fence, brick and/or masonry wall a maximum of six (6) feet in height or 6-foot solid evergreen hedge.

4. Screening shall be provided along the property lines adjacent to the R-SF district boundary when abutting a single-family residence and shall not interfere with sight distance or other city code requirements.

5. Screening shall not adversely affect surface water drainage.

G. Exterior Lighting

The requirements and standards of Section 36-484 of the Springfield Municipal Code of Ordinances, in effect at the time of development shall apply; and

Exterior building lighting, parking lot and site lighting will be designed to provide optimal lighting levels for vehicular and pedestrian safety in accordance with the requirements of section 36-484 of the Springfield MO zoning regulations. Building and pole mounted lighting shall utilize full-cut off light fixtures to control glare and light spillover on to adjacent properties. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum 30 feet in height. Parking lot lighting and pedestrian lighting should be appropriate to create adequate visibility at night and evenly distributed to increase security. All lighting should be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture.

H. Signs

The requirements and standards of Section 36-454 of the Springfield Municipal Code of Ordinances, in effect at the time of development shall apply. Signs located on any building façade are required to be compatible with the style of the building in terms of location, scale, color, and lettering.

ATTACHMENT 2
CONDITIONS OF STAFF APPROVAL

1. A lot combination of all subject properties shall be completed in accordance with the applicable Subdivision Regulations.

2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.

3. The existing driveway approaches on National Avenue and Sunshine Street in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the subject properties.

4. All of the following proposed improvements based on the final accepted traffic impact analysis (TIA) as determined by the Director of Public Works are required to be submitted and approved as Public Improvement Plans (PIP) that must be constructed by the developer, or if allowed by the Director of Public Works, improvements shall be escrowed prior to issuance of any building permits.

    a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
    b. Access P2 (University Street): Full access driveway.
    c. University Street at National Avenue: Shall construct a raised concrete median on National Avenue to restricted access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue
    d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and included in the PIP.
    e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.

5. Any change in use that creates an increase in total trip generation as determined by the Director of Public Works as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated by the developer in the site plan, PIP, or other permits as applicable.

6. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department for review and approval by the Administrative Review Committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: SF (*existing zoning*) to GR with COD (*proposed zoning*)
2. Meeting Date & Time: 10/24/22 4:00 - 6:30
3. Meeting Location: 1755 S. National Ave.
4. Number of invitations that were sent: 157
5. How the mailing list was generated: City Staff Generated List
6. Number of neighbors in attendance (attach a sign-in sheet): 81
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

   See attached documents

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

   See attached documents

I, Bryan D. Fisher (*print name*), attest that the neighborhood meeting was held on 10/24/22 (*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

Bryan Fisher

Printed name of person completing affidavit

Application for Amendment to Zoning Map
PLN 2022-00272
Neighborhood Meeting Notes
10/24/22

Comment	**Developer Response**
Developer didn't spend enough time analyzing the community	This is inaccurate. Substantial time and resources have been spent analyzing the proposed area for rezoning, the neighborhood, and surrounding area.
Concerned about disregard for community	This is inaccurate. The developers are primarily Springfield, MO natives who grew up in the community and are intimately familiar with it.
There are seven vacant storefronts in the development across the street; will this development be successful	Applicant will not comment on another businesses venture or model. Substantial time and resources have been spent analyzing the proposed project, and the developer is confident about the end success of the project
Concerned about traffic	The traffic study submitted by applicant demonstrates that the proposed project will not significantly increase traffic in the area and the adjacent area.
Concerned about water runoff	The City building process will ensure that runoff water is adequately addressed
Concerned about home values	There is no evidence that the development on the three other corners at this intersection have negatively impacted neighboring home values. It is more likely that the project will improve home values by increasing walkability to amenities for the adjacent neighborhoods.
How will there be enough parking	Applicant's initial drawings already show that the anticipated project will have adequate parking to comply with relevant code provisions.
The neighborhood will fall apart piece by piece	There is no evidence that this will happen. It has not happened to the neighborhoods adjacent to the three other corners at this intersection, nor has it in other areas of the City.
Why isn't there a site plan	A site plan is not a part of rezoning application. Developer has released renderings and proposed site plans.
Was the intersection observed and traffic counted	Yes, a traffic study was completed.

What if people throw trash out of their cars	This is an existing issue. As the traffic study shows, the proposed project will not significantly increase traffic in the adjacent neighborhoods, so to the extent this is an issue, it will not be exacerbated by the proposed rezoning.
The property belongs to University Heights	The property is not owned by University Heights and does not belong to it.
They are going build a Pancake Pantry	No tenants have been leased any part of the property.
The rezoning doesn't comply with SGF Forward/the Comprehensive Plan	This is inaccurate. Both plans anticipate areas like the property at issue being transitional. General Retail is the only zoning classification where mixed used development is permitted so that there can be a mix of residential and commercial development.
Sunshine Street will be a parking lot with no trees.	This is untrue and hyperbolic.
Rezoning is not a good fit for the area	This is inaccurate. None of the other three corners are single family residential and, with a traffic count exceeding 60k cars a day, there is no reasonable expectation that the property can remain single family.
North Grant needs "tender love and care"	North Grant is not a part of this application.
City needs to think about the future	Agreed. The future of this corner, like the other three corners, is not single family residential.
We are opposed to any redevelopment that is commercial	Single family residential is not the highest, best, or most appropriate use of the property at issue.
They could put in a Kum & Go	The proposed COD prohibits convenience stores with gas pumps.
Owner occupancy is low in Springfield and this is tearing down single family homes.	The vast majority of the homes located in the property at issue are/were rentals.
What jobs will this create?	There will be construction jobs, jobs in the stores that become tenants, jobs related to the management of the apartments/lofts, etc.
We don't want ugly architecture	Applicant has no intention of using ugly architecture.
We said not to tear down the house, and they did it	The applicant owns the property. The neighborhood does not and cannot dictate whether a structure is torn down. Moreover, the house was not habitable, dilapidated, and was broken into multiple times.

We need to do everything we can to make things as miserable as possible for the developer	No response.
Would be nice to have gardens and trees	Applicant has already committed to expanded buffer yards with trees.
Concerned about asbestos and lead removal	These issues are addressed as a part of the demolition permitting process.
University Heights is a walkable neighborhood	The proposed rezoning will increase the walkability to amenities for the adjacent neighborhoods.
Is this going to improve our neighborhood.	Yes. See responses above.
Why can't we do several bed and breakfast	That would require rezoning. Also, residents vehemently opposed this several years ago, which is, in part, why the home on the corner continued to deteriorate and remained vacant for years.
We like Cherry and Pickwick	Development like Cherry and Pickwick requires rezoning. Additionally, that area is comprised of apartments, homes, restaurants, breweries, and retail.
We only want single family, nothing else.	Single family residential is not the highest, best, or most appropriate use of the property at issue.

NEIGHBORHOOD MEETING

Application for Zoning Map Amendment
Submitted by BK&M LLC

October 24, 2022

	Name	Street Address	Signature	Wish to speak?
1	Judy Stanfill	926 E. University	Judy Stanfill	✓
2	Linda Simkins	1221 E Stanford	[illegible]	xNO
3	KAREN EAGLES	425 E. STANFORD	Karen Eagles	NO
4	ANNA SQUIRES	1056 E UNIVERSITY	[illegible]	—
5	Kitty Ledbetter	630 E. Stanford	Kitty Ledbetter	NO
6	Alan Munde	630 E Stanford	Alan Munde	NO
7	JEANETTE ROUSE	1125 E University St	[illegible]	—
8	DARRON HEMANN	1039 E UNIVERSITY ST	[illegible]	
8	Mark Fletcher	1011 E. University	[illegible]	—
9	MIKE O'BRIEN	1031 E. UNIVERSITY	[illegible]	NO
10	Steve Pokin	1962 S. Eureka Terrace	Steve Pokin	NO
11	Cyn Yarbrough	1526 S. National	C Yarbrough	No
12	Sara Garrett	1141 E Stanford St	Sara Garrett	No
13	Dixie Sleight	1124 E. University	Dixie H Sleight	No
14	KEVIN RAY EVANS	953 E. LINWOOD DR.	[illegible]	No
15	Kristin Parker	1509 S. Lozier	[illegible]	NO
16	Matt Calihman	1533 S. Clay	[illegible]	No
17	John Walstrand	1116 E Portland	[illegible]	NO
18	GEOFF HEFNER	620 E. UNIVERSITY	[illegible]	NO
19	Mike Carroll	1532 S. Kimbrough	[illegible]	NO.
20	JAMES TARPEY	1116 E. STANFORD	[illegible]	NO
21	Nancy Corpus	1035 E University	Nancy Corpus	yes

81 total

	Name	Last	Address	Speak? Y/N
22	P. Dawn	Mosley-Young	625 E Stanford	
23	Heather	Mosley-Young	625 E Stanford	
24	Rodney	Dixon	1118 E University	y
25	Lisa	Dixon	1118 E University	
26	Doug	Carroll	815 E Portland	
27	Karla	Carroll	815 E. Portland	
28	Rick	Welker	1124 E. Linwood Terr.	y
29	Susan	Welker	" "	y
30	Marty	Juda		
31	Roberta	Lorenz	1130 E. University	y
32	Evelyn	Gwin Mangan	818 E. Portland	y
33	Sally	England	940 E University St.	
34	James	England	940 E. University St.	
35	Barbara	Robinson	1010 E. University St 65807	
36	Sheryl	Shaefer	1703 S. National 65804	y
37	Renee	Fugle	1125 E Kingsbury 65807	y
38	Cathy	Wright	1110 E. Kingsbury 65807	y
39	STEPHANIE	SHADWICK	1101 E STANFORD ST.	
40	PADEN	CHAMBERS	1643 E LOMBARD ST.	
41	Doug	Dunbar	932 E. Kingsbury St	y
42	Sheila	Dunbar	" " "	
43	MCKAY,	FRANK	952 E. KINGSBURY	
44	KAREN	BURMOOD	1224 E. Stanford	y
45	Barbara Rae	Hughes	951 E. Portland St.	
46	Annette	West	1515 S. Kingsville	
47	MARK	Wealand	911 E. university st	
48	Steve	Waddell	911 E. university st	
49				
50				

	NAME	ADDRESS	SIGNATURE	SPEAK? Y/N
51	Gayla Cary	1653 S. National	Gayla Cary	N
52	Josh Clemmer	615 E. University	[illegible]	N
53	Rick Welker	1124 Linwood	Terr. [illegible]	Y
54	Susan Welker	" "	" [illegible]	Y
55	Kit Creemer	919 E Stanford	Kit Creemer	N
56	Kathy Pulley	826 E Kingsbury	Kathy Pulley	N
57	Annette Holler	1133 E Linwood Dr.	Annette Holler	N
58	B. Jason Ray	1136 E. Kingsbury	Jason Ray	N
59	Jan Peterson	1024 E. Stanford	Jan H. Peterson	Y
60	John Stinson	110 E Stanford	John W. Stinson	Y
61	Ginger Hutcherson	807 E Loren	[illegible]	N
62	Bobbi Ream	1448 E Berkeley	Bobbi Ream	
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Repeat

	NAME	ADDRESS	SIGNATURE	SPEAK? Y/N
80	Ivy Schulte	719 E University		Y
81	Shelby Schulte	719 E University		
82				
83	Shanna Higgs	615 E. University		
84	Anthony Roberts	1126 E. Stanford		N
85	Cynthia Bylander	1005 E Kingsbury		N
86	RINA EDGE	1030 E. STANFORD		N
87	Kim Eastlake	634 E. Kingsbury st		N
88	Tod Eastlake	634 E Kingsbury st		N
89	Becky Volz	1910 N. Grant		N
90	Brian Fogle	1111 E Kingsbury		N
91	WENDELL SHAFFER	940 E KINGSBURY		N
92	Jackie Shaffer	940 E. Kingsbury		N
93	TYLER SAMUEL	1715 S. NATIONAL AVE		N
94	Nancy Williams	953 E Linwood D		N
95	Holly Adagna	972 E Linwood		N
96	Maggie Castro	1006 E Linwood		
97	Kayla Pelletier	1117 E University		N
98	Kay Burnard	1224 E University		
99	Kay Green	1055 E. Kingsbury		
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105				
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13volz5@gmail.com

Cara Kotem 1433 S. Jefferson MO 65707
Rachel Hollis 1326 E Delmar
Courtney Fletcher

It is our sincere hope that those who read this hear the truth. We provided you with a lot of information. Please know we are truly grateful for your time and consideration. We love Springfield because this is our home. We care for University Heights and we've proven this by the considerate & costly concessions we have made if this site is granted approval by the city to be rezoned for commercial use.

Unfortunately, we at BK&M as well as our legal team, are aware of the fear & intimidation that neighbors in UH are receiving by a select group of UH residents & leaders. Please know that you have an open door to our team & can reach out to us at anytime. We encourage it! Feel free to reach me directly via my personal email to discuss our plans and/or your questions, concerns & suggestions. Free speech is everyone's right and we genuinely want to hear from you.

Change is a good thing as long as it's done thoughtfully and with care.

Warmly,

Ralph Duda III, President/BK&M, LLC • rjduda3@gmail.com

WHAT & WHY

WHAT WE DID

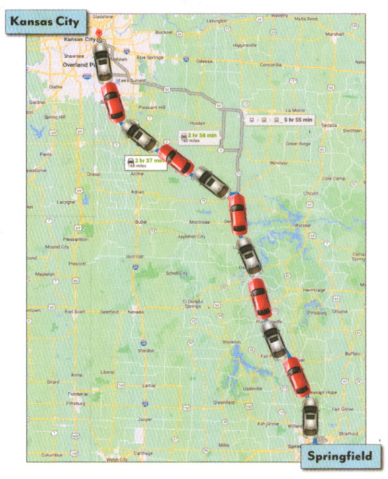
We lawfully purchased seven properties at the N.W. corner of National & Sunshine in 2022.

(see property conditions on page 2)

WHY WE DID IT

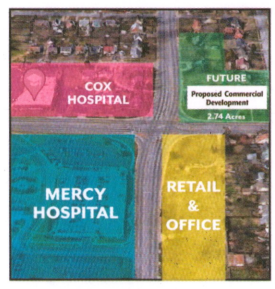
For the last five years, we noticed this corner deteriorating and saw a positive opportunity to invest and improve it for its highest and best use for the city of Springfield, surrounding neighborhoods, and businesses. Four out of the seven houses we purchased were not owner occupied.

Our site receives a highly concentrated amount of vehicular traffic on a daily basis.



If you stacked bumper to bumper the number of cars that drive by this site every single day, that line of cars would stretch from Springfield past Kansas City.

Intersection @ National & Sunshine



This Intersection is the 2nd busiest intersection in Springfield.

68,930 vehicles per day | 67,436 vehicles per day | 66,645 vehicles per day

This corner is plagued consistently by the following:

- Heavy traffic *(approximately 67,000 cars per day)*
- Ambulance sirens *(Mercy hospital's ER is visible from our site: just 674 ft away)*
- Loud helicopter *(Mercy hospital's helipad is visible from our site: just 812 ft away)*
- Police and fire sirens *(being at the intersection of two major arterials, emergency vehicles frequently travel through the intersection)*
- Loud motorists *(motorcycles, trucks and other loud vehicles)*

National & Sunshine experiences loud vechicles & aircraft traveling through or over this major city cooridor multiple times per day.

Our Vision

To develop and improve the NW corner of National & Sunshine into something special that the surrounding community & the City of Springfield will be proud of.

Development options we are considering:

- *Destination breakfast restaurant*
- *High end steakhouse*
- *Top tier authentic Italian restaurant*
- *Specialty or boutique grocery*
- *Mixed use executive loft apartments*
- *Local coffee shop*
- *Professional offices*
- *Medical offices*
- *Mixed use boutique hotel*

Walkability to attractive amenities builds neighborhood interaction, promotes community engagement as well as increases home values.

Our Mission

To rezone the NW corner of National & Sunshine to General Retail for its highest and best commercial use. The three adjacent corners of this busy intersection are already zoned commercial.

(Two of these corners were rezoned to commercial within the last six years).

- *Mercy @ the SE corner*
- *Cox @ the SW corner*
- *General Retail @ the NE corner*

(Hurts Donut's, Craft Sushi, & Ozzie Smith IMAC)

Our Promise

We promise our development will be in harmony with the old town charm & character that is reminiscent throughout the surrounding center city neighborhoods, especially University Heights.

See page 3

BE KIND & MERCIFUL LLC

NATIONAL & SUNSHINE

Transparency

********ECRWSSEDDM****

RESIDENTIAL CUSTOMER

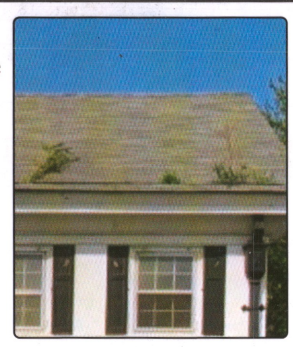
PRST STD
U.S. POSTAGE
PAID
Springfield, MO
Permit #176
ECRWSS

Hello,

We hope this letter finds you well. Our development team at BK&M wanted to send you this brochure in hopes of informing you about our vision for the 2.74 acres we own at the N.W. corner of National & Sunshine. Our sincere hope is to provide you with full transparency and to clarify much of the disinformation floating around. We understand and value the responsibility of ensuring that our potential development compliments and respects the rich charm and character of the University Heights neighborhood. Over the last eight months our team has met privately with dozens of respectful University Heights residents, and we've drastically changed our plans per the feedback we've received. This corner has the potential to be a great improvement for the neighborhood and the City of Springfield. We hope that you will keep an open mind & open heart when reviewing this material. Thank you for your time.

-BK&M Leadership Team: Ralph Duda III, Anthony Tolliver, Marty Duda & Brad Miller.

2 PROPERTY CONDITIONS



At the time of our purchase, four out of the seven houses were not being cared for by an owner occupant. Two of the houses were vacant, one house was a short term rental and one house was operating as a halfway house that was occupied by 8-10 men who were in recovery from substance abuse addiction. With the exception of two houses, all were in deteriorating condition due to lack of care, property location and old age. Over the last eight months we've filed five police reports associated with these properties— involving forced entry break-ins, theft & squatters. Today, five of the houses are currently operating as rentals. Two of the seven houses were demolished for reasons below:

1755 S. NATIONAL

This was the white house at the corner that sat vacant for over six years. It was in terrible condition at time of purchase: wood rot, broken fixtures, defective HVAC system, intense water damage, poor insulation, rotten floors, broken windows, missing trim throughout, and large dangerous holes stretching from the roof through two floors leading to the to the main level. This caused years of water damage, insect & critter infestation. Its roof even had trees growing through the shingles.

Wood rot through large holes in ceilings and floors stretching from top floors to bottom floors.

After purchasing, we invested money into it for repairs and we were able to rent it for below market rent. Shortly after leasing the property, we experienced non stop maintenance issues. Also due to the home's poor insulation, our tenant's utility bill exceeded almost half their rent rate. This was unacceptable, and for those reasons we elected to pay for our tenants to relocate as well as provided them a discounted rent for their inconvenience. After we vacated the home we were advised to board it up. Within the first week of boarding it up, the house had numerous break-ins and we found squatters who continued to find their way into the building. This quickly became a liability for our company and for public safety. For those reasons, we chose to demolish the building.

1133 E. SUNSHINE

This property was just West of the white house. It was vacant at time of purchase. It was in poor condition and was previously operating as a slum rental. After purchasing the house, we invested thousands of dollars for repairs in hopes of renting it as we go through the rezone process. Unfortunately, it sat vacant for months, partly due to neighbor harassment & business interference. During it's vacancy, this house continued to deteriorate due to its location, numerous break-ins, theft & squatters.

*University Heights Neighborhood Facebook Page advised the public not to rent this home (see photo)

*On two occasions my real estate broker was showing this property to interested potential tenants and certain University Heights neighbors harassed them by yelling, ***"You shouldn't rent this house from Ralph Duda, he's destroying our neighborhood a he's a bad landlord."***

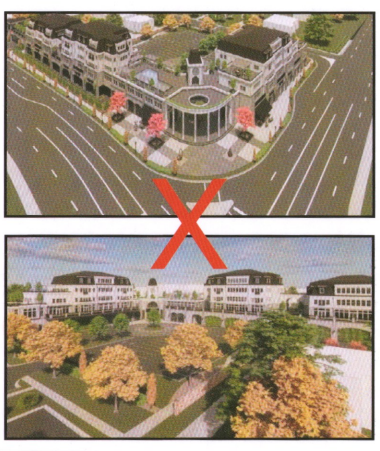
Additionally, within the last several months this property has endured the following setbacks:

*Back windows broken intentionally by rocks thrown • Two forced entry break-ins • theft of some interior doors, trim, some exterior doors, hardware & siding • One occasion we had to remove squatters who left hypodermic needles in one of the bedrooms

Like 1755 S. National, this house became a liability for our company and for public safety. For those reasons, we chose to demolish the building.

Development Protections 3

We are no longer doing a large 5-6 story development.



In an effort to protect the adjacent neighborhoods & to ensure all of Springfield that a quality development will take place at this corner, we have agreed to the following concessions:

- X No packaged liquor stores
- X No gas stations
- X No night clubs, taverns or bars
- X No vape shops
- X No payday loans
- X No auto repair shops or garages
- X No car or motorcycle dealerships
- X No fast food restaurants
- X No car wash
- X No billboards
- X No drive through food or beverage
- X No pawn shops
- X No adult novelty
- X No storage facilities

Hours of operations are limited to 6am to 11pm *(with exception of a boutique hotel).*

The overall height of a building at this site can not exceed 55ft. *(The height limit for residential houses in University Heights is 45ft)*

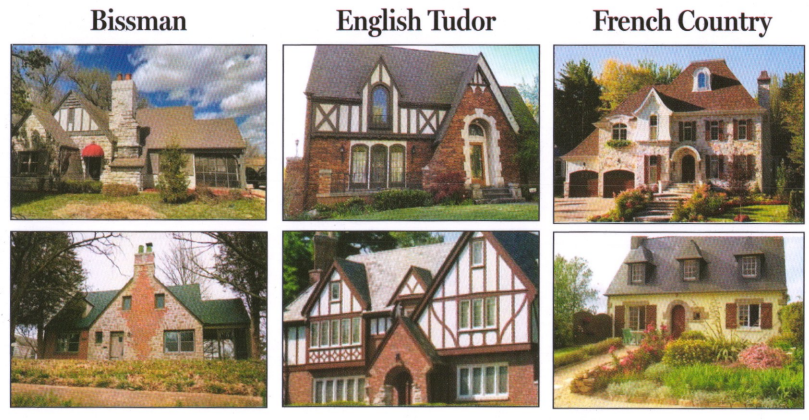
If this site is rezoned for commerical use at this time, these protections will be permanently set in stone per city code and law.

Additional Concessions

The architectural style of any building developed on this site must be either BISSMAN, ENGLISH TUDOR or FRENCH COUNTRY. These styles are commonly seen throughout University Heights.

Therefore, our development will compliment the old town charm and character of the surrounding community.

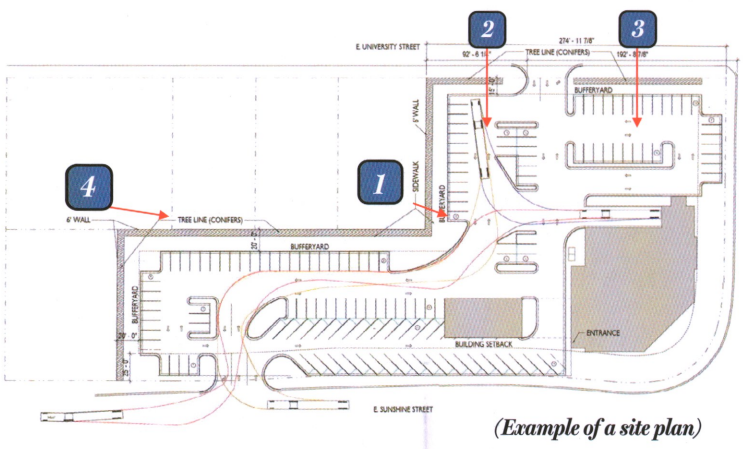
Bissman | English Tudor | French Country



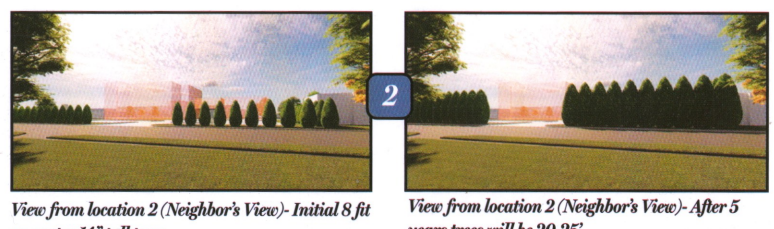
Robust Tree Barrier 4

- A 6-8ft craftsman masonry wall will be constructed along the entire neighborhood perimeter abutting the development.
- A robust tree barrier with irrigation will be installed along the entire neighborhood perimeter abutting the development.

Sixty to seventy 12-14ft non deciduous evergreen trees will be planted along this perimeter. After 3-5yrs these trees will fill out and grow to be 20-25ft tall. This will help shield the neighborhood from site & sound of the development as well as deflect noise from the busy intersection.

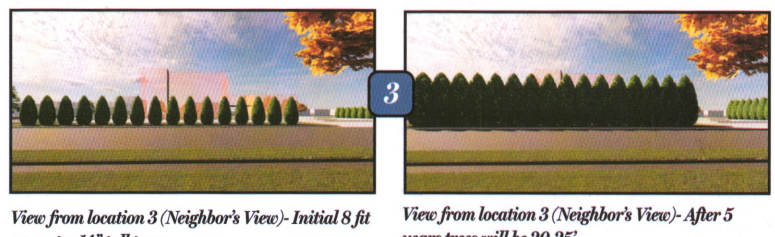


(Example of a site plan)



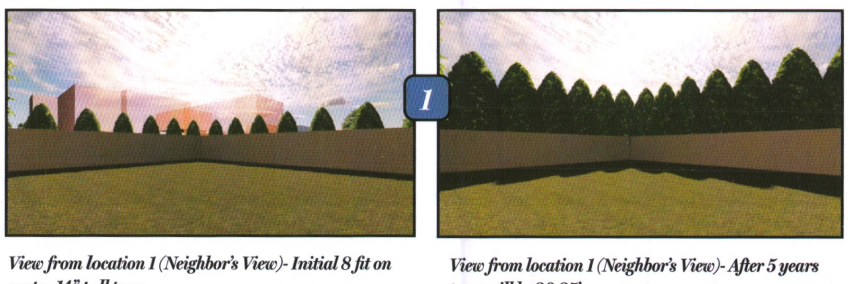
View from location 2 (Neighbor's View)- Initial 8 fit on center 14" tall trees

View from location 2 (Neighbor's View)- After 5 years trees will be 20-25'.



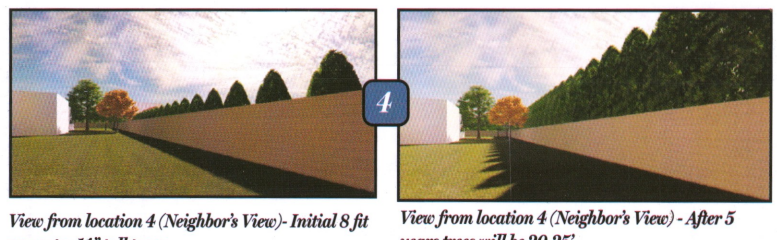
View from location 3 (Neighbor's View)- Initial 8 fit on center 14" tall trees

View from location 3 (Neighbor's View)- After 5 years trees will be 20-25'.



View from location 1 (Neighbor's View)- Initial 8 fit on center 14" tall trees

View from location 1 (Neighbor's View)- After 5 years trees will be 20-25'.



View from location 4 (Neighbor's View)- Initial 8 fit on center 14" tall trees

View from location 4 (Neighbor's View) - After 5 years trees will be 20-25'.

God is kind & merciful even though none of us deserve His blessings. It's important we try to offer that same kindness & mercy to people in our own lives.

Attachment 4

DATE: November 22, 2022

TO: Susan Istenes, Planning Director

SUBJECT: PLN2022-00272 Z-27-2022
1755 S National Avenue
Traffic Impact Assessment

Public Works has completed the review of the Traffic Impact Assessment (TIA) for the subject project and find it acceptable with the following requirements, as outlined in the TIA. **Please be advised that all proposed improvements are required to be submitted and approved as Public Improvement Plans that will need to be constructed, or if allowed, escrowed prior to issuance of any building permits.**

- Access P1 (Sunshine St.): Shall construct a raised concrete median on Sunshine St. to restrict access to Right-in/Right-out/Left-in only.
- Access P2 (University St.): Full access driveway.
- University St. at National Ave.: Shall construct a raised concrete median on National Ave. to restricted access to Right-in/Right-out only on the west side of National Ave. and Right-in/Right-out/Left-in only on the east side of National Ave.
- University St. and/or Hampton Ave.: Shall install traffic calming measures, as approved by the Traffic Engineer, and included in the Public Improvement Plans.
- The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Ave. to westbound Sunshine St. turn lane.
- Any change in use that creates an increase in total trip generation as presented in this TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified traffic impact study.

Respectfully,

Brett Foster, City Traffic Engineer

BF/cz

cc Susan Istenes
Dan Smith
Martin Gugel

Department of Public Works
840 Boonville Avenue • Springfield, Missouri 65801
417-864-1902 • Fax 417-864-1929 • springfieldmo.gov
CITY OF Springfield PUBLIC WORKS

SUNSHINE & NATIONAL

TRAFFIC IMPACT ASSESSMENT

PREPARED FOR

Ralph Duda III
Owner, Anything Possible
1851 E. Florida Street,
Springfield, MO 65803

STATE OF MISSOURI
DANE MITCHELL SEILER
NUMBER
PE-2010019595
11-11-22
PROFESSIONAL ENGINEER

November 11, 2022

PREPARED BY:

CJW

EXECUTIVE SUMMARY

PROJECT

A mixed-use development has been proposed for an existing parcel in Springfield, Missouri that has Sunshine Street run along its southern border, National Avenue run along its eastern border, and University Street run along its northern border. The development will be utilized for the construction of 11,285 sqft of Shopping Center space, 3,761 sqft of General Office space, and 87 dwelling units of Mid-Rise Residential with 1st-Floor Commercial. It is anticipated that the property will include two access points, one onto University Street and one onto Sunshine Street.

RESULTS

The results of the study showed that in the existing condition, the intersection of National Avenue & University Street operates at a level of service A overall. The signalized intersection of National Avenue & Sunshine Street operates at a level of service E overall. The intersection of Florence Avenue & Sunshine Street operates at a level of service A overall. The intersection of Hampton Avenue & Sunshine Street operates at a level of service A overall.

A review of the 2024 peak hour intersection analysis revealed that the intersection of Access P2 & University Street will operate at a level of service A overall. The intersection of National Avenue & University Street will operate at a level of service A overall. The signalized intersection of National Avenue & Sunshine Street will operate at a level of service E overall. The intersection of Florence Avenue & Sunshine Street will operate at a level of service A overall. The intersection of Access P1 & Sunshine Street will operate at a level of service A overall. The intersection of Hampton Avenue & Sunshine Street will operate at a level of service A overall.

RECOMMENDATIONS

Roadway Improvements 2024 – After reviewing the affected intersections, it has been determined that the signalized intersection of National Avenue & Sunshine Street will require a designated southbound right turn lane which will provide more storage length than the channelized right that exists today. However, this is an existing deficiency in the intersection. Given that the development is not anticipated to heavily contribute to this movement, it should not be the sole responsibility of the developer to put in the southbound right turn lane at National & Sunshine. Median barrier improvements should be added to National Avenue to discourage left movements in and out of University Street & should be added at Access P1 to discourage left movements out of the development. Finally, traffic calming measures should be considered to help deter vehicles from the development from navigating throughout neighborhood roadways.

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INTRODUCTION

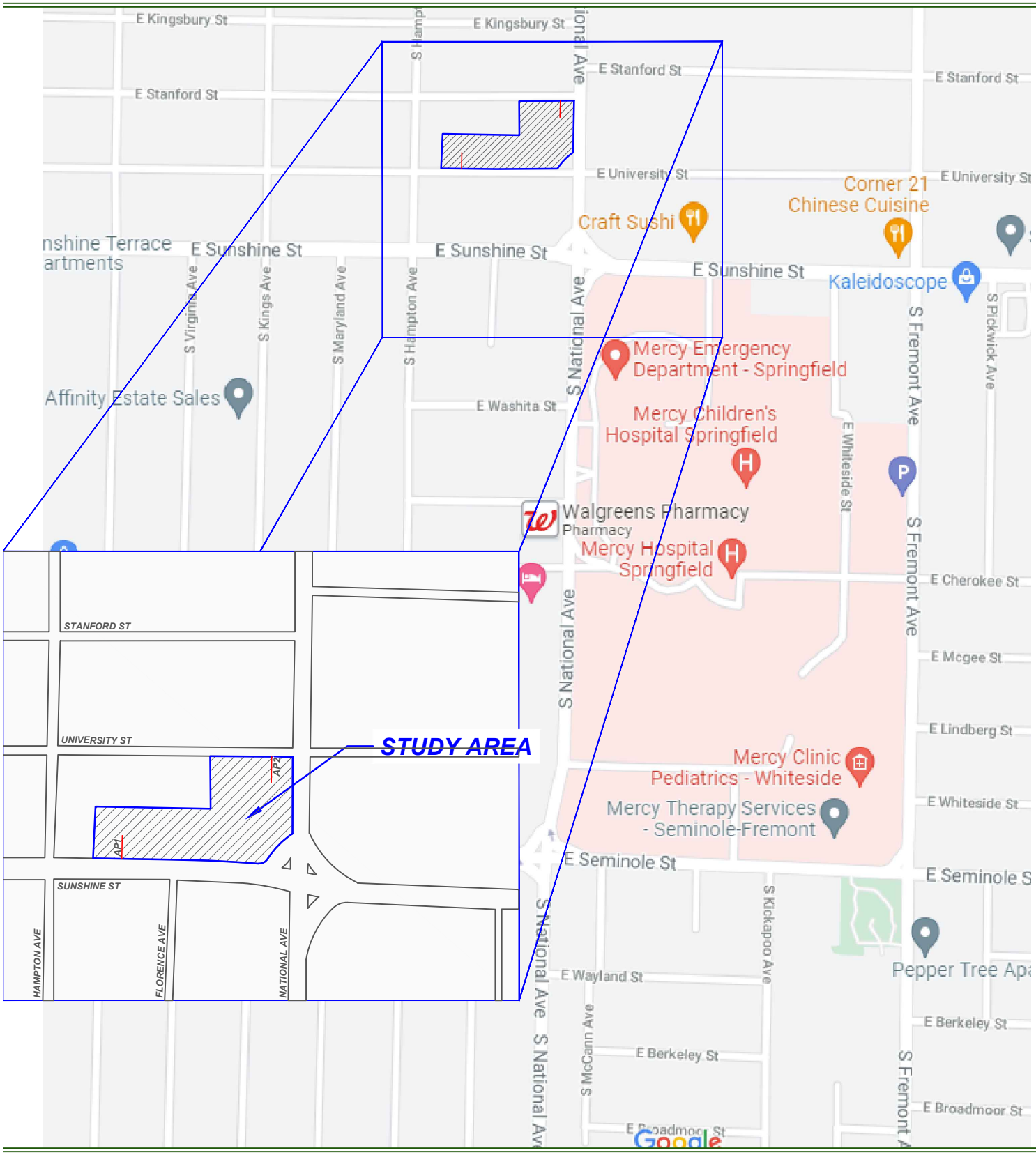
PURPOSE OF STUDY

A mixed-use development has been proposed for an existing parcel in Springfield, Missouri that has Sunshine Street run along its southern border, National Avenue run along its eastern border, and University Street run along its northern border. **Exhibit 1** illustrates the location of the proposed development. The purpose of this study is to determine the potential impact to the transportation network due to potential development and identify any necessary improvements (lane additions and/or traffic control modifications) to the adjacent and nearby road system to mitigate the impact and maintain a satisfactory level of service, adequate safety, and access for the proposed development.

STUDY OBJECTIVES

The objective of this study is to evaluate development access points and traffic impacts on the public roadway network adjacent to the site of the proposed development. This report will identify possible traffic related concerns that could arise due to the proposed development and recommend any needed improvements based on comprehensive data attained in the field and traffic projections.

EXHIBIT 1
STUDY AREA



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AREA CONDITIONS

TRANSPORTATION NETWORK STUDY AREA

AREA ROADWAY SYSTEM – EXISTING

Exhibit 2 illustrates the existing roadway system with AM & PM peak hour traffic volumes for the adjacent roadways. The roadways analyzed within the study have the following characteristics:

SUNSHINE STREET – (South of the development) Sunshine Street is an east/west roadway. The roadway provides full access to residential & commercial properties in Springfield, Missouri. It is a five-lane roadway with typical lane widths of 12 feet. Traffic volumes at Sunshine Street recorded 28,940 vehicles per day, 2,304 vehicles in the AM peak hour, and 2,605 vehicles in the PM peak hour. Sunshine Street is classified as a Primary Arterial by the Ozarks Transportation Organization's (OTO) Major Thoroughfare Plan. The roadway is under the jurisdiction of the City of Springfield and is posted with a 40 MPH speed limit near the development.

NATIONAL AVENUE – (East of the development) National Avenue is a north/south roadway. The roadway provides full access to residential & commercial properties in Springfield, Missouri. It is a five-lane roadway with typical lane widths of 12 feet. Traffic volumes at National Avenue recorded 31,910 vehicles per day, 2,456 vehicles in the AM peak hour, and 2,872 vehicles in the PM peak hour. National Avenue is classified as a Primary Arterial by the OTO's Major Thoroughfare Plan. The roadway is under the jurisdiction of the City of Springfield and is posted with a 35 MPH speed limit near the development.

UNIVERSITY STREET – (North of the development) University Street is an east/west roadway. The roadway provides full access to residential properties in Springfield, Missouri. It is a two-lane roadway with typical lane widths of 12 feet. Traffic volumes at University Street recorded 260 vehicles per day, 13 vehicles in the AM peak hour, and 23 vehicles in the PM peak hour. University Street is classified as a Local Road by the OTO's Major Thoroughfare Plan. The roadway is under the jurisdiction of the City of Springfield and is posted with a 25 MPH speed limit near the development.

FLORENCE AVENUE – (West of the development) Florence Avenue is a north/south roadway. The roadway provides full access to residential properties in Springfield, Missouri. It is a two-lane roadway with typical lane widths of 12 feet. Traffic volumes at Florence Avenue recorded 90 vehicles per day, 3 vehicles in the AM peak hour, and 8 vehicles in the PM peak hour. Florence Avenue is classified as a Local Road by the OTO's Major Thoroughfare Plan. The roadway is under the jurisdiction of the City of Springfield and while unposted, it is assumed to have a speed limit of 25 MPH speed limit near the development.

HAMPTON AVENUE – (West of the development) Hampton Avenue is a north/south roadway. The roadway provides full access to residential properties in Springfield, Missouri. It is a two-lane roadway with typical lane widths of 12 feet. Traffic volumes at Hampton Avenue recorded 430 vehicles per day, 33 vehicles in the AM peak hour, and 39 vehicles in the PM peak hour. Hampton Avenue is classified as a Local Road by the OTO's Major Thoroughfare Plan. The

roadway is under the jurisdiction of the City of Springfield and is posted with a 25 MPH speed limit near the development.

AREA ROADWAY SYSTEM – FUTURE

ACCESS P1 – Access P1 will provide Right-In-Right-Out (RIRO) with Lefts-In access from Sunshine Street to the subject property and will provide ingress/egress to development traffic.

ACCESS P2 – Access P2 will provide full access onto University Street to the subject property and will provide ingress/egress to development traffic. It is recommended that traffic calming measures be considered between the development and the neighborhood which would act to discourage commercial traffic from utilizing the residential street network

UNIVERSITY & NATIONAL – For the purpose of this study, it was anticipated that the intersection of University & National Avenue would be converted to a Right-In-Right-Out. After discussions with the city traffic department, and reviewing the turning movement counts, one can see that during the peak periods left turn lane movements are not taken by motorists at this intersection. This would indicate that motorists utilize other access points to the neighborhood to avoid these movements, and thus a Right-In-Right-Out would be appropriate for this location.

Exhibit 2 illustrates the existing roadway system and the existing AM & PM peak hour traffic volumes for the adjacent roadways.

Traffic is typically analyzed in the peak hour condition, which allows an analysis of the "worst-case scenario" due to the nature of traffic in the study area and projected land uses, the PM peak hour was determined to be the most applicable period for analysis.

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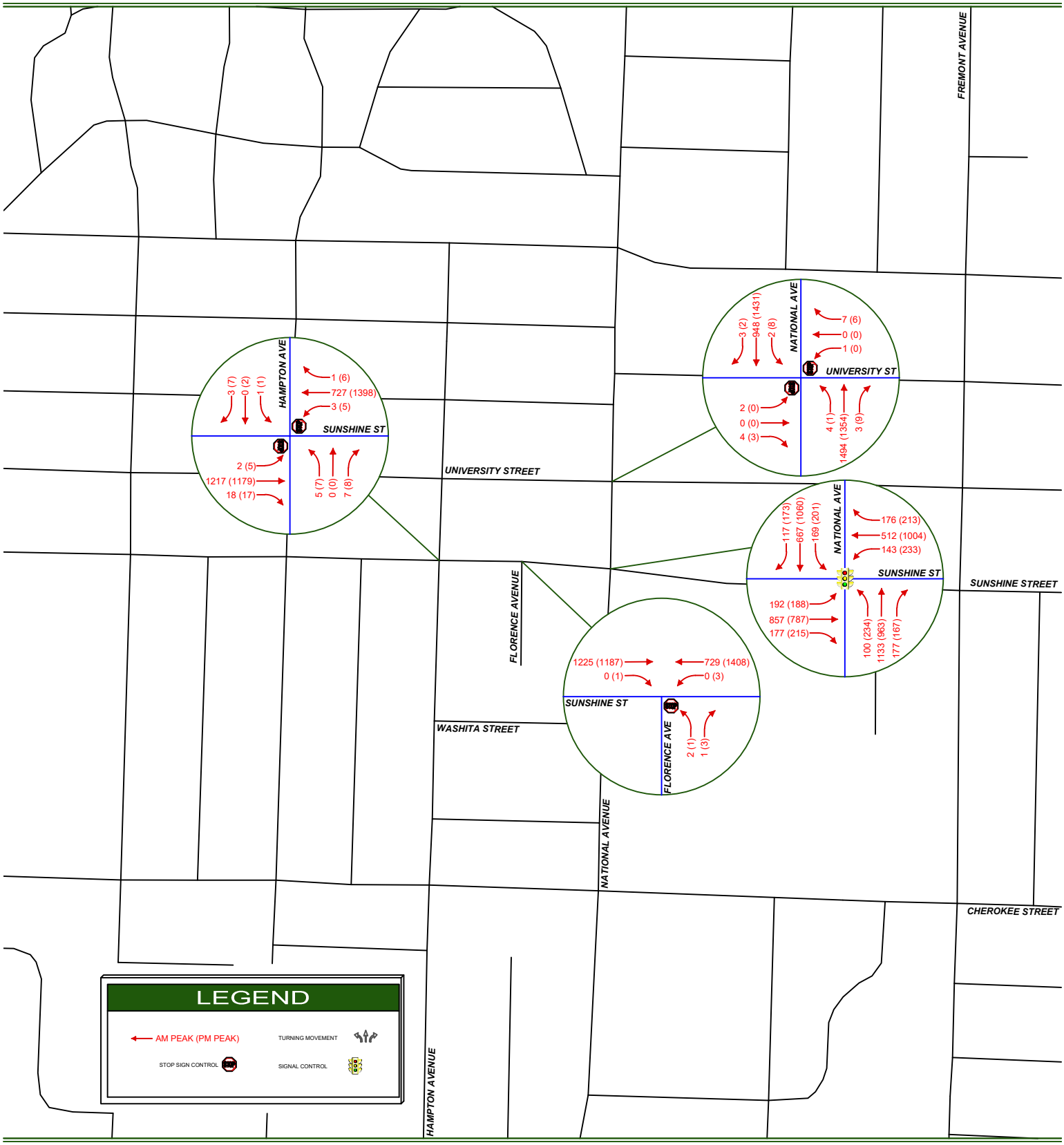
EXHIBIT 2
EXISTING TRAFFIC VOLUME
AM & PM PEAK HOUR



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Existing Traffic

EXISTING CAPACITY

Due to the type of development proposed at this property, a capacity analysis of the existing road system was conducted to analyze intersection operations during the AM & PM peak hour.

EXISTING LEVEL OF SERVICE

The capacity was analyzed using Synchro Traffic modeling software, which is based on procedures and techniques outlined in the *HIGHWAY CAPACITY MANUAL*, 2010 Edition which is published by the Transportation Research Board to determine operational level of service (LOS) and lane requirements. The quality of traffic flow is estimated based on calculations of delay to vehicles on each approach at an intersection. A grading system has been developed in the *Highway Capacity Manual* related to delay per vehicle which defines the quality of flow from Level A for free flowing conditions through Level F representing extreme congestion with excessive delays. Levels of traffic service are quantifiable measures of traffic flow that are represented by such factors as speed and delay time, traffic interruptions, safety, driving comfort and convenience. Level of service (LOS), vehicular delay and volume-to-capacity are key "measures of effectiveness" (MOEs) in the analysis of intersections.

The thresholds that define LOS are based on the type of traffic control used at an intersection; i.e., whether it is signalized or unsignalized. For signalized intersections, the average control delay per vehicle is estimated for each movement and aggregated for each approach and the intersection as a whole. At intersections with partial (side-street) stop control, the delay for each minor movement and approach is determined with no report for the intersection as a whole (since motorists on the main road are not required to stop and are assumed to operate under free-flow conditions). LOS is directly related to control delay. Highway designers strive for a minimum LOS of "C" as design criteria for operations during peak hour conditions, but a LOS E is acceptable during the peak hour. **Table 1** shows the LOS for the existing traffic volumes and lane geometrics for the AM & PM peak hour.

Table 1: Existing Peak Hour Measures of Effectiveness

Summary of Intersection Capacity Analysis & Geometric Configuration

INTERSECTION N/S	E/W	# of Lanes	Traffic Control	AM Delay	AM LOS	PM Delay	PM LOS
National Avenue & University Street			**TWSC**	**0.1**	**A**	**0.2**	**A**
Eastbound Left / Through / Right		1	Stop	15.1	C	15.7	C
Westbound Left / Through / Right		1	Stop	11.9	B	9.8	A
Northbound Left / Through / Right		2	Free	0.1	A	0.0	A
Southbound Left / Through / Right		2	Free	0.1	A	0.2	A
National Avenue & Sunshine Street			**Signal**	**57.3**	**E**	**83.3**	**F**
Eastbound Left		2		66.8	E	235.7	F
Eastbound Through		2		60.0	E	58.6	E
Eastbound Right		1		5.8	A	24.9	C
Westbound Left		2		95.7	F	78.5	E
Westbound Through		2		46.5	D	59.3	E
Westbound Right		1		8.3	A	18.9	B
Northbound Left		2		73.4	E	118.2	F
Northbound Through		2		78.2	E	67.2	E
Northbound Right		1		7.0	A	7.8	A
Southbound Left		2		129.6	F	87.7	F
Southbound Through / Right		2		38.9	D	135.4	F
Florence Avenue & Sunshine Street			**OWSC**	**0.0**	**A**	**0.0**	**A**
Eastbound Through / Right		2	Free	0.0	A	0.0	A
Westbound Left		1	Free	0.0	A	11.8	B
Westbound Through		2	Free	0.0	A	0.0	A
Northbound Left / Right		1	Stop	20.0	C	15.9	C
Hampton Avenue & Sunshine Street			**TWSC**	**0.2**	**A**	**0.3**	**A**
Eastbound Left / Through / Right		2	Free	0.0	A	0.1	A
Westbound Left / Through / Right		2	Free	0.1	A	0.1	A
Northbound Left / Through / Right		1	Stop	20.2	C	21.3	C
Southbound Left / Through / Right		1	Stop	10.7	B	14.8	B

2024 Projected Traffic

SITE TRAFFIC

2024 PROPOSED TRIP GENERATION

Traffic generated to and from the development was estimated based upon data provided in "Trip Generation, 10th Edition," an informative report published by the Institute of Transportation Engineers (2017). The ITE Trip Generation Report is recognized by land use and traffic planners as the most authoritative text available for estimating the trip generation of various types of land development. Traffic volumes for future development are estimated in terms of "Trip Ends" for each land use. A Trip End is defined as a one-way trip to or from the subject property that has the property as either its origin or destination. In determining trip generation, the average rate as given by the ITE Trip Generation Report was used. Average daily trip generations have been calculated for the proposed development. For the purpose of this study, the criterion above was used to compute the trips generated. The number of trips was subsequently used to determine the impact on adjacent roadways.

Table 2 summarizes the average daily, AM, and PM peak hour traffic generated to and from the property for the proposed development, based on the expectations previously stated.

Table 2: Average Daily, AM, & PM Trip Generation

	ITE			24-HOUR	AM PEAK		PM PEAK	
LAND USE	CODE	Size	Variable	WEEKDAY	IN	OUT	IN	OUT
Shopping Center	820	11.285	1000 SQFT GFA	426	7	4	52	56
General Office Building	710	3.761	1000 SQFT GFA	44	26	4	1	4
Mid-Rise Residential w/ 1st-Floor Commercial	231	87	Dwelling Units	299	7	19	22	9
			TOTAL NEW TRIPS	**769**	**40**	**27**	**75**	**69**

Full Trip Generation Table including the PM Peak Hour Rate and Percent Entering / Percent Exiting can be viewed in the 2024 Appendix.

The trip generation projections were adjusted to account for internal capture. According to the ITE Trip Generation Handbook, 2nd Edition, Chapter 7, these internal ("Captured") trips are made either by walking or by vehicles using internal roadways without using the major, external streets. During this study, it was determined internal capture was significant during the AM & PM peak hours for the types of land uses proposed for the development. An internal capture rate was calculated for use in our study based upon the procedures shown in ITE Trip Generation Handbook, 2nd Edition, Chapter 7 with reflected a rate of 10% for both the AM & PM Peak Hour.

Another Trip phenomena that was considered as a part of this study is Pass By / Diverted Link trips. Pass By / Diverted Link trips are trips that are already utilizing the roadway network adjacent to the development, which will now be attracted to the development.

2024 Proposed Trip Distribution

For the purpose of this study a directional distribution of traffic was compiled in order to accurately describe the traffic patterns the development is projected to create. The directional distribution is used to distribute the traffic generated by the proposed development onto the roadway network.

Table 3 summarizes the expected 2024 AM & PM new trip directional distribution of traffic to and from the site as used in the study.

Table 3: 2024 New Trip Directional Distribution

LOCATION			AM Peak New Trip Traffic Distribution		PM Peak New Trip Traffic Distribution	
Roadway	From	To	% IN	% OUT	% IN	% OUT
Access P1			79%	41%	73%	36%
Access P2			21%	59%	27%	64%
University Street	West of	Access P2	0%	0%	0%	0%
University Street	Access P2	National Avenue	21%	59%	27%	64%
University Street	East of	National Avenue	0%	0%	0%	0%
National Avenue	North of	University Street	21%	0%	27%	0%
National Avenue	University Street	Sunshine Street	0%	59%	0%	64%
National Avenue	South of	Sunshine Street	32%	32%	25%	25%
Sunshine Street	West of	Hampton Avenue	28%	41%	22%	36%
Sunshine Street	Hampton Avenue	Access P1	28%	41%	22%	36%
Sunshine Street	Access P1	Florence Avenue	51%	0%	51%	0%
Sunshine Street	Florence Avenue	National Avenue	51%	0%	51%	0%
Sunshine Street	East of	National Avenue	19%	27%	26%	39%
Hampton Avenue	North of	Sunshine Street	0%	0%	0%	0%
Hampton Avenue	South of	Sunshine Street	0%	0%	0%	0%
Florence Avenue	South of	Sunshine Street	0%	0%	0%	0%

Exhibit 3 illustrates the new trip directional distribution of traffic entering and exiting the study area for the AM & PM peak hour as shown in **Table 3**.

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EXHIBIT 3
2024 PROJECTED LAND USE DIRECTIONAL DISTRIBUTION

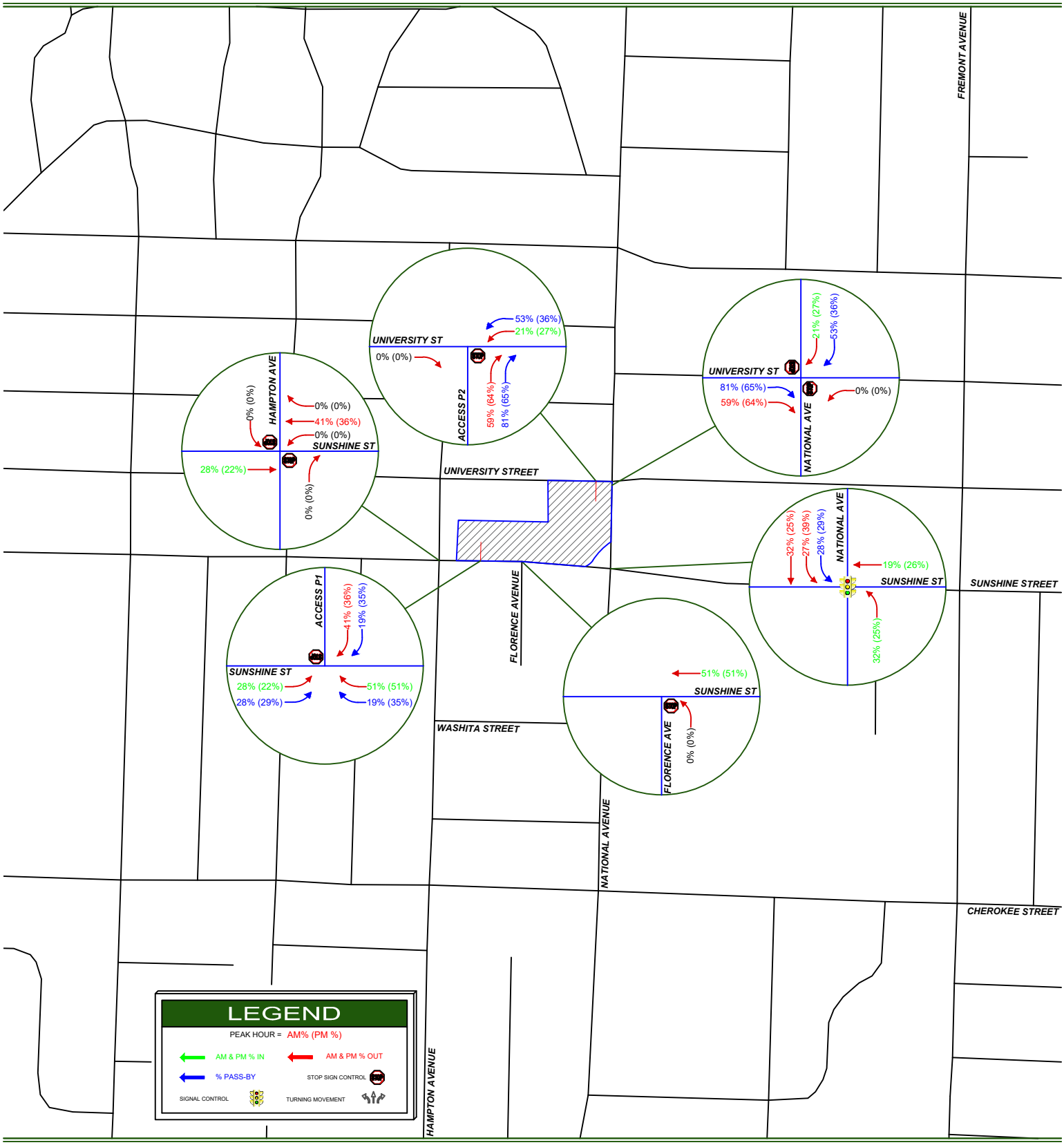

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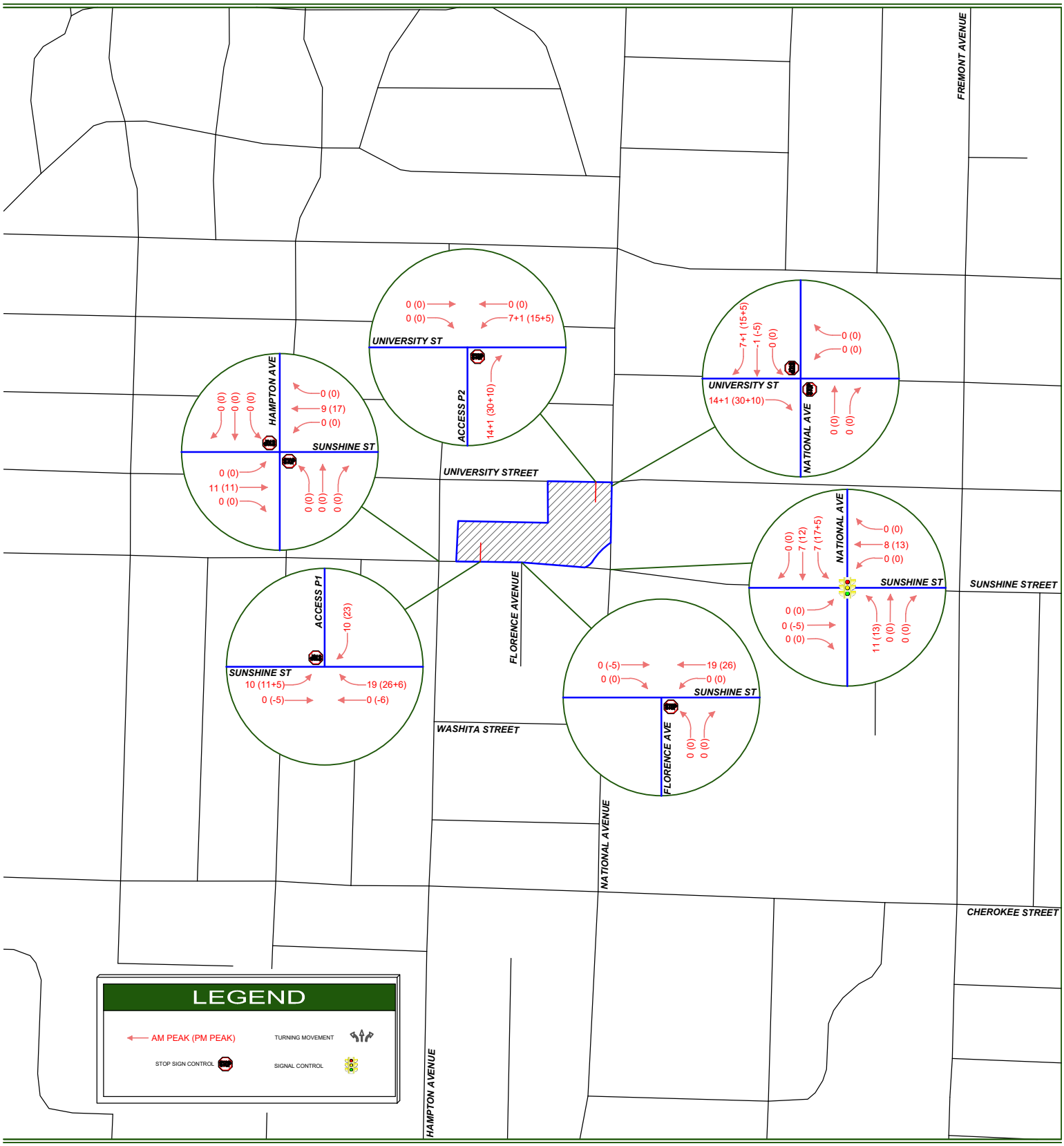
EXHIBIT 4
PROJECTED 2024 DEVELOPMENT TRAFFIC
AM AND PM PEAK



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2024 TOTAL FUTURE TRAFFIC

2024 BUILD CONDITION (TOTAL TRAFFIC CONDITIONS)

Using the existing traffic grown annually at 2% for 2 years, the estimated generated trip ends from **Table 2** and the assumed directional distribution of traffic from **Table 3,** it is possible to estimate the traffic on each of the impacted roads. **Tables 4, 5, & 6** represent the two-way traffic anticipated at full build out during the day, AM, and PM Peak Hour respectively onto each roadway segment.

Table 4: 2024 Daily Projected Traffic Volumes

Roadway	From	To	Daily Traffic Existing	Daily Traffic 2024 Projections with the Proposed
Access P1			--	790
Access P2			--	670
University Street	West of	Access P2	140	100
University Street	Access P2	National Avenue	70	730
University Street	East of	National Avenue	260	260
National Avenue	North of	University Street	31,120	32,570
National Avenue	University Street	Sunshine Street	31,090	32,730
National Avenue	South of	Sunshine Street	31,910	33,490
Sunshine Street	West of	Hampton Avenue	29,030	30,520
Sunshine Street	Hampton Avenue	Access P1	28,860	30,330
Sunshine Street	Access P1	Florence Avenue	28,860	30,260
Sunshine Street	Florence Avenue	National Avenue	28,900	30,310
Sunshine Street	East of	National Avenue	28,940	30,470
Hampton Avenue	North of	Sunshine Street	230	230
Hampton Avenue	South of	Sunshine Street	430	440
Florence Avenue	South of	Sunshine Street	90	100

Table 5: 2024 AM Peak Hour Projected Traffic Volumes

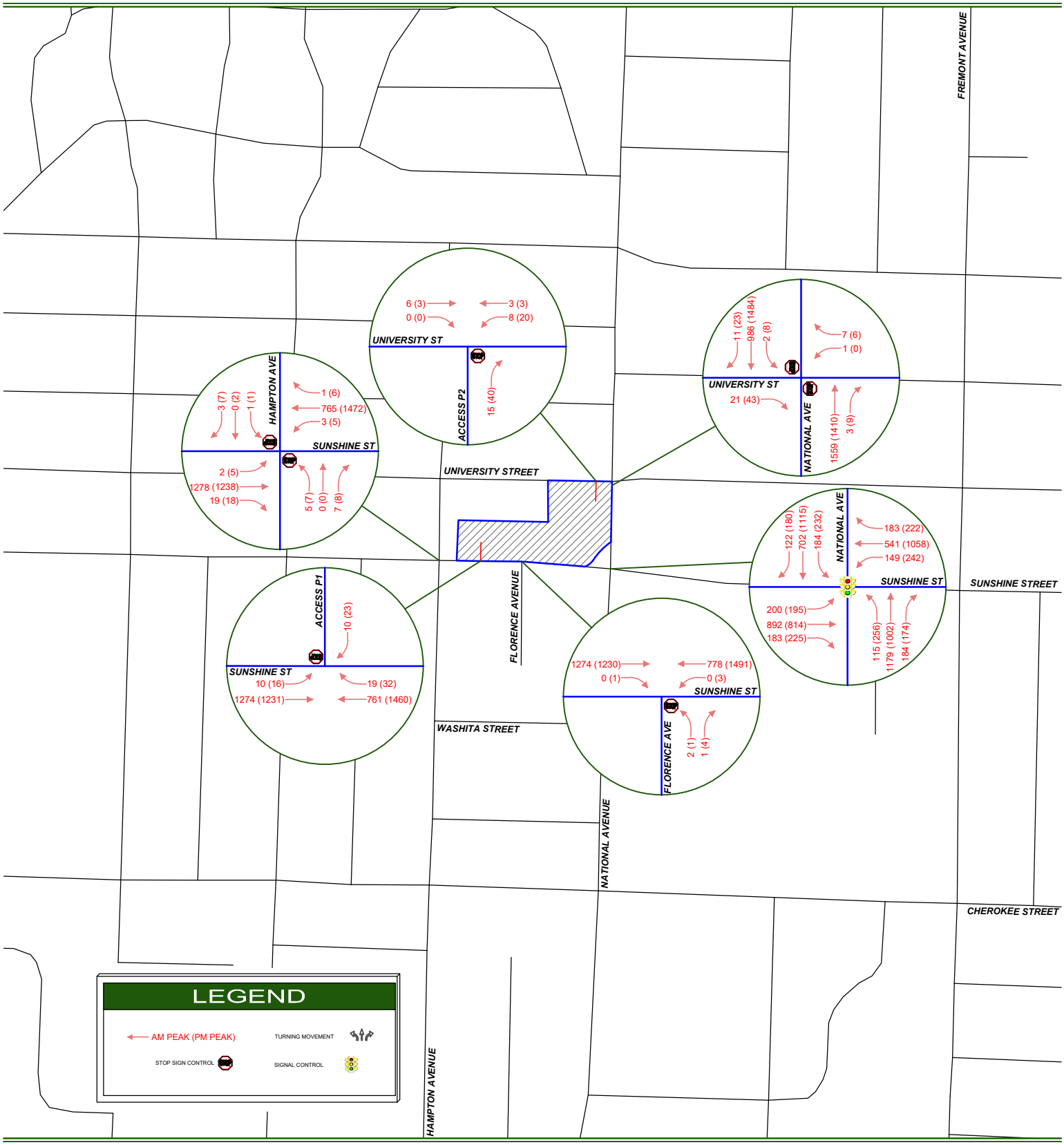
Roadway	From	To	AM Peak Existing	AM Peak 2024 Projections with the Proposed
Access P1			--	39
Access P2			--	23
University Street	West of	Access P2	13	9
University Street	Access P2	National Avenue	13	32
University Street	East of	National Avenue	13	13
National Avenue	North of	University Street	2,456	2,565
National Avenue	University Street	Sunshine Street	2,454	2,570
National Avenue	South of	Sunshine Street	2,397	2,512
Sunshine Street	West of	Hampton Avenue	1,972	2,072
Sunshine Street	Hampton Avenue	Access P1	1,956	2,055
Sunshine Street	Access P1	Florence Avenue	1,956	2,054
Sunshine Street	Florence Avenue	National Avenue	1,955	2,053
Sunshine Street	East of	National Avenue	2,034	2,133
Hampton Avenue	North of	Sunshine Street	7	7
Hampton Avenue	South of	Sunshine Street	33	34
Florence Avenue	South of	Sunshine Street	3	3

Table 6: 2024 PM Peak Hour Projected Traffic Volumes

Roadway	From	To	PM Peak Existing	PM Peak 2024 Projections with the Proposed
Access P1			--	71
Access P2			--	60
University Street	West of	Access P2	6	6
University Street	Access P2	National Avenue	6	66
University Street	East of	National Avenue	23	23
National Avenue	North of	University Street	2,801	2,931
National Avenue	University Street	Sunshine Street	2,798	2,946
National Avenue	South of	Sunshine Street	2,872	3,014
Sunshine Street	West of	Hampton Avenue	2,613	2,747
Sunshine Street	Hampton Avenue	Access P1	2,597	2,730
Sunshine Street	Access P1	Florence Avenue	2,597	2,723
Sunshine Street	Florence Avenue	National Avenue	2,601	2,728
Sunshine Street	East of	National Avenue	2,605	2,742
Hampton Avenue	North of	Sunshine Street	21	21
Hampton Avenue	South of	Sunshine Street	39	40
Florence Avenue	South of	Sunshine Street	8	9

SUNSHINE & NATIONAL TIA
SPRINGFIELD, MISSOURI

EXHIBIT 5
PROJECTED 2024 TRAFFIC ASSIGNMENT
AM AND PM PEAK



NORTH
SCALE: NTS

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CJW PROJECT No. 22152

2024 Traffic Analysis

SITE ACCESS

Access to the development is being proposed through two access points. Access P1 will be located on Sunshine Street and Access P2 will be located on University Street. Access P1 will act as a Right-In-Right-Out with Lefts-In and Access P2 will allow full access onto University Street. However, it is recommended that traffic calming measures be considered between the development and the neighborhood which would act to discourage commercial traffic from utilizing the residential street network. Additionally, it is anticipated that University Street west of National Avenue will be converted into a RIRO. Roadway access point capacity must be analyzed thoroughly in order to ensure that the roadway network adequately handles future traffic demands based on the additional development trip generation.

CAPACITY AND INTERSECTION UTILIZATION AT STUDY ROADWAYS AND INTERSECTIONS

PROPOSED 2024 PEAK HOUR LEVEL OF SERVICE (NO BUILD)

A capacity analysis of the road system was conducted assuming no improvements would be made in order to analyze intersection operations during the AM & PM peak hours and determines the condition of the future roadway infrastructure with a no-build option. The capacity was analyzed using Synchro Traffic modeling software, which is based on procedures and techniques outlined in the HIGHWAY CAPACITY MANUAL, 2010 Edition which is published by the Transportation Research Board to determine operational level of service (LOS) and lane requirements.

Table 7 illustrates the AM & PM peak hour level of service for the intersection based upon the construction of the development and no roadway improvements.

Table 7: Peak Measures of Effectiveness (No Roadway Improvements)
Summary of Intersection Capacity Analysis & Geometric Configuration

INTERSECTION		# of	Traffic	AM		PM	
N/S	E/W	Lanes	Control	Delay	LOS	Delay	LOS
Access P2 & University Street			**OWSC**	**5.7**	**A**	**7.4**	**A**
Eastbound Through / Right		1	Free	0.0	A	0.0	A
Westbound Left / Through		1	Free	5.4	A	6.4	A
Northbound Left / Right		1	Stop	8.4	A	8.5	A
National Avenue & University Street			**TWSC**	**0.2**	**A**	**0.4**	**A**
Eastbound Right		1	Stop	12.8	B	18.2	C
Westbound Left / Right		1	Stop	19.3	C	9.8	A
Northbound Through / Right		2	Free	0.0	A	0.0	A
Southbound Left / Through / Right		2	Free	0.1	A	0.3	A

National Avenue & Sunshine Street		**Signal**	**68.7**	**E**	**88.7**	**F**
Eastbound Left	2		70.1	E	150.1	F
Eastbound Through	2		74.9	E	75.0	E
Eastbound Right	1		6.7	A	31.8	C
Westbound Left	2		108.7	F	101.0	F
Westbound Through	2		49.4	D	120.5	F
Westbound Right	1		9.4	A	23.5	C
Northbound Left	2		65.9	E	145.7	F
Northbound Through	2		115.9	F	56.1	E
Northbound Right	1		8.0	A	7.5	A
Southbound Left	2		73.4	E	98.6	F
Southbound Through / Right	2		41.6	D	105.2	F
Florence Avenue & Sunshine Street		**OWSC**	**0.0**	**A**	**0.0**	**A**
Eastbound Through / Right	2	Free	0.0	A	0.0	A
Westbound Left	1	Free	0.0	A	12.1	B
Westbound Through	2	Free	0.0	A	0.0	A
Northbound Left / Right	1	Stop	20.9	C	16.0	C
Access P1 & Sunshine Street		**OWSC**	**0.1**	**A**	**0.2**	**A**
Eastbound Left / Through	2	Free	0.1	A	0.4	A
Westbound Through / Right	2	Free	0.0	A	0.0	A
Southbound Right	1	Stop	9.0	A	10.0	B
Hampton Avenue & Sunshine Street		**TWSC**	**0.2**	**A**	**0.3**	**A**
Eastbound Left / Through / Right	2	Free	0.0	A	0.2	A
Westbound Left / Through / Right	2	Free	0.1	A	0.2	A
Northbound Left / Through / Right	1	Stop	21.5	C	22.8	C
Southbound Left / Through / Right	1	Stop	10.9	B	15.5	C

Table 8: Intersection Improvements: Turn Lane Warrants[1]

Intersection	Direction	Turn Lane	Warranted?	Storage Length (ft)	Taper Length (ft)
Access P2 & University Street	Eastbound	Right	No	--	--
Access P2 & University Street	Westbound	Left	No	--	--
National Avenue & University Street	Southbound	Right	No	--	--
National Avenue & Sunshine Street[2]	Southbound	Right	Yes	90’	100’
Access P1 & Sunshine Street	Westbound	Right	No	--	--
Access P1 & Sunshine Street	Eastbound	Left	No	--	--

[1] Turn Lanes were considered warranted on the basis of if they exceeded 100 veh/hr in either the AM or PM Peak hour.
[2] This improvement addresses an existing deficiency at the intersection. Given that the development is not expected to contribute additional demand to this movement, it should not be the sole responsibility of the developer to put in the designated turn lane.

PROPOSED 2024 PEAK HOUR LEVEL OF SERVICE (BUILD)

Turn lane warrants, which can be viewed above in **Table 8,** were conducted to determine if any intersection would require either a designated left or right turn lane. At this time, it was determined that the signalized intersection of National Avenue & Sunshine Street will require a designated southbound right turn lane which will provide more storage than the channelized right that exists today. However, this designated right turn lane improves an existing deficiency

at the intersection. The development is not anticipated to contribute to the deficiency and therefore it should not be the sole responsibility of the developer to put in this improvement.

Table 9: Peak Measures of Effectiveness (w/ Roadway Improvements)
Summary of Intersection Capacity Analysis & Geometric Configuration

INTERSECTION	# of	Traffic	AM		PM	
N/S E/W	Lanes	Control	Delay	LOS	Delay	LOS
Access P2 & University Street		**OWSC**	**5.7**	**A**	**7.4**	**A**
Eastbound Through / Right	1	Free	0.0	A	0.0	A
Westbound Left / Through	1	Free	5.4	A	6.4	A
Northbound Left / Right	1	Stop	8.4	A	8.5	A
National Avenue & University Street		**TWSC**	**0.2**	**A**	**0.4**	**A**
Eastbound Right	1	Stop	12.8	B	18.2	C
Westbound Left / Right	1	Stop	20.3	C	9.8	A
Northbound Through / Right	2	Free	0.0	A	0.0	A
Southbound Left / Through / Right	2	Free	0.1	A	0.3	A
National Avenue & Sunshine Street		**Signal**	**67.0**	**E**	**74.2**	**E**
Eastbound Left	2		70.1	E	123.7	F
Eastbound Through	2		74.9	E	64.9	E
Eastbound Right	1		6.7	A	28.5	C
Westbound Left	2		108.7	F	85.1	F
Westbound Through	2		49.4	D	94.9	F
Westbound Right	1		9.4	A	22.0	C
Northbound Left	2		65.9	E	122.6	F
Northbound Through	2		115.9	F	65.0	E
Northbound Right	1		8.0	A	8.0	A
Southbound Left	2		73.4	E	112.7	F
Southbound Through	2		37.6	D	80.1	F
Southbound Right	1		1.6	A	9.9	A
Florence Avenue & Sunshine Street		**OWSC**	**0.0**	**A**	**0.0**	**A**
Eastbound Through / Right	2	Free	0.0	A	0.0	A
Westbound Left	1	Free	0.0	A	12.1	B
Westbound Through	2	Free	0.0	A	0.0	A
Northbound Left / Right	1	Stop	20.9	C	16.0	C
Access P1 & Sunshine Street		**OWSC**	**0.1**	**A**	**0.2**	**A**
Eastbound Left / Through	2	Free	0.1	A	0.6	A
Westbound Through / Right	2	Free	0.0	A	0.0	A
Southbound Right	1	Stop	9.0	A	10.0	B
Hampton Avenue & Sunshine Street		**TWSC**	**0.2**	**A**	**0.3**	**A**
Eastbound Left / Through / Right	2	Free	0.0	A	0.2	A
Westbound Left / Through / Right	2	Free	0.1	A	0.2	A
Northbound Left / Through / Right	1	Stop	21.5	C	22.8	C
Southbound Left / Through / Right	1	Stop	10.9	B	15.5	C

2024 Findings & Recommendations

- **Sight Distance at the Proposed Entrances –** Careful consideration should be given to sight distance obstructions when planning any future development or aesthetic enhancements, such as berms, fencing, or landscaping, to ensure that these improvements do not obstruct the view of entering and exiting traffic at the development entrance with public roads. It is generally recommended that all improvements higher than 3.5 feet above the elevation of the nearest pavement edge be held back at least 20 feet from the traveled roadway.

- **Access P1** – Access P1 will serve as a RIRO with Lefts-In access driveway, providing ingress and egress to the development. Development traffic will not be allowed to exit into the neighborhood on west on University Street.

- **Access P2** – Access P2 will serve as a full access driveway, providing ingress and egress to the development.

- **University & National** – For the purpose of this study, it was anticipated that the intersection of University & National Avenue would be converted to a Right-In-Right-Out. After discussions with the city traffic department, and reviewing the turning movement counts, one can see that during the peak periods left turn lane movements by motorists at this intersection are minimal. This would indicate that motorists utilize other access points to the neighborhood to avoid these movements, and thus a Right-In-Right-Out would be appropriate for this location.

- **Traffic Calming** – Traffic calming measures should be considered along University Street between the development and the neighborhood. These measures could be undertaken in a variety of ways, with a goal of discouraging commercial traffic from utilizing the residential street network.

- **Turn Restriction Improvements** – In order to ensure that University Street is limited to a Right-In-Right-Out, a median barrier needs to be added along National Avenue to both discourage vehicles from attempting a left into the development and to prevent vehicles leaving the development from attempting to take a left out from University Street. Additionally, a channelized median should be installed at Access P1 off of Sunshine to discourage vehicles from attempting to turn left out of the development.

- **Neighborhood Traffic** – While the study looks at all of the development traffic utilizing the primary arterials as their primary means of ingress and egress in order to evaluate the maximum stress scenario for the major roadways, it can be expected that some traffic may utilize the neighborhood roadway network for ingress, and egress. The amount of ingress and egress through the neighborhood will largely depend on what traffic calming measures are put in place. If no traffic calming measures are established, one can assume that up to 15% of the development traffic may utilize the neighborhood roadways. For the AM Peak hour, this would be an equivalent of approximately 4 vehicles leaving the development at Access P2 (1 vehicle every 15 minutes) by turning left onto University St, likely turning right onto Hampton Avenue, turning right again onto Stanford Street, and making a left out of Stanford Street onto National Avenue. For the PM Peak hour, this would be the equivalent of approximately 7 vehicles (1

vehicle every 8.5 minutes) leaving the development and making the same movements described above.

SUMMARY OF NEEDED IMPROVEMENTS

Roadway Improvements 2024 – After reviewing the affected intersections, it has been determined that the signalized intersection of National Avenue & Sunshine Street will require a designated southbound right turn lane which will provide more storage length than the channelized right that exists today. However, this is an existing deficiency in the intersection. Given that the development is not anticipated to heavily contribute to this movement, it should not be the sole responsibility of the developer to put in the southbound right turn lane at National & Sunshine. Median barrier improvements should be added to National Avenue to discourage left movements in and out of University Street & should be added at Access P1 to discourage left movements out of the development. Finally, traffic calming measures should be considered to help deter vehicles from the development from navigating throughout neighborhood roadways.

SUMMARY OF INTERSECTION ANALYSIS

A review of the 2024 peak hour intersection analysis revealed that the intersection of Access P2 & University Street will operate at a level of service A overall. The intersection of National Avenue & University Street will operate at a level of service A overall. The signalized intersection of National Avenue & Sunshine Street will operate at a level of service E overall. The intersection of Florence Avenue & Sunshine Street will operate at a level of service A overall. The intersection of Access P1 & Sunshine Street will operate at a level of service A overall. The intersection of Hampton Avenue & Sunshine Street will operate at a level of service A overall.

We trust this traffic study satisfactorily answers questions concerning the traffic impact on the proposed development. If you need additional information, please contact me.

Respectfully submitted,

CJW TRANSPORTATION CONSULTANTS, LLC

Dane Seiler, P.E., PTOE
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Justin Orf, E.I.
CJW Transportation Consultants, LLC.

APPENDIX I – EXISTING TRAFFIC

PREPARED BY:

CJW

Intersection: National Avenue & University Street

N/S Street: National Avenue

E/W Street: University Street

AM Count

Observer: JO

Date: 10/6/2022

	EB			WB			NB		SB	
Time	L	T	R	L	T	R	L	R	L	R
7:00-7:15	0	0	4	0	0	0	1	0	0	0
7:15-7:30	0	0	0	0	0	0	3	0	0	0
7:30-7:45	0	0	1	0	0	1	1	1	0	1
7:45-8:00	0	0	2	0	0	3	0	0	0	2
8:00-8:15	2	0	1	1	0	3	0	2	2	0
8:15-8:30	0	0	0	0	0	0	0	0	1	1
8:30-8:45	0	0	1	0	0	2	0	2	1	0
8:45-9:00	0	0	2	0	0	0	1	0	0	0
Peak Hour	2	0	4	1	0	7	4	3	2	3
PHF	0.25	#DIV/0!	0.50	0.25	#DIV/0!	0.58	0.33	0.38	0.25	0.38

Intersection: National Avenue & University Street

N/S Street: National Avenue

E/W Street: University Street

PM Count

Observer: JO

Date: 10/6/2022

	EB			WB			NB		SB	
Time	L	T	R	L	T	R	L	R	L	R
4:00-4:15	0	0	1	0	0	2	0	2	2	2
4:15-4:30	0	0	0	0	0	2	0	3	2	0
4:30-4:45	0	0	2	0	0	2	0	2	4	0
4:45-5:00	0	0	0	0	0	0	1	2	0	0
5:00-5:15	0	0	0	0	0	1	0	2	0	0
5:15-5:30	0	0	0	0	0	2	0	0	2	0
5:30-5:45										
5:45-6:00										
Peak Hour	0	0	3	0	0	6	1	9	8	2
PHF	#DIV/0!	#DIV/0!	0.38	#DIV/0!	#DIV/0!	0.75	0.25	0.75	0.50	0.25

Intersection: Sunshine Street & Hampton Avenue

N/S Street: Hampton Avenue
E/W Street: Sunshine Street

AM Count

Observer: JO

Date: 10/13/2022

	EB		WB		NB			SB		
Time	L	R	L	R	L	T	R	L	T	R
7:00-7:15	0	3	0	1	0	0	5	1	0	0
7:15-7:30	1	4	1	0	1	0	3	0	0	1
7:30-7:45	0	6	1	1	2	0	0	1	0	1
7:45-8:00	0	2	0	0	1	0	3	0	0	0
8:00-8:15	1	6	1	0	1	0	1	0	0	1
8:15-8:30	0	3	0	0	0	0	1	1	0	0
8:30-8:45	1	3	0	1	0	0	1	0	0	0
8:45-9:00	0	0	0	2	0	0	0	0	0	0
Peak Hour	2	18	3	1	5	0	7	1	0	3
PHF	0.50	0.75	0.75	0.25	0.63	#DIV/0!	0.58	0.25	#DIV/0!	0.75

Intersection: Sunshine Street & Hampton Avenue

N/S Street: Hampton Avenue
E/W Street: Sunshine Street

AM Count

Observer: JO

Date: 10/13/2022

	EB		WB		NB			SB		
Time	L	R	L	R	L	T	R	L	T	R
4:00-4:15	0	3	1	2	1	0	3	1	0	1
4:15-4:30	0	5	0	2	0	0	4	0	0	2
4:30-4:45	2	4	2	2	1	0	4	0	0	0
4:45-5:00	1	5	2	0	2	0	0	0	1	2
5:00-5:15	2	3	0	2	1	0	1	0	0	1
5:15-5:30	2	3	1	2	1	0	2	0	0	2
5:30-5:45	0	6	2	2	3	0	5	1	1	2
5:45-6:00	0	2	1	1	0	0	3	0	0	1
Peak Hour	5	17	5	6	7	0	8	1	2	7
PHF	0.63	0.71	0.63	0.75	0.58	#DIV/0!	0.40	0.25	0.50	0.88

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1225	0	0	729	2	1
Future Volume (vph)	1225	0	0	729	2	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.955	
Flt Protected					0.968	
Satd. Flow (prot)	3557	0	1863	3539	1722	0
Flt Permitted					0.968	
Satd. Flow (perm)	3557	0	1863	3539	1722	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	366			360	413	
Travel Time (s)	6.2			6.1	11.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1332	0	0	792	2	1
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1332	0	0	792	3	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 43.9%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	2	1217	18	3	727	1	5	0	7	1	0	3
Future Volume (vph)	2	1217	18	3	727	1	5	0	7	1	0	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Storage Length (ft)	30		0	0		0	0		0	0		0
Storage Lanes	0		0	0		0	0		0	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998						0.917			0.899	
Flt Protected								0.981			0.988	
Satd. Flow (prot)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Flt Permitted								0.981			0.988	
Satd. Flow (perm)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		274			366			302			331	
Travel Time (s)		4.7			6.2			6.9			7.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	1323	20	3	790	1	5	0	8	1	0	3
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1345	0	0	794	0	0	13	0	0	4	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 45.6%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	2	0	4	1	0	7	4	1494	3	2	948	3
Future Volume (vph)	2	0	4	1	0	7	4	1494	3	2	948	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95	0.95
Frt		0.910			0.880							
Flt Protected		0.984			0.994							
Satd. Flow (prot)	0	1668	0	0	1629	0	0	3539	0	0	3557	0
Flt Permitted		0.984			0.994							
Satd. Flow (perm)	0	1668	0	0	1629	0	0	3539	0	0	3557	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		473			616			586			2041	
Travel Time (s)		10.8			14.0			11.4			39.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	0	4	1	0	8	4	1624	3	2	1030	3
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	6	0	0	9	0	0	1631	0	0	1035	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 54.2%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	192	857	177	143	512	176	100	1133	177	169	667	117
Future Volume (vph)	192	857	177	143	512	176	100	1133	177	169	667	117
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		0
Storage Lanes	2		1	2		1	2		1	2		0
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	0.95
Frt			0.850			0.850			0.850		0.979	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3366	0
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3366	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			200			200			193		16	
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		360			1489			912			586	
Travel Time (s)		6.1			25.4			17.8			11.4	
Peak Hour Factor	0.91	0.87	0.89	0.83	0.83	0.81	0.96	0.85	0.78	0.78	0.82	0.86
Adj. Flow (vph)	211	985	199	172	617	217	104	1333	227	217	813	136
Shared Lane Traffic (%)												
Lane Group Flow (vph)	211	985	199	172	617	217	104	1333	227	217	949	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	
Total Split (s)	22.0	47.0	47.0	14.0	39.0	39.0	14.0	54.0	54.0	15.0	55.0	
Total Split (%)	16.9%	36.2%	36.2%	10.8%	30.0%	30.0%	10.8%	41.5%	41.5%	11.5%	42.3%	
Maximum Green (s)	15.6	40.6	40.6	7.6	32.6	32.6	7.2	47.2	47.2	8.2	48.2	
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lead	Lead	Lag	Lag	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	
Act Effct Green (s)	12.4	39.8	39.8	7.8	35.2	35.2	6.9	47.7	47.7	8.2	49.0	
Actuated g/C Ratio	0.10	0.31	0.31	0.06	0.27	0.27	0.05	0.37	0.37	0.06	0.38	
v/c Ratio	0.66	0.94	0.33	0.86	0.66	0.35	0.58	1.05	0.29	1.03	0.74	
Control Delay	66.8	60.0	5.8	95.7	46.5	8.3	73.4	78.2	7.0	129.6	38.9	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	66.8	60.0	5.8	95.7	46.5	8.3	73.4	78.2	7.0	129.6	38.9	
LOS	E	E	A	F	D	A	E	E	A	F	D	
Approach Delay		53.3			46.7			68.2			55.8	
Approach LOS		D			D			E			E	

Intersection Summary	
Area Type: Other	
Cycle Length: 130	
Actuated Cycle Length: 130	
Offset: 55 (42%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 140	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.05	
Intersection Signal Delay: 57.3	Intersection LOS: E
Intersection Capacity Utilization 86.0%	ICU Level of Service E
Analysis Period (min) 15	

Splits and Phases: 26: National & Sunshine

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1187	1	3	1408	1	3
Future Volume (vph)	1187	1	3	1408	1	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.899	
Flt Protected			0.950		0.988	
Satd. Flow (prot)	3557	0	1770	3539	1655	0
Flt Permitted			0.950		0.988	
Satd. Flow (perm)	3557	0	1770	3539	1655	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	362			358	404	
Travel Time (s)	6.2			6.1	11.0	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1290	1	3	1530	1	3
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1291	0	3	1530	4	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 48.9%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	3	0	0	6	1	1354	9	8	1431	2
Future Volume (vph)	0	0	3	0	0	6	1	1354	9	8	1431	2
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95	0.95
Frt		0.865			0.865			0.999				
Flt Protected												
Satd. Flow (prot)	0	1611	0	0	1611	0	0	3536	0	0	3557	0
Flt Permitted												
Satd. Flow (perm)	0	1611	0	0	1611	0	0	3536	0	0	3557	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		308			562			509			2118	
Travel Time (s)		7.0			12.8			9.9			41.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	0	3	0	0	7	1	1472	10	9	1555	2
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	3	0	0	7	0	0	1483	0	0	1566	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane								Yes			Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 55.2%	ICU Level of Service B
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	1179	17	5	1398	6	7	0	8	1	2	7
Future Volume (vph)	5	1179	17	5	1398	6	7	0	8	1	2	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998			0.999			0.929			0.902	
Flt Protected								0.977			0.995	
Satd. Flow (prot)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Flt Permitted								0.977			0.995	
Satd. Flow (perm)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		2366			362			400			302	
Travel Time (s)		40.3			6.2			9.1			6.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	1282	18	5	1520	7	8	0	9	1	2	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1305	0	0	1532	0	0	17	0	0	11	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

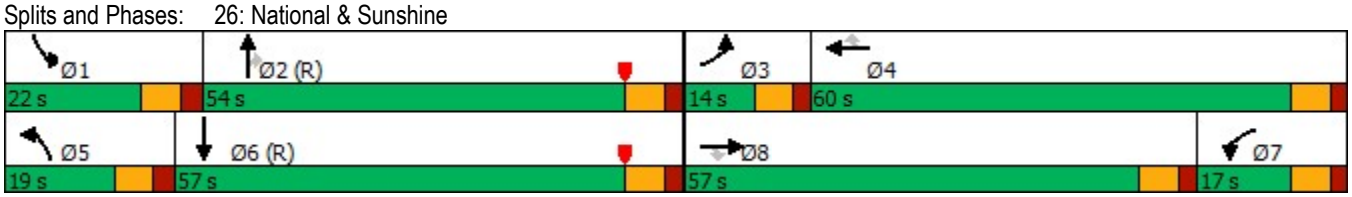
Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 52.3%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	188	787	215	233	1004	213	234	963	167	201	1060	173
Future Volume (vph)	188	787	215	233	1004	213	234	963	167	201	1060	173
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		0
Storage Lanes	2		1	2		1	2		1	2		0
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	0.95
Frt			0.850			0.850			0.850		0.977	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3359	0
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3359	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			146			124			167		15	
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		358			1489			874			509	
Travel Time (s)		6.1			25.4			17.0			9.9	
Peak Hour Factor	0.84	0.89	0.71	0.86	0.89	0.85	0.85	0.91	0.91	0.75	0.93	0.85
Adj. Flow (vph)	224	884	303	271	1128	251	275	1058	184	268	1140	204
Shared Lane Traffic (%)												
Lane Group Flow (vph)	224	884	303	271	1128	251	275	1058	184	268	1344	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	
Total Split (s)	14.0	57.0	57.0	17.0	60.0	60.0	19.0	54.0	54.0	22.0	57.0	
Total Split (%)	9.3%	38.0%	38.0%	11.3%	40.0%	40.0%	12.7%	36.0%	36.0%	14.7%	38.0%	
Maximum Green (s)	7.6	50.6	50.6	10.6	53.6	53.6	12.2	47.2	47.2	15.2	50.2	
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lag	Lag	Lead	Lag	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	
Act Effct Green (s)	7.6	44.9	44.9	16.1	53.4	53.4	12.4	48.1	48.1	14.5	50.2	
Actuated g/C Ratio	0.05	0.30	0.30	0.11	0.36	0.36	0.08	0.32	0.32	0.10	0.33	
v/c Ratio	1.33	0.86	0.54	0.76	0.92	0.36	0.99	0.95	0.26	0.83	1.19	
Control Delay	235.7	58.6	24.9	78.5	59.3	18.9	118.2	67.2	7.8	87.7	135.4	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	235.7	58.6	24.9	78.5	59.3	18.9	118.2	67.2	7.8	87.7	135.4	
LOS	F	E	C	E	E	B	F	E	A	F	F	
Approach Delay		79.5			56.3			69.2			127.5	
Approach LOS		E			E			E			F	

Intersection Summary	
Area Type: Other	
Cycle Length: 150	
Actuated Cycle Length: 150	
Offset: 140 (93%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 140	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.33	
Intersection Signal Delay: 83.3	Intersection LOS: F
Intersection Capacity Utilization 96.6%	ICU Level of Service F
Analysis Period (min) 15	

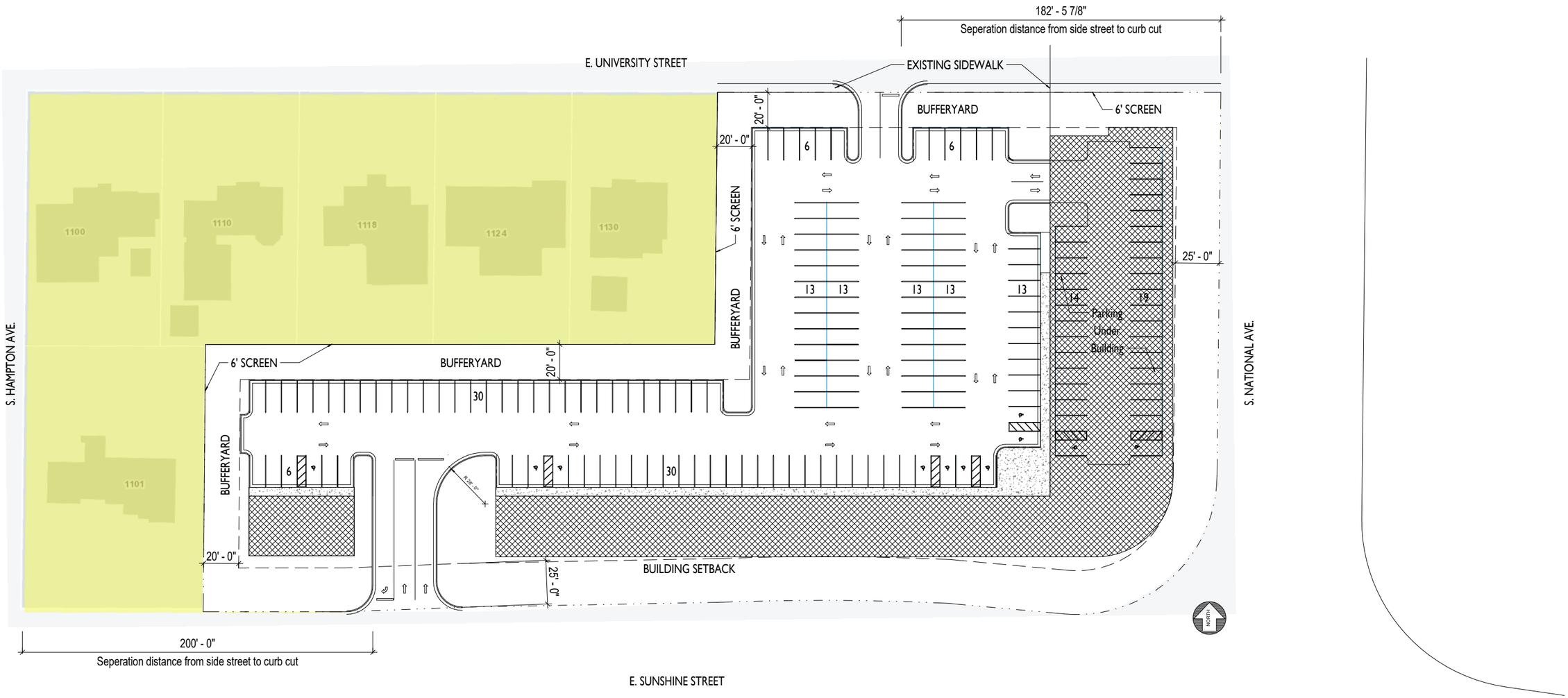
Splits and Phases: 26: National & Sunshine



APPENDIX II – 2023 PROJECTED TRAFFIC

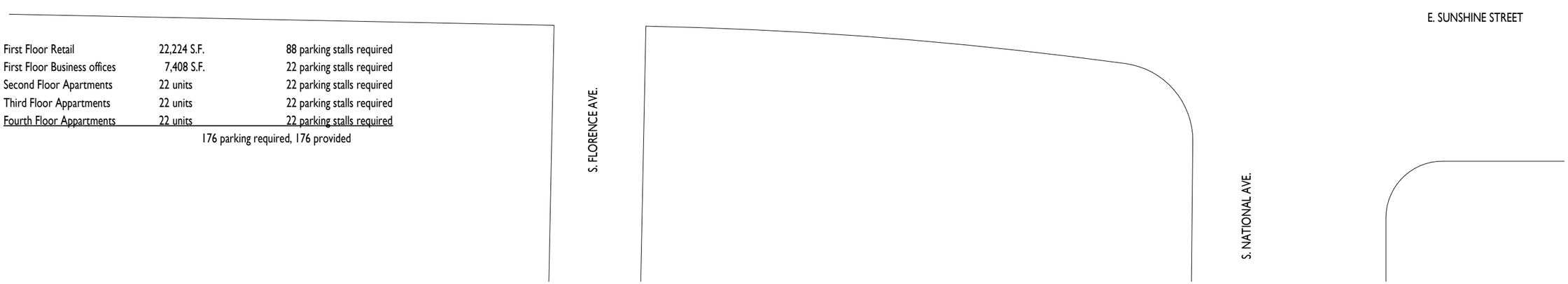
PREPARED BY:

CJW



First Floor Retail	22,224 S.F.	88 parking stalls required
First Floor Business offices	7,408 S.F.	22 parking stalls required
Second Floor Apartments	22 units	22 parking stalls required
Third Floor Appartments	22 units	22 parking stalls required
Fourth Floor Appartments	22 units	22 parking stalls required

176 parking required, 176 provided



TRIP GENERATION																
									WEEKDAY AM PEAK					WEEKDAY PM PEAK		
LAND USE	ITE CODE	Size	Variable	24-Hour Trip Generation	24-Hour Rate	AM PEAK HOUR	AM % IN	AM % OUT	ENTER	EXIT	PM PEAK HOUR	PM % IN	PM % OUT	ENTER	EXIT
Trip Generation															
Shopping Center	820	11.285	1000 SQFT GFA	37.75	426	0.94	62%	38%	7	4	`=e^(0.74*LN(X)+2.89)	48%	52%	52	56
General Office Building	710	3.761	1000 SQFT GFA	=e^(0.97*LN(X)+2.5)	44	`=0.94(X)+26.49	86%	14%	26	4	1.15	16%	84%	1	4
Mid-Rise Residential with 1st-Floor Commercial	231	87	Dwelling Units	3.44	299	0.30	28%	72%	7	19	0.36	70%	30%	22	9
				Total New Trips	**769**		Total New Trips		**40**	**27**		Total New Trips		**75**	**69**

A.M. PEAK HOUR TRIP GENERATION
AND INTERNAL TRIP CAPTURE SUMMARY
COMMERICIAL DEVELOPMENT PHASE I

Retail Shopping Center

ITE LU CODE 820
Size 11.285 1000 SQFT GFA

	Total	Internal	External
Enter	7	1	6
Exit	4	2	2
Total	11	3	8
%	100%	27%	73%

Office General Office Building

ITE LU CODE 710
Size 3.761 1000 SQFT GFA

	Total	Internal	External
Enter	26	1	25
Exit	4	0	4
Total	30	1	29
%	100%	3%	97%

	Demand	Balance	Demand
Enter	2% 0	0	2% 0
Exit	31% 1	1	31% 8

	Demand	Balance	Demand
Enter	9% 1	1	31% 1
Exit	9% 2	1	31% 2

	Demand	Balance	Demand
Enter	0% 0	0	2% 0
Exit	0% 0	0	2% 0

Residential Mid-Rise Residential with 1st-Floor Commercial

ITE LU CODE 231
Size 87 Dwelling Units

	Total	Internal	External
Enter	7	1	6
Exit	19	1	18
Total	26	2	24
%	100%	8%	92%

NET EXTERNAL TRIPS for MULTI-Use Development

	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	TOTAL	
Enter	6	6	25	37	
Exit	2	18	4	24	
Total	8	24	29	61	*Internal Capture*
Single-USE Trip Generation	11	26	30	67	9%

UTILIZED INTERNAL CAPTURE TRIPS for MULTI-Use Development AM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	
Table/Fig.				
UTILIZED INTERNAL CAPTURE	10%	10%	10%	TOTAL
Enter	6	6	23	36
Exit	4	17	4	24
Total	10	23	27	60

CALCULATED PASS-BY / DIVERTED LINK TRIPS for MULTI-Use Development AM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	
Table/Fig.	5.6			
Avg. Percentage	34%	0%	0%	TOTAL
Enter	2	0	0	2
Exit	1	0	0	1
Total	3	0	0	3

UTILIZED PASS-BY / DIVERTED LINK TRIPS for MULTI-Use Development AM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	TOTAL
Enter	1	0	0	1
Exit	1	0	0	1
Total	2	0	0	2

UTILIZED NEW TRIPS for MULTI-Use Development (INTERNAL CAPTURE AND PASS-BY ACCOUNTED FOR) AM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	TOTAL
Enter	5	6	23	35
Exit	2	17	4	23
Total	7	23	27	57

P.M. PEAK HOUR TRIP GENERATION
AND INTERNAL TRIP CAPTURE SUMMARY
COMMERICIAL DEVELOPMENT PHASE I

Retail Shopping Center

ITE LU CODE 820
Size 11.285 1000 SQFT GFA

	Total	Internal	External
Enter	52	1	51
Exit	56	7	49
Total	108	8	100
%	100%	7%	93%

Office General Office Building

ITE LU CODE 710
Size 3.761 1000 SQFT GFA

	Total	Internal	External
Enter	1	0	1
Exit	4	0	4
Total	5	0	5
%	100%	0%	100%

	Demand		Balance		Demand	
Retail → Office	2%	1	0		2%	0
Office → Retail	31%	17	0		31%	0

	Demand		Balance		Demand	
Retail → Residential	9%	5	1		31%	17
Residential → Retail	9%	1	7		31%	7

	Demand		Balance		Demand	
Office → Residential	0%	0	0		2%	0
Residential → Office	0%	0	0		2%	0

Residential Mid-Rise Residential with 1st-Floor Commercial

ITE LU CODE 231
Size 87 Dwelling Units

	Total	Internal	External
Enter	22	7	15
Exit	9	1	8
Total	31	8	23
%	100%	26%	74%

NET EXTERNAL TRIPS for MULTI-Use Development

	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	TOTAL	
Enter	51	15	1	67	
Exit	49	8	4	61	
Total	100	23	5	128	*Internal Capture*
Single-USE Trip Generation	108	31	5	144	11%

UTILIZED INTERNAL CAPTURE TRIPS for MULTI-Use Development PM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	
Table/Fig.				
UTILIZED INTERNAL CAPTURE	10%	10%	10%	TOTAL
Enter	47	20	1	68
Exit	50	8	4	62
Total	97	28	5	130

CALCULATED PASS-BY / DIVERTED LINK TRIPS for MULTI-Use Development PM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	
Table/Fig.	5.6			
Avg. Percentage	34%	0%	0%	TOTAL
Enter	16	0	0	16
Exit	17	0	0	17
Total	33	0	0	33

UTILIZED PASS-BY / DIVERTED LINK TRIPS for MULTI-Use Development PM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	TOTAL
Enter	16	0	0	16
Exit	16	0	0	16
Total	32	0	0	32

UTILIZED NEW TRIPS for MULTI-Use Development (INTERNAL CAPTURE AND PASS-BY ACCOUNTED FOR) PM Peak

Land Use	Shopping Center	Mid-Rise Residential with 1st-Floor Commercial	General Office Building	
ITE CODE	820	231	710	TOTAL
Enter	31	20	1	52
Exit	34	8	4	46
Total	65	28	5	98

AM Peak Hour Calculation

N/S Street: Access P2
E/W Street: University Street
Growth Rate (GR): 2.00%
Years (n): 2

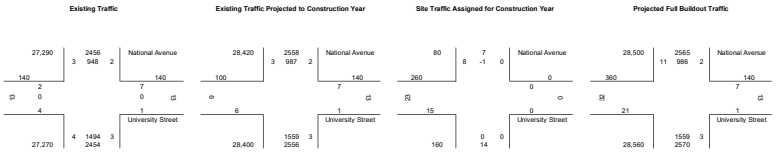
	New Trips	Pass-By
In	35	1
Out	23	1

Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBR	0	1.04	0			59%	23					15	15	VEHHR
EBT	6	1.04	6									0	6	VEHHR
EBR	0	1.04	0									0	0	VEHHR
WBL	0	1.04	0	21%	35			53%	1			8	8	VEHHR
WBT	7	1.04	3									0	3	VEHHR

N/S Street: National Avenue
E/W Street: University Street
Growth Rate (GR): 2.00%
Years (n): 2

	New Trips	Pass-By
In	35	1
Out	23	1

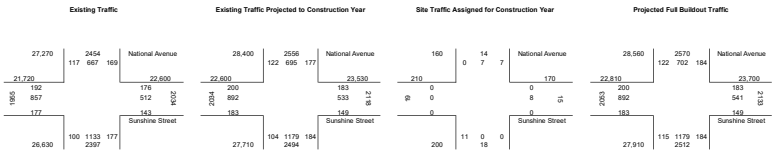
Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	4	1.04	0									0	0	VEHHR
NBT	1494	1.04	1559									0	1559	VEHHR
NBR	3	1.04	3									0	3	VEHHR
SBL	2	1.04	2									0	2	VEHHR
SBT	948	1.04	987					-53%	1			-1	986	VEHHR
SBR	3	1.04	3	21%	35			53%	1			8	11	VEHHR
EBL	2	1.04	0									0	0	VEHHR
EBR	4	1.04	6			59%	23			81%	1	15	21	VEHHR
WBL	1	1.04	1									0	1	VEHHR
WBR	7	1.04	7									0	7	VEHHR



N/S Street: National Avenue
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

	New Trips	Pass-By
In	35	1
Out	23	1

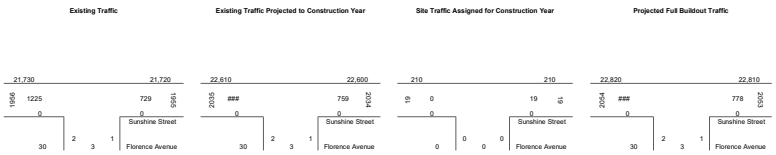
Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	100	1.04	104	32%	35							11	115	VEHHR
NBT	1133	1.04	1179									0	1179	VEHHR
NBR	177	1.04	184									0	184	VEHHR
SBL	169	1.04	177			27%	23			28%	1	7	184	VEHHR
SBT	667	1.04	695			32%	23					7	702	VEHHR
SBR	117	1.04	122									0	122	VEHHR
EBL	192	1.04	200									0	200	VEHHR
EBT	857	1.04	892					-28%	1			0	892	VEHHR
EBR	177	1.04	183									0	183	VEHHR
WBL	143	1.04	149									0	149	VEHHR
WBT	512	1.04	533	19%	35							8	541	VEHHR
WBR	176	1.04	183									0	183	VEHHR



N/S Street: Florence Avenue
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

	New Trips	Pass-By
In	35	1
Out	23	1

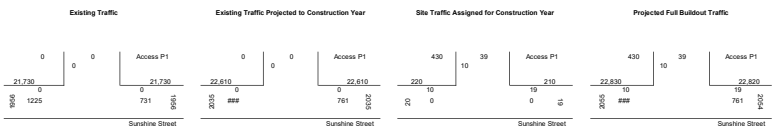
Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	2	1.04	2									0	2	VEHHR
NBR	1	1.04	1									0	1	VEHHR
EBT	1225	1.04	1274							-28%	1	0	1274	VEHHR
EBR	0	1.04	0									0	0	VEHHR
WBL	0	1.04	0									0	0	VEHHR
WBT	729	1.04	759	51%	35							19	778	VEHHR



N/S Street: Access P1
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

	New Trips	Pass-By
In	35	1
Out	23	1

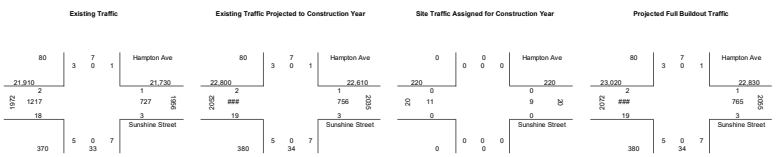
Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
SBR	0	1.04	0			41%	23			19%	1	10	10	VEHHR
EBL	0	1.04	0	28%	35			28%	1			10	10	VEHHR
EBT	1225	1.04	1274					-28%	1			0	1274	VEHHR
WBT	731	1.04	761					-19%	1			0	761	VEHHR
WBR	0	1.04	0	51%	35			19%	1			19	19	VEHHR



N/S Street: Hampton Ave
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

	New Trips	Pass-By
In	35	1
Out	23	1

Turn Movement	(1) Existing Traffic	(2) Growth factor $(1+GR)^n$	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	5	1.04	5									0	5	VEHHR
NBT	0	1.04	0									0	0	VEHHR
NBR	7	1.04	7									0	7	VEHHR
SBL	1	1.04	1									0	1	VEHHR
SBT	0	1.04	0									0	0	VEHHR
SBR	3	1.04	3									0	3	VEHHR
EBL	2	1.04	2									0	2	VEHHR
EBT	1217	1.04	1267	28%	35							11	1278	VEHHR
EBR	18	1.04	19									0	19	VEHHR
WBL	3	1.04	3									0	3	VEHHR
WBT	727	1.04	756			41%	23					9	765	VEHHR
WBR	1	1.04	1									0	1	VEHHR



PM Peak Hour Calculation

N/S Street: Access P2
E/W Street: University Street
Growth Rate (GR): 2.00%
Years (n): 2

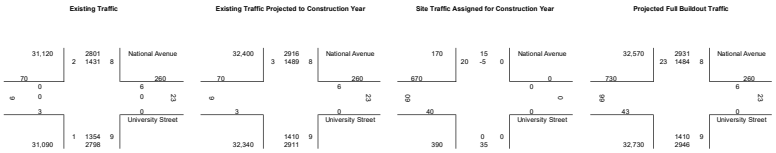
New Trips: In 52, Out 46
Pass-By: In 16, Out 16

Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBR	0	1.04	0			64%	46			65%	16	40	40	VEH/HR
EBT	3	1.04	3									0	3	VEH/HR
EBR	0	1.04	0									0	0	VEH/HR
WBL	0	1.04	0	27%	52			36%	16			20	20	VEH/HR
WBT	3	1.04	3									0	3	VEH/HR

N/S Street: National Avenue
E/W Street: University Street
Growth Rate (GR): 2.00%
Years (n): 2

New Trips: In 52, Out 46
Pass-By: In 16, Out 16

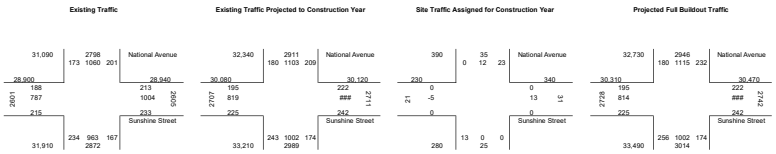
Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	1	1.04	0									0	0	VEH/HR
NBT	1354	1.04	1410									0	1410	VEH/HR
NBR	9	1.04	9									0	9	VEH/HR
SBL	8	1.04	8									0	8	VEH/HR
SBT	1431	1.04	1489					-36%	16			-5	1484	VEH/HR
SBR	2	1.04	3	27%	52			36%	16			20	23	VEH/HR
EBL	0	1.04	0									0	0	VEH/HR
EBT	0	1.04	0									0	0	VEH/HR
EBR	3	1.04	3			64%	46			65%	16	40	43	VEH/HR
WBL	0	1.04	0									0	0	VEH/HR
WBT	0	1.04	0									0	0	VEH/HR
WBR	6	1.04	6									0	6	VEH/HR



N/S Street: National Avenue
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

New Trips: In 52, Out 46
Pass-By: In 16, Out 16

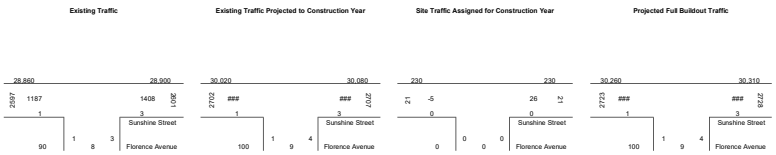
Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	234	1.04	243	25%	52							13	256	VEH/HR
NBT	963	1.04	1002									0	1002	VEH/HR
NBR	167	1.04	174									0	174	VEH/HR
SBL	201	1.04	209			39%	46			29%	16	23	232	VEH/HR
SBT	1060	1.04	1103			25%	46					12	1115	VEH/HR
SBR	173	1.04	180									0	180	VEH/HR
EBL	188	1.04	195									0	195	VEH/HR
EBT	787	1.04	819					-29%	16			-5	814	VEH/HR
EBR	215	1.04	225									0	225	VEH/HR
WBL	233	1.04	242									0	242	VEH/HR
WBT	1004	1.04	1045	26%	52							13	1058	VEH/HR
WBR	213	1.04	222									0	222	VEH/HR



N/S Street: Florence Avenue
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

New Trips: In 52, Out 46
Pass-By: In 16, Out 16

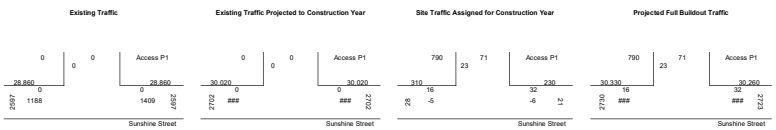
Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	1	1.04	1									0	1	VEH/HR
NBR	3	1.04	4									0	4	VEH/HR
EBT	1187	1.04	1235							-29%	16	-5	1230	VEH/HR
EBR	1	1.04	1									0	1	VEH/HR
WBL	3	1.04	3									0	3	VEH/HR
WBT	1408	1.04	1465	51%	52							26	1491	VEH/HR



N/S Street: Access P1
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

New Trips: In 52, Out 46
Pass-By: In 16, Out 16

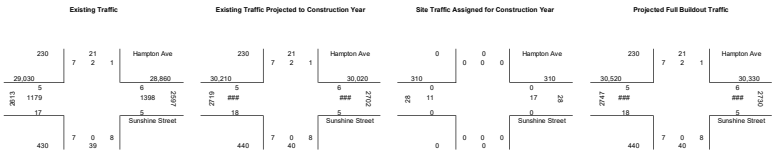
Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
SBR	0	1.04	0			36%	46			35%	16	23	23	VEH/HR
EBL	0	1.04	0	22%	52			29%	16			16	16	VEH/HR
EBT	1188	1.04	1236					-29%	16			-5	1231	VEH/HR
WBT	1409	1.04	1466					-35%	16			-6	1460	VEH/HR
WBR	0	1.04	0	51%	52			35%	16			32	32	VEH/HR



N/S Street: Hampton Ave
E/W Street: Sunshine Street
Growth Rate (GR): 2.00%
Years (n): 2

New Trips: In 52, Out 46
Pass-By: In 16, Out 16

Turn Movement	(1) Existing Traffic	(2) Growth factor (1+GR)^n	(1) x (2) Traffic Growth	A NEW TRIPS (1) Dist. (Exhibit 3)	(2) IN	(3) Dist. (Exhibit 3)	(4) OUT	PASSBY (5) Dist. (Exhibit 3)	(6) IN	(7) Dist. (Exhibit 3)	(8) OUT	B (1)x(2)+(3)x(4)+(5)x(6)+(7)x(8) Trips IN/OUT	A+B Projected Turn Movement for 2024	
NBL	7	1.04	7									0	7	VEH/HR
NBT	0	1.04	0									0	0	VEH/HR
NBR	8	1.04	8									0	8	VEH/HR
SBL	1	1.04	1									0	1	VEH/HR
SBT	2	1.04	2									0	2	VEH/HR
SBR	7	1.04	7									0	7	VEH/HR
EBL	5	1.04	5									0	5	VEH/HR
EBT	1179	1.04	1227	22%	52							11	1238	VEH/HR
EBR	17	1.04	18									0	18	VEH/HR
WBL	5	1.04	5									0	5	VEH/HR
WBT	1398	1.04	1455			36%	46					17	1472	VEH/HR
WBR	6	1.04	6									0	6	VEH/HR



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1274	0	0	778	2	1
Future Volume (vph)	1274	0	0	778	2	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.955	
Flt Protected					0.968	
Satd. Flow (prot)	3557	0	1863	3539	1722	0
Flt Permitted					0.968	
Satd. Flow (perm)	3557	0	1863	3539	1722	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	198			360	413	
Travel Time (s)	3.4			6.1	11.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1385	0	0	846	2	1
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1385	0	0	846	3	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 45.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	2	1278	19	3	765	1	5	0	7	1	0	3
Future Volume (vph)	2	1278	19	3	765	1	5	0	7	1	0	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Storage Length (ft)	30		0	0		0	0		0	0		0
Storage Lanes	0		0	0		0	0		0	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998						0.917			0.899	
Flt Protected								0.981			0.988	
Satd. Flow (prot)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Flt Permitted								0.981			0.988	
Satd. Flow (perm)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		274			168			302			331	
Travel Time (s)		4.7			2.9			6.9			7.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	1389	21	3	832	1	5	0	8	1	0	3
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1412	0	0	836	0	0	13	0	0	4	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 47.3%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	21	7	0	7	0	1559	3	2	986	11
Future Volume (vph)	0	0	21	7	0	7	0	1559	3	2	986	11
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95
Frt			0.865		0.932						0.998	
Flt Protected					0.976							
Satd. Flow (prot)	0	0	1611	0	1694	0	0	3539	0	0	3550	0
Flt Permitted					0.976							
Satd. Flow (perm)	0	0	1611	0	1694	0	0	3539	0	0	3550	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		296			616			586			2041	
Travel Time (s)		6.7			14.0			11.4			39.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	0	23	8	0	8	0	1695	3	2	1072	12
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	23	0	16	0	0	1698	0	0	1086	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 53.2%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	6	0	8	3	0	15
Future Volume (vph)	6	0	8	3	0	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt					0.865	
Flt Protected				0.964		
Satd. Flow (prot)	1863	0	0	1796	1611	0
Flt Permitted				0.964		
Satd. Flow (perm)	1863	0	0	1796	1611	0
Link Speed (mph)	30			30	30	
Link Distance (ft)	177			296	139	
Travel Time (s)	4.0			6.7	3.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	7	0	9	3	0	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	7	0	0	12	16	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 17.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	10	1274	761	19	0	10
Future Volume (vph)	10	1274	761	19	0	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)		-1%	0%		0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	1.00	1.00
Frt			0.996			0.865
Flt Protected						
Satd. Flow (prot)	0	3557	3525	0	0	1611
Flt Permitted						
Satd. Flow (perm)	0	3557	3525	0	0	1611
Link Speed (mph)		40	40		30	
Link Distance (ft)		168	198		141	
Travel Time (s)		2.9	3.4		3.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	1385	827	21	0	11
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	1396	848	0	0	11
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane		Yes	Yes			
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 45.6%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	200	892	183	149	541	183	115	1179	184	184	702	122
Future Volume (vph)	200	892	183	149	541	183	115	1179	184	184	702	122
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		0
Storage Lanes	2		1	2		1	2		1	2		0
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	0.95
Frt			0.850			0.850			0.850		0.979	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3366	0
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3366	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			200			200			193		16	
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		360			1489			912			586	
Travel Time (s)		6.1			25.4			17.8			11.4	
Peak Hour Factor	0.91	0.87	0.89	0.83	0.83	0.81	0.96	0.85	0.78	0.78	0.82	0.86
Adj. Flow (vph)	220	1025	206	180	652	226	120	1387	236	236	856	142
Shared Lane Traffic (%)												
Lane Group Flow (vph)	220	1025	206	180	652	226	120	1387	236	236	998	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	
Total Split (s)	20.0	45.0	45.0	14.0	39.0	39.0	19.0	52.0	52.0	19.0	52.0	
Total Split (%)	15.4%	34.6%	34.6%	10.8%	30.0%	30.0%	14.6%	40.0%	40.0%	14.6%	40.0%	
Maximum Green (s)	13.6	38.6	38.6	7.6	32.6	32.6	12.2	45.2	45.2	12.2	45.2	
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lead	Lead	Lag	Lag	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	
Act Effct Green (s)	12.1	38.6	38.6	7.6	34.1	34.1	9.0	45.2	45.2	12.2	48.4	
Actuated g/C Ratio	0.09	0.30	0.30	0.06	0.26	0.26	0.07	0.35	0.35	0.09	0.37	
v/c Ratio	0.71	1.00	0.35	0.93	0.72	0.37	0.52	1.15	0.31	0.76	0.79	
Control Delay	70.1	74.9	6.7	108.7	49.4	9.4	65.9	115.9	8.0	73.4	41.6	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	70.1	74.9	6.7	108.7	49.4	9.4	65.9	115.9	8.0	73.4	41.6	
LOS	E	E	A	F	D	A	E	F	A	E	D	
Approach Delay		64.5			50.9			97.9			47.7	
Approach LOS		E			D			F			D	

Intersection Summary	
Area Type: Other	
Cycle Length: 130	
Actuated Cycle Length: 130	
Offset: 55 (42%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 130	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.15	
Intersection Signal Delay: 68.7	Intersection LOS: E
Intersection Capacity Utilization 88.7%	ICU Level of Service E
Analysis Period (min) 15	

Splits and Phases: 26: National & Sunshine

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1230	1	3	1491	1	4
Future Volume (vph)	1230	1	3	1491	1	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.892	
Flt Protected			0.950		0.990	
Satd. Flow (prot)	3557	0	1770	3539	1645	0
Flt Permitted			0.950		0.990	
Satd. Flow (perm)	3557	0	1770	3539	1645	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	180			358	404	
Travel Time (s)	3.1			6.1	11.0	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1337	1	3	1621	1	4
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1338	0	3	1621	5	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 51.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	43	0	0	6	0	1410	9	8	1484	23
Future Volume (vph)	0	0	43	0	0	6	0	1410	9	8	1484	23
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95
Frt			0.865		0.865			0.999			0.998	
Flt Protected												
Satd. Flow (prot)	0	0	1611	0	1611	0	0	3536	0	0	3550	0
Flt Permitted												
Satd. Flow (perm)	0	0	1611	0	1611	0	0	3536	0	0	3550	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		254			562			509			2118	
Travel Time (s)		5.8			12.8			9.9			41.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	0	47	0	0	7	0	1533	10	9	1613	25
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	47	0	7	0	0	1543	0	0	1647	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 58.7%	ICU Level of Service B
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	1238	18	5	1472	6	7	0	8	1	2	7
Future Volume (vph)	5	1238	18	5	1472	6	7	0	8	1	2	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998			0.999			0.929			0.902	
Flt Protected								0.977			0.995	
Satd. Flow (prot)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Flt Permitted								0.977			0.995	
Satd. Flow (perm)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		2366			182			400			302	
Travel Time (s)		40.3			3.1			9.1			6.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	1346	20	5	1600	7	8	0	9	1	2	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1371	0	0	1612	0	0	17	0	0	11	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 54.4%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	3	0	20	3	0	40
Future Volume (vph)	3	0	20	3	0	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt					0.865	
Flt Protected				0.958		
Satd. Flow (prot)	1863	0	0	1785	1611	0
Flt Permitted				0.958		
Satd. Flow (perm)	1863	0	0	1785	1611	0
Link Speed (mph)	30			30	30	
Link Distance (ft)	127			254	146	
Travel Time (s)	2.9			5.8	3.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	3	0	22	3	0	43
Shared Lane Traffic (%)						
Lane Group Flow (vph)	3	0	0	25	43	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 17.9%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	16	1231	1460	32	0	23
Future Volume (vph)	16	1231	1460	32	0	23
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)		-1%	0%		0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	1.00	1.00
Frt			0.997			0.865
Flt Protected		0.999				
Satd. Flow (prot)	0	3553	3529	0	0	1611
Flt Permitted		0.999				
Satd. Flow (perm)	0	3553	3529	0	0	1611
Link Speed (mph)		40	40		30	
Link Distance (ft)		182	180		169	
Travel Time (s)		3.1	3.1		3.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	17	1338	1587	35	0	25
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	1355	1622	0	0	25
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane		Yes	Yes			
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 51.4%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	195	814	225	242	1058	222	256	1002	174	232	1115	180
Future Volume (vph)	195	814	225	242	1058	222	256	1002	174	232	1115	180
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		0
Storage Lanes	2		1	2		1	2		1	2		0
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	0.95
Frt			0.850			0.850			0.850		0.977	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3359	0
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3359	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			135			124			167		15	
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		358			1489			874			509	
Travel Time (s)		6.1			25.4			17.0			9.9	
Peak Hour Factor	0.84	0.89	0.71	0.86	0.89	0.85	0.85	0.91	0.91	0.75	0.93	0.85
Adj. Flow (vph)	232	915	317	281	1189	261	301	1101	191	309	1199	212
Shared Lane Traffic (%)												
Lane Group Flow (vph)	232	915	317	281	1189	261	301	1101	191	309	1411	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	
Total Split (s)	16.0	48.0	48.0	20.0	52.0	52.0	19.0	60.0	60.0	22.0	63.0	
Total Split (%)	10.7%	32.0%	32.0%	13.3%	34.7%	34.7%	12.7%	40.0%	40.0%	14.7%	42.0%	
Maximum Green (s)	9.6	41.6	41.6	13.6	45.6	45.6	12.2	53.2	53.2	15.2	56.2	
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lag	Lag	Lead	Lag	
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	
Act Effct Green (s)	9.6	41.4	41.4	13.8	45.6	45.6	12.2	53.3	53.3	15.1	56.2	
Actuated g/C Ratio	0.06	0.28	0.28	0.09	0.30	0.30	0.08	0.36	0.36	0.10	0.37	
v/c Ratio	1.09	0.96	0.61	0.92	1.14	0.42	1.10	0.89	0.25	0.92	1.11	
Control Delay	150.1	75.0	31.8	101.0	120.5	23.5	145.7	56.1	7.5	98.6	105.2	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	150.1	75.0	31.8	101.0	120.5	23.5	145.7	56.1	7.5	98.6	105.2	
LOS	F	E	C	F	F	C	F	E	A	F	F	
Approach Delay		77.6			102.7			67.2			104.0	
Approach LOS		E			F			E			F	

Intersection Summary	
Area Type: Other	
Cycle Length: 150	
Actuated Cycle Length: 150	
Offset: 140 (93%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 150	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.14	
Intersection Signal Delay: 88.7	Intersection LOS: F
Intersection Capacity Utilization 100.7%	ICU Level of Service G
Analysis Period (min) 15	

Splits and Phases: 26: National & Sunshine

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1274	0	0	778	2	1
Future Volume (vph)	1274	0	0	778	2	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.955	
Flt Protected					0.968	
Satd. Flow (prot)	3557	0	1863	3539	1722	0
Flt Permitted					0.968	
Satd. Flow (perm)	3557	0	1863	3539	1722	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	198			360	413	
Travel Time (s)	3.4			6.1	11.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1385	0	0	846	2	1
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1385	0	0	846	3	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 45.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	2	1278	19	3	765	1	5	0	7	1	0	3
Future Volume (vph)	2	1278	19	3	765	1	5	0	7	1	0	3
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Storage Length (ft)	30		0	0		0	0		0	0		0
Storage Lanes	0		0	0		0	0		0	0		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998						0.917			0.899	
Flt Protected								0.981			0.988	
Satd. Flow (prot)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Flt Permitted								0.981			0.988	
Satd. Flow (perm)	0	3550	0	0	3539	0	0	1676	0	0	1655	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		274			168			302			331	
Travel Time (s)		4.7			2.9			6.9			7.5	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	1389	21	3	832	1	5	0	8	1	0	3
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1412	0	0	836	0	0	13	0	0	4	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 47.3%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	21	7	0	7	0	1559	3	2	986	11
Future Volume (vph)	0	0	21	7	0	7	0	1559	3	2	986	11
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95
Frt			0.865		0.932						0.998	
Flt Protected					0.976							
Satd. Flow (prot)	0	0	1611	0	1694	0	0	3539	0	0	3550	0
Flt Permitted					0.976							
Satd. Flow (perm)	0	0	1611	0	1694	0	0	3539	0	0	3550	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		296			616			586			2041	
Travel Time (s)		6.7			14.0			11.4			39.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	0	23	8	0	8	0	1695	3	2	1072	12
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	23	0	16	0	0	1698	0	0	1086	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 53.2%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	6	0	8	3	0	15
Future Volume (vph)	6	0	8	3	0	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt					0.865	
Flt Protected				0.964		
Satd. Flow (prot)	1863	0	0	1796	1611	0
Flt Permitted				0.964		
Satd. Flow (perm)	1863	0	0	1796	1611	0
Link Speed (mph)	30			30	30	
Link Distance (ft)	177			296	139	
Travel Time (s)	4.0			6.7	3.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	7	0	9	3	0	16
Shared Lane Traffic (%)						
Lane Group Flow (vph)	7	0	0	12	16	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 17.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	10	1274	761	19	0	10
Future Volume (vph)	10	1274	761	19	0	10
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)		-1%	0%		0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	1.00	1.00
Frt			0.996			0.865
Flt Protected						
Satd. Flow (prot)	0	3557	3525	0	0	1611
Flt Permitted						
Satd. Flow (perm)	0	3557	3525	0	0	1611
Link Speed (mph)		40	40		30	
Link Distance (ft)		168	198		141	
Travel Time (s)		2.9	3.4		3.2	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	1385	827	21	0	11
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	1396	848	0	0	11
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane		Yes	Yes			
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 45.6%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	200	892	183	149	541	183	115	1179	184	184	702	122
Future Volume (vph)	200	892	183	149	541	183	115	1179	184	184	702	122
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		90
Storage Lanes	2		1	2		1	2		1	2		1
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3438	1803
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3438	1803
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			200			200			193			193
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		360			1489			912			586	
Travel Time (s)		6.1			25.4			17.8			11.4	
Peak Hour Factor	0.91	0.87	0.89	0.83	0.83	0.81	0.96	0.85	0.78	0.78	0.82	0.86
Adj. Flow (vph)	220	1025	206	180	652	226	120	1387	236	236	856	142
Shared Lane Traffic (%)												
Lane Group Flow (vph)	220	1025	206	180	652	226	120	1387	236	236	856	142
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	0
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	Right
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	0
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	0
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	0
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	20
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			6
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	34.8
Total Split (s)	20.0	45.0	45.0	14.0	39.0	39.0	19.0	52.0	52.0	19.0	52.0	52.0
Total Split (%)	15.4%	34.6%	34.6%	10.8%	30.0%	30.0%	14.6%	40.0%	40.0%	14.6%	40.0%	40.0%
Maximum Green (s)	13.6	38.6	38.6	7.6	32.6	32.6	12.2	45.2	45.2	12.2	45.2	45.2
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	2.4
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	6.8
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lead	Lead	Lag	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	24.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	12.1	38.6	38.6	7.6	34.1	34.1	9.0	45.2	45.2	12.2	48.4	48.4
Actuated g/C Ratio	0.09	0.30	0.30	0.06	0.26	0.26	0.07	0.35	0.35	0.09	0.37	0.37
v/c Ratio	0.71	1.00	0.35	0.93	0.72	0.37	0.52	1.15	0.31	0.76	0.67	0.18
Control Delay	70.1	74.9	6.7	108.7	49.4	9.4	65.9	115.9	8.0	73.4	37.6	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	70.1	74.9	6.7	108.7	49.4	9.4	65.9	115.9	8.0	73.4	37.6	1.6
LOS	E	E	A	F	D	A	E	F	A	E	D	A
Approach Delay		64.5			50.9			97.9			40.3	
Approach LOS		E			D			F			D	

Intersection Summary	
Area Type: Other	
Cycle Length: 130	
Actuated Cycle Length: 130	
Offset: 55 (42%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 140	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.15	
Intersection Signal Delay: 67.0	Intersection LOS: E
Intersection Capacity Utilization 88.7%	ICU Level of Service E
Analysis Period (min) 15	

Splits and Phases: 26: National & Sunshine

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	1230	1	3	1491	1	4
Future Volume (vph)	1230	1	3	1491	1	4
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)	-1%			0%	0%	
Storage Length (ft)		0	40		0	0
Storage Lanes		0	1		1	0
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt					0.892	
Flt Protected			0.950		0.990	
Satd. Flow (prot)	3557	0	1770	3539	1645	0
Flt Permitted			0.950		0.990	
Satd. Flow (perm)	3557	0	1770	3539	1645	0
Link Speed (mph)	40			40	25	
Link Distance (ft)	180			358	404	
Travel Time (s)	3.1			6.1	11.0	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	1337	1	3	1621	1	4
Shared Lane Traffic (%)						
Lane Group Flow (vph)	1338	0	3	1621	5	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	22			22	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes					
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 51.2%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	0	43	0	0	6	0	1410	9	8	1484	23
Future Volume (vph)	0	0	43	0	0	6	0	1410	9	8	1484	23
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		0%			0%			0%			-1%	
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.95	0.95
Frt			0.865		0.865			0.999			0.998	
Flt Protected												
Satd. Flow (prot)	0	0	1611	0	1611	0	0	3536	0	0	3550	0
Flt Permitted												
Satd. Flow (perm)	0	0	1611	0	1611	0	0	3536	0	0	3550	0
Link Speed (mph)		30			30			35			35	
Link Distance (ft)		254			562			509			2118	
Travel Time (s)		5.8			12.8			9.9			41.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	0	47	0	0	7	0	1533	10	9	1613	25
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	0	47	0	7	0	0	1543	0	0	1647	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane											Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.99	0.99	0.99
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Stop			Stop			Free			Free	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 58.7%	ICU Level of Service B
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	1238	18	5	1472	6	7	0	8	1	2	7
Future Volume (vph)	5	1238	18	5	1472	6	7	0	8	1	2	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Grade (%)		-1%			0%			0%			0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	0.95	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.998			0.999			0.929			0.902	
Flt Protected								0.977			0.995	
Satd. Flow (prot)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Flt Permitted								0.977			0.995	
Satd. Flow (perm)	0	3550	0	0	3536	0	0	1691	0	0	1672	0
Link Speed (mph)		40			40			30			30	
Link Distance (ft)		2366			182			400			302	
Travel Time (s)		40.3			3.1			9.1			6.9	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	5	1346	20	5	1600	7	8	0	9	1	2	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	1371	0	0	1612	0	0	17	0	0	11	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane		Yes			Yes							
Headway Factor	0.99	0.99	0.99	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 54.4%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	3	0	20	3	0	40
Future Volume (vph)	3	0	20	3	0	40
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt					0.865	
Flt Protected				0.958		
Satd. Flow (prot)	1863	0	0	1785	1611	0
Flt Permitted				0.958		
Satd. Flow (perm)	1863	0	0	1785	1611	0
Link Speed (mph)	30			30	30	
Link Distance (ft)	127			254	146	
Travel Time (s)	2.9			5.8	3.3	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	3	0	22	3	0	43
Shared Lane Traffic (%)						
Lane Group Flow (vph)	3	0	0	25	43	0
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	0			0	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane						
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Sign Control	Free			Free	Stop	

Intersection Summary			
Area Type:	Other		
Control Type: Unsignalized			
Intersection Capacity Utilization 17.9%		ICU Level of Service A	
Analysis Period (min) 15			

Lane Group	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (vph)	16	1231	1460	32	0	23
Future Volume (vph)	16	1231	1460	32	0	23
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Grade (%)		-1%	0%		0%	
Lane Util. Factor	0.95	0.95	0.95	0.95	1.00	1.00
Frt			0.997			0.865
Flt Protected		0.999				
Satd. Flow (prot)	0	3553	3529	0	0	1611
Flt Permitted		0.999				
Satd. Flow (perm)	0	3553	3529	0	0	1611
Link Speed (mph)		40	40		30	
Link Distance (ft)		182	180		169	
Travel Time (s)		3.1	3.1		3.8	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	17	1338	1587	35	0	25
Shared Lane Traffic (%)						
Lane Group Flow (vph)	0	1355	1622	0	0	25
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Left	Left	Right	Left	Right
Median Width(ft)		0	0		0	
Link Offset(ft)		0	0		0	
Crosswalk Width(ft)		16	16		16	
Two way Left Turn Lane		Yes	Yes			
Headway Factor	0.99	0.99	1.00	1.00	1.00	1.00
Turning Speed (mph)	15			9	15	9
Sign Control		Free	Free		Stop	

Intersection Summary	
Area Type:	Other
Control Type: Unsignalized	
Intersection Capacity Utilization 51.4%	ICU Level of Service A
Analysis Period (min) 15	

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	195	814	225	242	1058	222	256	1002	174	232	1115	180
Future Volume (vph)	195	814	225	242	1058	222	256	1002	174	232	1115	180
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width (ft)	11	11	11	11	11	15	11	11	16	11	11	16
Grade (%)		-1%			-1%			-3%			-1%	
Storage Length (ft)	150		130	300		150	280		290	150		90
Storage Lanes	2		1	2		1	2		1	2		1
Taper Length (ft)	150			150			200			100		
Lane Util. Factor	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00	0.97	0.95	1.00
Frt			0.850			0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3438	1803
Flt Permitted	0.950			0.950			0.950			0.950		
Satd. Flow (perm)	3335	3438	1538	3335	3438	1750	3368	3473	1821	3335	3438	1803
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			141			124			167			167
Link Speed (mph)		40			40			35			35	
Link Distance (ft)		358			1489			874			509	
Travel Time (s)		6.1			25.4			17.0			9.9	
Peak Hour Factor	0.84	0.89	0.71	0.86	0.89	0.85	0.85	0.91	0.91	0.75	0.93	0.85
Adj. Flow (vph)	232	915	317	281	1189	261	301	1101	191	309	1199	212
Shared Lane Traffic (%)												
Lane Group Flow (vph)	232	915	317	281	1189	261	301	1101	191	309	1199	212
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		22			22			22			22	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.04	1.04	1.04	1.04	1.04	0.88	1.02	1.02	0.83	1.04	1.04	0.84
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	1	0	1	1	0	1	1	0	1	1	0
Detector Template	30 ft	30 ft		30 ft	30 ft		30 ft	30 ft		30 ft	30 ft	Right
Leading Detector (ft)	32	32	0	32	32	0	32	32	0	32	32	0
Trailing Detector (ft)	2	2	0	2	2	0	2	2	0	2	2	0
Detector 1 Position(ft)	2	2	0	2	2	0	2	2	0	2	2	0
Detector 1 Size(ft)	30	30	20	30	30	20	30	30	20	30	30	20
Detector 1 Type	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Turn Type	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	3	8		7	4		5	2		1	6	
Permitted Phases			8			4			2			6
Detector Phase	3	8	8	7	4	4	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0	5.0	10.0	10.0

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	11.4	31.4	31.4	11.4	27.4	27.4	11.8	28.8	28.8	11.8	34.8	34.8
Total Split (s)	17.0	52.0	52.0	20.0	55.0	55.0	20.0	57.0	57.0	21.0	58.0	58.0
Total Split (%)	11.3%	34.7%	34.7%	13.3%	36.7%	36.7%	13.3%	38.0%	38.0%	14.0%	38.7%	38.7%
Maximum Green (s)	10.6	45.6	45.6	13.6	48.6	48.6	13.2	50.2	50.2	14.2	51.2	51.2
Yellow Time (s)	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4	4.4
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.4	2.4	2.4	2.4	2.4	2.4
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.4	6.4	6.4	6.4	6.4	6.4	6.8	6.8	6.8	6.8	6.8	6.8
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0	2.0	3.0	3.0
Minimum Gap (s)	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0	0.5	3.0	3.0
Time Before Reduce (s)	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0	5.0	0.0	0.0
Time To Reduce (s)	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max	None	C-Max	C-Max
Walk Time (s)		4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0
Flash Dont Walk (s)		21.0	21.0		17.0	17.0		18.0	18.0		24.0	24.0
Pedestrian Calls (#/hr)		0	0		0	0		0	0		0	0
Act Effct Green (s)	10.6	43.8	43.8	15.4	48.6	48.6	13.2	50.2	50.2	14.2	51.2	51.2
Actuated g/C Ratio	0.07	0.29	0.29	0.10	0.32	0.32	0.09	0.33	0.33	0.09	0.34	0.34
v/c Ratio	0.99	0.91	0.58	0.82	1.07	0.40	1.02	0.95	0.27	0.98	1.02	0.29
Control Delay	123.7	64.9	28.5	85.1	94.9	22.0	122.6	65.0	8.0	112.7	80.1	9.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	123.7	64.9	28.5	85.1	94.9	22.0	122.6	65.0	8.0	112.7	80.1	9.9
LOS	F	E	C	F	F	C	F	E	A	F	F	A
Approach Delay		66.4			82.3			69.1			77.3	
Approach LOS		E			F			E			E	

Intersection Summary	
Area Type: Other	
Cycle Length: 150	
Actuated Cycle Length: 150	
Offset: 140 (93%), Referenced to phase 2:NBT and 6:SBT, Start of Yellow	
Natural Cycle: 150	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 1.07	
Intersection Signal Delay: 74.2	Intersection LOS: E
Intersection Capacity Utilization 94.9%	ICU Level of Service F
Analysis Period (min) 15	

Splits and Phases: 26: National & Sunshine

From: Munde, Alan
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Thursday, December 8, 2022 9:55:55 AM

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Planning and Zoning Board Members,

As a resident of the University Heights neighborhood, I am writing to express my strong opposition to the rezoning of that part of our area at the corner of Sunshine and National from single family housing to commercial/retail. My wife and I moved back to Springfield and are living in the University Heights neighbor because of its beautiful old historic homes and family-friendly feeling. It would be the beginning of a change for the worse with this rezoning and the intentions of the developers.

We attended several meetings the developers held recently. It was a disappointment to see and hear what they had planned for that corner. What they have envisioned is a strip of units several stories high with retail in the bottom and office "lofts" and apartments above wrapping around the corner of Sunshine and National. This proposal will produce a large volume of car and service vehicle traffic with access which will be difficult both from National and Sunshine leaving the neighborhood street of University as a preferred access to the units. This will lead to more traffic driving through University Heights from Kimbrough to avoid the congestion of National and Sunshine.

A glorious aspect of our area is that there are many families with small children mixed with older retired folks. We all use the sidewalks and crosswalks to play in the neighborhood (yes, we retired folks still play) and ride bikes. It is, as I said, a glorious place.

In America and Springfield, it is difficult to move around in any manner other than in an automobile. I commend Springfield for its attention to the walkers and bikers. I am a walker and go from my home in all directions. The intersection of Campbell and Sunshine is highly congested as is Sunshine and National and difficult to maneuver as a walker (a few weeks back someone actually hit the traffic light standard on the northeast pedestrian access island and tore off the walk button activator making an already precarious situation worse). The proposed development will only make walking or biking more dangerous.

Of the four corners at Sunshine and National, the proposed location is the only residential area remaining. Please let it remain so and consider the request for rezoning as inappropriate and deny the rezoning request.

Thank you for your attention to this matter,

Alan Munde
P.O. Box 4989
Springfield, MO 65808
512-694-8173 cell

From: Andrea Stout
To: Zoning@springfieldmo.gov; Council
Subject: Opposed to rezoning at Sunshine and National
Date: Tuesday, November 8, 2022 7:20:27 PM

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

As a resident of the Rountree neighborhood close to the proposed area for rezoning, I'd like to ask you to deny the rezoning request proposed for this area. I am concerned about increased and unsafe traffic in the area, destruction of irreplaceable buildings of historic value, and a spoiling of the residential district. I know your jobs are difficult in terms of balancing competing interests. I respectfully request you protect the neighborhood to maintain its present quality and preserve it for future generations and encourage the developers to invest elsewhere in Springfield.

Sincerely,
Andrea Bishop

From: Anne Griffin
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #22
Date: Monday, December 5, 2022 3:19:07 PM

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Dear Members of Planning & Zoning

Facilitating identified needs of Springfield is part of your job description. It may be successfully argued that the type of development proposed for the SE corner of the University Heights neighborhood is needed in our community, but specifically at this location, the argument does not hold. This distinction is a key point concerning this rezoning request.

The impracticality of building at this location versus other nearby properties is glaring. This is not a need, it is a want, of BK&M developers, Cox, and other backers. You must show the citizenry that you can distinguish between needs and wants. Most people and most neighborhoods understand the difference, and expect that the city will ask for their sacrifice only for a need, especially a critical one. This is not one.

What this is, is parasitic. Remember, a parasite lives in or on another to derive nutrients at the detriment of the other. BK&M will derive name recognition and quality of life benefits by encroaching into the University Heights neighborhood that the other nearby locations won't provide. The encroachment breaks the integrity of the neighborhood and commercializing kills the very value BK&M hopes to hijack to their advantage (starting with the proposed name, The Heights).

University Heights has been one of Springfield's neighborhood 'gems' for almost 100 years. It provides a quality-of-life that many people (but obviously not all), respect and seek. There are other options nearby as possible sites for this development . Maybe not as perfect on one standard, but more appropriate* on multiple criteria. There are other options for these houses not requiring their destruction. Maybe not as grand or profitable, but viable and exemplar of restoration and creative planning. Irreparable harm and lost civic trust should be avoided when there are reasonable alternatives and no true need.

Cordially,

Anne Griffin

*Proposed rezoning/development area is at the NW corner where Sunshine and National streets meet. The other three quadrants are already zoned correctly for commercial and/or multifamily proposed builds. The proposed structures if built to the east and/or to the south of this intersection would be appropriate and complement what is already there and could revive less than thriving (an identified need) commercial areas. To the north and west of where these two streets meet are residential neighborhoods, making this type of development disruptive and inappropriate. There is no golden rule in city planning or need that if 3 corners are

commercial so must be the 4th.

From: Annette Hollon
To: Zoning@springfieldmo.gov
Subject: Comments for Rezoning at 1739, 1745, 1755 S National, 1141 E Sunshine, & 1138 University St
Date: Friday, August 19, 2022 4:22:29 PM

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Annette Hollon
1133 E Linwood Drive
Springfield, MO 65807
417-343-8075

I am NOT in favor of the rezoning from Residential - Single Family to General Retail for the properties at 1739, 1745, 1755 S National, 1141 E Sunshine, & 1138 University St. for the following reasons:

1. Safety issues pertaining to traffic
2. Increased crime potential in our neighborhood boundaries
3. Compromising the residential integrity of our neighborhood
4. Lack of alignment with the Forward SGF Draft plan Specifically Goal 3.5
5. Concern for the domino effect heading west on Sunshine pertaining to continued rezoning from Residential - Single Family to General Retail
6. Losing our residential corridor and affecting all neighbors on the north and south of Sunshine between National Ave and Jefferson Ave
7. General Retail allows businesses that are not appropriate for a family friendly neighborhood such as medical marijuana dispensary, medical marijuana infused products, private club or lodge, or entertainment-oriented use group

Thank you,
Annette Hollon

From: Robinson, Barbara Susan
To: Neal, Daniel
Subject: University Heights Neighborhood meeting 10/24/22
Date: Monday, October 24, 2022 6:33:11 AM

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Greetings,
The neighborhood informational meeting scheduled for today at 4pm does not seem to meet the planning and zoning description for best practice.

A canopy has been erected at 1755 S. National Ave (see attached photo). As a physical therapist, I can confirm that this is not an accessible location and would not meet ADA requirements. The attempt to put a surface on top of the dirt creates an uneven and frankly dangerous surface for placing chairs.

Additionally, the size of the covered area will not accommodate the number of individuals who are likely to attend this meeting using the number that attended the August meeting.

Given today's weather forecast for 18 mph winds and a 90% chance of rain at 4pm, the safety of the location for the meeting is questionable.

Please request that this meeting be rescheduled for a more appropriate location that is accessible to all of our neighbors.

Thank you for your consideration.

Barbara S Robinson
1010 E University St
Springfield, MO 65807
417-225-2522

Get Outlook for iOS

From:	Robinson, Barbara Susan
To:	Neal, Daniel
Cc:	Robinson, Barbara Susan
Subject:	Zoning Case Z-23-2022 COD #220
Date:	Monday, October 31, 2022 12:50:06 PM

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

Greetings!
As a resident of University Heights, I would like to request a copy of the complete zoning application from BK&M for the NW corner if S. National Ave. and E. Sunshine St.

We were provided no information regarding their plan during the neighborhood informational meeting.

According to you best practices document the following items should have happened:

"Applicants must hold a neighborhood meeting to allow the public to review the proposed project."

During both informational meetings held by the developers, many residents asked what would be built on the site. We asked to see a site plan multiple times. The attorney for BK&M repeatedly stated that there is not a site plan, that there is purposely not a site plan. Not even an artist's rendering of BK&M's vision.

If that is the case, how is it that Richard Ollis, an at large member of City Council, has already seen BK&M's plans for development of the corner at S. National Ave. and E. Sunshine? "Richard Ollis was the speaker and he said he saw the developers plans and didn't understand why we would oppose." "He also said the neighborhood was not very open or encouraging to say let's look at the plans and collaborate." We have not seen any plans and have repeatedly asked to see plans.

"Choose a location that is at or near the project site. If you hold the meeting at the project site, make sure to include the location on the notice letter and provide a comfortable meeting space (i.e., seating options, tables, microphone, etc.). If you choose an alternate location, make sure it is within the vicinity of the site, in an appropriate location, and ADA compliant; for example, if it is too warm or too cold outside, meet indoors (i.e., a nearby library, meeting hall, church or community room)."

The most recent meeting was held in a tent that did not provide enough space, was not comfortable, had uneven and dangerous flooring that increased the risk for falls for everyone, a weather forecast for an 80-90% chance of rain, mud, and inadequate lighting and sound system. This was not an ADA compliant location.

"Reiterate the purpose of the meeting: to inform residents about the proposed project and gather their input on the proposal. Prepare a short (10-15 minute) presentation about the proposed project and any details on how it fits into the City of Springfield's comprehensive plan and the zoning code. If available, share the site plan and project design"

Again, none of this was done. All we could respond to was information gathered from interviews of Mr. Duda regarding putting in fun restaurants such as the Pancake Pantry, a Cheesecake Factory, an upscale Italian restaurant, and a bakery with executive lofts above them.

It appears that plans exist that have been shared with City Council members.

Please provide us as residents of University Heights the complete zoning application and any additional information that has been provided to City Council.

Thank you,

Barbara S. Robinson
1010 E. University St.
Springfield, MO 65807
417-225-2522
susanrobinson@missouristate.edu

Get Outlook for iOS

From: Ben Fuller
To: Zoning@springfieldmo.gov
Subject: Rezoning of 1739, 1745, 1755 S. National, 1141 E Sunshine, and 1138 E University
Date: Friday, August 19, 2022 12:01:30 PM

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

Hello,

My name is Benjamin Fuller and I am a resident of the University Heights Neighborhood. I wanted to voice my grievances and concerns regarding the proposed rezoning from RSF to GR at the intersection of National and Sunshine. Firstly, I have been a resident of the neighborhood my entire life and I take some pride in the area. For this reason, myself and many of the other residents would hate to see such great, historic houses in the neighborhood be turned into an eyesore. While I wasn't able to attend the initial meeting last night, it is my understanding that the developers did not present a clear vision for what they wanted the space to be in the first place. It is my hope that the houses could either be preserved and used by the neighborhood for meetings/events, or repurposed in a practical way that would have a greater impact on the community than just another strip mall, such as temporary housing for families of patients at Mercy Hospital. If the city chooses that the space will become a business no matter what, then so be it, however, I would ask for your consideration in preserving the buildings at stake, as it would be a waste to demolish such beautiful, historic properties.

Secondly, I would like to draw your attention to the safety concerns that rezoning to GR would bring to one of the busiest intersections in the city. At most times of the day on any given day, it is not enjoyable to be at the intersection of Sunshine and National. The logistics of rezoning, especially if all of the properties are to be demolished, would cripple the traffic flow at the intersection for months. If it is the developer's clever idea to use University street as an alleyway/parking lot of sorts for large construction vehicles and worker vehicles in hopes of bypassing the use of a lane on National, this would be a great hindrance and disruption to my neighbors and I. I would also add University would not be the only street negatively impacted by this development, as the streets past University such as Stanford, Kingsbury and Portland are already used by drivers to avoid the rush hour clog of at National and Sunshine. As it is, these streets do not have the stop signs necessary to slow drivers that cut down these streets to go to Kimbrough. Thus, the potential development to occur would pose a threat to residents throughout the neighborhood, increasing the volume of drivers that carelessly speed down the streets to avoid the daily jam at National and Sunshine.

I hope that you will take the considerations of my neighbors and I into account regarding the potential rezoning in University Heights. We love the neighborhood and would like to protect it as much as possible. I understand that the city is always going to be interested in bringing in more business, but I would argue that this beloved and highly congested area is not the place to do it.

Regards,

Benjamin Fuller

945 E. University st.
417-655-0020

From:	Bruce Douglas
To:	Zoning@springfieldmo.gov
Subject:	University Heights Development
Date:	Monday, October 24, 2022 9:21:24 PM
Attachments:	IMG_2635.HEIC IMG_2639.HEIC IMG_2632.HEIC IMG_2626.HEIC

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

Dear Planning and Zoning Staff,

I write to you tonight about the proposed rezoning and development in University Heights located at the northwest corner of National and Sunshine. This development is proposed by Be Kind and Merciful, LCC (BKM).

Tonight, BKM held the required neighborhood meeting to seek input about their development. I will first speak regarding the meeting and then again about the development.

Meeting Logistics

I have reviewed the best practices document shared by your department. I have attached multiple photos from the meeting location and want to point out several concerns.

1. I live at 1139 E. University and did not receive notification of the meeting. I learned of the meeting through local news outlets, the University Heights Neighborhood Association, and from neighbors.
2. The meeting location was not accessible. I am not intimately familiar with ADA requirements but I am doubtful those requirements were met considering the gravel walkway to the tent, the poor "flooring" in the tent, and the lack of facilities available.
3. I cannot blame the weather on anyone but you can see from the photo that the area within the tent was wet on the perimeter making it difficult for a standing room only meeting.
4. As seen in one of the attached photos, the only exit was zipped and blocked by attendees.
5. The generator used for lighting and the sound system died about 5:15. Attendees continued the best as they could with many literally yelling so they could be heard.
6. The only table provided was utilized by the representatives of the developers. As mentioned, there was not nearly enough seating for those in attendance and that does not include the almost 50+ attendees on a live stream since they could not attend due to the site accessibility issues.
6. I arrived about 5:00 and no sign in was available or comment cards at the entrance. Arriving late, I expect I missed the presentation by the representatives however they did state in the ending comments that no site plan is available at this time because this is not what is being asked for by the rezoning request.

The main impression I was left with from the meeting is that BKM and their representatives are not truly interested in working with this community. Nor are they interested in following the best practices laid out by the city to ensure cooperation between residents and developers. I felt belittled by the site choice considering the recent demolition of a historic house, the preparation of the site with little regard to those that want to attend and provide input, the

flippant and dismissive attitude of the BKM representatives, and the lack of attendance of the developers themselves.

Development Concerns
Beyond the meeting, I also want to voice the concerns I have regarding the proposal on the table.

1. It is clear that Mr. Duda and BKM want to raze the entire city block of a historic and prosperous neighborhood. The expansion of their request and continued engagement with residents seeking to purchase property speaks to the true intentions. If this is truly the direction our city desires, to destroy entire city blocks to make room for development, then I am not sure why as a resident I would want to continue residing here.
2. In the attached photos, you will also see what University looked like tonight and what it will look like if the development goes through without consideration for this neighborhood. You can see there is not enough room for two cars to pass when parking is on both sides of the street. You will also see what it would look like from my front door. Traffic is already an issue at this location and adding to it does not seem good for the home owners in this neighborhood.
3. A speaker at tonight's meeting brought up a key point that there is no shortage of available retail spaces in this area. She cited that there are 12 locations on Sunshine alone between National and Glenstone.
4. Mr. Duda has also stated that property values will benefit similar to developments like Farmer's Park. I lived at 2060 E. Swallow from 2000 until 2005 and my father continued living in that house until his death in 2015. To say the comparison is apples and oranges is not fitting. It would be more fitting to say the comparison is swamps to neighborhoods. The Farmer's Park area was home to a little swamp and a few houses in a large amount of acreage. My partner also lived at Farmer's Park from 2017-2020 and we saw the amount of retail space left vacant after the original leases ran out. This includes Jelly Beans, Staxx, multiple restaurants and other service providers.

Outside of the concerns of the impact this development will have on the University Heights neighborhood, the development simply brings nothing new to the area and does not address the primary concerns our city currently has regarding home ownership rates, affordable housing, and job development. Our food service industry in this town is already short staffed. Executive lofts will not benefit those needing affordable housing and will not generate jobs. And that doesn't even address the hypocrisy of Mr. Duda stating no one wants to live at this location while proposing lofts for residence!

I truly hope you will listen to the feedback provided by homeowners directly affected by this proposal and not just the developers in this manner.

Thank you,
Bruce Douglas
1139 E. University

EXIT

25
XCO J5K

From: gofarrell@mchsi.com
To: Zoning@springfieldmo.gov
Subject: Proposed Rezoning of University Heights Neighborhood
Date: Tuesday, September 6, 2022 5:20:06 PM

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

To Springfield Planning and Zoning Commission:

I am writing this email to ask you to please help in preserving my neighborhood, University Heights, by disapproving the request to rezone University Heights.

University Heights is designated Single Family Residential and "Residential Neighborhood – Traditional" by the City of Springfield's existing Comprehensive Plan and the upcoming Forward SGF plan. The very first goal listed in the new Forward SGF plan is:

- Neighborhood Revitalization: Creating safe, livable neighborhoods in Springfield. This goal includes Restore SGF, a local initiative encouraging reinvestment and homeownership in Springfield neighborhoods.

Rezoning is both unnecessary and contrary to these City plans.

The rezoning and development on the corner of National and Sunshine will greatly increase traffic there, which is already congested. How will people be able to access these new businesses on the corner without further backing up traffic on National and Sunshine? In addition to backing up traffic on National, people will use University, Stanford and Kingsbury as through streets to avoid the National/Sunshine corner to a greater extent than they already do.

University Street is a quiet residential neighborhood street. The resulting traffic on traffic on University will destroy the residential ambience of the neighborhood. People will no longer feel safe to take walks, jog, walk their dogs or let their children play.

The property values of University Heights will plummet. With development on the corner, next will come development down Sunshine all the way to Kimbrough. No one living of the south side of University Heights will want to live with the increased traffic and noise in their back yards due to the inevitable business development that would follow this rezoning. University Street will be devastated by increased traffic and noise. People living on that street will sell out resulting in decreased property values which will spread north through the neighborhood.

Newly developed properties on Sunshine between National and Freemont house business that already struggle to stay afloat. At least one has already closed. Springfield is not suffering from a lack of development on Sunshine. What Springfield is suffering from is closed businesses in run

down strip malls. Why not encourage refurbishing or redevelopment of existing developments instead of unnecessary development in residential areas?

Please consider the existing residents of University Heights Neighborhood and reject this unnecessary and destructive rezoning.

Thank you,

Charles O'Farrell
910 E Kingsbury
Springfield, MO

From: Craig, Christopher J
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Wednesday, December 7, 2022 10:08:48 AM

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

Dear Zoning Committee,

First, I want to thank you for your service to Springfield in researching and addressing these important decision points tied to zoning. My grandparents, parents, and my wife and children have grown up in the University Heights neighborhood. We have lived at 1613 South National for 28 years, which provides great access to my work at Missouri State University where I am the Deputy Provost. To that point, this neighborhood is at the heart of Springfield, and I have enjoyed a lifetime of experiences with friends and colleagues.

The single dwelling foundation of this neighborhood is central to the current discussion. As I walk the neighborhood each day, our neighborhood and the series of small streets connecting us is key. There is a quiet and safe serenity to these connective streets that must be preserved. By contrast, the intersection of Portland and National has almost daily accidents that have escalated in recent years. An increase of traffic flow on University, Stanford, and Kingsbury would most certainly increase likelihood of traffic accidents, impacting the safety of all those in our neighborhood.

I am totally blind, and as I make my daily walks in the neighborhood, I encounter many with mobility challenges and families with small children that have chosen to be life-time residents in University Heights because of the single dwelling focus. First, we do not need more apartments in this part of Springfield. The more recent construction projects completed on the MSU campus and the surrounding area to provide adequate student housing will more than suffice based on predicted enrollments. Second, the access issues impacting businesses on the Northeast corner of Sunshine and National have contributed to businesses rethinking their location. Third, this is not expansion or increasing opportunities for business; rather, it is devaluing the heart of Springfield in ways that I could not begin to delineate in this communication. Finally, I am heartened by the recent vote tied to the Galloway area and I believe reflects the sentiment of most Springfieldians.

In brief, my family is opposed to a rezoning of this area beyond the single dwelling status that characterizes our neighborhood. Again, I thank you for your service to the city and all that you do.

Sincerely,

Christopher J. Craig

From: Cindy Hammer
To: Zoning@springfieldmo.gov
Subject: University Heights
Date: Wednesday, September 7, 2022 9:15:46 AM

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 -

I am writing in regards to the possible rezoning of University Heights for general retail.

My husband and I have lived in University Heights for four years. One of the reasons that we purchased a house in UH is because of the history and beauty of the neighborhood. Each house has a history - some dating back to the 20' and 30's. We are very concerned about the possibility of the rezoning and destruction of at least 3 - 5 of these beautiful homes. The three houses on National that have been purchased recently by developers are three of the most beautiful homes in UH. We understand that these homes need repair, but destroying them is not the answer. If the houses are rezoned, our hope is that they could be turned into restaurants, retail shops, etc., but left standing.

University Heights is one of the most sought after neighborhoods in Springfield. One reason is because of the beauty. We are not a "cookie cutter" neighborhood. Each home has its own personality. Each house has its own history. The value of our homes now is at its very highest. If a strip mall were to be placed in UH, we are certain it would devalue our property.

We live on University Street and are very concerned about the increase of traffic on our street with any possible development. This would create a danger to children who live in these homes while playing outside. Rezoning the homes that were purchased does not follow the City's existing Comprehensive Plan or the proposed Forward SGF. These designate UH as a Residential Neighborhood and we should be afforded the protection of such. Since it was first developed in 1925, it has always been zoned as residential and never had commercial businesses.

We are concerned that any removal of grass and trees could create flooding - a problem that already exists for many of us.

One of our historic homes just recently sold for the asking price of $699,900, which shows that people value the history of these homes. If commercial businesses start to come into our neighborhood, it will definitely devalue our homes.

I work in Hammons Tower on St. Louis Street. At one time, St. Louis Street was lined with beautiful homes. But now, not one is left. This is our fear for University Heights. We have so few historic homes left in our city. Please help us protect our neighborhood.

Thank you so much for your consideration!

Sincerely,

Bobby and Cindy Sherman
1720 South Kimbrough Avenue

From: Darron.Hemann@wellsfargoadvisors.com
To: Zoning@springfieldmo.gov
Subject: Proposed Commercial Development on the corner of Sunshine and National Ave
Date: Monday, October 24, 2022 2:25:59 PM

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Hello,

As a resident of University Heights neighborhood, I would like to voice my opposition to the proposed commercial development that developer Ralph Duda is wishing to build.

The traffic on that corner is already a major problem and it's nearly impossible to get out of the neighborhood on my street, University, as it is. Not to mention that it will absolutely hurt our residential property values and destroy
one of the few remaining historical neighborhoods left in Springfield. I am all for progress but not at any cost, especially when there are much better options that are already zoned commercial where the developers could build this.

Please help us preserve our history and keep University Heights residential.

Thank you for your consideration,

Darron J. Hemann
First Vice President-Investments
Financial Advisor
Pim Portfolio Manager
1720 E Bradford parkway
Springfield, Mo 65804
417-883-6680|Fax: 417-883-9738|Toll-free: 800-288-6680

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From: David Hutchison
To: Zoning@springfieldmo.gov
Subject: Rezoning
Date: Wednesday, October 26, 2022 8:24:46 AM

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Proposal to rezone Northwest corner of Sunshine Street and National Avenue
From: David Hutchison, 1101 E Kingsbury, Springfield, MO 65807
417-830-5268

I am urging the Planning and Zoning Commission to deny the request to rezone the properties in the North West corner of Sunshine, National and University

Should the area be zoned as general retail, the influx of traffic will greatly increase in the University Heights neighborhood.

While there is not a plan proposed for ingress or egress to the retail area, the traffic flow is tremendous at the intersection. The property at 1138 University may and probably will become the point of entry/exit to the retail stores.
Both customer and delivery vehicles will use the neighborhood as alternative routes. This happened when National was resurfaced this past year. Portland to Hampton to Sunshine had a large increase in traffic. Many traveling above the speed limit and ignoring stop signs. (Our home is at the corner of Kingsbury and Hampton) traffic also increased east to west from National to Kimbrough!

We have young families with children, we also have older neighbors. Our neighborhood is walked, biked, and jogged every day!

An increase in traffic is not only a disturbance, it will create an UNSAFE area, especially FOR CHILDREN!

Referring to the home at 1138 E University. If it is rezoned as general retail, a precedence will be set, rezoning the entire south side of University is of great risk.
This is not the case east of National on University. All existing retail to the east on Sunshine stops at the south property line of homes on University.

These facts are only part of the problem with rezoning the property.

Thank you,
David Hutchison

Sent from my iPhone

From: David Hutchison
To: Zoning@springfieldmo.gov
Subject: Proposed Change of Zoning
Date: Tuesday, November 8, 2022 6:41:35 AM

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

From: David Hutchison
1101 E Kingsbury
Springfield, MO 65807

Last evening the developers, wishing to change zoning at the north west corner of Sunshine and National, an informational meeting for the residents of University Heights neighborhood.

While they presented an attractive picture of the proposed structure, they admitted it was only an idea of what will be built.

Important issues are, they have proposed a possible six floor structure.

When asked about ingress and egress, they proposed one on Sunshine and one on University.

The purchased residential home on University can Not be rezoned to general retail use!
This will set a presidency to rezone any adjacent property to general retail. Future rezoning of University to retail west to Kimbrough is not acceptable!

When I asked and stated this to the developer, it was not addressed by him.

When asked about increased neighborhood traffic, their answer was…we cannot control traffic. That is a concern for the city of Springfield. Our traffic analysis says it will be minimal.

Hopefully drawing medical personnel from Mercy to live and use the potential restaurants is part of the strategy. They do not have an economical plan for crossing Sunshine and National. Possibly a shuttle?!

Subway Sandwich shop across from Mercy on National has closed! Employees were jaywalking across National. People in the neighborhood, employees of Mercy, and families of patients could not keep their business viable.

The idea has great potential, however they have many obstacles to overcome. Water retention, accessibility to the property, and traffic control will all need to be addressed in order for the project to succeed.

Thank you,
David Hutchison

Sent from my iPhone

From: Dawn Young
To: Zoning@springfieldmo.gov
Subject: University Heights
Date: Thursday, September 1, 2022 9:01:53 AM

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 just wanted to express my opposition to the proposed development at the corner of National and Sunshine. I am a resident of University Heights, living at 625 E Stanford St, Springfield, MO 65807. In our neighborhood our kids still play outside and it is very common to see people on their front porches and walking or biking the neighborhood. In recent years we have noticed a lot of cars speeding down Portland to bypass the congestion of that intersection. A matter our board has been working on. If that corner is rezoned, the traffic and congestion will only worsen. Commuters will take to short cutting though our historical neighborhood, and I imagine there will be an increase in road rage incidents because ingress and egress will be nearly impossible there. There are so many vacant spots already zoned commercial on Sunshine. Please support our neighborhood and leave the zoning as is.

thank you for your time,

P. Dawn Mosley-Young

From: Simpson, Matthew
To: Dawn Young
Cc: Gage, Jason; Ollis, Richard; Zoning@springfieldmo.gov
Subject: Re: University Heights Preservation
Date: Friday, October 28, 2022 8:37:05 AM

Thank you for your email.

On the Deed restriction question, the City does not have a legal role in enforcement. Deed restrictions are contractual by nature with courts making the decision on enforcement actions brought by an involved private party. If the courts rule there is an enforceable deed restriction that would supersede any zoning.

I wasn't able to attend the Springfield Business Journal Economic Growth series event yesterday where Councilman Ollis shared his personal thoughts, and haven't seen a plan for this site yet, but know Richard would be happy to answer any questions. There is a meeting scheduled for November 7 at the Doubletree that I believe is to present a site plan.

This application has yet to be reviewed by the Planning and Zoning Commission so I'm also sending your feedback to their staff.

Thanks,

Matthew Simpson
Zone 4 Councilman
City of Springfield
msimpson@springfieldmo.gov
417.824.1651

From: Dawn Young <pdy11366@gmail.com>
Sent: Thursday, October 27, 2022 8:18 PM
To: Simpson, Matthew <msimpson@springfieldmo.gov>
Subject: University Heights Preservation

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

University Heights is a neighborhood in Springfield that is known for its historic homes and central location. The kind of neighborhood people drive though to see during Spring, Fall and the winter holidays. I did that for years until purchasing a home on Stanford almost 7 years ago. It has always been a special place to live but during the pandemic it was the perfect place to be. Neighbors looked out for each other and exchanged items with one another as needed. Porch visits and doggy meetups were common and one neighbor, a renowned banjo player, would jam with fellow musicians in the driveway for everyone to

enjoy. Kids will play in the yards and run up and down the street to connect with each other while neighbors look on and look out for them. In recent years, traffic studies have been conducted on Portland due to higher traffic counts and speeding cars. City Utilities has worked to help abate the water runoff that plagues the area when we get a “100 year flood” every 6 months or so. Until the BKM people came along, those were the only two concerns for the neighborhood. The very thought of our beautiful neighborhood losing at least 8 homes, with at least one of them being a Bissman home, is sickening. One legendary landmark is already gone. It is tragic.

Springfield has some truly special areas with University Heights being one of them. Development is inevitable and can be incorporated with thought and planning. Demolishing homes in our neighborhood should NOT be part of growth. Mr. Duda has not had a good faith meeting with University Heights at any point. He has refused to share with the residents of University Heights what his plan is for that site, other than hopefully a "Pancake Pantry." He and his associates have ignored citizen concerns and at the most recent meeting he did not even attend, but instead his brother and two females were there mocking residents as they spoke, rolling eyes, and texting furiously. At both meetings, they seemed very certain their plan was a done deal. This all made more sense when at a public meeting, Councilman Ollis made remarks praising the plan- which he clearly had seen, and disparaging the neighbors for being so difficult. How many council members are in cahoots with the developers? What about the deed restrictions on the land? The people of Springfield deserve transparency in this. And the city of Springfield needs to stop razing our history and do more toward preserving the remaining historical sites that we have.

Sincerely,

P. Dawe Mosley-Young
625 E Stanford

From:	Dawn Young
To:	Ollis, Richard
Cc:	Simpson, Matthew; Gage, Jason; Zoning@springfieldmo.gov
Subject:	Re: University Heights Preservation
Date:	Monday, October 31, 2022 4:16:34 PM

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

Respectfully sir,

I don't believe it has ever been the intent of the developer to care about the neighborhood. So this meeting has low expectations. Mr. Duda has been more forthcoming with you and the media than he has with anyone who lives in University Heights. In his initial presentation he portrayed himself as the savior to our blighted community. As you know, that didn't end well. He has since been harassing my neighbors closest to his properties and his associates mocked many of my neighbors at the last meeting held on the grave of a Springfield landmark in a flimsy tent during a storm. The actions of BK&M have very much given the impression they are in "cahoots" with someone at the City Level.

Additionally, I don't think this compares to the Cherry/Pickwick situation at all. As a huge fan and supporter of Tea Bar and Bites and Ott's Pasta, I have been a customer in that area for years. This project gets rid of historic, single family homes that are a cornerstone to our neighborhood. Not everyone wants to live in a McMansion in SW or SE Springfield. Some of us choose to live where we do because of the history, location and architecture.

As I previously stated, I am not against growth and development. On E Sunshine, the old Fishel Pool site is blighted, along with the oledThai Basil building next to it. What a wonderful place for new business. Further west, Sonic and Corwin Dodge left spaces with all sorts of potential. Behind Flower-ram-a at Grant and Sunshine there are not one but 2 struggling strip malls that have very close proximity to the new Grant street greenway and Bass Pro. Perhaps City Council can steer development to those sites instead of our neighborhood?

Regards, Dawn Mosley-Young

On Sun, Oct 30, 2022 at 6:39 PM Ollis, Richard <rollis@springfieldmo.gov> wrote:

> Dawn,
>
> Thanks for your email. As is normally the case in these things, my comments at a public

meeting were in relationship to Northwest Arkansas, a recent community leadership visit. NWA is a growing area with many new developments. NWA supports new growth and celebrates it's changing landscape.

My comments were based on what I experienced there versus our community (in general), which is undecided on whether we want to embrace and support growth and development. Recent examples are the Galloway referendum, Lone Pine bike park suit, and the continuing saga at National and Sunshine.

My only comments on National and Sunshine were that I wish that the developer and neighborhood could come to some sort of agreement/compromise. To be clear, when I briefly met with the developer, he showed me some pictures of the "look and feel" of what they were considering, not a proposal. It's unfortunate that my comments were mis-construed and allegations are being made regarding council being in "cahoots" with the developer.

I also told the story of my neighborhood at the public meeting (Rountree) and how it was opposed to development on Cherry/Pickwick. After it was built/developed, most everyone in our neighborhood loves the area businesses.

My understanding is the developer is hosting a meeting on November 7 from 6-8pm at the Doubletree. Hopefully this will go better than the previous two meetings.

Sincerely,

Richard Ollis

From: Simpson, Matthew <msimpson@springfieldmo.gov>
Sent: Friday, October 28, 2022 8:37 AM
To: Dawn Young <pdy11366@gmail.com>
Cc: Gage, Jason <jgage@springfieldmo.gov>; Ollis, Richard <rollis@springfieldmo.gov>; Zoning@springfieldmo.gov
Subject: Re: University Heights Preservation

Thank you for your email.

On the Deed restriction question, the City does not have a legal role in enforcement. Deed restrictions are contractual by nature with courts making the decision on enforcement actions brought by an involved private party. If the courts rule there is an enforceable deed restriction that would supersede any zoning.

I wasn't able to attend the Springfield Business Journal Economic Growth series event yesterday where Councilman Ollis shared his personal thoughts, and haven't seen a plan for this site yet, but know Richard would be happy to answer any questions. There is a meeting scheduled for November 7 at the Doubletree that I believe is to present a site plan.

This application has yet to be reviewed by the Planning and Zoning Commission so I'm also sending your feedback to their staff.

Thanks,

Matthew Simpson

Zone 4 Councilman

City of Springfield

msimpson@springfieldmo.gov

417.824.1651

From: Dawn Young <pdy11366@gmail.com>
Sent: Thursday, October 27, 2022 8:18 PM
To: Simpson, Matthew <msimpson@springfieldmo.gov>
Subject: University Heights Preservation

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homes and central location. The kind of neighborhood people drive though to see during Spring, Fall and the winter holidays. I did that for years until purchasing a home on Stanford almost 7 years ago. It has always been a special place to live but during the pandemic it was the perfect place to be. Neighbors looked out for each other and exchanged items with one another as needed. Porch visits and doggy meetups were common and one neighbor, a renowned banjo player, would jam with fellow musicians in the driveway for everyone to enjoy. Kids will play in the yards and run up and down the street to connect with each other while neighbors look on and look out for them. In recent years, traffic studies have been conducted on Portland due to higher traffic counts and speeding cars. City Utilities has worked to help abate the water runoff that plagues the area when we get a “100 year flood” every 6 months or so. Until the BKM people came along, those were the only two concerns for the neighborhood. The very thought of our beautiful neighborhood losing at least 8 homes, with at least one of them being a Bissman home, is sickening. One legendary landmark is already gone. It is tragic.

Springfield has some truly special areas with University Heights being one of them. Development is inevitable and can be incorporated with thought and planning. Demolishing homes in our neighborhood should NOT be part of growth. Mr. Duda has not had a good faith meeting with University Heights at any point. He has refused to share with the residents of University Heights what his plan is for that site, other than hopefully a "Pancake Pantry." He and his associates have ignored citizen concerns and at the most recent meeting he did not even attend, but instead his brother and two females were there mocking residents as they spoke, rolling eyes, and texting furiously. At both meetings, they seemed very certain their plan was a done deal. This all made more sense when at a public meeting, Councilman Ollis made remarks praising the plan- which he clearly had seen, and disparaging the neighbors for being so difficult. How many council members are in cahoots with the developers? What about the deed restrictions on the land? The people of Springfield deserve transparency in this. And the city of Springfield needs to stop razing our history and do more toward preserving the remaining historical sites that we have.

Sincerely,

P. Dawe Mosley-Young

625 E Stanford

From: Dawn Young
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Monday, December 5, 2022 8:43:09 AM

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Hello,

I wanted to take a minute to let you know I am strongly opposed to a change in zoning at University Heights. As a 7 year resident there, I can tell you our neighborhood is a treasure. The eclectic mix of charming homes is unique to Springfield and should be treasured as a historical neighborhood. Further, the BKD design is grossly overlarge for that corner and would only add to the congestion of that corner. One landmark is already gone. Please maintain the residential only zoning to protect our neighborhood. This would be inline with the Forward SGF already adopted by the city.

I thank you for your consideration,

Dawn Mosley-Young
625 E Stanford St, Springfield, MO 65807

From: Sutliff,Debbie
To: Zoning@springfieldmo.gov
Subject: Rezoning at National and Sunshine
Date: Tuesday, October 25, 2022 2:44:09 PM
Attachments: image731b09.PNG

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As a resident of University Heights for the past 12 years, I am expressing my opposition to the rezoning request for the corner of National and Sunshine. This is a historic neighborhood and should not be rezoned for commercial development. Any commercial development would increase traffic, decrease property values and increase noise. The four streets in University Heights will now become expressways to avoid the traffic congestion on National. This is already a problem on Portland where drivers speed down the street at 45-55mph.

Please consider how you would feel if this type of development was allowed in your neighborhood. Springfield's history should be preserved.

Thank you,
Debbie Sutliff
956 E. Portland Street
Springfield, MO

Debbie Sutliff MBA, RD, CSG, LD
Registered Dietitian, Nutrition Therapy
Phone: 417-269-4393 | Mobile: 417-988-5204
Debbie.Sutliff@coxhealth.com
coxhealth.com

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From: Capeci, Dominic J Jr
To: Zoning@springfieldmo.gov
Cc: Council
Subject: University Heights Neighborhood
Date: Wednesday, September 28, 2022 12:41:01 PM

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As a resident of the University Heights neighborhood, I have lived in two different homes for many years. For the Planning and Zoning Commission to permit the corner of Sunshine and National to be re-zoned for commercial use clearly threatens every home north and west of that area, as well as those from Sunshine to Kimbrough. This is because in short order businesses on that corner will need more parking spaces, which can only be created by demolishing the homes presently fronting E. Sunshine, which will accentuate the need for developers to go to yet another tier of homes on East University

Clearly making those areas increasingly commercial will dissuade some people from wanting to live in University Heights, which would further wrongly reduce the viability and example of one of the most sought after neighborhoods in Springfield.

Wealth for a few should have its limits.

Sincerely

Dominic J. Capeci. Jr.
932 E. Stanford St,
Springfield, MO 65807

From: Donal Dunbar
To: Zoning@springfieldmo.gov
Subject: BK&M Rezoning Request in University Heights Neighborhood
Date: Thursday, August 18, 2022 8:30:04 PM

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

Dear Zoning Commission Representatives,

I am opposed to rezoning 1755 S National, 1745 S National, 1739 S National and 1138 University to commercial use from residential use. Per the community meeting on August 18, 2022, the developers, BK&M, LLC, failed to provide any detailed information on their plans except for indicating that they do not plan to keep, restore, and reuse the existing homes. It was clear from their comments that their plans would not preserve the nature of our historical neighborhood.

Thank you for your consideration,

Donal S. Dunbar
932 E Kingsbury St.
Springfield, MO 65807
Cell: 417-755-5706

October 26, 2022

The Planning and Zoning Commission
840 N Boonville Ave – 1st Floor
Springfield, MO 65802

Re: Protest to Proposed Rezoning in University Heights Neighborhood by BK&M, LLC

Dear Planning and Zoning Representatives,

I am writing to strongly encourage you to deny the rezoning request referenced above for several lots in my neighborhood owned or controlled by BK&M, LLC. As I understand it, based on the criteria you use to evaluate such requests, please consider the following:

1. Rezoning of these lots in question does not follow guidance in the city's existing Comprehensive Plan or the proposed Forward SGF Plan. These plans designate University Heights as strictly Single Family Residential. The official classification is "Residential Neighborhood – Traditional" and residents should be afforded the protections of such a designation without the encroachment of commercial enterprises.
2. There are no changing conditions which would make rezoning necessary. University Heights is enjoying some of the highest property values in its almost 100 year history and maintains among the highest property values of neighborhoods in Springfield proper.
3. University Heights has always been residential and has not had commercial development within its borders.
4. Any removal of lawns, trees, and grass would threaten further flooding in an area which already battles such problems with regularity.
5. The impact of uses, were rezoning done, is estimated to increase traffic by more than 1,000 cars per day on East University Street, which is a quiet, interior residential street where children play and families walk and cycle. Traffic at National and Sunshine is consistently congested, with cars already beginning to use E University as a cut through. Residents on E University currently struggle to enter or leave the neighborhood from their street at certain times of day. Such an effect would spread into the neighborhood with increased pressure from added commercial traffic due to the proposed rezoning.
6. Property values are also threatened from the proposed rezoning throughout the neighborhood. Such a reduction harms residents directly and the city indirectly over time as valuations fall for homes and, ultimately, property tax receipts as a result.
7. Commercial properties within the neighborhood increase the likelihood of balooning crime, especially if a back road or access ally were installed with an outlet on E University Street. Problems with loud commercial trash storage and pickup would also be a disturbance to many neighbors.

I strongly appeal to you to deny the request for rezoning to commercial use from BK&M, LLC involving the properties in question which fall within University Heights Neighborhood boundaries. Help us preserve one of the shining examples of an iconic and treasured city neighborhood.

Thank you for your time and consideration.

Sincerely,

Donal S. Dunbar
932 E Kingsbury Street
Springfield, MO 65807

From: Donna Carney
To: Zoning@springfieldmo.gov
Subject: Proposed rezoning of property at National and Sunshine
Date: Monday, October 24, 2022 5:37:37 PM

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To Whom It May Concern,

My husband and I have been residents of University Heights for thirty years now. We love the peacefulness of the neighborhood. We have been very concerned that the proposed rezoning at the corner of Sunshine and National could have a very negative impact on our neighborhood.

The traffic flow on both National and Sunshine is already at capacity. At peak hours of traffic, it is already almost impossible to turn left into the neighborhood of University Heights. If the proposed rezoning to commercial property is approved, the traffic would increase exponentially. If the
rezoning proposal includes apartments above the retail development, the congestion at that corner could be impossible. No doubt, much of that traffic would end up in our neighborhood, seeking an alternate route to avoid traffic. And what quality of life would someone in apartments have at that corner???

Please consider the impact that this proposed rezoning might have on our neighborhood. I have not met a single neighbor that is in favor of this proposal. Please listen and respond to our objections.

Sincerely,

Donna and Jeff Carney
920 E Kingsbury

Historic Neighborhoods of Springfield Missouri

2022 Fall University Heights

The History Of University Heights

The Early Years

John S. Phelps

The story of how the University Heights came into being has many twist and turns. Out of great pain and agony developed one of Springfield's favorite neighborhoods. So let's start at the beginning, John & Mary Phelps moved to Springfield in 1837. They had acquired over 1000 acres of land by 1856 surrounding what would later be the park. John was away a lot working as a lawyer or as a congressman. Mary, who was a fiery independent redhead, was bored with living in the city. So while John was away, she had a cabin built on their land south of town and started an apple orchard and farm

When the Civil War broke out John enlisted in the Union Army leaving Mary behind to work the farm. On August 8, 1861 the Battle Of Wilson Creek occurred changing Mary's life forever. John had to retreat with the Union troops to Rolla, Mo. Their good friend General Nathaniel Lyon was killed in the battle and his body was taken back to Springfield. Mary had a coffin built and took his body back to the farm and hid it in the cooling house. We believe that the cooling house was located around where Virginia and Portland are in Phelps Park Terrace today.

The Confederates came through and commandeered the farm and forced Mary to treat their wounded. She did till the Union troops made it back to Springfield and forced the Confederates south. She gave the Union soldiers General Lyon's body to be taken back to his family for a proper burial.

Mary would have more encounters with the Confederate army making her life on the farm tough

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Cont….

for her and the children. And on top of everything else, she also found herself taking care of war orphans wounded Union soldiers. After the war Congress gave Mary 20,0000 to start an orphanage. It was located on the corner Campbell and Sunshine just south of Price Cutter. There is a marker about her the orphanage/school on the SW corner of Sunshine School today.

Mary W Phelps

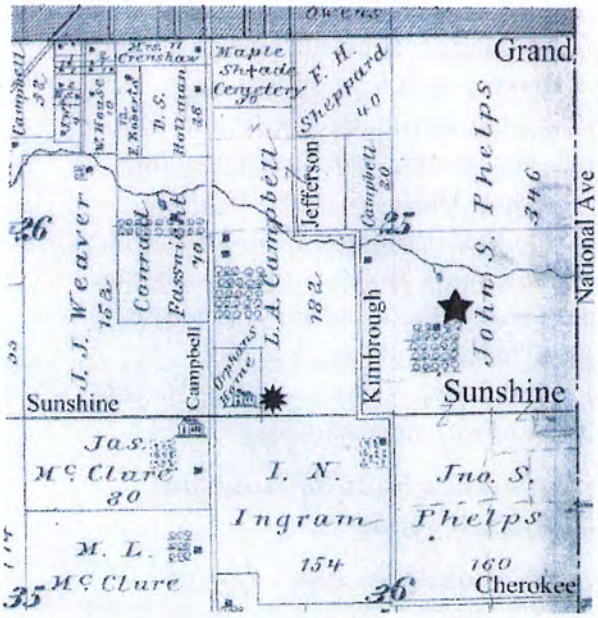
During the Civil War John would be come a Lt. Col. and eventually Military Governor of Arkansas. Afterwards In 1876 he became the 23rd Governor of Missouri spending a majority of his time in St. Louis. While in St Louis, Mary dies of pneumonia in Springfield on Jan 25th 1877. John retires as Governor in 1881. He later died in St. Louis in 1886 and was brought back to Springfield to be buried in Hazelwood Cemetery.

For more information about the life and times of John and Mary Phelps I highly recommend reading ~ **Mary, Mary Quite . . . The Life and Times of Mary Whitney Phelps 1812-1878** by Jerena East Giffen

After the death of their father, the land was passed to his children Mary Phelps Montgomery, Edith Phelps, Lucy Phelps & John S Phelps. Ten years later John S Phelps sold the land to Mary Bunel in 1897.

Mary was under the guardianship of John O'Day as he was representing her in a court battle with her half-brother over $250,000 estate left by their grandfather. She had received $75,000 through the court and he was helping her invest the money. The battle went on for years between her and her half brother Henry Napoleon Bunel as well as the claim to this land. In 1904, Mary sold the land to James M. White a well known funeral director.

Photos Courtesy Of The Greene County Archives & Johnson Family Collection



1876 Springfield Map Greene Co Archives

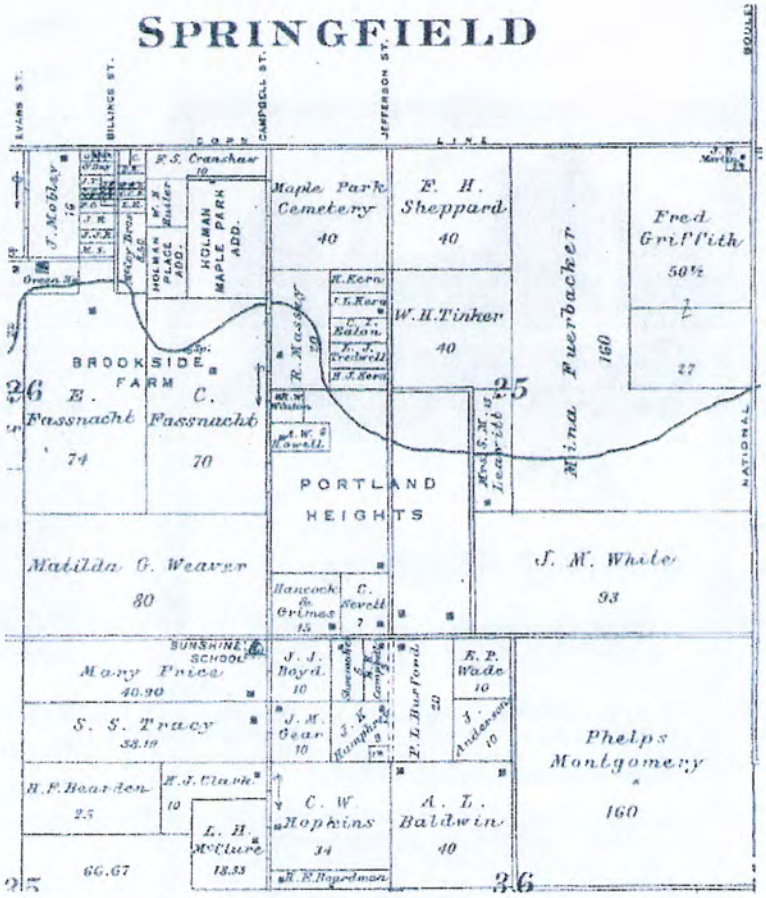
Commercial Street in 1904. Mr. White invested in land all over Greene County and was involved with many social groups and was the coroner for a while. He was a widower and had three children Maude Summerfield, Estella White and Mary Speaker. In September of 1909 at the age of 59, Mr. White married Agnes Stanton age 18. His daughters were none too happy, as their new stepmother was younger than they were. To make matter worse after a being on their honeymoon for a month and half, Mr. White died the next day.

A court battle between the heirs over the estate took place from 1909-1920 going all the way to the Missouri Supreme Court.

During March through June of 1925 all of the parties would sell their land to Eloise Mackey (a book keeper at State Savings Trust) for the tidy sum of $37,500.00

State Saving Trust had the subdivision plotted by C. E. Phillips, civil engineer on June 13th 1925.

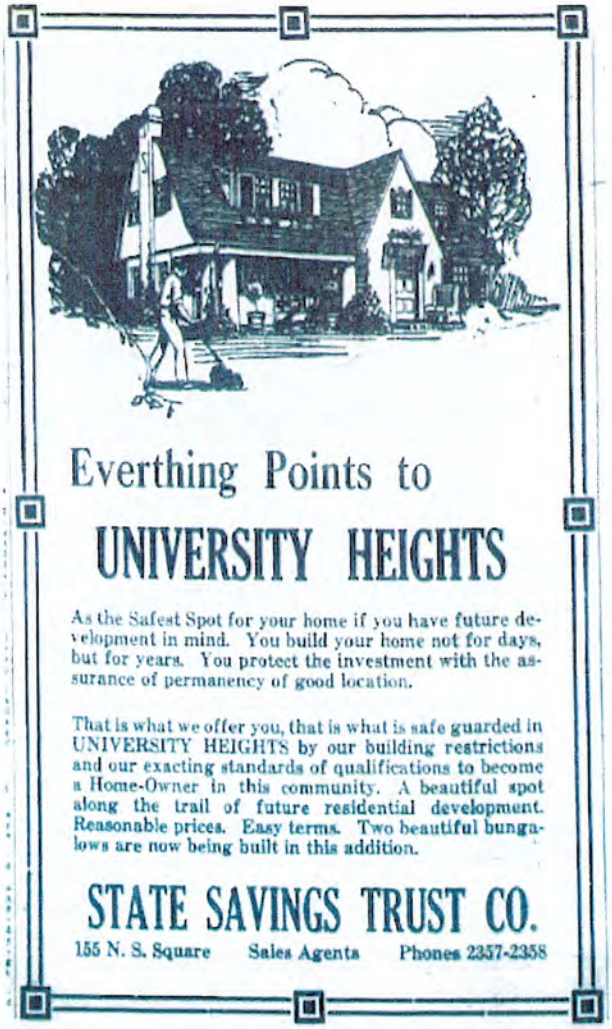
This is how "University Heights", one of Springfield's best-loved neighborhoods began.



1904 Springfield Map Greene Co Archives

Springfield Republican August 18th 1905

In the spring of 1925 State Savings Trust Company started marketing University Heights in earnest. They had a tagline for the development "A look means a lot." It was a restricted development; you could only build a home of Brick Stucco or Stone. You could purchase a lot for $50-100 down and then pay $10 a month at 7%. Each lot came with 2 hard maple trees; they planned to plant 1000 maple trees. The lots would have city water, gas, electric & sewer. Below is one of the early newspaper ads for University Heights from the Springfield Republican July 26th. 1925.

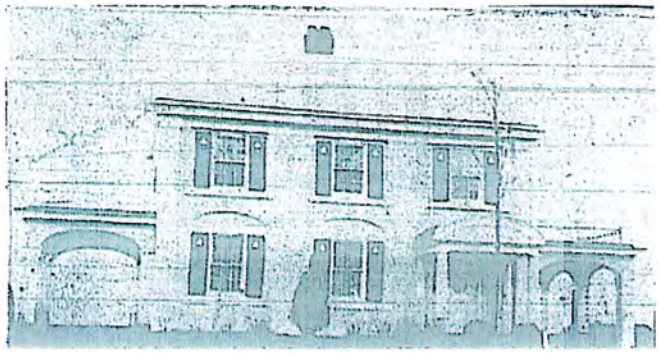


I will now try to put into some chronological order the houses that were built from ***1925~1935.*** The information was taken from Greene County Tax Record books, census data, city directories and newspaper articles. There are times that they contradict each other; I will try my best to sort it out. The Greene County Tax Records show home that were built as of June 1st of the year before. I will present the existing address and old (pre-1948), Lot number, Value (tax value or cost), who built it (if known), and 1st owner.

There were 5 homes built by June 2nd 1925 and June 1st. 1926.

1745/2015 S National Avenue - ***Lot 11*** - $4,500 tax value /18,500 sales price - Built by J.F. Sawyer. Built for Edgar P. & Mary E. Mann ~ Mann & Mann Attorneys at Law. They moved into the home around the middle of 1927.

See home below – SGF Daily News – 1/1/1928



1140/940 E Stanford St – ***E1/2 of Lot 16*** - $1,600 tax value - Built for Griffith K & Mildred Bonham ~ Department Manger Springfield Grocery Company.

1116/910 E Portland St - ***W ½ of Lot 21*** - $1,600 Tax Value. Built for William A. & Luite Dyche. ~ Employee at Herman Brownlow Auto Parts & Saddlery.

1111/901 E University St. – *E1/2 of Lot 31* - $1,800 Tax Value – Built by State Savings Trust Co. Acquired by Price Johnson ~ Stage Carpenter at the Landers Theater.

612/512 E Portland St. – *W1/2 of Lot 148* - $1,400 Tax Value - Built by C. E. Hart ~ Acquired by Hugh M. & Edna Prewitt ~ Employee at G&D Radiators. They bought the home around the middle of 1927.

There were 3 homes built by June 2nd 1926 and June 1st. 1927.

1000/800 E Stanford St. – *W ½ of Lot 64* - $1,300 Tax Value – Built for Griffith K. & Mildred Bonham ~ Department Manger Springfield Grocery Company. This is their 2nd home in the neighborhood.

900/700 E Stanford St. – *W ½ of Lot 96* - $900 Tax Value – Built for State Savings Trust Co. Acquired by John C Bridger ~ VP of John H. Bridger Grocer Co. in 1927/28.

908/708 E Stanford St. – *E ½ of Lot 96* - $900 Tax Value – Built for State Savings Trust Co. Acquired by Glenn & Ora Magruder ~ Contractor in 1927/28.

There were 3 homes built by June 2nd 1927 and June 1st. 1928

1755/2012 S. National Avenue - *Lot No. 12* - $5,550 Tax Value – Built by J.F. Sawyer for State Savings Trust Co. Sold to Orion R. Palmer ~ Secretary & Treasurer of Standard Motor Company (Chevrolet/GMC). He acquired the home in Spring of 1930.

955/ 759 E Stanford St. – *E. 84ft of Lot 72* - $2,670 Tax Value – Built for Norris L. & Gladys L. Fellows ~ President of Fellows Auto Storage.

There were 5 homes built by June 2nd 1928 and June 1st. 1929

1715/1915 S. National Avenue – Lot *8* - $5,500 Tax value – Built for Edward M. & Mary West ~ President of Rebori Fruit Company.

1110/910 E Stanford St. – *E ½ of Lot 32* - $2,150 Tax Value - Built for Richard G & Beatrice Johnson ~ Foreman Frisco Railroad.

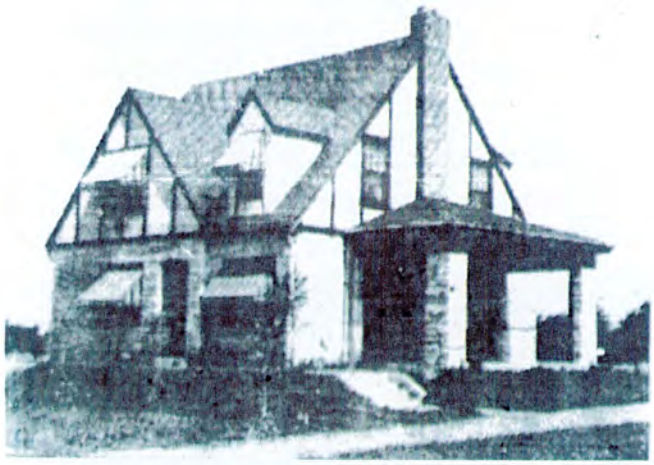
1101/901 E Stanford St. – *W ½ of Lot 33* - $3,150 Tax Value – Built for Lucas A & Polly Weeks ~ V.P. & Manager of Hedges Weeks Construction Company.

Below is one of the early newspaper ads for University Heights from the Springfield Republican August 23rd. 1925.

925/725 E Sunshine St. – *E ½ of Lot 92* - $1,150 Tax Value – Built for G. Pearson & Maurine Ward ~ Radio Engineer Martin Brothers Music.

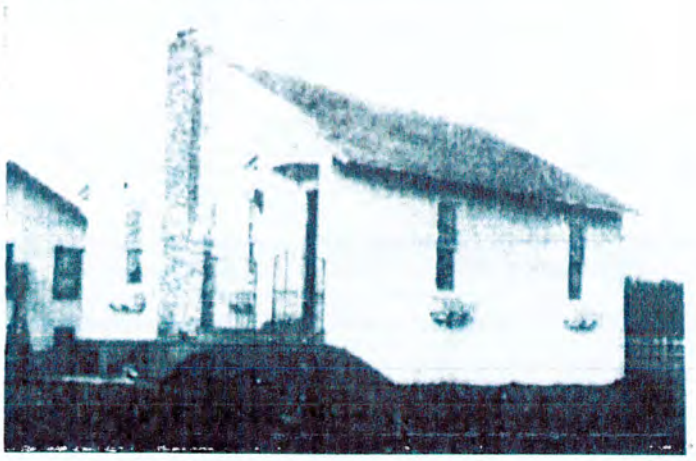
815/639 E Stanford St. – *W 76ft of Lot 104* - $2,850 Tax Value – Built for J. Bryant & Bonnie McCarty ~ President of J.B. McCarty Company - they moved in late 1929/early 1930. See photo below.

SGF Leader 2 23 1930



1622/1850 S. Kimbrough Avenue – *S 90ft. of Loft 150* - $1,500 Tax Value - Built by Ward Morgan for State Savings Trust Co – Acquired by Frank M. & Mary Jane Crookes ~ Chief Clerk of Tide Water Oil Sales Company. They purchased the home in the spring of 1930. See photo below

SGF Leader 12 2nd 1929



There were 5 homes built by June 2nd 1929 and June 1st. 1930

1111/911 E. Sunshine St. – *E 50 ft. of Lot 29* - $1,900 Tax Value – Built by Louis Lebovitz. Acquired by Ralph & Geradine Voris ~ Teacher at State Teachers College (SMS). See below

SGF Leader 8 4 1930

826/658/644 E Stanford St. – *E 54 ft. Lot 105* - $2,100 Tax Value – Built by E.R. Skates. Acquired by James H. Georgia Doris ~ Doris & Dieterman Electric Company. See below

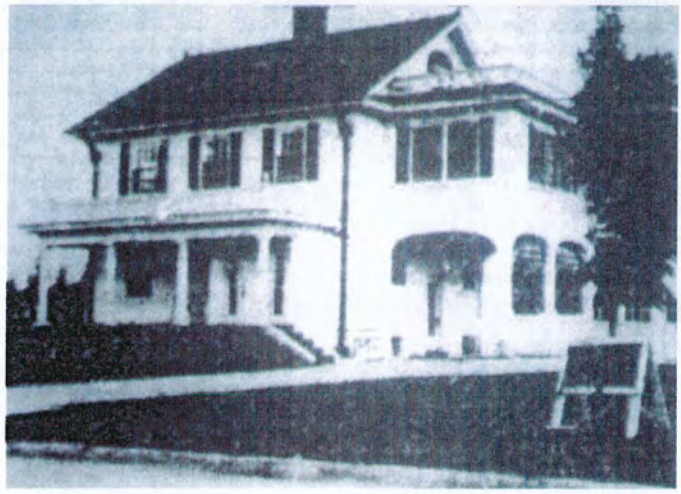
SGF Leader 7 14 1930

1616/1814 S Kimbrough Avenue – *N 58 ft. of Lot 150* - $1,425 Tax Value - Built for State Savings Trust Company. Acquired by Russell C. & Fontella Harris ~ Station Superintendent for Philips Petroleum.

1634/1900 S. Kimbrough Avenue – *N 1/2 of Lot 151* - $1,350 Tax Value – Built for State Savings Trust Company. Acquired by Jack & Mildred Acuff ~ Official Engineer Missouri State Highway Commission.

1640 /1930 S. Kimbrough Avenue – *S 1/2 of Lot 151* - $1,350 Tax Value - Built for State Savings Trust Company. Acquired by – Russell D & Irene Burns ~ City Manager Shell Petroleum.

There were 11 homes built by June 2nd 1930 and June 1st. 1931



1109/909 E Stanford St. – *E ½ of lot 33* - $4,650 Tax Value – Built by J.F. Sawyer – Acquired by Frank L. & Bessie Robertson in 1932 ~ Secretary & Treasure of Robertson Grocery Company
See below – SGF Leader 8 17 1931

1041/843 E Stanford St. – *W 15ft of lot 40 & E 50ft of Lot 49* - $6,500 Sales Price / $2,350 Tax Value – Built by William Eastern – Acquired by Otto & Madge Herrick in 1932 ~ Sam Herrick & Sons Auto and Transfers.
See below – SGF Leader 8 17 1931

932/732/714 E Stanford St. – *W 1/2 of Lot 80* - $8,000 Sales Price - $2650 Tax Value- Built by J.C. Graves. Acquired by Eugene A Geraldine Martin Jr. ~ Secretary of E. A. Martin Machinery Co.
See Below – SGF Leader – 12 15 1930

635/545 E Stanford St. – *E 58ft of Loft 136* - $6,000 Sales Price / $2,100 Tax Value – Built by Herman E Dunaway – Acquired by Harry & Bertha Logan ~ Salesman.

Historic Neighborhoods of Springfield Missouri

625/525 E Stanford St.- ***E 24ft of Lot 145 & W 34ft of Lot 136*** - $6,000 Sales Price / $2,100 Tax Value – Built by Herman E Dunaway – Acquired by - Roderick F. & Helen Hauck ~ Baker at Colonial Baking Company.

Both 625 & 631 E. Stanford or pictured below
SGF Leader - 7/20/1931

619/515 E Stanford St. – ***E 58ft W 116ft of Lot 145*** - $6,000 Sales Price / $2,100 Tax Value – Built by Herman E Dunaway – Acquired by Samuel H & Margret Paul ~ Secretary & Treasure of Finkbinder Transfer Company

613/505 E. Stanford St. – ***W 58ft of Lot 145*** - $6,000 Sales Price / $2,100 Tax Value – Built by Herman E Dunaway – Acquired by Thomas O. & Hazel Campbell ~ Salesman

619/525/521 E. Kingsbury St. - ***E 53.81ft W 123.75ft of Lot 147 & E 53.81ft W 123.75ft of Lot 147*** – $2,100 Tax Value - Built by Jesse M. Cain – Acquired by – William H "Ted" & Margret Butler ~Insurance

611/517 E Kingsbury St. - ***W 1/2 of Lot 147*** - $2,100 Tax Value - Built by Jesse M. Cain – Acquired by – Clarence L & Ida Jones ~ Decorator Springfield Gas & Electric.

Both 617 & 619 E Kingsbury below

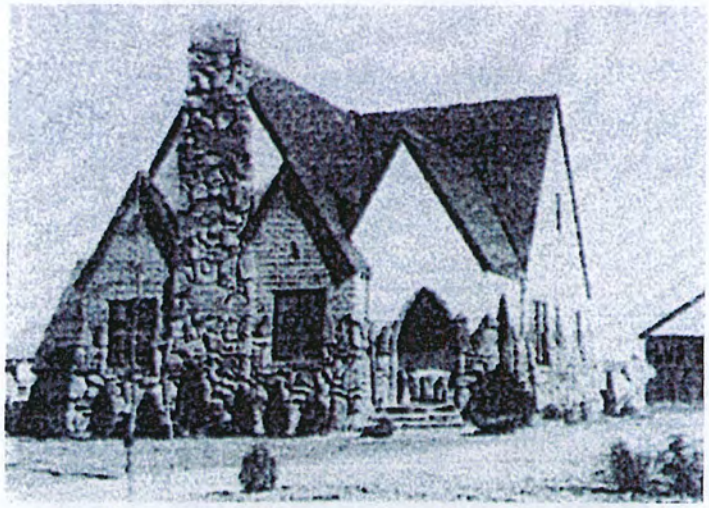
SGF Leader – 4 /27/1931

What makes All About Trees different?

- Springfield's ONLY ISA Board Certified Master Arborist: Noel Bover
- Tree care performed by ISA Board Certified Arborists, not just a tree cutter with a saw.
- Locally owned, not a "branch" of a highly corporate co. Fully insured with $1 mil Gen Liability and worker's compensation.
- Educated, experienced, uniformed crews. Working on your property.
- Tree-climbing champions! ISA Midwest champs 7 of the last 9 years!
- A real person answers the phone, eager to help you! Monday through Friday.
- Backyard specialists – no bucket truck access? We climb the trees!

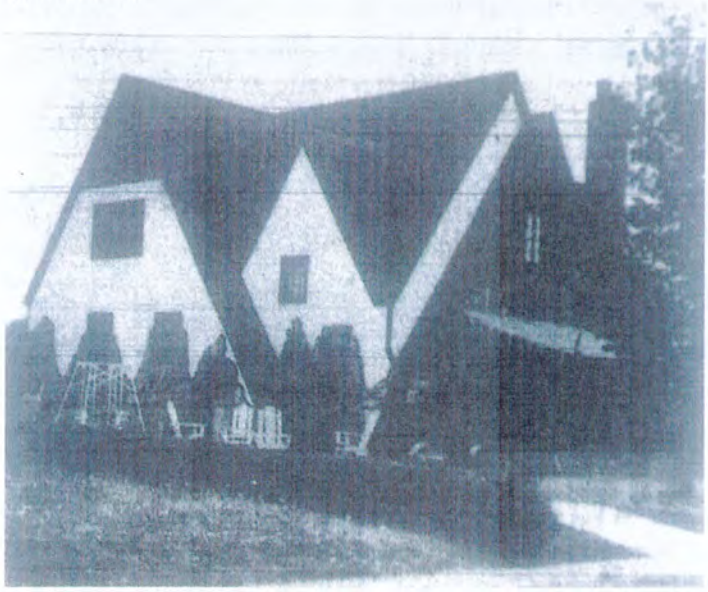
Call ~ 417-863-6214 3427 W. Farm Rd. 146 Springfield, Missouri 65807 www.allabouttrees.net

1710/2010 S. Kimbrough Avenue - *S 60ft W 20ft of Lot 144 & S 60ft of LOT 153* - $3,300 Tax Value – Built by Clarence W. Batchelder – Acquired by – Ray M. & Manie E. Read ~ Mechanic at Keller Dental Supply. SGF Leader 11-23-1931 ~ see below



There were 8 homes built by June 2nd 1931 and June 1st. 1932

1130/930 E Stanford St. – ***W ½ of Lot 16*** **-** $2,650 Tax Value - Built By Joseph Gardner – Acquired by Wesley R & Treva Hawkins ~ Credit Manager Welsh Packing ~ See below



1033/833 E Stanford St. – ***W 1/2 of lot 49*** **–** $6,500 Sales Price - $2,350 Tax Value – Built by William M. Eastern – Acquired by Ralph & Cecil M Fiedler ~ Mechanic at Herman Brownlow
See Below – SGF Leader 9/20/1931

940/740 E Stanford St. – ***E ½ of Lot 80*** - $7,500 Sales Price - $2,650 Tax Value - Built By William M. Eastern – Acquired by Harry P & Callie Gray ~Vet.
See below – SGF Leader 1/25/32

919/719/721 E Sunshine Street - ***W 1/2 of lot 92*** - $5,000 Sales Price - $1,350 Tax Value – Built by Claude Herndon – Acquired by Virgil R. Spencer ~ Clerk Purity Oil Company

724/624/642 E Stanford St. – *E 1/2 of Lot 121* - $2,125 Tax Value - Frank E. & Glades M. Davidson ~ Agent at Tidewater Oil Company

635/535 E University St. – *E1/2 of 138* - $2,100 Tax Value – Built By Clarence W. Batchelder ~ Acquired by William W. & Lula R. Carnagey Jr. ~ Salesman at Harry Cooper Supply

614 /510 E Stanford St. - *E 60ft of W 80ft of Lot 144* - $2,100 Tax Value – Built by Herman Dunaway – Acquired by Bert L & Clara McCoy ~ Salesman at Harry Cooper Supply

1700/2000 S. Kimbrough Avenue - *N 80ft W 20ft of Lot 144 & N 80ft of LOT 153* - $2,970 Tax Value – Built by Clarence W. Batchelder & George W. Grace – Acquired by – Mitchel L. & May Doris ~ Secretary & Treasure of Springfield Grocery Company. See below.

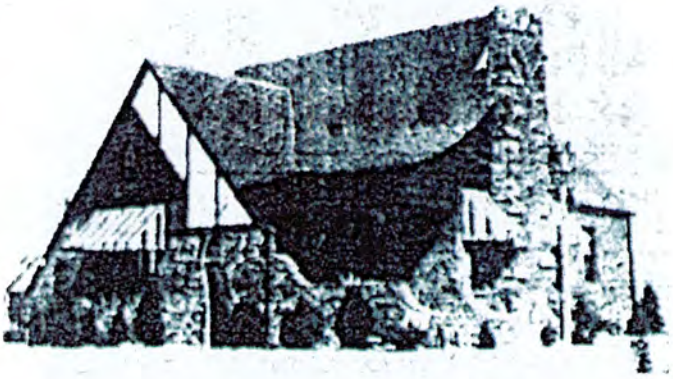
SGF Leader 6 30 1931

There were 3 homes built by June 2nd 1932 and June 1st. 1933

945/745 E. University St. – *E 1/2 of 79* - $3,150 Tax Value – Acquired by T. Frank Brown ~ VP of Groblebe-Friend Lumber

800/634 E Stanford St. – *W 1/2 of 112* - $3,500 Tax Value – Acquired by C. Harry & Bessie Bergstrom ~ Boilermaker at the Frisco Railroad and Bessie was a teller at Union National Bank

1720/2020 S Kimbrough Avenue - *Lot 154 & S 70ft W 20ft of Lot 143* - $2,500 Tax Value - Built by Clarence W. Batchelder & George W. Grace – Acquired by – James J & Ann Corbett ~ Division Engineer Missouri State Highway Commissioner. See below. SGF Leader 3/21/1932



There were 6 homes built by June 2nd 1933 and June 1st. 1934

1139/931 E University St. – *E ½ of Lot 15* - $1,900 Tax Value – Built by Carl A. Bissman – Acquired by Rex M. & Callie Whitton ~ Emp. of Mo. State Hwy. Commission

1119/919 E Sunshine St. – *Lot 28* - $2,200 Tax Value – Acquired by Paul C. & Eileen Jackson ~ Music Teacher

1033/817/801 E. Sunshine St. – *W 1/2 of Lot 45* - $2,000 Tax Value – Acquired by Ralph & Myrtle Langston ~ Commissioner of Health & Sanitation.

1031/ 831 E. University – *W 1/2 of Lot 47* - $2,300 Tax Value – Built by Carl A. Bissman – Acquired by Paul M. & Corinne Marshall ~ Principle at Jarrett Jr. High School.

1020/820 E. University – *E 125ft of Lot 59* – $2,965 Tax Value - Built by Carl A. Bissman – Acquired by John W. & Pearl M. Soper ~ Springfield Pie Company.

1011/803 E Stanford St. – *E 1/2 of Lot 65* - $2,600 Tax Value – Acquired by Paul C. & Alice M. Graves ~ Foreman International Harvester.

926/726 E. University St. – *E 1/2 of Lot 91* – $2,000 Tax Value – Acquired by Ralph J & Verna Poschel ~ Carpenter at Frisco Railroad.

There were 2 homes built by June 2nd 1934 and June 1st. 1935

920/720 E Stanford St. – *W 1/2 of Lot 89* - $3,375 Tax Value – Built by Carl A. Bissman – Acquired by Ben H. & Helen Lammers ~ Lammers Insurance. See below ~ SGF Leader – 10/28 1934

920/720 E. University St. – *W 1/2 of Lot 91* - $1,975 Tax Value – Acquired by – Alfred & Jennie Page ~ Attorney

903/703 E. Stanford St. – *W 1/2 of 97* - $11,000 Sales Price - $1,875 Tax Value – Built by J.F. Sawyer – Acquired by Stanley C. & Hazel Oliver ~ Teacher at State Teachers College (MSU).

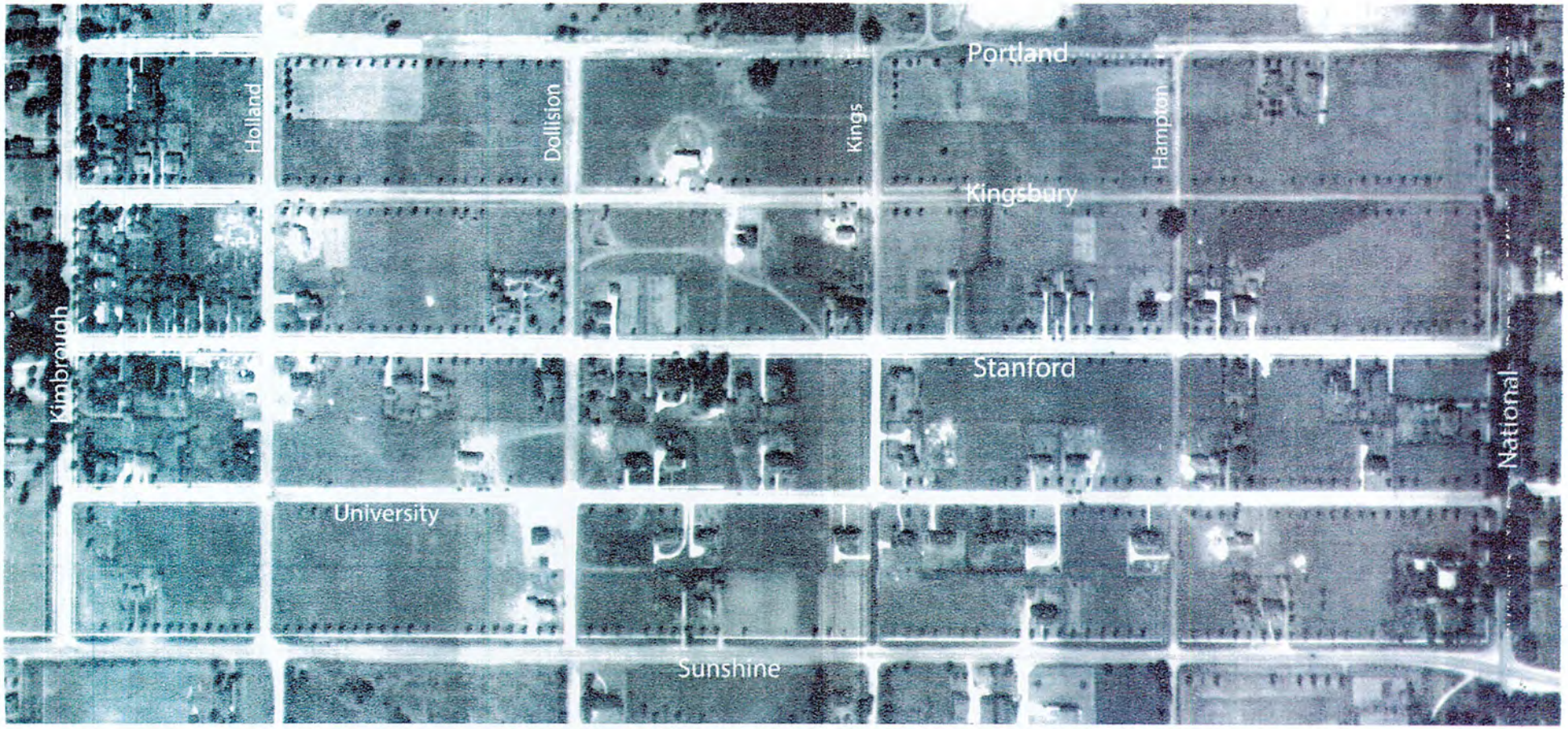
This house was built in the fall of 1935

1001/ 801 E. University – *W 1/2 of Lot 63* - $2,750 Tax Value – Built by Carl A. Bissman – Acquired by - Paul H. & Edith Darby ~ Auditor

See Below

SGF Leader 8/11/1935

University Heights in 1936
Only Stanford & University are paved.



* *Courtesy of digitalcollections.missouristate.edu*

Help Build a Stronger Neighborhood

The University Heights Neighborhood Association is all about celebrating and protecting everything that makes our neighborhood the unique, vibrant community it is. But we need your help.

By becoming a member, you can help:

- work with city officials directly on issues that concern us;
- create a vision for our neighborhood;
- participate in beautification and clean-up efforts;
- help make our neighborhood safer;
- get to know your neighbors better through events.

All of this for just $10 per household per year or $25 per business or nonprofit per year. Our membership year runs through June 30, 2023. Any household, business or nonprofit within the boundaries of Brookside/Bennett Street, National Avenue, Sunshine Street and Campbell Avenue is welcome.

Joining is simple: Just fill this out and mail it with a check payable to UHNA c/o treasurer Donelle Blubaugh, 1525 S. Kimbrough Ave., Springfield, MO 65807. You also can join online at https://www.universityheights-sgf.org/join-uhna/ For more info, email president Jan Peterson at uhnasgf@gmail.com or call 417-838-6216.

Name(s): _____

Address: _____

Phone: _____

Email: _____

Historic Neighborhoods of Springfield Missouri

"We never set out to be the largest real estate company, just the best." -Patrick Murney

MURNEY ASSOCIATES REALTORS

Since opening our doors to Murney Associates, Realtors, "The Home Office" in 1997 with 7 determined agents we have maintained the same philosophy-" to exceed our client's expectations." The founders recognized the need for a firm to be locally owned and that is in tune with the Springfield, Missouri real estate community.

Murney Associates has achieved the highest ranked positions in local market share for 14 years in a row, and listens to the needs and wants of our clients. Murney Associates offers all of the advantages of a national company while providing knowledge, expertise, and benefits of local ownership. For the 14th year in a row Murney Associates, Realtors has been named one of the Top 100 real estate firms in the United States. Serving Springfield and the Southwest Missouri real estate markets, Murney ranked 90th in the survey of America's Top Power Brokers in 2013. Murney is not only nationally recognized, but it has evolved into Southwest Missouri's number one residential real estate company with its four state-of-the-art offices, over 400 sales associates, and over $700 million in annual sales volume.

Agent recruitment was never the priority but both new and experienced agents have joined Murney to be among the best of the best in our industry. Our agents are trained professionals who provide the client with the best real estate experience and advice when buying or selling their home. With more satisfied customers and the majority of market share, we continue our expansion in the local marketplace. With Murney offices in four convenient locations to serve you, your real estate expert is always close to home!

Selling Springfield's History ~ One Home At A Time

MURNEY ASSOCIATES REALTORS

RICHARD CRABTREE REALTOR®

1625 E. Primrose Springfield, Missouri 65804 417-224-4573

When I moved to Springfield in 1997 I fell in love with beautiful historic homes in the Phelps Grove, Rountree, & University Heights area. They reminded me of the neighborhoods in St. Louis Area that have a sense of community and pride. My wife & I have been blessed to be able to restore five homes in the area, one built by Carl Bissman and other one by C.W. Batchelder. We are currently restoring a fifth home an Airplane Bungalow in Rountree. The neighbors in these older neighborhoods know I have a deep passion and love for our neighborhoods and their history. Since 2007 I have been doing extensive historical research on our homes and neighborhoods. If you ever would like to find out more about your home's history, stop by at one of my open houses or just give me a call.

I joined Murney Associates in 2009 so that I could fully utilize my previous 16 years of professional sales experience, my passion for history, and knowledge of restoring historic homes to help my clients develop a winning strategy to achieve their goal of buying or selling a home. If you and or a neighbor need the services of a realtor who has been successful in helping clients buy and or sell homes in the historic neighborhoods of Springfield, Missouri.

Email ~ rcrabtree@murney.com ~ Office 417-823-2300 ~ https://richardcrabtree.murney.com

This is not intended as a solicitation towards potential buyers or sellers who already have an exclusive agency agreement

Thursday, September 22, 2022

Dear Planning and Zoning Commissioners,

I write regarding Commission Case No. Z-23 2022 with conditional overlay district No.220 on the October 6, 2022 Planning and Zoning calendar. This is a request to rezone a section of University Heights (UH), a residential neighborhood, and turn it into a General Retail area with apartments/lofts above. The proposal involves five properties, three large historic homes facing National, a fourth within the neighborhood's interior street, E. University, that a couple working at Mercy were actively adding an addition to (with permits) until the developers convinced them to sell it, and a fifth facing Sunshine which the developers are suing to gain as it is owned by a couple, and one of the parties does not want to sell; there is also a small patch of land adjacent to that home.

There are numerous reasons this re-zoning proposal should be disallowed.

University Heights is a Traditional, R-SF Neighborhood - University Heights is a Residential Single Family-Traditional Neighborhood, as **clearly designated in both the Vision 2020 Comprehensive Plan and now Forward SGF**. We trust the efforts of countless citizens, city staff, paid experts and tax-payer dollars that went into developing these plans. I participated in creating both of these plans and my husband worked on Vision 20/20. In both maps and relevant text from these documents as well as the Land Use chapter of Forward SGF, University Heights is marked a residential only area. Further, quoting from the beginning of Forward SGF: **"Forward SGF Comprehensive Plan will be a tool used by the City to direct future growth and development. Additionally, the Plan can be used by community leaders to make policies and decisions that shape our region. For example, if someone wanted to develop new housing options on the west side of Springfield, the Planning and Zoning Commission will look at the Comprehensive Plan to determine what types of housing should be prioritized in that area of the City before approving the development."** Trusting this, and many other components of these plans, University Heights is intended *to remain the vibrant, historic, R-SF neighborhood it is now.*

There Are No Changing Conditions Making Re-Zoning Necessary – UH Remains a healthy, stable, neighborhood. Developers have made claims that the property on the corner of Sunshine and National must be destroyed because it was not purchased after being for sale for a long period of time. In fact, however, owners of the house refused to sell it to interested private parties, with the idea that a developer would overturn the residential zoning and make them a much higher offer. This house *can* be sold to residents at a residential price.
To further underscore the residential usability of this particular property, it has been leased and enjoyed until last week, by residents who invested in repairs, decorated, and took good care of the home until they were suddenly evicted by the developers who began blighting the house at night, boarding the windows, and spray painting 'keep out' on the boards and the newly-painted, shining red door. The residents were forcibly moved by the developers to the next door property and have said they just don't understand why the developers would do that.

Destruction of Property Values – The intrusion of retail strip centers into residential neighborhoods is well known to immediately devalue private property. This is true nationwide and has an effect similar to inverse condemnation. Conversely, "zoning helps protect the local environment and helps keep property values stable" (Millman National Land Services/Nationally Recognized Land Surveyors and Zoning Experts). Currently, UH boasts some of the highest-per-square foot property values in the City. A newly-renovated home (1721 S. National [north corner of E. University and National]) directly across the street from the most impressive and perfectly maintained of the homes the developers seek to destroy (on the corner of University and National [1739 S. National]) sold two weeks ago for just under **$700,000**. It was purchased by a couple from Kansas City, one of whom is vice-president of a large accounting firm here in Springfield which merged with their Kansas City company. Can you imagine the devaluation, and perhaps uninhabitability, of their home should a parking lot and strip center be erected directly across from them and on the INTERIOR of E. University? Then there is the young couple immediately to the west of 1721 E. University who moved in one week ago from Rountree because the high-rise student buildings and proliferation of student rentals created by devaluation of property as a result of perimeter retail development, have made it undesirable to her and not some place she and her husband want to raise a family. She has called me, texted me and come to my house in great distress seeking help and assurance that this is not happening to her and her husband before they even unpack their bags. The view that is dead center from their front yard is one of the houses slated to be razed by the developers with an alley/back road put in its place.

Dangerous Traffic Safety Issues -
According to City traffic assessments, the four-way intersection at Sunshine and National is the second busiest in our city. The current residential perimeter is arguably the strongest, and perhaps only, **tangible condition** helping to protect travelers. This residential perimeter PREVENTS a mass of INGRESS/EGRESS on Sunshine and National and on all of the interior streets comprising University Heights and Phelps Grove Neighborhoods. This point cannot be overstated or overlooked; the safety of all of us depends on it.

A second dangerous traffic-safety issue that would arise from rezoning this area, and most importantly re-zoning the actual interior of E. University, is the intrusion, according to a recent estimate, of a 1,000 vehicles daily down E. University Street. This is a neighborhood with children playing and people walking and jogging throughout the day and evening. Due to the increase in population in Springfield over the past 10 years and new retail (about 50% stands empty) saturating the North side of Sunshine starting on the northeast corner of Sunshine/National then heading East, as well as intense new commercial development starting on and surrounding the corners of Sunshine/Campbell (e.g. Wonders of Wildlife, Canes Chicken, Wendy's, Mercy, Chick-fil-A, Starbucks, McDonalds), E. University and other UH/Phelps Grove neighborhood streets are already being used as "cut throughs" to avoid the constant traffic jams at the corner of Sunshine/National. Growth is important. Commercial development is important to our sustainability as a city. But we must have balance and be wise about where we allow it. We simply cannot divert more traffic to these neighborhoods. It is not safe and is not wise. No neighborhood should be "a dumping ground."

Potential for Spike in Vagrancy, Homelessness Congregation and Crime – Problems with vagrancy, homelessness congregation and crime will invariably increase if these homes are torn down, parking lots erected and a back alley/road is cut through the interior of UH. Currently, people without transportation released from Mercy Hospital's Marian Center typically walk down Sunshine and National but only pass by, as homeowners are vigilant in contacting police if there is behavior of concern. If homes were destroyed and home owners removed from the equation on these crucial corridors, an environment would be created for this population to stay. Sadly, the state of people we seeing leaving on foot does makes if frightening and unsafe for them to congregate in UN. This new environment would also consist of loitering, drug use, and a place for other criminal activity; these phenomenon can be seen anytime day or night downtown and at the intersections of Sunshine/Campbell. We cannot allow this activity to happen inside UH. It is unconscionable.

Of course there are many additional reasons this proposed re-zoning is dangerous and unwise, such as the inevitable increase in flooding of homes in UH (a flat land issue the city is very familiar with) due to what would be a new, massive removal of land and trees. There is the fact that the homes the developers wish to raze are the ***entrance*** to UH, a "calling card" and a visually remarkable gateway to important areas of our City such as the Springfield Art Museum, recently awarded $3 million in capital funds from the City's American Rescue Plan Act, and $5 million from The Sutherland Foundation for expansion. UH is an outstanding example of artistic excellence showcasing some of the finest architecture in Springfield. Along with its neighbor to the north, Phelps Grove, it must remain intact and in harmony with our new museum and other positive investments in our City such as the Fassnight Creek Greenway trail connection from the Museum grounds through Phelps Grove Park, to Fassnight Park.
To undermine the integrity of this area of Springfield would be a short-term, hypothetical gain for a few, at the expense of long-term profit for the entire City.

Enclosed please find several documents:
1. A color image of the house that sits on the corner of National and E. University, occupied by a second generation owner until recently when the developers offered to buy it. The seller recently stated he was under the impression it was being purchased by an individual to live there, as the developers purchased the valuable antiques.

2. A color packet of images and history of UH homes and the neighborhood.

3. Copies of protest petitions signed by the owners of the property within 185 feet of the proposed re-zoned area. (three not in this packet will be delivered next week)
With signatures from owners representing 30% of all property within 185ft. of the proposed re-zone area, six out of nine City Council members must vote in favor of the re-zone in order for it to pass. ***These signatures represent greater than 30%.***

4. A collection of 176 signatures of UH residents expressing their desire to retain R-SF status. A number which will rise as we continue to collect signatures. While this is not part of the legally-binding protest petition, it is shared to demonstrate the earnestness of residents to maintain our designated R-SF status.

Thank you, Commissioners, for your serious consideration of this information.
Allowing this proposed tear down and the erection of an unnecessary multi-level retail center, whose harms would be exacerbated by second or third story apartment/lofts towering over the beautiful homes directly adjacent to them, is something UH and Springfield in general strongly opposes. Traffic dangers, a crime increase, flooding and destruction of property values are obvious reasons for this opposition. Even a Springfield Business Journal poll asking the question: "Do you support demolishing these homes to make way for a mixed-use development?" resulted in a majority "no" vote. When making your decision, I ask that you consider the painful consequences of a "yes" vote.

With thanks,
Donna Hemann
1039 E. University Street
Member – University Heights Neighborhood Association
3 year Member - University Heights Neighborhood Association Board of Directors

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University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Cassandra Lynn	1205 E University St	Cassandra Lynn
Susan D. Ray	1211 E. University St 417 569 2711	Susan D. Ray
John Stinson	1110 E. Stanford St.	John Stinson
James Jeffries	1109 E Stanford St. 417-569-7733	James H Jeffries
Lindsay Rowell	1057 E. Stanford St. 417-848-4748	Lindsay Rowell
Steven Cal Rogers	1049 E STANFORD 417 779 0055	Steven C. Rogers
Nicole Mussey	1041 E Stanford 573-489-9338	Nicole Mussey
Michael Cavin	1025 E STANFORD 417-315-3479	Michael Cavin
Angela Cooper-Cavin	1025 E STANFORD 417-224-0717	Angela Cooper-Cavin
Shannon Fields	1011 E Stanford St 417-619-7057	Shannon Fields
Don E Allen	1001 E Stanford St 479-363-9183	Don E Allen.
Steven I Bishop	1001 E Stanford 417-300-6987	Steven Bishop
Jackie Moore	925 E Stanford St	Jackie Moore

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Nicole Anderson	825 E. Stanford St.	Nicole Anderson
Sommer Wakefield	815 E Stanford St	S Wakefield
Paul Young	805 east Stanford 65807	[illegible]
FRAN M. Young	805 E. Stanford St. Sgf. 65807	Fran M. Young
Martha A Owens	725 E Stanford St	Martha A Owens
Patricia Smith	619 E. Stanford St 573-230-3274	[illegible]
Alan Munde	630 E Stanford	Alan Munde
Robert Sherman	1720 S. Kimbrough	Robert Sherman
Cindy Sherman	1720 S. Kimbrough → 417-848-9225	Cindy Sherman
Will Stanfill	926 E University	Will Stanfill
NICK REBISH	932 E UNIVERSITY 417. 837. 9779	[illegible]
Sarah Simmons	1000 E. Stanford	[illegible]
Grace St. Pierre	956 E. Stanford	Grace St. Pierre
BILLY KIMMONS	940 E. STANFORD	[illegible]
Michelle Phillips	922 E. Stanford St	Michelle Phillips

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Rodney B Foltz	718 E. Portland	
PAULA Thompson	810 E. Portland	
Stephanie Hein	940 E Portland	Stephanie Hein
Susan Kirkpatrick	1214 S Virginia	Susan Kirkpatrick
Ann Caffin	1610 E. University	Ann Caffin
SEAMUS MCKENZIE	1122 E UNIVERSITY	SMK
Lindsay Fitzgerald	1620 E Stanford St	Lindsay Fitzgerald
STEPHANIE SHADWICK	1101 E. STANFORD ST.	
Lois Shufeldt	1008 E. Kingsburg St.	Lois Shufeldt
Judy Stanfill	926 E University	
Angela Anderson	700 E Portland	
Kim Whaley	801 E. Sunshine	
Sam + Rhonda Black	1815 W Cam	
Cindy Engelking	3457 W FR 168	
CINDY ENGELKING		
Evelyn Mangan	818 E. Portland	
Tom Mangan		
Dennis Hickey	1019 E. LINWOOD DR	
Michael A Carr	3836 S Crystal	
Cathy Carr	3838 S. Crystal Pl	Catherine Carr
Barbara Susan Robinson	1010 E. UNIVERSITY ST	Barbara Susan Robinson

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University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Nora Cox	903 E Stanford	Nora Cox
Chris Cox	903 E Stanford 343-1541	Chris Cox
J. [illegible]	707 E. Stanford	[illegible]
Sara Ward	626 E Stanford	Sara Ward
Betsy Rogers	919 E. University	Betsy Rogers
Courtney Fletcher	1011 E. University	Courtney Fletcher
~~William J. Roach~~	1046 E. Portland	W. J. Roach
William J. Roach	~~1046 E. Port~~	
Lynn E. Roach	1046 E Portland (417) 886-7929	Lynn Roach
PAUL JACOB SCHOEN	1146 E PORTLAND	[illegible]
Diana Barnett	1103 Portland	Diana Barnett
Sherry Wirth	1035 Portland	Sherry Wirth
Bob Gardner	1023 E Portland	[illegible]
Mary L Fry	921 E. Portland	Mary L Fry
Nancy Steffen Rahmeyer	901 E Portland	Nancy Steffen Rahmeyer
Sarah Bishop	800 E Portland	Sarah Bishop
Galen Burton	821 E. Portland	Galen Burton
Karen Burton	821 E. Portland	Karen Burton
Karla Carroll	815 E. Portland	Carroll

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Linda Adams	1145 E. Kingsbury	Linda G. Adams
Charles O'Farrell	910 E Kingsbury	Charles E O'Farrell
Scarlet O'Farrell	910 E. Kingsbury	Scarlet O'farrell
Norma D Capeci	900 E Kingsbury	Norma D Capeci
Cam Foster	7328 N FR 159	Cam Foster
HOWARD GRUBAUGH	1634 S KIMBROUGH	[illegible]
KAREN EAGLES	425 E. STANFORD	Karen Eagles
Glenn DAVISON	3111 E Topping Circle	
Judith Waitlock	1533 S. Kimbrough	Judith Waitlock
Barbara Ann Hafner	951 E. Portland	Barbara Ann Hafner
Phil McCoy	1559 S. Rogers	Phillip A. McCoy
Anthony Roberts	1126 E. Stanford	[illegible]
NICK REBISH & LAUREN	932 E UNIVERSITY	[illegible]
INGRID DENNEY	619 E KINGSBURY	Ingrid Denney
Cynthia Bylander	1005 E Kingsbury	Cynthia L Bylander
ROWENA RABORAR	1127 E STANFORD ST	[illegible]

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University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Phone #	Signature
FRANK MCKAY	952 E. KINGSBURY	417) 234-5342	Frank McKay
Patricia McKay	1505 S. CLAY	310-415-5506	Patricia McKay
Jackson West	1150 E. Kingsbury St.	660-537-2221	[illegible]
Jessica Thompson	" ↓ "		Jessica West
(Rosemary Owens	1141 E Kingsbury	417 823 9811	Rosemary Owens
Rosemary) Owens			
Richard Gardner	1139 E Kingsbury	417-827-6415	Richard Gardner

North of Brookside

←

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
1. DARRON HEMANN	1039 E UNIVERSITY ST.	
2. Jeff Nagy	1055 E University St	
3. Steve Waddell	911 E. University ST	
4. mack Wealand	911 E. university ST	Mark Wealand
5. Jessica Bower	1111 E University	
6. Dixie Sleight	1124 E. University	Dixie H. Sleight
7. Rod Dixon	1118 E University	
8. Virginia Olson	1133 E. University	
9. Mary Harper	1100 E. University	Mary H Harper
10. Martha J. Pickering	1044 East University	Martha J. Pickering
11. Doug Johnson	1020 E University	
12. Erinn Johnson	1020 E. University	Erinn Johnson
13. ASHTON LEWIS	1032 E. UNIVERSITY	
14. [illegible]	1006 University	
15. Mike O'B	1031 E. University St.	
16. Grant Thomson	1029 E Univer St	
17. William J. Gibney	838 E. University	William J. Gibney
18. KEVIN PARNELL	927 E. University	

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
19. Randy Heckle	825 E. University St	Randy Heckle
20. M.B. Breshear	811 E University	M B Breshear
21. M.K. Struckhoff	725 E University	M K Struckhoff
22. Julia Fuller	945 E. University	Julia Fuller
23. Raquel Hansen	625 E University	R Hansen
24. Debbie Pluson	1731 S Kimbrough	Debbie Pluson
25. GEOFF HEFNER	620 E. UNIVERSITY	[illegible]
26. SHANNA M. HIGGS	615 E. UNIVERSITY St.	Shanna M. Higgs
27. [illegible]	626 E University St	[illegible]
28. WENDELL SHAFFER	940 E. KINGSBURY ST	Wendell Shaffer
29. JACK WRIGHT	700 E UNIVERSITY	Jack Wright
30. DONNA FORBES 660-221-5629	718 E University	[illegible]
31. CAROL WRight	900 E University St	Carol Wright
32. Jelani Logan	910 E University St	[illegible]
33. Cristoval Govea	920 E University St	Cristoval Govea
34. Nicholas Lemmo	1139 E. University St.	L. Lemmo

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Jackie Shaffer	940 E. Kingsbury	J. Shaffer
Eleanor Barnes	911 E Kingsbury	Eleanor Barnes
ROBERT R. SCHAEFER	947 E KINGSBURY	Robert R. Schaefer
Katy Holmes	900 E Sanford	Katy Holmes
James C Barnes	911 E Kingsbury	James Barnes
Bill Whaley	801 E Sunshine	Bill Whaley
KENNETH ROUSE	1125 E University St	Kenneth Rouse
Kay Green	1055 E. Kingsbury	Kay Green
[Kathleen Green]		

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Tom Wyrick	903 E. Kingsbury	Thomas R Wyrick
Sheila Dunbar	932 E. Kingsbury	Sheila M Dunbar
Donal Dunbar	932 E. Kingsbury	Donald Dunbar
Hunter Austin	939 E Kingsbury	[illegible]
Dominic J. Capeci Jr.	932 E. Stanford St.	Dominic J Capeci Jr.
Margery West	835 E Kingsbury	Margery West
Jessica Garrett	635 E. Kingsbury	[illegible]
Larry Rogers	627 E Kingsbury St	Larry Rogers
Kari Woodward	623 E Kingsbury ST	K Woodward
Susan Cupka Head	611 E Kingsbury St	Susan Head
Kevin Cupka Head	611 E Kingsbury St	[illegible]
Tod Eastlake	634 E Kingsbury St	Tod Eastlake
Kim Eastlake	634 E. Kingsbury St.	Kim Eastlake
Paul Schultz	700 E Kingsbury St.	Paul Schultz
Kathy Pulley	826 E. Kingsbury	Kathy J. Pulley

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University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Signature
Dylan Pelletier	1117 E. University St.	Dylan M Pelletier
TYLER SAMUEL	1715 S. NATIONAL AVE	Tyler Samuel
CHRIS SHAEFER	1703 S. NATIONAL	[illegible]
CLIFF RICKETTS	1120 E. KINGSBURY	Cliff Ricketts
Jon Richetts	1120 E. Kingsbury	Jon Richetts
Anthony Wright	1110 E KINGSBURY	[illegible]
Cathy Wright	1110 E. Kingsbury	Lenore "Cathy" Wright
Brian Fogle	1125 E Kingsbury	[illegible]
Shannon Smith	1100 E. Kingsbury	[illegible]
Shelby Smith	1100E Kingsbury	[illegible]
Louise Rook	1032 E Kingsbury	Louise Rook
KEITH OWENS	1025 E KINGSBURY	[illegible]
Cynthia Bylander	1005 E. Kingsbury St.	Cynthia Bylander
Lisa Munkatchy	959 E. Kingsbury St	Lisa Munkatchy
Mitch Munkatchy	959 E. Kingsbury St.	[illegible]
Steve Wutke	933 E. Kingsbury St	[illegible]

14

University Heights Residents Petition to Keep the Neighborhood Zoned R-SF (Single Family Residential) Springfield, MO.

Name	Address	Phone #	Signature
Bryn Lai	618 E Portland St	808 721 0641	
Steven M. White	630 E. Portland		
Lisa Langston	634 E. Portland		
Janell Alahmad	633 E Portland		
Alaiza Azuaje	617 E. Portland		
Samantha Lucas	1616 National		
Renee Arnaud Fogle	1125 E Kingsbury		
Anthony Dussmore	1111 E Portland		
Rita Windle	1043 E. Portland		
Patricia A. Wilson	1045 E. Portland		
Robert M Wood	1101 E. UNIVERSITY		
Anna Squires	1056 E University		

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 with Conditional Overlay District No. 22, City Council Bill No., _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Larry Ament	766 E Greenwood	1126 E Sunshine	Larry Ament

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 15th day of SEPTEMBER, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 with conditional overlay district, City Council Bill No., No. 220 _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Dylan Pelletier	1117 E University Springfield, MO 65807		
Kaylon Pelletier	1117 E University St Springfield, MO 65807		

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 13th day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 with conditional overlay district No. 220 City Council Bill No., _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Susan D. Ray	1211 E. University		Susan D. Ray

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 10th day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 w/ conditional Overlay District No. 22 City Council Bill No., _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
BRAD CAUSEY	1721 S NATIONAL		Brad Causey

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 10th day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 with Conditional Overlay District No. 220 City Council Bill No., _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
ANNAMARIE CALISEY	1721 S. NATIONAL AVE. SPRINGFIELD, MO. 65804	—	[illegible]

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 1 day of September, 2022 before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Teresa Bumgarner
Notary Public

My Commission Expires: 3/22/2024

TERESA BUMGARNER
Notary Public – Notary Seal
STATE OF MISSOURI
Greene County
My Commission Expires Mar. 22, 2024
Commission #20886251

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022, Wilsonville Road overlay District, City Council Bill No., No. 22 _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Judith Fridge	4545 S Farm Rd 145 ~~1204 E~~ Spfd MO	1204 E University	[signature]

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 8th day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

[signature]
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 by conditional overlay district City Council Bill No., No. 22 _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Stuart Gilmore	1130 East University Springfield Mo		[signature]
Rebecca Gilmore	1130 East University Springfield Mo	"	[signature]

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 7th day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

[signature]
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Mathew Reid	1210 East University		Mathew Reid
	Springfield Mo 65804		

PLEASE NOTE:

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THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 9 day of Sept, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Teresa Bumgarner
Notary Public

TERESA BUMGARNER
Notary Public – Notary Seal
STATE OF MISSOURI
Greene County
My Commission Expires Mar. 22, 2024
Commission #20885251

My Commission Expires: 3/22/2024

COPY

COPY

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 w/ conditional overlay district City Council Bill No., No. 220 _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
TYLER D. SAMUEL	1715 S. NATIONAL AVE SPRINGFIELD, MO 65804	—	Tyler Samuel

PLEASE NOTE:

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THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 6th day of September, 2022 before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Notary Public

My Commission Expires: Nov. 20, 2024

JESSICA RAYE ARTHUR
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES NOVEMBER 20, 2024
WEBSTER COUNTY
COMMISSION #12416722

Copy

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Dixie H. Sleight	1124 E. University Springfield 65807		Dixie H. Sleight

PLEASE NOTE:

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STATE OF MISSOURI
COUNTY OF GREENE ss.

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(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 02, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

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ZONING PROTEST PETITION TO THE CITY COUNCIL
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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Rodney Dixon	1118 E. University St		Rodney Dixon
Lisa Dixon	1118 E. University St		Lisa Dixon

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STATE OF MISSOURI
COUNTY OF GREENE ss.

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(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 2, 2022

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

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ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Bruce Douglas	1139 E. University		
Nichole Lemmon	1139. E. University		N. Lemmon

PLEASE NOTE:

***ALL* OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).**

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 6th day of September, 2022 before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Naomi Marie Harrington
Notary Public

My Commission Expires: August 26, 2023

Copy

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-23-2022 with Conditional Overlay District No 22, City Council Bill No., _____(if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
JEANETTE L ROUSE	1125 E University St Springfield, MO		Jeanette L Rouse

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THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 2nd day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Notary Public

My Commission Expires: August 22, 2025

DEVIN PRAHL
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 21074730
My Commission Expires Aug 22, 2025

Copy

ZONING PROTEST PETITION TO THE CITY COUNCIL
OF SPRINGFIELD, MISSOURI

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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Thomas M Rowell	1125 E Walnut Lawn St 22 (IN) 9-2-22		

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STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 2nd day of September, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Notary Public

My Commission Expires: August 22, 2025

DEVIN PRAHL
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 21074730
My Commission Expires Aug 22, 2025

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OF SPRINGFIELD, MISSOURI

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Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Virginia Olson	1133 E. University		Virginia Olson

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STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 24th day of August, 2022, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Jeanette L Rouse
Notary Public

My Commission Expires: July 2, 2026

JEANETTE L ROUSE
Notary Public - Notary Seal
Greene County - State of Missouri
Commission Number 14628737
My Commission Expires Jul 2, 2026

From: J Fred Terry
To: Zoning@springfieldmo.gov
Subject: Rezoning of the corner of University, National and Sunshine
Date: Wednesday, August 31, 2022 2:03:56 PM

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

Dear Springfield Planning and Zoning Members,

My name is James Terry. I have lived in University Heights at 635 E. Stanford St for over 40 years.

I am very concerned about the prospect of rezoning the corner of University, National and Sunshine.

I have see a huge change in pass-through traffic over the years. These drivers for the most part seem to be speeding through the neighborhood to avoid traffic and traffic lights. I will occasionally try to slow traffic with a hand single. I have had people stop and threaten me, a yellow cab driver actually backed his car up to my house and got out of his car to rant at me. A neighborhood teenager driving a car was struck by another car running the stop sign at University and Holland, causing his car to flip. Do we really need any more traffic?

I regularly drive Northbound on National Ave and turn West on Kingsbury to return to my home on Stanford St at a minimum of 4 times per day. The amount of backed up Southbound traffic on National has done nothing but increased over the years. The traffic is often backed up for 3-4 blocks. People are also attempting to drive 3-4 blocks in the turning lane attempting to turn left(East) on Sunshine. I also believe people are cutting through the neighborhood East of National. Do we really need any more traffic?

One day, I was attempting to turn west on Kingsbury from the turning lane on National a lady pulled in front of me and was angry that I was in her way. Her husband got out of there car and pounded on my car window. Do we really need any more traffic?

I normally leave my house and go to Sunshine and Holland. It has been more and more difficult to turn East on Sunshine. While driving East on Sunshine, the traffic has often been backing up 3-4 blocks at National. Do we really need more traffic?

For years Holland has been used to avoid the traffic light at Sunshine and Kimbrough. People continually run the stop signs on Holland.

The noise level from the traffic on Sunshine has gotten worse every year. Do we really need any more traffic?

Over the many years of living here I have had many water issues in my basement. As Mercy Hospital has grown the more water that comes downhill to our neighborhood. I have seen kayakers floating down Holland. I have had sewage backed up into my basement as well have many of my neighbors. I fear the new Cox clinic at the intersection of National and Sunshine

will make the flooding problem even worse. Do we really need any more development?

Sincerely,

J. Fred Terry
417-414-3681

From:	Gabby Lampe
To:	Zoning@springfieldmo.gov
Subject:	Z-27-2022 COD #220
Date:	Sunday, December 4, 2022 5:26:12 PM

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

Dear Planning and Zoning,

I am writing to submit my concerns about the proposed rezoning of 1141, 1133, 1119, & 1111 Sunshine Street, 1138 University Street, and 1775, 1746, & 1739 National Ave.

As a resident of University Heights, I am opposed to these rezoning proposals by applicant BK&M, LLC. University Heights is a historical staple in Springfield, MO, and those lots were originally platted as residential lots and they should remain as so. Acquiring multiple lots for the destruction of homes to build a commercial retail building is unacceptable. As a mother of four young children who live in University Heights and play in the streets – the increased traffic this will cause down residential streets compromises their safety and ability to enjoy their neighborhood as children and interrupts our right to enjoyment. We already have cars that use the neighborhood to cut through our streets and speed through stop signs. A commercial establishment on the NW corner of Sunshine and National will only increase traffic and safety concerns. Furthermore, property values are also likely to go down if University Heights is not preserved as it was intended to be. BK&M LLC has no consideration of these impacts and we will not support a general retail establishment in place of 1141, 1133, 1119, & 1111 Sunshine Street, 1138 University Street, and 1775, 1746, & 1739 National Ave.

I urge you to disapprove of the proposed rezoning. Thank you for your continued service and support of our communities.

University Heights Resident – 702 E. Stanford St.

Gabby Lampe

Assistant Director | Student and Young Alumni Engagement

Office of Alumni Relations | Missouri State University

417-836-5834 | 417-496-1212

GabbyLampe@MissouriState.edu

Alumni.MissouriState.edu

300 S. Jefferson Ave., Suite 100, Springfield, MO, 65807

From: Walstrand, Gwen
To: Zoning@springfieldmo.gov; Council
Subject: moratorium on rezoning requests in historic residential areas
Date: Sunday, August 28, 2022 2:36:38 PM

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

Dear Zoning Commission and City Council Members,
Given the lack of purpose and planning in recent rezoning requests as well as the lack of consideration for historic areas in our city, I would like to request there be a moratorium on all rezoning requests in sensitive historic corridors until such time as the city of Springfield has arrived at firm policies for protecting historic residential areas. Preservation and enhancement of residential architecture, livable green spaces, safe streets and neighborhoods, and integrity of history should be foremost considered. Already our city is known for strip malls, sprawl, poorly constructed chain stores and restaurants. If we allow those areas to further sprawl into irreplaceable historic areas, we trade away the character and desirability of our city and its residential areas for quick dollars and future blight issues.

I live in University Heights neighborhood and join our neighborhood association as well as the historic neighborhoods of Phelps Grove, Rountree, Delaware, Meador Park, and Seminole-Holland in asking you to please halt all rezoning requests in sensitive historic corridors until plans with vision and preservation of urban neighborhoods is first promoted and clearly stated through the city's policies and plans.

Thank you.
Gwen Walstrand
1116 East Portland St.
Springfield, MO 65807
417-234-0745

From: Walstrand, Gwen <GwenWalstrand@MissouriState.edu>
Date: Friday, August 19, 2022 at 9:36 AM
To: zoning@springfieldmo.gov <zoning@springfieldmo.gov>
Subject: Re-zoning historic homes in University Heights

Dear Zoning commission,
I am writing in opposition of the rezoning proposal at 1739, 1745, 1755 S National, 1141 E Sunshine, and 1138 University St. Our historic neighborhood already has excessive traffic and noise issues due to the heavy traffic on nearby streets. The noise is continuous from the heavily trafficked National Ave, Portland St, Sunshine St, and Kimbrough Ave and the proximity to the ever expanding hospital and multiple uses of National Avenue Christian Church. Removing pieces of the residential neighborhood in order to convert more of it into the business corridors nearby would create a very harmful situation for the entire city, especially what's left of University Heights neighborhood.

I live at 1116 East Portland, where my husband's family has lived for now four generations. The changes we've seen in the neighborhood have nearly all been negative as the widening of streets, the removal of houses in favor of parking lots and strip centers, and the kind of sprawl indicative of the outer edges of town also encroach into a historic neighborhood. Springfield has very few historic neighborhoods that have not been compromised by sprawl or blight. A vision to protect such places needs to be a priority for the city. Our neighborhood association and many individuals have appealed to the city to implement traffic calming structures on Portland St, but with no success. Expanding the corridor already congested with businesses and shops will increase the number of motorists speeding down Portland St and other avenues in order to avoid the intersections on the larger streets. This re-zoning proposal would have an even larger and direct effect on the neighborhood if more pieces of our neighborhood are given over to business. As the developers presented no specific plan for the buildings and businesses, I sincerely hope the city officials will also oppose re-zoning what should be protected residential space and structures from the disregard and disorganized onslaught of business for the sake of business. The long hours of workers at such businesses, from early morning commercial trash pick-up to late night conversations increase not only the amount of traffic and noise, but number of hours of each day we all hear it.

The quality of life in our neighborhood is continuously affected by the traffic noise, vibrations, commercial dumpsters being emptied at 4am, danger of speeding cars, noise from the school and events continuously scheduled at National Avenue Christian Church, and various street construction projects. It's often unsafe for children to play in the neighborhood or walk to school. Parents dropping off children at the Montessori school create even more traffic, sometimes arguments amongst themselves or with passersby who would prefer not to slow down for the line of cars. Already we live this daily and have very little barrier from the busier streets. Converting residential space into more of that activity, and on a large scale, would terribly decrease the value of our entire city by reducing its historic neighborhoods and livable spaces. There are many places throughout the city already zoned for business; those are the places where the developers should create specific plans and proposals for to 'do something nice' for Springfield.

Thank you for your consideration.
Gwen Walstrand
1116 East Portland
Springfield, MO 65807
417-234-0745

The Future of Strip Malls

Merle Patchett and Rob Shields

In many neighbourhoods across North America, small, 5-8 store strip malls, once anchors of local retail activity, are increasingly being framed as today's suburban blight. Intended as community hubs of consumption and services, many of these places are being abandoned or becoming underutilized and dilapidated as the services move out of local neighbourhoods in favour of larger-scale malls and shopping districts serving greater catchment areas. At the CRSC, we believe it is time to rethink our relationship with the strip mall. This design competition and touring exhibit proceed from the thesis that the social vitality and community sustainability of mature suburban neighbourhoods can be improved by reviving and re-purposing under-utilized strip malls. It is our contention that small-scale strip malls can play a vital public role in the urbanization of the postwar suburbs. Strip malls can become as important to these communities as the old warehouse and market districts have been to the inner city.

The shopping mall reached its peak - in terms of its ubiquitous presence in the North American urban landscape and popular psyche, as well as the amount of scholarly attention paid to it - towards the end of the twentieth century.[i] Now into the second decade of the twenty first century, local malls, especially small-scale strip malls, are rarely of interest or attachment, undercut in cost by auto-orientated "big box" "power centres" and regional and super regional malls.[ii] Contemporary academic work continues to focus on spectacular, larger-scale, enclosed "mega-" and regional malls,[iii] or on the "mall-ing" of formerly non-consumer spaces, such as airports, universities, office buildings, hospitals and other civic spaces.[iv] There is very little academic literature about small-scale local malls or neighbourhood strip malls beyond urban designers' disparagement of the form.[v] Similarly, policy focus has been on revitalizing heritage[vi] and downtown shopping cores,[vii] or on creating "town square" versions of power centres (including "lifestyle centres") generally in newly erected suburbs[viii] along with other novel retail spatial configurations.[ix] By contrast, the local strip mall, with a convenience-oriented mission but often not a particularly locally-responsive retail provision, has been in decline: "many of them dying, bleak and waiting for reinvention."[x]

We initiated our design competition - *Strip Appeal* - to "reinvent the strip mall," recognizing its potential to produce innovative solutions and design visions for the rejuvenation of strip mall retail. The specific focus of the competition was smaller scale, neighbourhood shopping plazas consisting of a few retail units, usually fronted by parking, and up to the scale of malls which combine indoor and outdoor sections but remain local in focus and generally do not exceed a single floor. In some cases, these malls have been redeveloped as sub-regional consumption and service destinations by enclosing their storefronts with galleria or glass arcades. However, those malls that have not succeeded in making the transition often stand partially or almost completely empty (see deadmalls.com for countless examples). This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. The Urban Land Institute details that from 1960-2000, there was almost a tenfold increase of retail space in the United States, from 4 to 38 sq. ft/ person - a rate 5-6 times faster than the increase in sales. This glut has led to 9-10% of retail facilities being derelict, with the most overbuilt category of retail space being the large single-storey discount stores. Following the first quarter of 2011, mall vacancies rose to 9.1 percent. The second quarter was no kinder, with the vacancy rate inching up to 9.3 percent. Strip malls, with a vacancy rate of 10.8 percent, have an even tougher time keeping tenants.

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The Urban Land Institute suggests one solution would be to demolish 300 million square feet of retail space. Our research suggests that larger strip malls are more likely to be uneconomic. In general, we observe that the single-storey sections of strip malls have a limited life-span due to ageing roof-top heating and ventilating systems. Two-storey sections are more likely to be repurposed for community uses while the rest of the mall is taken down and the area redeveloped for other purposes. At the CRSC, we recognized this as an opportunity for intervention: how can small-scale strip malls be reinvented and redeveloped to local advantage? As outlined in the previous essay, in order to address the problems associated with strip mall retail, the design competition presented itself as a new model for engaging practitioners and interested publics with the question of how strip malls could be re-imagined to reflect the needs of 21st century suburban communities.

We are unlikely to immediately replace 55+ years of North American car-based suburbs (roughly 1945-2009).[xi] To become more environmentally sustainable, the provision of walkable retail services and accessible centres of social interaction and community facilities has a role to play. Retail is understood as a site that fulfils certain needs at a variety of scales - the need for creating a sense of a vibrant local place, for developing a sustainable hub for community, for the provision of goods and services as local shopping experience and for creating a community retail destination, a "place to go."[xii] It was our hypothesis that the reorientation of the suburban strip mall to community use might contribute to community cohesion by enabling "face-to-face" encounters through the creation of a local "marketplace" or neighbourhood public sphere whilst also adding to a community's economic resilience through informal networks of social interaction.

These facilities are often hampered by being intentionally located at the entrances of arterial roads to suburban housing developments. This makes them ideal automobile commuter stops as they are on the way between work and home. However, it puts them at the edges of neighbourhoods rather than at their cores, and makes them potentially dangerous destinations for pedestrians and children unless bicycle and walking paths lead to these sites. As a result, many of the entrants include a transportation component in revitalizing the strip mall. Regardless, we see the usages and tenancies of these retail spaces changing from convenience-oriented commercial to educational, fast-food, medical, service, religious, ethnic and other niche services. The strip mall is dead - long live the strip mall!

Factors frustrating redevelopment of strip malls thus far include the accessibility of larger retail facilities, the anti-competitive practices of large retail operators who have acquired ownership of many of these malls (through, for example, increases in rent and restrictive covenants[xiii]) and the decision of property owners to land bank, that is, to hold sites – often unoccupied – as investments to be sold for the value of the land.[xiv] The recent economic climate has also discouraged redevelopment as developers are risk-averse, evidenced by the decrease in the number of applications to rezone these facilities for mixed-use developments. In Canada, municipalities impose re-zoning challenges or vacillate on the requirements for applications that delay and thus increase the cost of repurposing under-performing retail space to other commercial and institutional uses, for example, as office space, often making these projects uneconomic. Despite these trends, some strip malls continue to thrive by successfully servicing the needs of the neighbourhood or by catering to the specialized needs of an identifiable community. There has been little systematic study done to investigate how or why these strip malls have succeeded in their contextual communities.[xv] For the most part, small, vibrant retail clusters such as successful strip malls are regarded as accidents, and any quantitative traffic or marker analyses done surrounding them remain corporate secrets.

A recent study by Linovski,[xvi] although not expressly attempting to identify the reason why some strip malls

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succeed and others fail, argues against a blanket push to redevelop strip malls. Recognizing the diversity of strip mall forms - from those characterized by front-loading parking along arterial strips to traditional retail strips that face directly onto the public sidewalk - she argues that design and redevelopment policies should not treat all strip malls as the same. She examines diverse strip mall types in Toronto's postwar suburban fringe facing high redevelopment pressure and identifies certain benefits in leaving some of these strips with fewer controls and barriers to access. Linovski argues that strip malls in these areas provide affordable retail space for small businesses not available elsewhere, enabling diversity in tenants and use. She advances that many of these strip malls have significant social and economic benefits in their current form that are not addressed in most design and planning policies, which tend to judge strip malls based solely on their aesthetic and visual character. She thus urges that future strip mall design policies support functional concerns and not simply respond to visual considerations.

Similarly, Shields' research shows that well-managed malls understand the importance of considering the social needs of communities rather than assuming that a standardized reliance on market projections will guarantee success.[xvii] This means responding to local ethnic interests, holidays and demands. It also means understanding how to manage tensions that arise from different demands of clients, retailers and neighbours. This is why we asked our competition entrants to choose a strip mall local to them. By asking entrants to consider the "situated-ness" of their strip mall sites, we wanted their redesigns to consider the relationship between architectural and non-architectural elements of the site, and to respond to the needs of the surrounding community and built environ-ment. In doing so, the responses demonstrate a wide diversity of approaches to the redesign of small-scale strip malls, from full-site overhauls to lighter-touch, intervention-based approaches only altering one aspect of the site.

This catalogue offers you a glimpse of the future. That is, not projects that are under construction now, but those that are in the planning phase for 10 to 15 years; hence it will be in 2025, and their successors in 2040 to 2050, when new forms will replace these facilities that were built with a short life span in mind. In total, we received 122 submissions from design students and professionals, creatives and the general public. While the majority of sites were located in North America, selected sites were as far away as the Netherlands, Brazil, Hong Kong, China and Australia. The submissions proposed alternatives from community greenhouses to rooftop recreation spaces and all-weather shelters for food trucks and their patrons. They replace and reinvent what we now know as strip malls. The 20 shortlisted submissions reflect the diversity of responses, approaches and ideas our brief solicited, ranging from architectural responses to structural engineering and facade responses, from urban planning and construction responses to urban transport responses and social and architectural interventions. As argued in the previous essay, the shortlist, as presented in this catalogue and touring exhibition, provides many innovative and implementable "theories of action"[xviii] for the reorientation of strip malls to community futures. As such, we hope the catalogue will follow the example of Tahchieva's Urban Sprawl Repair Kit[xix] and function as a "strip mall repair kit," where the submissions offer implementable techniques for the renovation of existing strip malls to create denser, healthier, more walkable and cohesive communities.

In both the catalogue and the exhibit panels, the submissions have been grouped into five main categories: "Winners," "Green," "Park," "Up and Out" and "Connect.""And Ideas" selections from other entries closes each section. The "Winners" section outlines the Jury Winner and Runner-Up as well as the Public Vote Winner. The Jury Winner - Free Zoning by Stephanie Davidson and Georg Rafailidis - radically re-imagines a derelict strip mall in Buffalo, New York as a building quarry. Proclaiming the site free of zoning restrictions, Davidson and Rafailidis deconstruct and inventory all the building materials on site and demonstrate how these can be used to construct community housing. Using the existing foundation as a seedbed for construction, they show how the plot might develop over time with a wide variety of functions and building typologies, all primarily constructed using the

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salvaged materials of the derelict strip mall.

The Jury Runner-Up - Parked Mall by Carole Levesque, Todd Ashton and Aumer Assaf - retains the commercial activity that vibrant neighbourhoods need whilst reducing dependence on passenger vehicles. To do so, it proposes replacing four static strip mall structures in an area of North Edmonton with docking stations where mobile shops can park and offer a range of services. Where previously the strip malls offered a duplication of shops, the mobile shops and service trailers can be arranged in a weekly schedule to offer a wider selection of local services. When not in use, the dock and its infrastructure will be made available to the community for impromptu or organized gatherings.

The Public Vote Winner - Unbox-Embrace-Cohere by Jasper Hilkhuijsen and Geraldine Li - presents 3 steps for turning a semi-vacant strip mall in Enschede, the Netherlands into a community youth centre: 1. Unbox the strip through the removal of non-structural walls to provide new routes through the building. This transforms the building from a single volume into an assembly of volumes. 2. Embrace the surrounding community by facilitating a participatory process from the outset where community members can communicate their ideas and hopes for the site. 3. Cohere spatially and socially. By including the community in the design process from the outset, the task is not only one of modifying a building, it is a collaborative design process whereby the community's needs are expressed in the building's new form.

In the "Green" section, shortlisted submissions show us how we can "green" the strip mall, from community and urban gardening to the introduction of green technologies and materials. For example, Strip Weave by Teal Architects integrates landscape urbanism with high density approaches and environmental design to transform commercial strips into convivial communities powered by wind, sun and geothermal energy. Ferndale Gardens by Paul Samulak proposes to turn a semi-vacant strip mall in Woodward, Detroit into a suburban farm and restaurant. With the renewal of this site proposed to coincide with the planned Woodward light rail project, Samulak demonstrates how locally grown produce can be distributed to a wider customer base along the planned route.

Underused and unfriendly to the pedestrian, the strip mall parking lot is ripe for transformation. In the "Park" section, submissions redefine the strip mall lot not only as a place to park your car, but as a place that can be pedestrian-friendly and accommodate a variety of other public uses. For example, Pop-Up Food Truck Station by Daniel Orlando Martinez offers a shelter and cafeteria for food trucks and their patrons in a barely used Temple City strip mall parking lot. To encourage patrons from the surrounding area, online networking is employed to notify patrons when different food trucks will be parking. In a variation on this theme, Park-Aid by Ziola Newstudio converts an existing strip mall into a high-density parking garage designed to house all of the surrounding neighbourhood's cars. The pooling of neighbourhood traffic frees up the remainder of the neighbourhood automobile infrastructure – roadways and garages – for future residential densification and green space.

The strip mall building typology is based on principles of maximum efficiency and replicability. By extending this typology, submissions in the "Up and Out" category generate new spatial arrangements, uses and social situations. For example, in Stripscape, designers Dora Baker, Pablo Batista and Natalie Badenduck offer six proposals for retrofitting strip malls around Winnipeg, Manitoba. Rather than tearing down these malls, they propose Stripscaping as a strategy for building upon and around them, specifically the roof structure. In one example, the strip mall roof is fashioned into a year round recre-ational area. By comparison, Cultural Appropriation by Fern Nafziger provides a structural formula by which a strip mall can restructure and grow without imposing on the current businesses which might already be in place.

While many strip malls are located directly adjacent to neighbourhoods, they often remain detached and unrespon-

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sive to the community surrounding them. The submissions in "Connect" show how it is possible to reorientate and reconnect the strip mall with its surrounding community and built environment. For example, Span the Strip by Toby Keeton proposes bio-bridges to be used as connective pathways to promote greater walkability and reduce the ecological impact of vehicular corridors. In Combat Concrete by Natalie Ross, a "Food and Art" program is devised through consultations with the community whereby strip mall parking lots are transformed into areas for food production, recreational park space and art and community activities. Fix the Strip by Loretta Foley and Kristin Smith presents a "deciding guide" for any community to find solutions for improving their local strip mall, using its own context and circumstances to shape the process.

Taken together, these designs offer a glimpse of the future of suburban retail experience - where an entire industry is going. More importantly, they suggest a need to change our approach: we must transform strip malls into places that people want to go for services and community events. These designs help eliminate our dependence on the car and contribute to the urbanization and densification of suburbs. Furthermore, rather than depend solely on the investment of risk-averse developers, the shortlisted submissions provide intervention-based strategies that can be implemented by community associations, local entrepreneurs or committed individuals. Collectively then, the submissions provide many innovative and implementable "theories of action" for the renovation and reinvention of existing strip malls to create denser, healthier and more cohesive suburban communities.

[i] M.L. Clausen, "Northgate Regional Shopping Centre - Paradigm for the provinces," Journal of the Society of Architectural Historians 43(2),1984, p. 145.

[ii] See for example: T. Hernandez and J. Simmons, "Evolving retail landscapes: power retail in Canada," Canadian Geographer 50(4), 2006, pp. 465-486; D. Hayden, A Field Guide to Sprawl, NY & London: W. W. Norton & Co., 2004.

[iii] See M. Abaza, "Shopping malls, consumer culture and the reshaping of public space in Egypt," Theory Culture Society, 18(5), 2001, pp.97-122; H. Schmid, "Economy of Fascination: Dubai and Las Vegas as examples of themed urban landscapes," Erkunde 60(4), 2006, pp. 346-361; Hélén Klodawsky, Malls R Us [documentary film]. Produced by Ina Fichman (Instinct Films) and Luc Martin-Gousset (Point du Jour), 2009, 78 mins.

[iv] See for example: D. C. Sloan, "Scientific paragon to hospital mall: the evolving design of the hospital, 1885-1994," Journal of Architectural Education 48(2), 1994, 82-98.

[v] F. K. Benfield et al., 2001; J. Terris and N. Vorsanger, Solving Sprawl: models of smart growth in communities across America. Washington D.C.: Island Press, 2001; E. Dunham-Jones and J. Williamson Retrofitting Suburbia: Urban Design Solutions for Redesigning Suburbs. Hoboken: John Wiley & Sons, 2009; S. Zukin, "Reading the urban villager as a cultural document: ethnicity, modernity and capital," City and Community 6, 2007, pp. 39-48; S. Zukin, V. Trujillo, P. Frase, D. Jackson, T. Recuber and A. Walker, "New retail capital and neighbourhood change: boutiques and gentrification in New York," City and Community 8(1), 2009, pp. 47-64

[vi] J. Goss, "Disquiet on the waterfront: reflections on nostalgia and Utopia in the urban archetypes of festival market places," Urban Geography 17(3),1996, 221.

[vii] T. A. Gibson, "The trope of the organic city: discourses of decay and rebirth in downtown Seattle," Space and Culture 6(4) 2003, pp 429-448.

[viii] See for example: M. Southworth, "Reinventing Main Street: from mall to townscape mall," Journal of Urban Design, 10(2), 2005, 151-170.

[ix] G. Beck, "Signs of life: a new lesson from Las Vegas - A souped-up shopping centre on the strip uses technology to announce itself as a retail, cultural, and civic destination," Architectural Record 191(6), 2003, 199-+.

[x] Southworth, "Reinventing Main Street," p. 153.

[xi] However, we are certainly aware of the longer history of the suburb. See: Hayden, A Field Guide to Sprawl.

[xii] R. Jackson and N. Thrift, "Geographies of Consumption," in D. Miller (ed.), Acknowledging Consumption: A Review of New Studies. New York: Routledge, 1995, pp. 204-37.

[xiii] Ziff, B. Scorched earth: An empirical study of the use of restrictive covenants to stifle competition [Abstract]. Planning, Law and Property Rights; Fifth International Conference. 2011.retrieved from: http://www.law.ualberta.ca/plpr/2011/PLPR_Abstracts.pdf.

[xiv] Interboro Partners, In the meantime, life with landbanking. Design Competition entry. 2002. Accessed: http://www.interboropartners.net/2012/in-the-meantime-life-with-landbanking/.

[xv] However, see Lo (2009), which shows that supermarkets are complementary consumption sites for Toronto's immigrant Chinese residents but independent ones for non-Chinese; the role of ethnicity/culture is thus important with respect to the embeddedness of immigrant consumers and the cultural representations of certain retail spaces as "ethnic." L. Lo, "The role of ethnicity in the geography of consumption," Urban Geography 30(4), 2009, pp. 391-414.

[xvi] O. Linovski, "Beyond Aesthetics: assessing the value of strip mall retail in Toronto," Journal of Urban Design 17(1), 2012, pp. 81-99.

[xvii] See, for example: R. Shields, Life Style Shopping the Subject of Consumption, London: Routledge, 1992.

[xviii] Bruno Latour, "A Cautious Prometheus? A Few Steps Towards a Philosophy of Design (with Special Attention to Peter Sloterdijk)," Networks of Design: Proceedings of the 2008 Design History Society, Falmouth, Cornwall.

[xix] G. Tahchieva, Urban Sprawl Repair Kit, Washington D.C.: Island Press, 2010.

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From:	Walstrand, Gwen
To:	Zoning@springfieldmo.gov; Council
Subject:	Z-27-2022 COD #220 zoning request
Date:	Tuesday, December 6, 2022 7:48:48 PM
Attachments:	future-strip.pdf

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

Dear Zoning commission and City Council,
I am writing in opposition of the rezoning proposal Z-27-2022 COD #220 for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St. Removing eight (or any) historic homes in good or easily maintainable condition should not be considered. Destruction of livable, beautiful, historic neighborhoods and inviting further blight and retail sprawl into areas that are well established residential areas with deed restrictions preventing such actions should not be allowed by the city and would have a long-term negative effect on the entire city and surrounding area.

Preservation, planning:
Preservation and enhancement of residential architecture, livable green spaces, safe streets and neighborhoods, and integrity of history should be foremost considered. Already our city is known for strip malls, sprawl, poorly constructed chain stores and restaurants. If we allow those areas to further sprawl into irreplaceable historic areas, we trade away the character and desirability of our city and its residential areas for quick dollars and future blight issues. Arguably, nearly every strip center/retail/restaurant structure erected in this town in the last twenty or thirty years has been constructed for short-term use, eventual blight, demolition, then similar new construction/rebuild. The retail shops along National Ave across from the Missouri State University have lived this cycle, as have the East Sunshine areas east and west of Fremont Ave, nearly all of Glenstone Avenue, Campbell Ave near Sunshine Street, and pockets of Chestnut Expressway. These commercial strip centers have compromised each of our historic urban neighborhoods in some way by the noise and other unattractive qualities of cheap construction and devaluation of property. This is true of the Delaware neighborhood, Rountree neighborhood, Phelps Grove neighborhood, and Midtown neighborhood, and of University Heights. If left as single family residential homes, the structures will be beautiful, historic, well-built and designed homes that will last for centuries more. The life span of any retail, strip center, or 'mixed-used' new construction is on average about 15 years before it must be rehabbed or demolished. Any tax revenue advantage to allowing this development will be drastically reversed within a few years, and the whole city will have suffered because of it.

Empty nearby retail spaces and deed restrictions:

Destruction of historic residential homes in neighborhoods with deed restrictions and residential-only zoning is not necessary to build business! There are, throughout the streets named above, empty retail centers that the population of Springfield would LOVE to see renovated into more attractive, solidly constructed shops and restaurants. Very near the site where Mr Duda and Mr Tolliver hope to destroy homes to build general retail strip centers there are empty and near empty commercially zoned structures and parking lots. They would have the same access to the same customers if they were to build there instead. The University Heights properties all have deed restrictions that require only single-family residential homes of stone, stucco, or brick to be built on them. This should not be ignored, and it seems illegal to violate that on behalf of a private business person; this isn't a case of greater good or eminent domain, quite the opposite.

It does not make sense for Springfield to allow re-zoning and destruction of residential, deed-restricted areas when there is empty commercial and retail space throughout the city and near the proposed location. It's a direct hit on the character and integrity of our city. The minimally increased property tax revenue it may generate in the short term to have retail business there will be negated long-term and reversed when those new structures become the ubiquitous half-empty, poorly maintained, hideous strip centers Springfield is known for, and the historic homes that would have been welcome sights for all and quality homes for future centuries would be forever lost. The area will become blighted and property values and taxes will go down throughout the area. Please see the link below and the attached document regarding studies highlighting the very short life of retail centers such as what Mr. Duda proposes and the blight, under-utilized, and short-sightedness of such endeavors.
http://www.urbanindy.com/2015/11/01/the-case-in-greenwood-why-america-deserves-its-retail-blight/

Quality of life + noise/environmental impact:
The University Heights neighborhood has spoken clearly and repeatedly that the re-zoning is not welcome. The footprint of our neighborhood is small and bound by busy streets. But within the bounds of Sunshine, National, Grand, and Jefferson, there are mature trees, streets with sidewalks, family homes, runners, walkers, children playing, neighbors talking, Fourth of July parades, a couple of quiet, small neighborhood restaurants neatly tucked into the architecture of the surrounding houses, a few churches, a park, an Art Museum, and two elementary schools. The traffic noise from the surrounding busy corridors is always heard. The trees do a bit to buffer the sound, but we continually hear motorcycles, sirens, loud vehicles, and we are right under the flight path of helicopters landing on the nearest corner of Mercy hospital. We hear construction projects at Mercy, football games at MSU, fireworks from Hammons' Field, and other sounds of being tucked into the middle of a busy city. Most of Springfield is not inviting to pedestrians or cyclists. We chose to live in University Heights partially because we are able to walk or cycle to work, reduce our carbon footprint, and live

and enjoy a neighborhood that is welcomes outdoor activity. But the ever-increasing noise levels and traffic from the surrounding busy corridors have reduced the wildlife, birdlife, and safety is less assured when out walking the neighborhood. The limited green space we have due to road-widening and surrounding parking lots also causes flooding due to the lack of drainage areas. Removing more green spaces in favor of parking lots will cost the entire neighborhood and the city. There simply are just no more ways for University Heights to compromise for business and still have a livable neighborhood. The activity, parking issues, and traffic already created by our elementary schools, churches, and Art museum results in commercial dumpsters being emptied multiple times per week between 4am and 6am and voices of crowds coming and going to school, church, and museum activities late into the evenings. This has a real impact on the surrounding neighbors, but does not compare to the extremely negative and potentially dangerous impact that retail and restaurant crowds, delivery trucks, trash collectors, increased parking, increased traffic, and increased traffic crashes at the busy intersections would cause. Inviting that into the interior of the neighborhood, via University Street and all the other streets affected by it would reduce the quality of life in al of Springfield and in University Heights.

Traffic:

Portland St. is a thoroughfare for motorists wishing to avoid the intersection at Sunshine and National. Without stop signs or traffic calming features, motorists drive easily at speeds of 40 or 50 miles per hour with no need to stop between National and Kimbrough. If University St. is made an ingress of the proposed retail center, the entire neighborhood will have increased traffic. Entry from National or Sunshine would cause the blocks long traffic jams at rush hour to worsen. There are frequent auto crashes on National, at the intersections of all the east-west streets around the neighborhood. This will not be reduced by adding commercial structures ***within*** our neighborhood. A newer traffic count than what is available online (2004, 2011, etc) will show that the neighborhood and the intersection at National and Sunshine is overwhelmed with traffic. It's an area to be avoided, not an attractive retail spot. University and Hampton, and most of the nearby streets are not wide enough to handle a lot of two-way traffic plus parking. None of the neighborhood streets have that ability, and it would become quite dangerous for children and pedestrians.

City Council:

It's become known through conversations between neighborhood residents and Councilman Richard Ollis that he was aware of specific site plans before University Heights residents and that Mr. Duda has shared this information directly with the Councilman while neighbors were asking repeatedly for that same information. During this conversation, Mr. Ollis' response to neighbors was that he is in favor of the project, doesn't understand why the neighborhood would object, and that we should go to the meeting to talk with Mr Duda at the DoubleTree Hotel on North Glenstone. He seemed to know a lot of detail and to already have made a decision before any official and objective processes and procedures have taken place. I feel

strongly that Mr. Ollis should recuse himself from this process. His relationship with Mr. Duda has already compromised the process, and Mr. Ollis is no longer qualified to be involved or to vote on any Council action related to this re-zoning proposal. Recently, Mr. Duda requested individual time with each Councilman to explain and promote his development proposal; if that time is given to Mr. Duda, I believe each and every neighbor in University Heights should be given the same opportunity. Please let us know how we can make those appointments.

Conclusion:
I sincerely hope that the good of the city, the good of the neighborhood and its residents, and the quality of life in Springfield will be foremost in the decision making regarding this re-zoning proposal. The desire to live in Springfield at all is much reduced when we allow our neighborhoods and our history to be destroyed so easily. Even more than has already been the case, the destruction of beautiful neighborhoods will result in the residents moving out of the city to join the sprawl on the edges. Forward-thinking city planning should not allow this. Destruction of history and character in favor of re-zoning for commercial would be horribly short-sighted and the kind of loss ***forever*** felt by this city. Please think of the future by regarding highly the ***best*** of our past.

Thank you for your consideration. The good of the city is in your hands.
Gwen Walstrand
1116 East Portland
Springfield, MO 65807
417-234-0745

From: Hunter Austin
To: Zoning@springfieldmo.gov
Subject: university heights/rezoning of nw corner
Date: Tuesday, September 6, 2022 5:47:52 PM

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planning and zoning commission,

my name is Hunter Austin and I live at 939 East Kingsbury St. my home has been the home of my family since 1946.

I am adamantly against the rezoning of the NW corner of sunshine and national for the following reasons:

1. The additional traffic load on our neighborhood. ingress/egress from national is already greatly impacted all the way up to Bennett Street. pedestrian use is already dangerous as it is, and should be addressed once this rezoning issue is put to rest.

2. all property values are at serious risk of decline if this rezoning happens.

3. University Heights is one of the premier neighborhoods in the City of Springfield. It did not become the historic and beautiful city asset that it is by accident. Rezoning any portion of this neighborhood is a step in the wrong direction.

4. in an area that already has problems with stormwater runoff, removing grasses, trees and other permeable and absorbent material and replacing it with concrete/asphalt is an irresponsible consideration to say the least. especially considering the time and effort the city spent for just that affect on fassnight creek near the museum.

and finally

5. The reszoning of these properties does not follow the cities existing comprehensive plan or soon to be ratified ForwardSGF plan. University Heights is classified as “residential neighborhood -traditional” and should be afforded all of the protections of such.

sincerely,
hunter austin
939 e kingsbury
springfield mo 65807

sent from my J-38 straight key electrical telegraph

From: Alahmad.Ibrahim
To: Zoning@springfieldmo.gov
Subject: National and Sunshine Planning and Zoning.
Date: Monday, October 24, 2022 3:59:14 PM
Attachments: image13c8ce.PNG

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To whom it may concern,

I am unable to attended the planning and zoning hearing due to a conflict with my work schedule and short notice. That said, I'm a resident of University Heights and I am opposed to the zoning of the land at the corner of Sunshine and National for general commercial use due to multiple considerations:

1. Safety – I am the father of 3 children under the age of 14, who ride bikes and walk through university heights. Already, due to the traffic congestion at National and Sunshine, many motorists are using Portland as a through street and on more than one occasion almost hit one of us.
2. Traffic – As noted above, is already rough at that intersection (Sunshine and National), adding an additional commercial building will only make it worse. Adding an additional commercial building will only further that congestion causing motorists to choose other routes, often zipping through our neighborhood.
3. Need – There are many vacant commercial buildings along Sunshine east of that intersection, many have been vacant for several years, what benefit would there be to add another for sake of destroying historic houses within a historic neighborhood?

Please take these points into consideration, as I feel this development has been largely focused on creating another commercial property without considering its impact in the local residential areas or the safety and wellbeing of its neighbors.

Sincerely

Ibrahim Alahmad

Ibrahim Alahmad MSN, APRN, FNP-BC, FMCSA-CME
Nurse Practitioner, CoxHealth East Battlefield
Phone: (417) 269-9530 | Fax: (417)-269-9539 | Mobile: (417) 425-6561
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From: Jackie K.
To: Zoning@springfieldmo.gov
Subject: Preserving Old Historic Homes
Date: Thursday, August 18, 2022 6:57:13 PM

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Greetings,
I was unable to participate in the meeting tonight, but I wanted to express my concern. These are beautiful homes which we won't want to see tore down and have a gas station, strip mall, or some sort of housing there. This is a community and we are tearing down parts that make this city unique. I live in the Rountree area, where yes it is expensive to preserve these homes but we sure love how beautiful our neighborhood is. These homes should be saved! National is a beautiful street with low hanging trees along with beautiful homes. We don't want National to feel like Glensone!

I also noticed a few smaller homes that were knocked down a little farther north, and I do hope that land isn't going to turn into more apartments or a strip mall.

Sadly, I am friends with a couple of these apartment builders (while they don't know my true feelings of apartments) they have shared information with me that most of these places are never fully occupied and they just keep building more because they can! Please, for the love of Springfield stop with the apartments especially near Rountree and University Heights.

Thank you for your time,
Jackie Lewis

From: James England
To: Zoning@springfieldmo.gov
Subject: Rezoning case 7-23-2022
Date: Friday, September 9, 2022 4:04:56 PM

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We live at 940 E University, Springfield, MO. We would respectfully voice our opposition to Rezoning Case 7-23-2022 with Conditional Overlay District Number 220 at the NW Corner of Sunshine and National. If rezoned as requested, an increase in dangerous neighborhood traffic will occur. It will also irreparably harm the unique historic character of the neighborhood.
We would also request an administrative pause in considering rezoning requests along our historic corridors.
Thank you for your attention to these matters.
James C. and Sally A. England

Sent from my iPhone

From: James England
To: Zoning@springfieldmo.gov
Subject: Proposed project at Sunshine and National
Date: Monday, October 24, 2022 2:19:43 PM

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We would like to register our strong opposition to the rezoning proposal for the above properties. As is well documented, that intersection is one of the busiest and most dangerous in the city. A commercial development would only increase the traffic load there and through our residential neighborhood, University Heights.
Thank you for your attention to this matter.

James and Sally England
940 E University St
Springfield, MO 65807
417/343-5258

Sent from my iPhone

From: Jeanette Rouse
To: Zoning@springfieldmo.gov
Subject: Letter of opposition for rezoning
Date: Monday, September 12, 2022 5:31:32 AM

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To the Zoning board,

This letter is in regards to the rezoning of the corner of Sunshine and National entrance to University Heights Neighborhood from Residential-Single Family (R-SF). I am voicing my opposition to this action.

As a resident of 1125 E University St since 2013, I state the following reasons to keep this section as residential:

1.) The rezoning does not follow the City's existing Comprehensive Plan or the soon to be ratified Forward SGF. These plans designate all of University Heights strictly Single Family Residential. It is classified as "Residential Neighborhood- Traditional" and should have the protection of such.

2.) There are no changing conditions that make rezoning necessary; University Heights is enjoying the highest property values in its history and maintains among the highest property values in Springfield. As I have watched a number of these homes go up for sale, it is generally not long before they are sold and the comment from the new owner is "we have always wanted to buy a home in this neighborhood"

3.) University Heights has always been residential and has no commercial development within its boundaries.

4.) Further removal of lawns, trees and grass would threaten increased water runoff and flooding within an area that is prone to this type of problem already.

5.) As a resident in the first block of E University off National, I encounter on a daily basis the congestion that has increased over the lest few years. Traffic is so backed up to go North we need to navigate through the neighborhood to Bennet and if we need to go south it is slow to have any car allow another to get onto National. When trying to turn west onto our street in the afternoon it is impossible as the turning lane does not allow enough space for this action, it is a most dangerous situation where one needs to head west on Sunshine to turn into the neighborhood to come back east to get home. It goes without saying that the traffic would increase if this block of properties were re-zoned for commercial use and those historical homes torn down for development of any kind. I will further state that as Mercy Hospital system has grown, noise pollution and traffic has increased. Cox Health System is in the midst of further addition of traffic with the construction of new facility on the southwest corner of National and Sunshine

6.) It is estimated that if this rezoning should happen that our street alone would have an

increase of 1000 cars per day. A safety issue already has increased with speeding cars and running stop signs in this quiet section. Along with this we have an increased threat for security of property.

On a more personal note, we moved to Springfield about 10 years ago from Howell County. We would come to Springfield to purchase supplies for a small business we owned at the time as well as various meetings and events that we would attend for non-profit organizations. We would drive by this lovely neighborhood often and discuss how cool this neighborhood looked without knowing much more about it other than the feel as we would drive by. We had no intention of moving to this specific area but found the house we purchased once we had to take up roots to move to Springfield. (It happened to be a Bissman home ½ block off National Ave).

I would also like to state that the houses that are being targeted for destruction seem to be counterproductive to the vision of SPF Forward with regards to historic neighborhoods. the destruction of these beautiful old historic homes would devalue the remaining homes in the neighborhood. Over the years, there have been small seminars on the history of University Heights – This neighborhood is full of unique, one-of-a-kind homes that have the charm and history of a local resident's vision and how little by little if this is allowed to proceed and developers tear down the homes with this rezoning, it will only be the beginning of encroachment into our neighborhood for commercial profit.

In closing and with all due respect, I would like to emphasize the city should value this area and it is my hope that any attempt to rezone in a way that would destroy the existing structures will not be supported at all as this will only begin a loss of this little gem of a historic unique neighborhood. You are our hope as fellow citizens of Springfield to vote for the people's choice that live in University Heights over commercial profit.

Sincerely,

Jeanette Rouse

1125 E University St

Springfield, MO 65807

From: Jeani Thomson
To: Zoning@springfieldmo.gov
Subject: Sunshine and National Project
Date: Monday, October 24, 2022 2:15:12 PM

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I have resided at 1029 E. University for over 34 years; previously, I resided at 808 E. Kingsbury for two years, while my husband was in Germany on military assignment. We returned to Springfield and specifically, to University Heights, to rear our four children. We believed then and firmly believe now that it is the best neighborhood in the city. It's walkable, family and dog friendly, borders the lovely Phelps Grove Park, is closely situated to excellent neighborhood schools, and is convenient to workplaces and entertainment. We specifically chose University Heights for all these attributes, and we've invested hundreds of thousands of dollars in making our house a home. It is my ardent belief that our investment of many years and many dollars are at risk because of Mr. Duda's proposed development. I sincerely mean this! I know you've heard all the arguments: traffic being a major concern, along with environmental concerns (most of us with basements have incurred considerable damage through the years because of flooding, which will inevitably be exacerbated by any retail development), noise, safety and crime concerns, and the serious degradation of our financial investment. In particular, University Street is at tremendous risk of becoming a thoroughfare! My home represents my life, my life savings, my family and my self worth. I, like many of my friends and neighbors, am literally losing sleep over the threat this retail development represents. I invite you to drive through our streets, see the unique and consistently well-maintained and improved homes, beautiful yards, residents of all ages walking, multitudes of kids and dogs with them, safely walking, I might add! To what end does general retail serve to promote Springfield in general in this location, or University Heights in particular? I beg you all, seriously, to preserve our homes and quite literally, our lives.
Very sincerely, Jeani Thomson, 1029 E. University. 417/830-2300.

Sent from my iPhone

From: J E MUETZEL
To: Zoning@springfieldmo.gov
Subject: BK&M Plan
Date: Tuesday, October 25, 2022 6:54:00 AM

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

This email is to the City of Springfield Planning and Zoning Commission. My name is Jeanne Muetzel and I own a home in the University Heights Subdivision. My family's history is considerable in the Springfield area. My grandfather, William Wood Johnson, built the first house on Phelps Grove Park and his father, William Howard Johnson, was the developer for the Meadowmere Subdivision.

I am writing to you to express my opinion about the proposed changes at the corner of National and Sunshine. I am a strong supporter for economic growth in the city of Springfield. I am also a strong supporter of protecting and maintaining the historic areas particularly the older homes in the University Heights and Phelps Grove Park areas.

I believe the proposed plan by the Be Kind and Merciful group will achieve neither economic growth for Springfield nor protect the homes in the University Heights and Phelps Grove Park areas. Yes, the intersection of Sunshine and National is the second busiest in the city (Sunshine and Glenstone is the busiest) but it's volume only. Commercial ventures in that area are not prosperous. The Einstein Bagels on National across from Mercy Hospital had to be taken over by Einstein corporate as the franchise was not successful. Neighbor's Mill Bakery and Café recently closed their store at National and Sunshine and is operating only out of it's store south on Independence. Craft Sushi is still open on National and Sunshine but plans to open a second store on Republic Rd do not bode well for the location at Sunshine and National. The reality here is that the volume of traffic at that intersection makes it an unlikely place for people to want to stop.

The claims by the developer that no one stepped up to buy the house at 1755 South National are disingenuous. At over $400,000 asking price, no one was going to buy a house unreasonably priced. It was priced so that it wouldn't sell. This has been a long term strategy by Ralph Duda for some time.

If Springfield City Council approves this development, I fear the only thing they will have achieved is significant resentment from the citizens in this community particularly if the majority of the development sits empty within 5-10 years as the northeast corner of that intersection is currently facing.

Phelps Grove Neighborhood Association was successful in stopping the growth southward by Missouri State University at Grand St. Yes, many of the homes north of the park but south of Grand are college rentals and some in disrepair but recently there is movement regarding selling these older homes and remodeling/replacing them, particularly on Loren Street. I see significant potential for this to happen with many of the older homes in the University Heights and Phelps Grove

Subdivision especially given the cost of housing today. This is not simply a guess on my part. I have remodeled/updated two homes – one if each of the subdivisions – in the past eight years. These subdivisions will be revitalized as time goes on as long as the city protects and encourages it.

In closing, I would hope that the city takes a hard look at how badly the commercial development has gone on the NE corner of the intersection and provide an answer of how they plan to fix THAT before they double down on this strategy. It's not a good look at the moment.

Thank you,

Jeanne Muetzel

From: Jeff VanDenBerg
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Sunday, December 4, 2022 7:14:31 PM

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Dear Planning and Zoning Committee

I am writing to urge you to reject the forthcoming request from BK&M LLC to rezone the residential properties within the University Heights neighborhood to commercial (application number Z-27-2022 COD #220).

The request clearly violates some of the key considerations for rezoning:

1) It is inconsistent with the Springfield Comprehensive Plan and at odds with the recently-adopted Forward SGF, in particular those sections that prioritize comprehensive planning, promoting neighborhood-level input, and protecting center-city residential areas.

2) Zoning these properties would be detrimental to the residential character of adjacent properties and to the neighborhood generally. University Heights is one of the city's oldest residential neighborhoods and it should be protected from commercial encroachment, particularly those in which the developers seek to destroy historic homes.

3) Rezoning will increase traffic volume and congestion. This will magnify the already-heavy traffic backups at the intersection of National and Sunshine, and, most worrisome, surely create increased volumes of traffic on University and other residential streets in University Heights (Stanford, Kingsbury, and Portland). Motorists using University, Stanford, Kingsbury, and Portland as routes to avoid the National/Sunshine intersection is already a problem. The rezoning of these properties will exacerbate this problem. At various community meetings, BK&M made it clear that they will need to provide access to its development through University Avenue (the 1138 University property). Directing commercial traffic through a residential street such as University Avenue is clearly harmful to the neighborhood.

4) The proposed development ("The Heights") is out of scale with its neighborhood location. The developers have proposed up to a six-story building, with a large parking lot abutting residential properties.

Respectfully,

Jeff VanDenBerg
801 East Kingsbury St.
Springfield

From: Jeremy Hawkins
To: Zoning@springfieldmo.gov
Subject: Historic Corridors
Date: Wednesday, August 31, 2022 7:03:33 PM

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

Dear fellow Springfield folk,

Please establish a moratorium on planning of re-zoning Springfield's historical corridors into business zoning. This would be a huge mistake, causing added congestion and removing beautiful historic homes to put in capitalist trash. As a resident of the Delaware neighborhood, National and Sunshine is already a headache. I am active seeking to do whatever necessary to avoid such a eye sore.

Sent from my iPhone

An Informal Traffic Survey of the 1100 Block of East Portland

By

John Walstrand, ORG

Overview

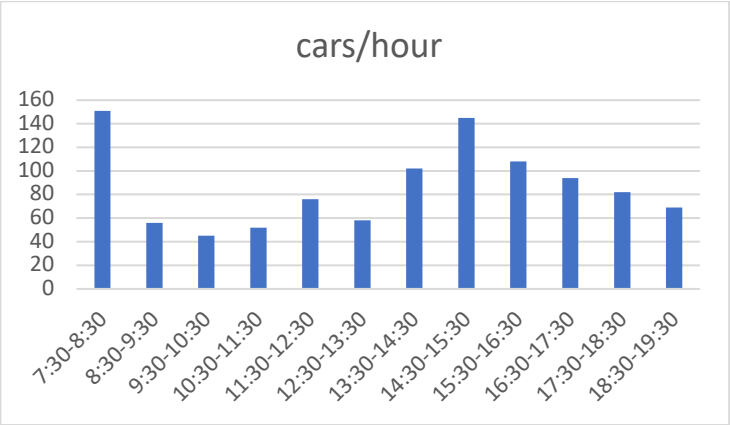
Portland is the sole east/west through-street between Sunshine Street on the south and Grand Street on the north. On it one can travel from Glenstone Avenue on the east to Fort Avenue on the west. As National Avenue runs north/south through the area, many drivers use Portland to avoid the busy Sunshine/National intersection. The 1100 block of East Portland is the first block west of National. It also includes the grounds of National Avenue Christian Church (NACC), which as we shall see contributes to the traffic in the area.

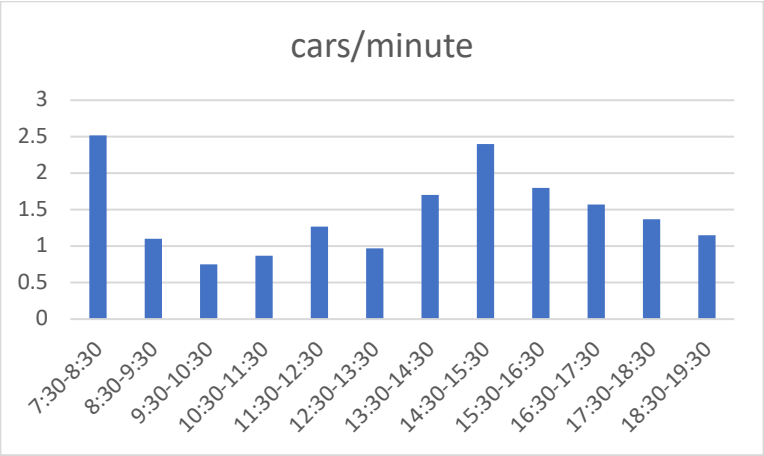
Methodology

Traffic was counted the week of Monday, October 10 through Friday, October 14, between the hours of 7:30 a.m. and 7:30 p.m. Counts were taken in one-hour blocks of time from the vantage point of my home at 1116 E Portland. The intent was to create a "snapshot" of an average weekday's traffic.
Data points include westbound versus eastbound traffic, total traffic flow for the block in question, along with hourly and minute averages. Traffic in and out of NACC parking lot was also tallied and its percentage of the total flow calculated.

Overall Traffic Flow

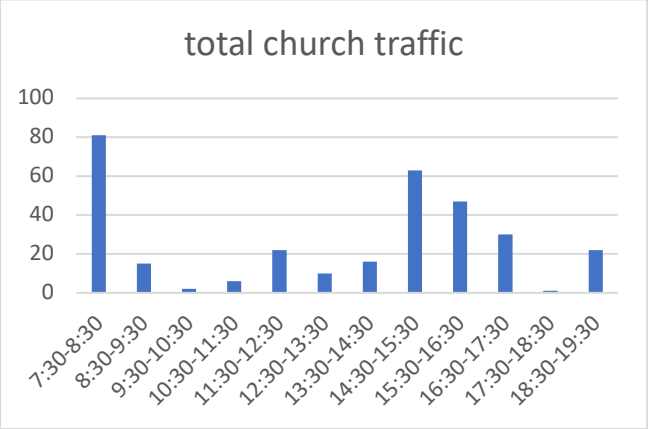
The total vehicle count for the period mentioned was 1,038. 530 were westbound and 508 eastbound. This equates to an average of 86.5 cars/hour, or 1.45 cars/minute. The early morning and mid-to-late afternoon peaks shown in the chart below are due largely to NACC traffic and will be discussed in a later section.

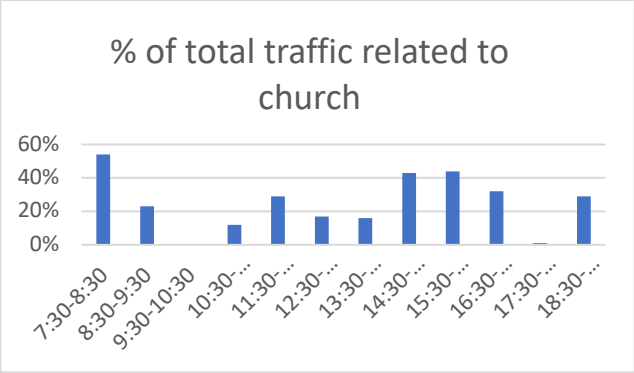




Impact of NACC on Traffic Load

If we compare the graphs below with the previous graphs the impact of NACC on neighborhood traffic is clear. The early morning peak is due to students being dropped at the Montessori school housed on church premises. The mid-to-late afternoon peaks are also partly due to the students being picked up. In addition to the Montessori school there appear to be various other activities at NACC, which seem to account for the sustained late afternoon numbers and the peak between 6:30 and 7:30. Overall, NACC creates 25% of the traffic along the 1100 block of East Portland.





Conclusion

Below is a chart with data from city-conducted traffic counts in the neighborhood. The first count is the exact stretch of Portland covered in my study.

Traffic Count Locations	Date	Count
Portland Street between Hampton and National avenues	4/13/2011	688
Hampton Avenue between Portland and Kingsbury streets	4/13/2011	42
University Street between Hampton and National avenues	1/08/2002	184
Hampton Avenue between Sunshine and University streets	1/08/2002	181

Let's assume the city's study covers a twenty-four hour period as opposed to the twelve hours reflected in my count. But for the sake of argument and comparison, let's call it twelve hours.
The city counted 688 cars versus my count of 1,038. This amounts to an increase of more than 50%. As the city's study pre-dates the establishment of the Montessori school, one can assume it is responsible for a large share of this increase. If a social institution has this large an effect on neighborhood traffic, imagine how much greater an impact a commercial development will have on traffic flow through the neighborhood, especially along streets closest to the proposed site.

From: John Walstrand
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Tuesday, December 6, 2022 11:02:08 AM

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Dear Commissioners,

As a lifelong resident of University Heights I am adamantly opposed to BK&M's rezoning request. I feel that a change to commercial zoning anywhere within our neighborhood, but especially at the proposed site, would be the first step to overall degradation of this unique Springfield neighborhood.
While my reasons for this opposition are many, and I'm certain others have stated them more eloquently, my main concern is an increase in traffic. The developers' absurdly low traffic impact numbers aren't borne out by my experience living on East Portland.
To that end I have attached my own traffic study and its findings. I appreciate your taking the time and effort in considering my observations.

Sincerely,
John Walstrand
1116 E Portland
Sent from my iPad

From: Josh Decker
To: Zoning@springfieldmo.gov
Subject: Opposition to Application for Rezoning of 1755 S. National Avenue
Date: Monday, October 31, 2022 12:18:12 PM
Attachments: image001.png

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

To Whom It May Concern:

The stately white house at 1755 S. National Avenue served as the cornerstone of the University Heights neighborhood for nearly a century, only to suffer an ignominious demolition at the hands of the latest and now boldest profit-seeking developer to purchase the old home at an inflated price speculating on a zoning change. Boarded up with false claims of uninhabitability, the home met its demise behind an ironic banner reminding Springfieldians to "be kind & merciful." Yet the developer shows no kindness, and intends no mercy for the hundreds of folks, like me, who call University Heights home. Folks who wish to preserve the character of the University Heights neighborhood - a center-city neighborhood where generations of homeowners preserve beautiful old homes, walk and jog the sidewalks and streets, where we know our neighbors, where we have quality of place. A neighborhood worth protecting from the profit-driven commercialization that is being proposed.

Does Springfield care nothing for the preservation of neighborhoods? Can we trust our elected and appointed representatives to protect our investments in our homes from devaluation caused by commercial encroachment? Commercialization of the neighborhood erodes our wellbeing, steals our home values, and transforms it into undue profits for this "kind & merciful" developer. Make no mistake – if 1755 S. National Avenue is re-zoned to allow commercial development, the profits derived by the developers are at the direct expense of the people who call University Heights home. Why should the developer's lust for profit trump the wellbeing of an entire neighborhood?

Along with my neighbors, I urge opposition to any zoning change to 1755 S. National Avenue. The neighborhood's fear that any zoning change will fundamentally alter our neighborhood and begin a domino effect that results in further commercialization at our expense is not unfounded and is not mere NIMBY-ism. This is a residential property that is unsuited for commercial development. Any commercial development will degrade the quality of life for those of us that have made University Heights our home. Our once quiet and safe streets will inevitably be subject to intrusive increased traffic. The value of our homes will be negatively impacted due to fears of commercialization down the entirety of Sunshine west of National. Such a blow will cause many of us to reconsider making University Heights, and frankly Springfield itself, our home going forward.

Therefore, I respectfully request the planning and zoning commission DENY any application for rezoning 1755 S. National Avenue.

Thank you for your courtesy.

Sincerely,

Joshua G. Decker
Attorney at Law
JOHNSON VORHEES MARTUCCI
811 N. Boonville Ave.
Springfield, Mo 65802
(417) 720-1366
(417) 720-4745 Fax
josh@4stateslaw.com

From: Karla Carroll
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Wednesday, December 7, 2022 12:11:04 PM

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Dear Planning and Zoning Committee,

We are writing to voice our opposition to the rezoning of the properties at the northwest corner of National and Sunshine (application number Z-27-2022 COD #220).

Safe entry and exit from commercial properties at this location onto Sunshine or National would be impossible. This is one of the busiest intersections in Springfield. Southbound traffic on National routinely backs up past Portland Street sending cars trying to avoid the intersection speeding through our residential neighborhood. This problem would only be exacerbated by commercial development. Allowing entry/exit from University would be detrimental to the safety of the many pedestrians and bikers that use this area. Any commercial development on this corner would lead to more traffic congestion and more traffic through the neighborhood.

The rezoning of this area is not a part of the much touted Forward SGF plan. This plan has been years in the making and has a goal of improving the "quality of place". Currently the University Heights neighborhood has that "quality". We have a variety of well maintained homes in a safe, livable, walkable neighborhood. The rezoning and commercial development of the National/Sunshine corner will change that for the worse.

In summary we request that you vote against the rezoning of the properties at the northwest corner of National and Sunshine.

Sincerely,

Doug and Karla Carroll
815 E. Portland
Springfield MO 65807

417-368-8015

From: Ledbetter, Kathryn
To: Plan Coordinator
Subject: Z-27-2022 COD #220
Date: Sunday, December 4, 2022 5:13:37 PM

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I am very concerned about the BK&M re-zoning proposal that involves the University Heights properties at National and Sunshine.

As a daily walker, I believe traffic is our biggest issue with this proposal. Our streets are already shortcuts for drivers trying to find a way to avoid backups at National and Sunshine. Portland Street is especially dangerous because it goes all the way from Glenstone to Campbell and beyond. No stop signs exist for a long stretch on Portland from National to Kimbrough to slow them down, and a barely marked crosswalk at Portland and Holland has no effect whatsoever. I cross that intersection with great care because of speeding drivers at any time of the day, not just rush hour. If commercial businesses are established at National and Sunshine, this danger will increase on Portland as well as other streets throughout University Heights. We have a diverse neighborhood that includes retirees like me and my husband, as well as families with small children. Someday one of our children or walkers like me will be injured or killed by drivers who are tired of sitting in traffic at National and Sunshine and impatiently rush through any street in University Heights to get somewhere faster.

Perhaps my neighbors have written to you about other issues such as noise. I live two streets north of Sunshine between Holland and Kimbrough, which is about mid-way between National and Campbell. I hear ambulances, helicopters, and loud mufflers until late at night, and I'm not even adjacent to the hospital intersection at National or the fast-food intersection at Campbell. The noise level will increase as traffic flows through our neighborhood streets.

I am also concerned that Springfield's future development will not be properly focused on a love for the natural environment that characterizes our regional Ozarks identity. The last remaining strip of single-family homes on Sunshine is in University Heights. BK&M has included several of these properties in their re-zoning proposal. When these houses go down, so will our beautiful old heritage oak and maple trees and a uniquely Springfield Bissman house or two. Most University Heights neighbors work hard to cultivate colorful perennials and native plants to attract birds, bees, and butterflies. This can only add to Springfield's reputation as an attractive place to live. If the entire northern stretch of Sunshine from National to Jefferson gets developed (and it undoubtedly will, once the dominoes begin to fall), our neighborhood will become a back yard for traffic fumes, noise, trash, and aggressive trash-eating birds such as starlings and grackles that feed off garbage bins and parking lot debris. These large urban scavengers chase away whatever songbirds remain in Springfield. Unlike most other birds in Springfield, they also roost in open spaces in houses, creating a filthy nuisance as well as disease.

Preserving a neighborhood is not anti-development. It is pro-growth because it attracts new people to a city that respects its green spaces, however small. If more commercial development is allowed on Sunshine and National, problems will only increase. Then you will soon have to decide about making National an expensive freeway, and we will look like an empty grid with no personality, no trees, no charm, no nice homes close to the city center.

Upon retiring to my hometown of Springfield in 2019, I was shocked to see how many homes have been razed in neighborhoods that exemplified Springfield's charm. If we leave the decisions to developers such as BK&M, Springfield will be known only as a town that used to be charming but sold out to concrete, chain stores, and fast-food. Surely you want Springfield to be a live-able city that will attract new residents and be a source of pride for hometown folks. Please hold BK&M at bay and give Springfield some good news about our neighborhood.

Kathryn "Kitty" Ledbetter

Professor Emerita, Texas State University
630 E. Stanford
Springfield, MO 65807
(512) 569-2336

From:	Pulley, Kathy J
To:	Zoning@springfieldmo.gov; Council
Subject:	Re: A Letter to Protest Re: Re-zoning of Single Family Properties in University Heights
Date:	Monday, October 31, 2022 5:59:01 PM

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

From: Kathy Pulley <kathypulley@missouristate.edu>
Date: Monday, October 24, 2022 at 3:55 PM
To: <zoning@springfieldmo.gov>, <citycouncil@springfieldmo.gov>
Subject: A Letter to Protest Re: Re-zoning of Single Family Properties in University Heights

Dear Members of City Council and the Planning and Zoning Commission,

I am a resident of Springfield and University Heights and I am interested in your role in providing information and direction for our neighborhood, in light of developer Duda's desire to carve up University Heights.

First. **Specifically, what are you doing to look out for the best interests of Springfield and University Heights? I don't see your work. I don't see your reports, and I don't see your presence in this debate. Where is the information needed?**

I want more information from the city re: how new businesses and/or other rezoning developments, on the north side of Sunshine (from National west to almost Hampton), and on National north (from Sunshine to almost University: eight lots total), will impact traffic in this area for all Springfieldians who go through the intersection? I assume Mercy is interested in how to move emergency vehicles in, around, and through an intersection like National and Sunshine. I assume there has been a study done? I assume there is also a study of how the new Cox Medical Clinic will also impact the traffic? Could you share your reports? What was the traffic numbers before adding Cox and what are the projected numbers if adding more to the corner of National and Sunshine and then moving west with rezoning of area? This seems to be information that everyone needs now, not after you seal the deal with Duda. If members of Council and the Commission have not driven through that intersection from all directions during the morning rush hour, the noon rush hour (usually 11:00-2:00) and the afternoon rush hour (3:00-6:00 p.m), then I encourage you to do so.

As a resident of University Heights for thirty-one years I can tell you that the current load of traffic is a huge challenge. It is not unusual for the traffic on National to be backed up to near Bennett on the north. Currently it is a struggle to get onto National during peak hours, as well as Sunshine. It is also a struggle for folks coming from farther north and the downtown area. So, why would the city entertain the notion of adding more traffic to this intersection?

Also, I understand that the city's future plans did not/do not include rezoning this area? If that is true, why does it seem that you are welcoming Duda? There seems to be a vacuum of information from our city leaders?

My second comment: it is a misnomer to say the "rezoning" question is "on the corner." A beautiful old home was on the corner. Duda bulldozed it out of existence. The reality is this: Duda is working to carve up a bit over one half of the entire block of homes bordered by Sunshine and University, and National and Hampton, according to Duda's packet of material presented at the last meeting. By my count Duda currently owns eight lots in the block and only seven remain. So, you (members of the city council and planning commission) seem to be supporting the carving up over one half of this entire block, and I don't know why you would do that. How does that represent the citizens of Springfield's best interests and the residents of University Heights?

My third point is related to this question: Why are the eight lots that have been purchased for rezoning so superior to other lots nearby that are zoned commercial already? I support strategic economic development in Springfield. But, I am interested in the details—is such rezoning of this particular block strategically good for the city and its members? Some properties make sense and others are not "strategically necessary." For example, if developers strongly desire to be on Sunshine, then what about the land on the northeast corner of Fremont and Sunshine? This land is already zoned for business. What about the property on the southwest side of Fremont and Sunshine? It too has been zoned for business. Because the city has not stuck with its own plans, and because neither the city nor the developers seem to know what is being proposed on the section of land in University Heights, and why University Heights, the community is in a mess.

On this matter, we, the communities and citizens of Springfield deserve better leadership. Perhaps I am missing the location of your reports and what your position is and how you're trying to guide the city. If so, please send me the website that will provide the answers to the questions I've raised above. But please, let me know why you seem (by your silence at least, and perhaps through conversations you are having with Duda) to be looking at only one location on Sunshine and not others? Two others are within one-half mile of National. What is so strategic about carving out the eight personal residences when other land, already zoned commercial is available?

My fourth comment is this: wisdom, experience, and history indicate that what appears to be the "best" thing (in this case, the best economic plan) may not be the best thing after all. There was a time in the late 1990s and early 21st century that MSU was at odds with the folks in the Phelps Grove Neighborhood. The University had bought a lot of lots and converted most into parking lots. At that time <u>it seemed "critical" for economic development to move in the direction south of grand. But, President John Keiser reversed what the university had been doing for "economic development" and committed publicly to no more university property on the south side of Grand.</u> The University even put in a retention basin because so many houses in the Phelps neighborhood flooded during rains and the University was contributing to that flooding. I don't think anyone in the administration at MSU thought such a move was "best" for economic development, but it did wonders for neighborhood relations. The University made good on their "good neighbor policy" and shifted its growth plan toward Park Central, which has been absolutely great for reviving downtown. What a winning move! I mention this as a real example of the need to think through every economic

development plan. I'm not sure that is happening in regard to University Heights, and what seems to be a sudden response to rezone University Heights despite the fact that it's not in the city's plans. Why, again, have you opened a door when there is no strategic "need" for this particular block, and if a location in this area is "needed" then at least two are available and possibly more on Sunshine, between Fremont and Glenstone.

Second, why is the city ignoring deed restrictions that clearly state (as I understand it) that the area of University Heights is to be used as single family dwellings only? It has always been residential, since 1925. It contains no commercial development. So, why are we even having this conversation? Is the city unwilling to adhere to and enforce the deed restrictions? If you have not done so in the past, that does not mean that you should continue to break the Deed restrictions. This is a legal matter that should stand. When will the city honor the individual owners residential property rights as set out to be protected from the beginning?

Finally, a personal example and question: What about **Drainage Problems?** I'm not an engineer, but there are concerns. My concern is this: I've lived at 826 E Kingsbury for 31 years. Despite the beauty of the neighborhood the city has done little to take care of drainage issues that affect me. Not all our streets have curbs and guttering. One of those streets is mine: Dollison (maybe 1689 South Dollison, on the corner at Kingsbury). My house has been close to flooding many many times over 31 years. My garage floods with large rains like the one in August, and the rains almost entered my kitchen door and my utility room. When I called the Public Works Department, (after many months of pushing for a solution in the summer of 2021) I was told that City Works is very busy. However, they said they have a list and my property is on the list. I asked "when can I expect a complete fix, so I'm not constantly worried that my house will flood?" The answer, by the city employee, close to verbatim "well you are #217 and we do 2 or 3 a year." I can do that math in my head: 100 + years they will get to it! Folks, that is a sad and sorry situation. If you approve Duda's plans, whatever they may be, I can't imagine that more drainage issues aren't ahead, and that will not bode well for you, me, or the neighborhood.

I'm not against economic development, but every case of rezoning a neighborhood needs to be strategically assessed on its own merits. I urge you to follow the Deed restrictions. Say "NO" to Duda on the carving up of this neighborhood. The preservation of the neighborhood is critical for central Springfield. Rezoning this neighborhood is not strategically necessary for the growth of Springfield.

Cordially,
Kathy J. Pulley

826 E. Kingsbury
Springfield MO 65807

From:	Kevin Evans
To:	Zoning@springfieldmo.gov
Subject:	Proposal for rezoning corner properties as unrestricted commercial at Sunshine and National
Date:	Saturday, September 3, 2022 12:05:40 PM

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

Dear Chair and Members of the Planning and Zoning Commision,

I want to express my opinion that you that the residential area at the corner of Sunshine Street and National Avenue should not be rezoned as unrestricted commercial but should remain residential.

Here are the reasons:

1. Residential areas in the urban center of Springfield are at risk. Housing is a major issue facing America, and Springfield is no different. While commerce is becoming an online part of our Internet-driven economy and culture, we (people) must live in structures, and these are most appealing as congruent, integral communities. We need to stop cannibalizing the historic residential areas of Springfield to maintain their property values and neighborhood/community appeal. If these properties in question were simply maintained, they would be lovely residences for families. Just imagine, with proper architectural rendering how their appeal would be even greater. Let's fix them up.

2. There is ample commercial space available for development and redevelopmet along our commercial corridors. Many commercial buildings are empty, not maintained, or entirely underutilitzed.

3. Traffic is a major issue at this corner. It backs up nearly ¾ of a mile to the north (nearly to Bennett St.) from the intersection between 3:30 and 5:30 pm on work days. Since there was no information presented at the developers public meeting on Thursday, August 18th (let alone a site plan that shows ingress and egress to the proposed location(s), we must assume that traffic will be even more intensely affected by rezoning. Perhaps it is not surprising to have seen the aftermath of two accidents, one of which left an overturned vehicle at Portland and National within a week of the meeting.

4. There is intrinsic value for the City of Springfield in maintaining its historic residential areas. Every desirable major metropolitan area has a core residential area that residents seek to live; these are walkable and enjoyable from a recreational standpoint. University Heights is a beautiful neighborhood where people care about one another and they care about how their neighborhood looks. I spoke with my postman a few years ago at my old residence in Delaware Neighborhood, where I was President of the neighborhood association, and he told me, "*Every day is like a walk in the park*." We want to keep our urban neighborhoods park-like.

Please, deny the petition to rezone the area at the corner of Sunshine and National from residential to unrestricted commercial status.

Best regards,
Kevin Ray Evans

Dr. Kevin Ray Evans
953 E. Linwood Dr.
Springfield, MO 65807
(417) 459-0691

From: Krystal Smith
To: Zoning@springfieldmo.gov
Subject: University Heights
Date: Thursday, August 18, 2022 7:43:09 PM

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

Hello,

My name is Krystal Smith and I moved to Springfield last year from Houston, Texas. After graduating with my masters degree, I was looking for a town to settle in, that was just the right size and had amenities and housing that I was looking for. Springfield was the perfect place.

One of the big draws of this city is the old homes and architecture. It gives the city so much character and keeps it from looking just like everywhere else. The last thing we need is another strip mall or nondescript chain business. I am all for banning Airbnbs, because they ruin neighborhoods and communities. But please leave the historic homes.

There is enough trouble with housing prices and availability in the city, we don't need to add to it by taking away homes that people could rent or purchase. We need to expand housing opportunities and work to preserve the older rugged nature that makes Springfield so unique.

Thank you for your time.

208

WARRANTY DEED—Wife Joining Alienation

THIS INDENTURE, Made on the 4th day of May A. D. One Thousand Nine Hundred and Seventy-

by and between Eloise Mackey, a single unmarried woman

of Springfield, Missouri James J. Sawyer & Adale Sawyer, husband and wife party of the first part

of the County of Greene, in the State of Missouri, part ies of the second part

WITNESSETH, That the said party y of the first part in consideration of the sum of

$1.00 & other valuable considerations

to her paid by the said part ies of the second part, the receipt of which is hereby acknowledged, do es by these presents grant

bargain and sell, convey and confirm unto the said part ies of the second part their heirs and assigns, the following described real

estate or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All of Lot #11, UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Greene County, Missouri

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction

to cost not less than $8000.00 and to set back not less than 75-ft. from the front property line.

Subject to a right-of-way covering the West 10-ft. of this lot, for water mains, electricity

sewerage, etc.

Internal Revenue Stamps cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining, unto the said part ies of the second part and unto their heirs and assigns forever, the said

first party

covenant ing that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has

s the right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her

except as herein stated; she covenant s and that she will warrant and defend the title to the said premises unto the said

part y of the second part and the heirs and assigns forever, against the lawful claims and demands of all persons whomsoever

excepting taxes due and payable in the year 1985 and thereafter

IN WITNESS WHEREOF, the said party of the first part has s hereunto set her hand and seal, the day and year

first above written.

Eloise Mackey (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF MISSOURI } ss. On this day of 192 , before me personally appeared

WARRANTY DEED—Wife Joining, Acknowledgment, Corporation

THIS INDENTURE, Made on the 11th day of March A.D. One Thousand Nine Hundred and Thirty-eight

by and between J. Warren Sanders and Helen Sanders, his wife

of Springfield, Greene County, Missouri

Doris Lewallen (parties of the first part, and

of the County of Greene, in the State of Missouri, part y of the second part

WITNESSETH, That the said part ies of the first part in consideration of the sum of

One Dollar and exchange of property

to them paid by the said part y of the second part, the receipt of which is hereby acknowledged, do by these presents grant, bargain, and sell, convey and confirm unto the said part y of the second part her heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All

Lot ten in University Heights, an addition to the City of Springfield, Missouri.

Subject to building restrictions as provided in deed from Elois Mackey to J. Warren Sanders dated June 25, 1925, recorded in Book 487, page 367.

Subject also to the provisions in said deed from Elois Mackey to J. Warren Sanders to the effect that the west ten feet of said lot is reserved and right of way given to owner said lot for electric lights, city water, gas and sewer.

Internal Revenue 50¢ cancelled. 3/11/38 J.W.S.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said part y of the second part and unto her heirs and assigns forever, the said parties of the first part hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that they have good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by them or those under whom they claim, and that they will warrant and defend the title to the said premises unto the said part y of the second part, and unto her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

except taxes payable for the year 1938 and thereafter and also excepting as to building restrictions and reservation as above set out.

IN WITNESS WHEREOF, the said part ies of the first part have hereunto set their hand s and seal s the day and year first above written.

Signed, sealed and delivered in the presence of us.

J. Warren Sanders (SEAL)

Helen Sanders (SEAL)

STATE OF MISSOURI, County of Greene } ss.

Book 487- pg 317

WARRANTY DEED—Wm. Smith, Springfield

THIS INDENTURE, MADE ON THE 10th day of June One Thousand Nine Hundred and Twenty-five by and between Eloise Mackey, a single woman of the County of Greene, State of Missouri, of the first part, and J. Warren Sanders of the County of Greene, in the State of Missouri, party of the second part.

WITNESSETH: That the said party of the first part, in consideration of the sum of One Dollar & Other Valuable Considerations Dollars to her paid by the said party of the second part, the receipt of which is hereby acknowledged, do by these presents grant, bargain, and sell, convey and confirm unto the said party of the second part his heirs and assigns the following described lot, tract or parcel of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All All of lot number Ten (10) in University Heights, an addition to the City of Springfield, Greene County, Missouri. Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $8000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The west 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

I.R. Stamps 50¢ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claim and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever. Except taxes for the year 1925 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

Lowther Johnson
Attorneys at Law, LLC

CO-FOUNDER
THEODORE L. JOHNSON, III

MEMBERS
CRAIG F. LOWTHER
MICHAEL K. CULLY [1]
JOHN W. HOUSLEY
DAVID A. FIELDER
GLENN P. GREEN
THOMAS M. BENSON
RANDY J. REICHARD
LEE J. VIOREL
RUSSELL W. COOK [1,2]
MATHEW L. PLACZEK
AARON M. KLUSMEYER
KYLE HARMON
GREGGORY D. GROVES
N. AUSTIN FAX
ADLAI GROVES
MEGAN N. CRESON

ASSOCIATES
AIMEE L. MORRISON
KENNETH A. BECK
KEVIN A. SCHARF
B. JACOB HASKINS

[1] ALSO ADMITTED IN ARKANSAS
[2] ALSO ADMITTED IN KANSAS

DIRECT EMAIL
lviorel@lowtherjohnson.com

901 ST. LOUIS STREET
20TH FLOOR
SPRINGFIELD, MISSOURI
65806-2592
TELEPHONE:
(417) 866-7777 EXT 242
FACSIMILE:
(417) 866-1752

WEB
www.lowtherjohnson.com

October 27, 2022

Sent Via Email: *rlewsader@springfieldmo.gov*
Rhonda Lewsader, City Attorney
City of Springfield

Sent Via Email: *jburris@springfieldmo.gov*
Jill Burris
City of Springfield

Sent Via Email: *zoning@springfieldmo.gov*
Bob Hosmer

RE: **University Heights Dispute**
Matter ID 37559-000

Dear Bob, Rhonda, and Jill:

I had information from several members of the University Heights Neighborhood that the city has invited University Heights Neighborhood Association Board Members to a meeting to better understand the neighborhood's concerns as to the BK&M, LLC proposal. I represent a group of 18 owners in University Heights with interests in the BK&M, LLC proposal that would not be represented by the board at such a meeting. The Membership has neither met nor voted on the issue. Section 3.1(c) of the UHNA Bylaws provides that the Board is in charge of day-to-day operations, therefore, the Board has no authority to represent the Membership at this point.

The group that I represent believes that it has unique perspectives to add to any such a meeting and would ask to be a part of the meeting so that the City has a full and complete understanding of the issues involved. Those would include the Restrictive Covenants, but also other key issues with respect to the City's stated purpose with respect to neighborhoods, the long-term plan, vision 2020, the comprehensive plan, and others. It is imperative that Planning and Zoning be reminded of these issues.

I would like to take part in any such meeting so that I can fully and completely represent my group in the University Heights area. Please advise so that I can take part.

Thank you for your time and attention to this matter.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel, III

LJV:klc

cc: Bryan Wade
Bryan Fisher
Courtney Fletcher

Lowther Johnson
Attorneys at Law, LLC

CO-FOUNDER
THEODORE L. JOHNSON, III

MEMBERS
CRAIG F. LOWTHER
MICHAEL K. CULLY [1]
JOHN W. HOUSLEY
DAVID A. FIELDER
GLENN P. GREEN
THOMAS M. BENSON
RANDY J. REICHARD
LEE J. VIOREL
RUSSELL W. COOK [1,2]
MATHEW L. PLACZEK
AARON M. KLUSMEYER
KYLE HARMON
GREGGORY D. GROVES
N. AUSTIN FAX
ADLAI GROVES
MEGAN N. CRESON

ASSOCIATES
AIMEE L. MORRISON
KENNETH A. BECK
KEVIN A. SCHARF
B. JACOB HASKINS

[1] ALSO ADMITTED IN ARKANSAS
[2] ALSO ADMITTED IN KANSAS

DIRECT EMAIL
lviorel@lowtherjohnson.com

901 ST. LOUIS STREET
20TH FLOOR
SPRINGFIELD, MISSOURI
65806-2592
TELEPHONE:
(417) 866-7777 EXT 242
FACSIMILE:
(417) 866-1752

WEB
www.lowtherjohnson.com

September 27, 2022

Sent Via Email: *dneal@springfieldmo.gov*
Mr. Daniel Neal

RE: **University Heights/BK&M, LLC Development**
Matter ID 37559-000

Dear Mr. Neal:

I write on behalf of a group of 10 homeowners in the University Heights neighborhood with respect to zoning matter Z-23-2022.

In researching the vesting deeds with respect to Lots 10 and 11 in University Heights, it was determined that in the 1920's and early 1930's, deed restrictions were placed on the land.

I am enclosing deeds for Lots 10 and 11, and you will see that there is a specific covenant indicating that there is nothing to be erected thereon excepting a private residence of brick, stone, or stucco construction to costs not less than $8,000 and to not set back not less than 75 feet from the front property line subject to a right-of-way covering the west 10 feet of the lot.

I am enclosing the recordings from the Greene County Recorder's Office.

We assert that there is a private restrictive covenant with no timetable set forth regarding termination. Once the residence was built upon the property, no further covenant need be asserted. BK&M, LLC has taken subject to that restrictive covenant.

Planning and Zoning should take these restrictive covenants into account when denying the matter Z-23-2022.

Thank you for your time and attention to this matter.

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel

Lee J. Viorel, III
Representing a Discrete Group of Homeowners

LJV:klc
Enclosures

Book 487 - page 307

THIS INDENTURE, MADE ON THE 18th day of June A.D. One Thousand Nine Hundred and Twenty-five by and between Eloise Mackey, a single woman of the County of Greene, State of Missouri of the first part, and J.Warren Sanders for y of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part y of the first part, in consideration of the sum of One Dollar & Other Valuable Considerations Dollars to her paid by the said part y of the second part, the receipt of which is hereby acknowledged, do by these presents grant, bargain, and sell, convey and confirm unto the said part y of the second part his heirs and assigns the following described lot, tracts or parcels of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All All of lot number two (20) in University Heights, an Addition to the City of Springfield, Greene County, Missouri, nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $8000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The west 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

I.R.Stamps 50¢ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said first party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has a good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claim s and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever Except taxes for the year 1925 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

EXHIBIT

tabbies

208

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE, Made on the 6th day of May A. D. One Thousand Nine Hundred and Thirty-

by and between Eloise Mackey, a single unmarried woman

of Springfield, Missouri party of the first part

and James P. Sayer & Adele Sayer, husband and wife

of the County of Greene, in the State of Missouri, parties of the second part

WITNESSETH, That the said party of the first part in consideration of the sum of

$1.00 & other valuable considerations

to her paid by the said parties of the second part, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto the said parties of the second part, their heirs and assigns, the following described real estate, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All of Lot #11, UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Greene County, Missouri.

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $8000.00 and to set back not less than 75-ft. from the front property line.

Subject to a right-of-way covering the west 10-ft. of this lot, for water mains, electricity, sewerage, etc.

Internal Revenue Stamps cancelled.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said parties of the second part and unto their heirs and assigns forever, the said first party covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has good right to convey the same, that the said premises are free and clear of any incumbrances done or suffered by her except as herein stated, and that she will warrant and defend the title to the said premises unto the said parties of the second part and to their heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever excepting taxes due and payable in the year 1925 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year first above written.

Eloise Mackey (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF MISSOURI } ss.
County of Greene }

Be it remembered, that on this day of 192 , before me personally appeared

EXHIBIT 2

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE, Made on the 11th day of March A. D. One Thousand Nine Hundred and thirty eight
by and between
J. Warren Sanders and Helen Sanders, his wife
of Springfield, Greene County, Missouri
Doris Lowelling part ies of the first part, and
of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part ies of the first part in consideration of the sum of
One Dollar and exchange of property
to them paid by the said part y of the second part, the receipt of which is hereby acknowledged, do by these presents grant, bargain, and sell, convey and confirm unto the said part y of the second part her heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All

Lot ten in University Heights, an addition to the City of Springfield, Missouri.

Subject to building restrictions as provided in deed from Eloie Mackey to J. Warren Sanders dated June 25, 1925, recorded in Book 487, page 367.

Subject also to the provisions in said deed from Eloie Mackey to J. Warren Sanders to the effect that the west ten feet of said lot is reserved and right of way given to cross said lot for electric lights, city water, gas and sewer.

Internal Revenue 50¢ cancelled. 3/11/38 J.W.S.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said part y of the second part and unto her heirs and assigns forever, the said parties of the first part hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that they ha ve good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said part y of the second part, and unto her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

except taxes payable for the year 1938 and thereafter and also excepting as to building restrictions and reservation as above set out.

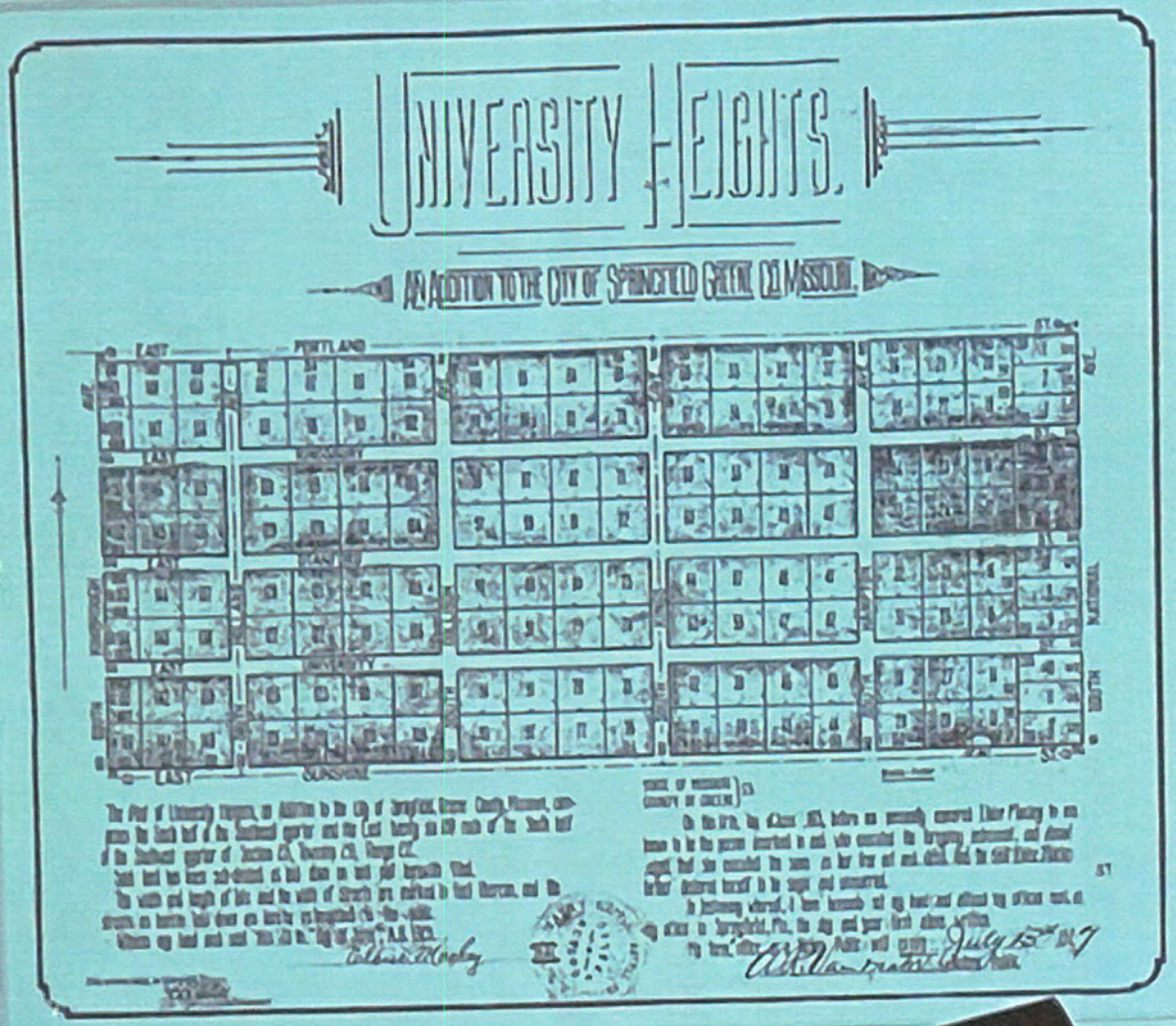
IN WITNESS WHEREOF, the said part ies of the first part ha ve hereunto set their hand s and seal s the day and year first above written.

Signed, sealed and delivered in the presence of us.

J. Warren Sanders (SEAL)
(SEAL)
(SEAL)
Helen Sanders (SEAL)

STATE OF MISSOURI, } ss.
County of Greene.

EXHIBIT
tabbies
3



University Heights
As presented to
The City
June 13th 1925

From Eloise Mackey

Laid out by
C. E. Phillips,
civil engineer

EXHIBIT
4

Springfield's Most Popular Addition
Established Bus Service---Main Loop

PAVED STREETS

We are now paving Stanford Street which runs through the center of University Heights. The contract has been let for the paving of Kimbrough from Sunshine to Catalpa, which upon the completion of the Benton Avenue Viaduct will give a paved thoroughfare from Sunshine to Commercial. Sunshine Street on our South has been unofficialy dedicated as Highway No. 16—completing a boulevard completely around the city.

City Water and Electric Lights to Every Lot

Fire Protection

We have just recently installed an eight-inch water main through this beautiful addition with ample plugs to assure the best of fire protection and the minimum fire insurance rates on every house in University Heights.

Building Restrictions

A purchase of a lot in this addition assures you also of high class restrictions; no garagettes or frame houses are permitted.

As you drive by stop and see what is being done to make this addition the most popular and ideal residential district in the city.

EXTRA LARGE LOTS

Three Fifty-Foot Lots in One -- Price $10 a Foot

$50 Down—$10 Per Month

COMPARE

Compare our prices, improvements, restrictions and locations with any other in the city. We will be glad to show you why you should build in University Heights.

REMEMBER

Over half the lots in this addition have been sold. It is an established addition and a beautiful, permanent and desirable place for home sites.

Salesmen on the Grounds in the Evenings

DRIVE OUT TODAY

State Savings Trust Co.

EXHIBIT 5

Everthing Points to

UNIVERSITY HEIGHTS

As the Safest Spot for your home if you have future development in mind. You build your home not for days, but for years. You protect the investment with the assurance of permanency of good location.

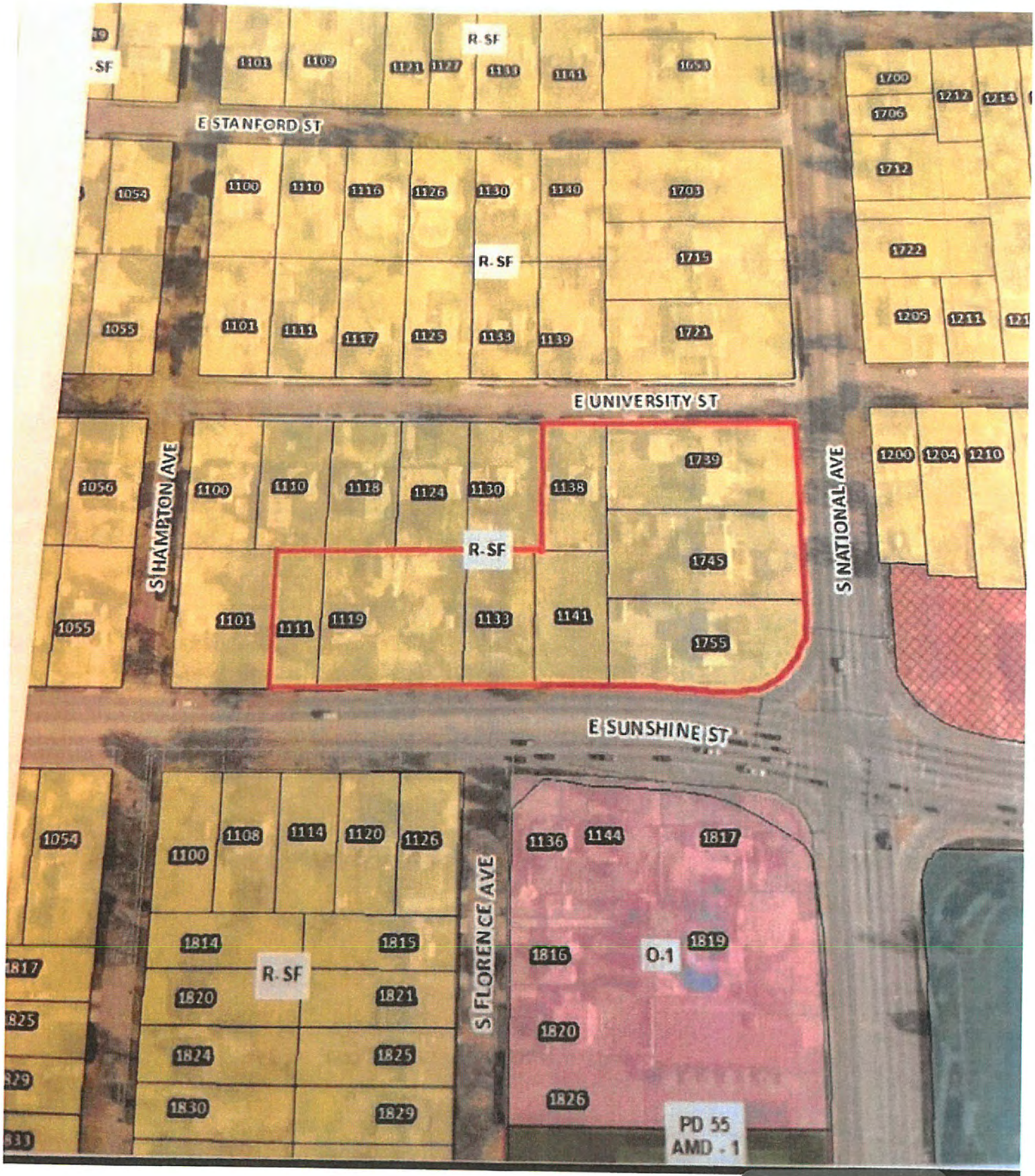
That is what we offer you, that is what is safe guarded in UNIVERSITY HEIGHTS by our building restrictions and our exacting standards of qualifications to become a Home-Owner in this community. A beautiful spot along the trail of future residential development. Reasonable prices. Easy terms. Two beautiful bungalows are now being built in this addition.

STATE SAVINGS TRUS

EXHIBIT

tabbies

6


R-SF
E STANFORD ST
R-SF
E UNIVERSITY ST
S HAMPTON AVE
R-SF
S NATIONAL AVE
E SUNSHINE ST
S FLORENCE AVE
R-SF
O-1
PD 55
AMD - 1

EXHIBIT

7

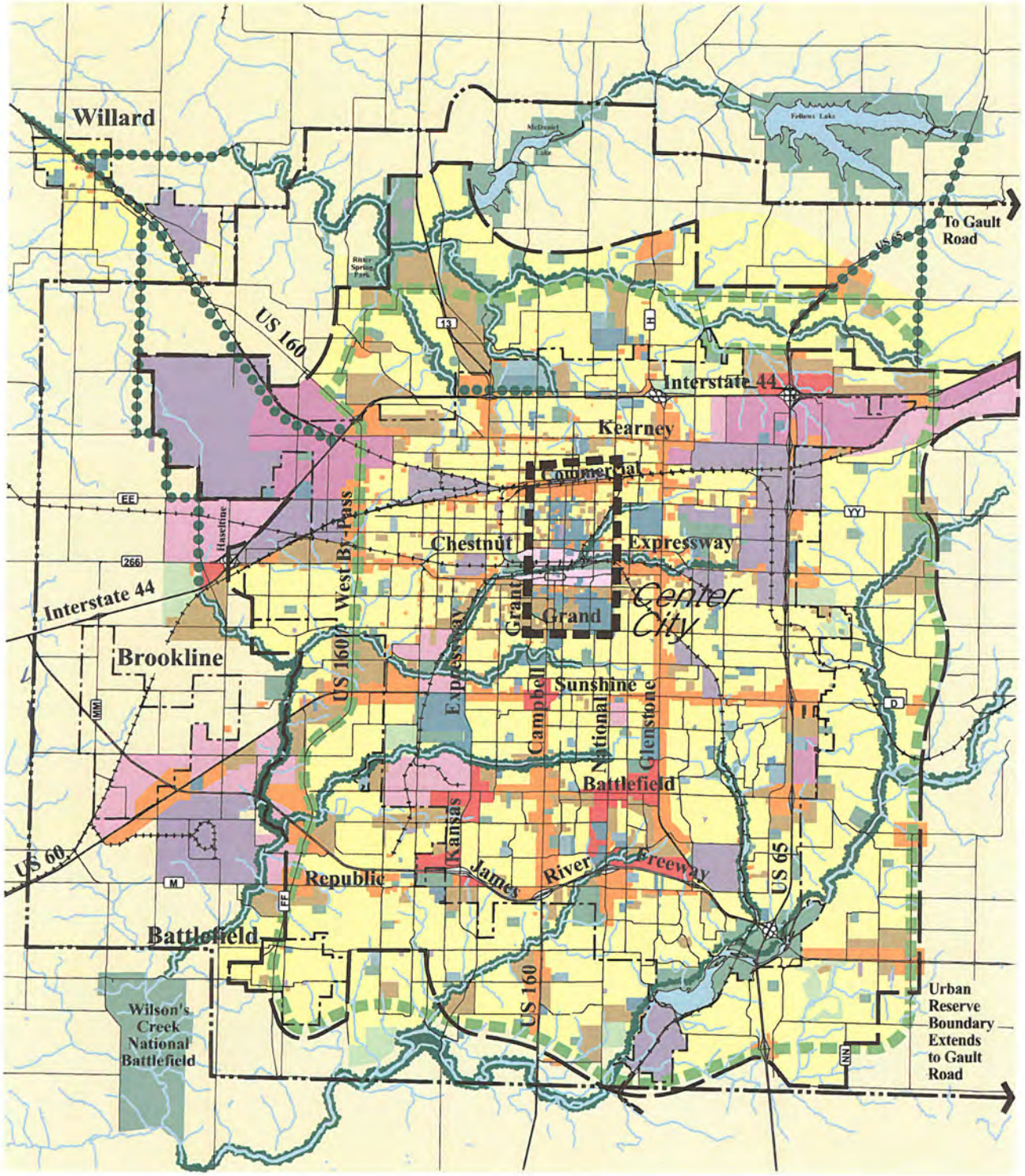


Figure 1

City Context
Center City Study Area

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

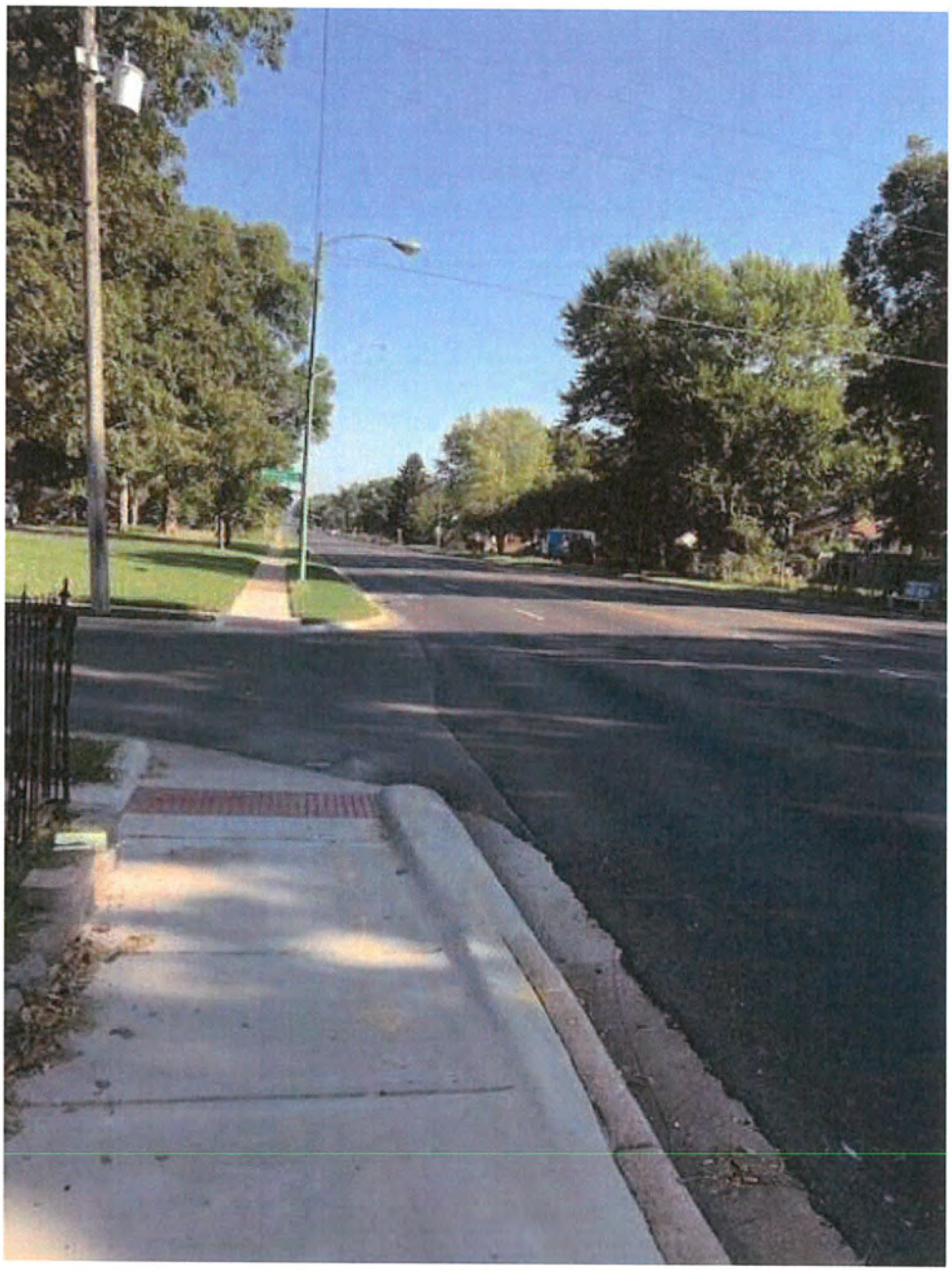
EXHIBIT 8

North

0 1 2 3 Miles

May 1998

VISION 20/20 Creating the Future — Springfield Center City Plan Element



EXHIBIT

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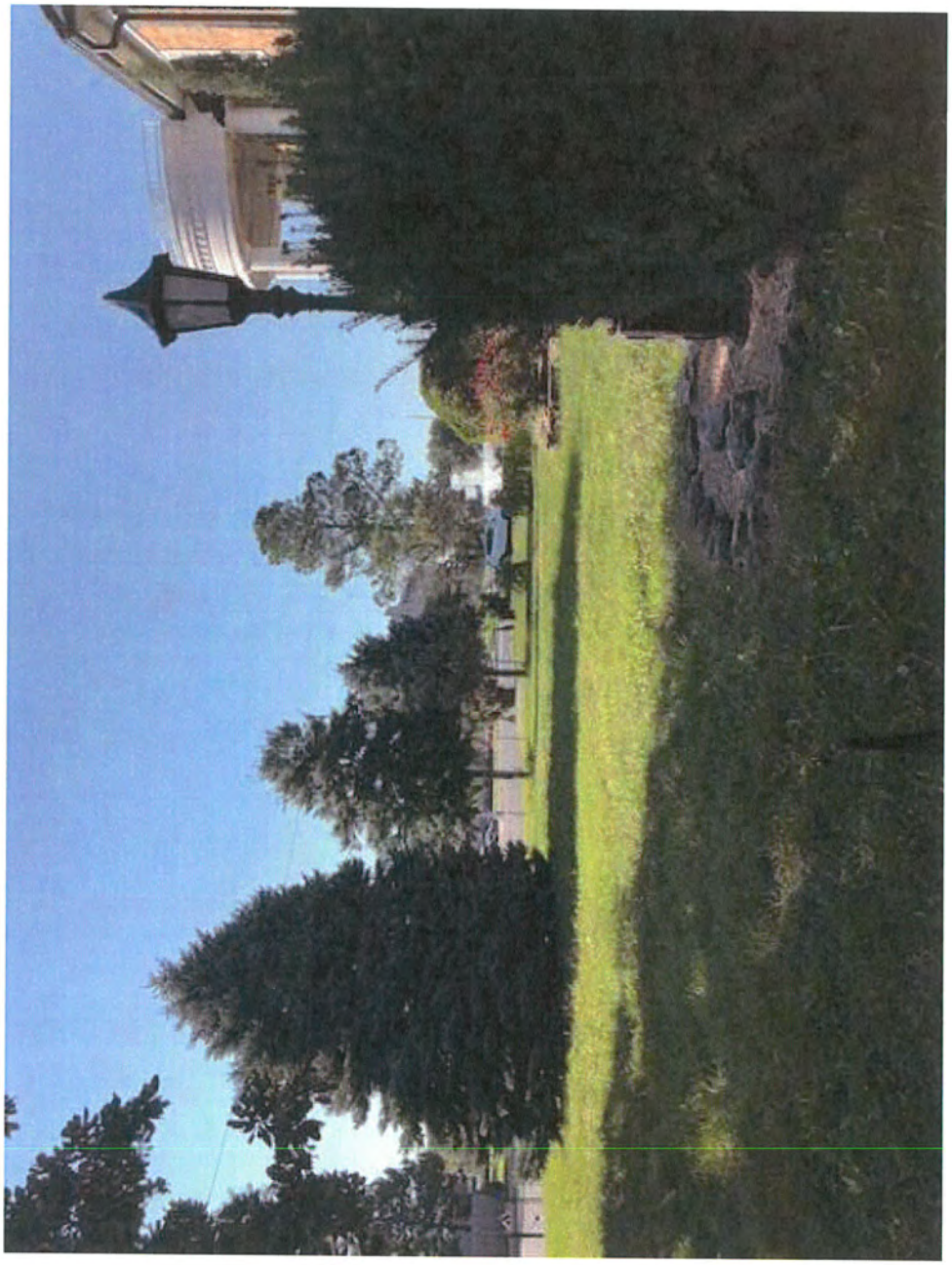

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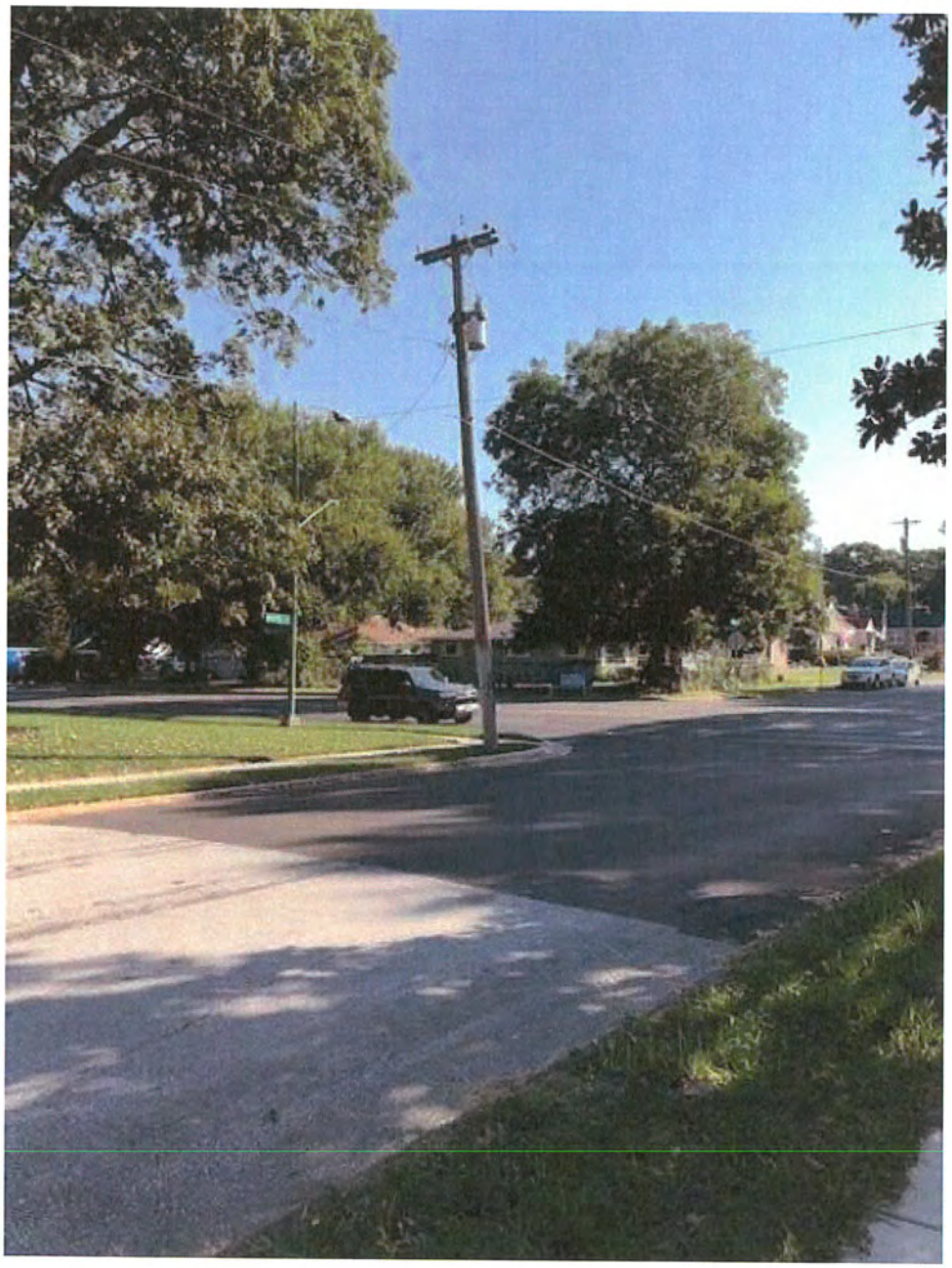

EXHIBIT

11

Lowther Johnson
Attorneys at Law, LLC

CO-FOUNDER
THEODORE L. JOHNSON, III

MEMBERS
CRAIG F. LOWTHER
MICHAEL K. CULLY [1]
JOHN W. HOUSLEY
DAVID A. FIELDER
GLENN P. GREEN
THOMAS M. BENSON
RANDY J. REICHARD
LEE J. VIOREL
RUSSELL W. COOK [1,2]
MATHEW L. PLACZEK
AARON M. KLUSMEYER
KYLE HARMON
GREGGORY D. GROVES
N. AUSTIN FAX
ADLAI GROVES
MEGAN N. CRESON

ASSOCIATES
AIMEE L. MORRISON
KENNETH A. BECK
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B. JACOB HASKINS
COLBY R HALL

[1] ALSO ADMITTED IN ARKANSAS
[2] ALSO ADMITTED IN KANSAS

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WEB
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December 5, 2022

VIA HAND-DELIVERY

Amy Werland
Department of Planning and Development
840 Boonville Avenue
Springfield, MO 65802

RE: **Zoning Hearing on Matter Z-23-2022 for South National Avenue/East Sunshine/East University Street**
Matter ID 37559-000

Dear Amy:

I represent 20 individuals representing 12 lots in University Heights neighborhood for the Planning and Zoning hearing with respect to Z-23-2022 for BK&M, LLC. I would like to reserve my three minutes of time with respect to the matter and will fill out a card that evening. In addition, we would like to submit the enclosed Exhibits 1 through 11 for review during my three-minute presentation.

Thank you for your time and attention to this matter.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel

Lee J. Viorel

LJV:klc

Enclosures

Lowther Johnson
Attorneys at Law, LLC

CO-FOUNDER
THEODORE L. JOHNSON, III

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COLBY R HALL

[1] ALSO ADMITTED IN ARKANSAS
[2] ALSO ADMITTED IN KANSAS

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(417) 866-7777 EXT 242
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(417) 866-1752

WEB
www.lowtherjohnson.com

December 6, 2022

Sent Via Email: ***awerland@springfieldmo.gov***
Amy Werland
Department of Planning and Development
840 Boonville Avenue
Springfield, MO 65802

RE: **University Heights Zoning Request Z-27-2022 w/COD #220**
Our Matter ID 37559-000

Dear Commissioners:

I am writing on behalf of 12 lots and on behalf of 20 individuals who live in the University Heights neighborhood, and who oppose the requested rezoning proposed by BK&M, LLC Z-27-2022 w/COD #220. The zoning request seeks to change the historically low-density residential zoning of University Heights to that of general retail. The proposal by BK&M, LLC (hereinafter "Developer") is short on clarity, in that the Request as amended several times, seeks to change zoning but offers little detail on how the land will be used.

For instance, BK&M indicates that it is not sure of the developed square footage which might range from 75,000 square feet to 200,000 square feet. The footprint of the development and size have significant application on the amount of water runoff, parking, traffic, and height restrictions. The intentional vagueness prohibits the Commission from determining if the proposal is feasible and must be rejected for multiple reasons as outlined below.

RESTRICTIVE COVENANTS:

The first and most basic reason for denial of the zoning change is that the landowners are bound by restrictive covenants. A copy of one of the restrictions is attached hereto as Exhibit 'A" and made a part hereof by this reference. The parties, in the 1920's, determined that successive owners would be bound by a restrictive covenant contractually so that the property must be developed only for residential purposes and with specific set back requirements.

During the 1920's the properties were advertised and developed with this restriction in place. Advertising from the period is attached as Exhibit "B" and made a part hereof by this reference.

Developer purchased the properties with that restriction in place and is contractually bound by that provision. A vote to rezone by the Commission is a vote to overturn 100 years of enforced restrictive covenants. The Developer is legally bound by these restrictions, and any action by the Commission would be voidable. It serves no purpose for the Commission in changing restrictions honored for a century with no variances.

CITY COMPREHENSIVE PLAN:

The City of Springfield long range plan provides that this area is a low-density area. Part of the long-range plan and the compact with the County takes note of the special nature of these neighborhoods and a commitment to preserving them as low-density areas. See Residential Land Use Guidelines Objective 17.[1] The City map for zoning indicates a presumption and preference for low density residential in these areas. A copy of the low-density city map is attached hereto as Exhibit "C" and made a part hereof by this reference. The zoning map clearly shows the preference for low density residential use from the National/Sunshine southeast corner to Kimbrough and north.

It is imperative that Planning & Zoning follow the guidance mandated in the City [2] Plan and preserve the residential nature of this development. There are 275 homes in University Heights. The proposed development destroys the low-density concept in the City Comprehensive Plan. A five to six story structure would be the second highest structure on Sunshine and inconsistent with the skyscape.

Planning & Zoning has recently proposed to City Council a Corridor Study in this area and any zoning requests for this area should be tabled until the Corridor Study is completed.

ACCESS:

BK&M filed an application with the City wherein it proposes an access point on Sunshine traveling west and one on National traveling south. These are to be 400' from an intersection, and neither will be when constructed which will add to congestion. Developer has now orally indicated that it wants an access point on University. That is inconsistent with the application and with the traffic study. That also renders the traffic study by CJW useless because it does not measure use of the University access or take into consideration the turning radius for large box trucks or tractor trailers utilizing the facility/development. A large vehicle turning west onto University would need to utilize a wide turning radius and multiple lanes in executing such a turn. This use is inconsistent with the traffic calming procedure suggested by the Developer.

Additionally, the Developer has now suggested making access restricted traveling west when turning onto University from National. That has not been proposed and will be a significant disruptor in the University Heights neighborhood particularly for those residences abutting the development.

PARKING (On site and Off Site):

Surface and underground parking were designated in the Developer plans and the drawings. The Developer proposes 176 parking spaces, and the traffic report designates a need for 176 parking spaces that supports 66 apartment units. It seems incredulous that the Commission can rely upon this math because the Developer is not certain of the size of the development. What the Developer really seeks is approval of a blank check and then to develop 200,000 square feet requiring many more spaces than currently planned. Further the Developer opined at the neighborhood meeting that there would be 12 cars per day utilizing the retail businesses. More likely a hundred cars per day with a large number using the streets within University Heights. Commission should be suspect of such a number because the commercial establishments cannot survive economically if that were the case. The true

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[1] See specifically, Vision 20/20, page 18 of 69.
[2] City of Springfield Comprehensive Plan, page 25-8 and 25-10

number of parking spaces exceeds the tentative proposal of the Developer and should warrant denial of any rezoning request.

Secondarily, during any construction phase the only method for parking and deliveries would be to park along University. This parking during construction will disrupt the neighborhood.

SAFETY:

The height of the proposed development by Developer is of tantamount importance. The Southeast corner is adjacent to the helicopter pad for Mercy Hospitals. The Commission is intimately familiar with this because of the Cox Health zoning due south of University Heights. The Developer's failure to commit to the number of rooms in the apartments or the specific height of the building raises safety concerns for the landing and liftoff of medical helicopters. A large building will require an approach from the South and could impact lifesaving medical treatment.

University Heights isa very old-fashioned neighborhood with many parents pushing strollers and children on bikes and at play. The Development will insure that the patrons of the development will use the neighborhood streets to avoid Sunshine and National. This is a safety hazard.

WATER DETENTION

The ambiguity in the Developer's plan makes a determination of where and how water runoff is managed indeterminable. When questioned at the neighborhood meeting held at the Doubletree the Developer pivoted by saying it would hire engineers to figure that problem out. If the Developer wants a change in zoning it needs to "figure" those issues out now. Neighbors to the north do not want a lake in their front yards after heavy rainfall. The topography in that corner of University Heights drains from the Southeast to the Northwest. With all of the non-permeable surfaces and roof lines a tremendous amount of runoff will occur.

A 5 inch rain in one afternoon in 2022 had service vehicles all over the University Heights neighborhood cleaning up. This development will insure that smaller rains will have similar impacts.

The Developer offers zero plans for water detention or rainwater management. The developer is presumed to remain discharge neutral with respect to existing City storm water and the creation of the Development mandates that the Developer deal with that issue. A failure to deal with the issue should require the Commission to determine that a rezoning is not feasible.

UTILITIES:

The Developer has failed to provide for where and how the utilities will be dealt with as to the project. There is a fire hydrant currently located where the Developer proposes to place the entrance off of University. The Developer has not dealt with utilities as to overhead or underground. The Developer has failed to deal with water and sewer issues. Both of which should be neutral. It is unclear where garbage containers will be located in the new development but may cause issues.

TRAFFIC:

The Developer commissioned traffic study does not outline its methodology nor does it provide the basis for its data. While it is agreed that this intersection is the third busiest in the City, the lot owners disagree with the peak times listed and the number of cars. Further the traffic study pays little to no attention to those times when the University holds an event and there are surges of cars. The

congestion which will be caused by a commercial development in this quiet residential neighborhood cannot be measured.

SIDEWALKS:

The existing sidewalks will be impacted if additional turning lanes are required. To do that, the City may be required to condemn land of residents North on the West side of National. The Developer does not address their foreseeable outlines.

IMPACT ON PROPERTY VALUES:

The Developer believes that the development will enhance values. To the contrary, this development will insure that home prices will deteriorate. Property values will decline, as residents move out, because of increased traffic, noise and potential crime.

SUMMARY:

For the above and foregoing reasons these residents urge the Commission to reject the request for rezoning by BK&M, LLC.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel, III

LJV:klc

Book 457 Page 307

WARRANTY DEED—Pub. Business Stationery, Springfield, Mo.

THIS INDENTURE, MADE ON THE 10th day of June One Thousand Nine Hundred and Twenty-five by and between Eloise Mackey, a single woman of the county of Greene, State of Missouri of the first part, and J. Warren Sanders of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part y of the first part, in consideration of the sum of One Dollar & Other Valuable Considerations Dollars to her paid by the said part y of the second part, the receipt of which is hereby acknowledged, do es by these presents grant, bargain, and sell, convey and confirm unto the said part y of the second part his heirs and assigns the following described lot, tracts or parcels of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All All of Lot Number Ten (10) in University Heights, an Addition to the City of Springfield, Greene County, Missouri. Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $8000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The West 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

I.R. Stamps 50¢ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claim s and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever Except taxes for the year 1925 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

EXHIBIT A

Springfield's Most Popular Addition
Established Bus Service--Main Loop

PAVED STREETS

We are now paving Stanford Street which runs through the center of University Heights. The contract has been let for the paving of Kimbrough from Sunshine to Catalpa, which upon the completion of the Benton Avenue Viaduct will give a paved thoroughfare from Sunshine to Commercial. Sunshine Street on our South has been unofficialy dedicated as Highway No. 16—completing a boulevard completely around the city.

City Water and Electric Lights to Every Lot

Fire Protection

We have just recently installed an eight-inch water main through this beautiful addition with ample plugs to assure the best of fire protection and the minimum fire insurance rates on every house in University Heights.

Building Restrictions

A purchase of a lot in this addition assures you also of high class restrictions; no garagettes or frame houses are permitted.

As you drive by stop and see what is being done to make this addition the most popular and ideal residential district in the city.

EXTRA LARGE LOTS

Three Fifty-Foot Lots in One -- Price $10 a Foot

$50 Down—$10 Per Month

COMPARE

Compare our prices, improvements, restrictions and locations with any other in the city. We will be glad to show you why you should build in University Heights.

REMEMBER

Over half the lots in this addition have been sold. It is an established addition and a beautiful, permanent and desirable place for home sites.

Salesmen on the Grounds in the Evenings

DRIVE OUT TODAY

State Savings Trust Co.

EXHIBIT
B

Everthing Points to

UNIVERSITY HEIGHTS

As the Safest Spot for your home if you have future development in mind. You build your home not for days, but for years. You protect the investment with the assurance of permanency of good location.

That is what we offer you, that is what is safe guarded in UNIVERSITY HEIGHTS by our building restrictions and our exacting standards of qualifications to become a Home-Owner in this community. A beautiful spot along the trail of future residential development. Reasonable prices. Easy terms. Two beautiful bungalows are now being built in this addition.

STATE SAVINGS TRUS

EXHIBIT

B-1

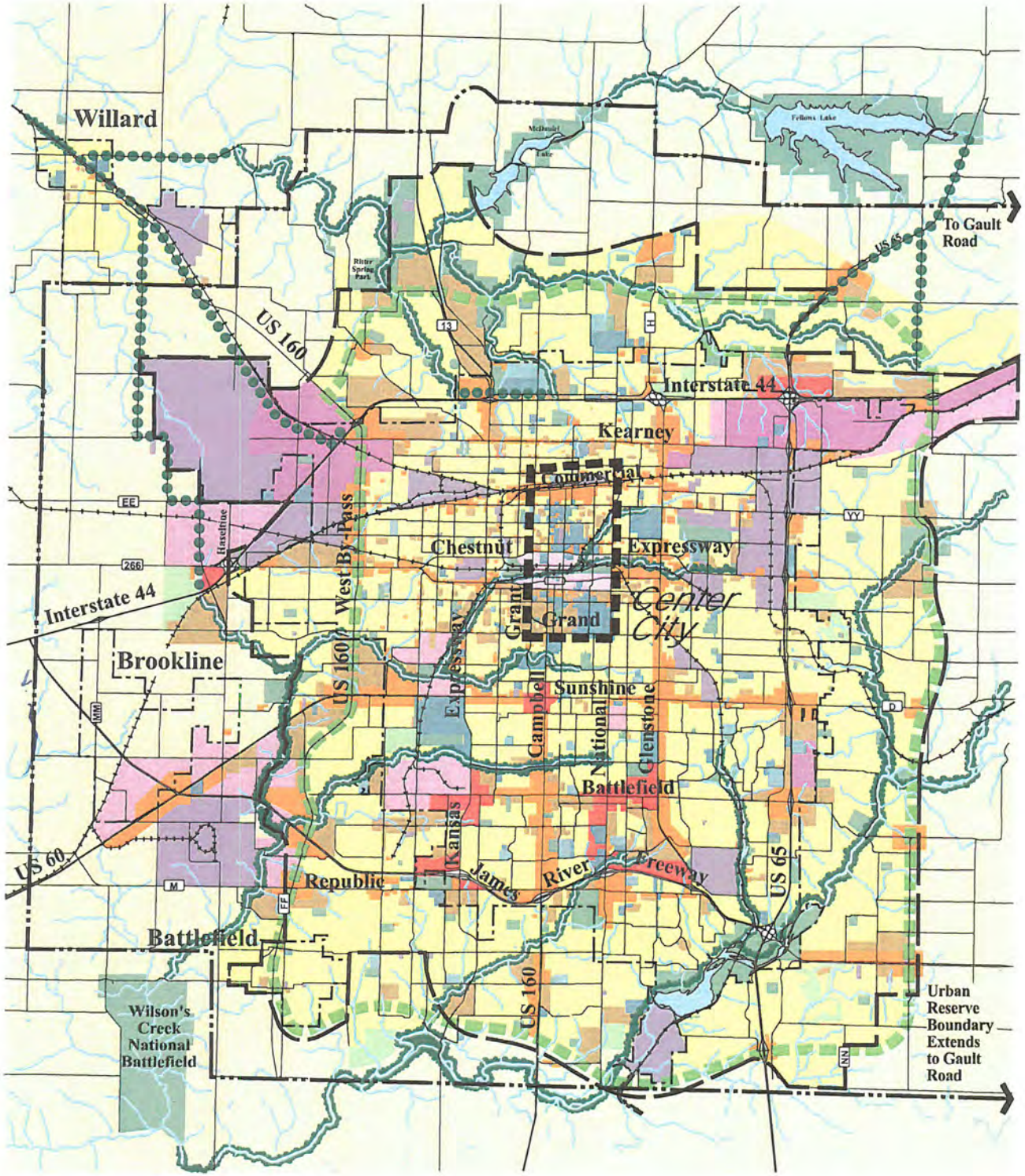

Figure 1

City Context
Center City Study Area

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

EXHIBIT C

North

0 1 2 3 Miles

May 1998

Vision 20/20 Creating the Future — Springfield Center City Plan Element

Sept. 23, 2022

Planning & Zoning Commission,

As a Resident of University Heights, I am very concerned about the possible re-zoning of our Residential-Single Family neighborhood, which is the last neighborhood in the center city area that has not been changed to allow commercial properties.

If the zoning is changed to allow commercial properties on the NW corner of Sunshine & National, the traffic, which is already alot, will either become intolerable so that new businesses, University students, hospital customers, will choose other options instead of Springfield to bring their business to, or the proposed businesses will fail because it is too much trouble to drive into and out of. The latter has already been a problem to the businesses on the NE corner of National & Sunshine. What a shame to tear down beautiful historic homes and have the city have to rework the draining issues caused by lawns being replaced with asphalt parking lots, for businesses that have a big chance of failing.

I am also concerned by the precedent set by the possible rezoning and if that will allow other commercial businesses to spread North on National Ave. and West on Sunshine street, causing an end to one of the best kept, valuable, highly sought out neighborhoods in Springfield. The safety of me and my neighbors will be greatly threatened by the increased amount of cars cutting through the neighborhood to either visit the new businesses or avoid the traffic on National & Sunshine, which is

already at it's limit. I purchased my home 31 years ago and have put everything I have into keeping it a good, comfortable, safe place for me and my family because of the R-SF zoning. It seems very unreasonable to me that our city would rezone this area so that a few investors can profit financially and cause hundreds of neighbors' investments to decline.

One last thing that is troubling to me. The investors have stated that the corner, unoccupied house was an eyesore and empty a long time. I remember a commercial real estate sign on the property instead of residential, which may have been a deterrant to a family buying the house. Also, the homes that have been bought by investors and are going to be torn down are <u>not</u> eye sores. But lovely examples of historic Springfield homes.

Thank you for reading and hopefully trying to understand my frustration and sadness.

Linda Adams
1145 E. Kingsbury
Spfd. Mo

From: LINDA HOFFMANN
To: Zoning@springfieldmo.gov
Subject: Houses on National
Date: Thursday, August 18, 2022 9:48:17 PM

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

Please leave those 3 houses on National alone. Surely they can be used for something useful without tearing them down. You have already taken that peaceful, elegant house down across Sunshine and now that corner is ugly.

linda h hoffmann

HUSCH BLACKWELL

Bryan O. Wade
Office Managing Partner

3810 E. Sunshine St., Suite 300
Springfield, MO 65809
Direct: 417.268.4116
Fax: 417.268.4040
bryan.wade@huschblackwell.com

October 27, 2022

via Email

Rhonda Lewsader
rlewsader@springfieldmo.gov
Jill Burris
jburris@springfieldmo.gov
Bob Hosmer
zoning@springfieldmo.gov

Re: University Heights

Dear Rhonda, Jill & Bob:

I have been provided an email from Courtney Fletcher and a letter from Lee Viorel concerning a potential meeting with City representatives and the University Heights Neighborhood Association. I wanted to alert you that I also have been asked to represent members of University Heights that are opposed to commercial development occurring within the platted subdivision. If there is a meeting to discuss issues related to a proposed rezoning within the subdivision, I would appreciate your courtesies in advising me and extending me an invitation so I could provide you my clients' perspective.

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,

HUSCH BLACKWELL LLP

Bryan Wade

Bryan O. Wade
Office Managing Partner

BOW:lz
cc: Sue Robinson – *via email*
Lee Viorel – *via email*
Courtney Fletcher – *via email*

From:	Zipf, Linda
To:	Lewsader, Rhonda; jburris@springfieldmo.gov; Zoning@springfieldmo.gov
Cc:	lviorel@lowtherjohnson.com; cfletcher@carnahanevans.com; susanrobinson@missouristate.edu; Wade, Bryan
Subject:	University Heights
Date:	Thursday, October 27, 2022 11:23:23 AM
Attachments:	2022-10-27 Letter to Lewsader, Burris & Hosmer.pdf

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. I've attached Bryan Wade's letter regarding University Heights. Please let me know if you have any problems opening the attachment.

Linda Zipf
Practice Support Team Specialist

HUSCH BLACKWELL LLP
3810 E. Sunshine St.
Suite 300
Springfield, MO 65809

Direct: 417-268-4148
Fax: 417-268-4040
Linda.Zipf@huschblackwell.com
huschblackwell.com

Husch Blackwell is redefining partnership and client service. With 800+ lawyers in more than 20 offices across the United States, including The Link virtual office, we are a national law firm with a coast-to-coast footprint focused on tackling the most complex business challenges.

****PLEASE NOTE WE'VE MOVED****
Effective September 26, 2022, our new address is 3810 E. Sunshine St., Suite 300, Springfield, MO 65809.

From: Lisa Dixon
To: Zoning@springfieldmo.gov
Subject: NO REZONING OF NATIONAL/SUNSHINE CORNER
Date: Monday, September 5, 2022 8:49:00 AM

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

We are writing to protest the rezoning of Case # Z-23-2022 (homes at the corner of National and Sunshine) from residential to commercial. We live at 1118 E University which is 4 homes from National. Our biggest concerns are increased traffic in our neighborhood and loss of our property value.

We are unable to leave University to National between the hours of noon and 6 pm. The estimated traffic of 1000 cars per day would make the already second busiest intersection even worse and more dangerous. Creating an entrance off of University into the businesses would make our street a thoroughfare for a steady stream of cars. It is currently a street where all city residents enjoy jogging, walking their dogs, and riding their bikes. The city recently repaved all the sidewalks so that all city residents would be able to do these things. These would become impossible. Hampton Street is barely more than an alley. Two large cars can barely pass each other when driving in opposite directions. Hampton would become an entrance off of Sunshine for people to get to businesses. This would be a terrible idea.

Rezoning these homes doesn't follow the City's existing Comprehensive Plan or the soon-to-be ratifies Forward SGF. These plans designate ALL of University Heights strictly Single Family Residential. It is classified as "Residential Neighborhood-Traditional " and should be afforded all the protections of such.

The rain that fell on 8-29-22 caused leaking in our basement. If the current homes lawns/yards are paved over for businesses the runoff from heavy rains will flow right into basements of all surrounding resident's homes.

Lastly, what will this do to my property value? University Heights currently ranks among the highest property values of any neighborhood in Springfield. We love our home. It is unique. We have wonderful neighbors who care about each other and who keep their homes beautiful. Who would want to live on a residential street that has been turned into an entrance for a dubious business?

PLEASE SAVE OUR NEIGHBORHOOD AND KEEP ALL OF UNIVERSITY HEIGHTS RESIDENTIAL-SINGLE FAMILY.

Sincerely,
Rodney and Lisa Dixon
1118 E University Street
Springfield 65807

From:	Lisa Munkatchy
To:	Zoning@springfieldmo.gov
Subject:	Rezoning of University Heights
Date:	Tuesday, October 25, 2022 3:27:15 PM

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

To whom this may concern:
Bob Hosmer
City Council & Mayor

My name is Lisa Munkatchy I have lived at 959 E Kingsbury Ave for 22 years.
I was at the meeting last night for the zoning map amendment.
That was a total circus!!
I cant not believe you approved such a venue for people to attend!! I UNDERSTAND BOB WAS THERE SO HE KNOWS WHAT HAPPENED!!!

Why can't you say no to these developers/ Investors??

Could it be that you are being paid off - Was told by a city councilman they have BIG BACKERS!!
The Jareds, The Fisks, Billy Long!!

Look at the money they spent last night for this meeting!! Tent, Floors, gravel, security, sound system, big name lawyers, printing, generator!! Absolutely Ridiculous!! They forgot bathrooms and disabled people not being able to attend, older residents as well, Of course no parking!! WEATHER!! LIKE RAIN!!

I know some of our neighbors are suing the bank and developers!!
Because we have deeds that state that this neighborhood should be R-1 Single Family!!
But you can change that??

Why would you change this zoning?? Money is the obvious reason!!

By putting more retail, commercial space that cannot be filled.Ugly Architecture that sits vacant for years!! It will ruin our beautiful historic neighborhood!!
Developers say they will built it to look old and fit in?
But it will stick out like a sore thumb!!
Just like the said excuse for cheap new construction on Cherry St that the big basketball star is so proud of!!

Oh wait that's what the city has done in the past so why would you want to do

anything different??

Richard Crabtree said it best- and he knows because he has been fighting you for years!! We might as well put a sign up in the landfill - Here lies our history of Springfield's beautiful historic homes !!

Not one thing out of the house was saved or repurposed!! Beautiful hardwood floors, Thick wood trim and doors, and much more!!You can't buy quality like that anymore!! These homes on National are our Queens if the City an gateway to our neighborhood!!

I am in Real Estate Appraising and I see blighted, dissary, homes that need to be torn down!!
These home that they own do not!!

How about the home on the corner of University and National just sold for $650,000 !! Which shows that we can keep these home and people will live in them!!
I bet that home owner is really upset!!

These homes could be used as AIR B&B's for traveling nurses or family visiting their college students at MSU!!

But the developers have got permits to tear them all down!!
You are the only ones who can stop them!!

I hope you can sleep at night and not have a guilty concuss of being bought off or bullied by big investors!!
If you decide to grant the rezoning commercial!!

But I pray that you will see the light and vote for the little people and make the right decision to keep Springfield and University Heights a wonderful place to live with unique houses, trees. gardens full of life, kids and people walking and enjoying the streets of our neighborhood!!!!

If not our people will move out!! Because our property will go down in value!! This commercial zoning will bring in more homeless,crime and kill the beauty we once had!!

Please send this email on to all City Council Members and All Zoning Departments

Thanks,
Lisa Munkatchy

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10/17/22	**Telephone No.**	(417) 887-4811
YOUR NAME:	MARK G. BOYER		
YOUR ADDRESS:	1140 E Stanford St 65807-2058		
PROJECT ADDRESS:	Northwest Corner Sunshine + National		

COMMENTS:

See attached.

To my knowledge, no traffic study has been done to assess the number of additional cars locating a business on the northwest corner of Sunshine and National would bring to the intersection. At peak times, cars are lined up on National for four blocks across the intersections of University, Stanford, Kingsbury, Portland, and often beyond. A business on the corner of Sunshine and National would turn the neighborhood street of University into a main artery. Already, many cars cut through University, Stanford, Kingsbury, and Portland to avoid the light at National and Sunshine, if they are intending to make a right turn onto Sunshine. A business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business strip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

Property values throughout the neighborhood will drop; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People, who live in University Heights Neighborhood don't want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is City Council and the Zoning Commission going to listen to them? They have been in and lived in the area long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes. Please do not grant any more requests to have homes demolished in that area. Please keep the neighborhood intact.

Mark G. Boyer

1140 E. Stanford St.
Springfield, MO 65807-2058

(417) 887-4811
boyer50@mediacombb.net

October 26, 2022

Mr. Bob Hosmer
Planning and Zoning Commission
840 N Boonville Ave.
Springfield, MO 65802

Dear Mr. Hosemer and All Members of the Planning and Zoning Commission and City Council:

I wish to comment on the BK& M proposal to change the zoning on the northwest corner of Sunshine and National (specifically 1141, 1133, 1119, and 111 Sunshine; 1138 University St.; and 1755, 1745, and 1739 National Ave.) in the University Heights Neighborhood.

To my knowledge, no traffic study has been done to assess the number of additional cars locating a business on the northwest corner of Sunshine and National would bring to the intersection. At peak times, cars are line up on National for four blocks across the intersections of University, Stanford, Kingsbury, Portland, and often beyond. A business on the corner of Sunshine and National would turn the neighborhood street of University into a main artery. Already, many cars cut through University, Stanford, Kingsbury, and Portland to avoid the light at National and Sunshine, if they are intending to make a right turn onto Sunshine. And those who do that speed through the neighborhood streets with no police around to give tickets! A business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business trip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

University Heights Neighborhood contains some of the oldest houses in Springfield. I live in one built in 1918 before the neighborhood was founded in 1925. While in principle I am not opposed to the development of businesses, I am opposed to the destruction of old neighborhoods. Once it begins, there is no end to how much will be lost block by block. Part of a city's grandeur is appreciating an preserving its heritage in old buildings. There is an integrity to an old building

that needs to be preserved. In University Heights there are no cookie cutter house; every home is different and needs to be preserved.

Property values throughout the neighborhood will drop if businesses begin to be added; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People who live in University Heights Neighborhood do not want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is the Planning and Zoning Commission and City Council going to listen to them? They have lived in the neighborhood long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes. Please do not grant any more requests to have homes demolished in the University Heights Neighborhood. Please keep the neighborhood intact.

Sincerely,

Mark G. Boyer

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WARRANTY DEED, with Marriage Acknowledgments.

This Indenture, Made on the 14th day of July A. D. One Thousand Nine Hundred and twenty-seven by and between Elaine Mosley, a single and unmarried woman of Springfield, Greene County, Missouri party of the first part, and J. F. Boyer of the County of Greene in the State of Missouri party of the second part,

WITNESSETH, That the said party of the first part, in consideration of the sum of Two thousand & 00/100 DOLLARS, to her paid by the said party of the second part, the receipt of which is hereby acknowledged, do GRANT by these presents Grant, Bargain, and Sell, Convey and Confirm unto the said party of the second part his heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit: All of lot twelve (12) in University Heights Addition to the city of Springfield, Missouri. Nothing to be erected thereon except a private dwelling, to cost not: not less than twenty five feet from the front property line, and to cost not less than $2000.00

TO HAVE AND TO HOLD The premises aforesaid, with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining, unto the said party of the second part, and unto his heirs and assigns, forever; the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that has a good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under her; that she will Warrant and Defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever.

except all taxes for the year 1927 and thereafter

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of us:

Elaine Mosley [SEAL]
[SEAL]
[SEAL]
[SEAL]

STATE OF MISSOURI, } ss.
County of _____ } On this _____ day of _____ 19____ before me personally appeared _____ to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in _____ the day and year first above written.

My term of office as a Notary Public will expire _____ 19____

STATE OF MISSOURI, } ss.
County of Greene } On this 14th day of July A.D. 1927, before me personally appeared Elaine Mosley, a single and unmarried woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, and that she is Elaine Mosley further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as a Notary Public will expire June 21 1930 Kim C. Taylor, Notary Public. (SEAL)

This instrument was filed for record in this office on the 20th day of April AD 1929 at 8 o'clock 10 minutes P. M.
Ben E. Guilstrand Recorder Jack D. McKee Deputy

From: Mark Fletcher
To: Neal, Daniel; Gage, Jason
Subject: University Heights
Date: Monday, October 3, 2022 11:46:11 AM
Attachments: 552-170 (1).pdf

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

Mr. Neal:

In our letter of last week, my wife and I indicated we would provide you with the additional original deeds for the lots involved in the BK&M, LLC rezoning application. Attached please find the original deed for Lot 12. This deed provides, "Nothing to be erected thereon except a private dwelling..." and has setback requirements incompatible with the placement of a commercial building. I would appreciate your adding this deed to the Commission's file in this matter. Thank you.

Mark Fletcher

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE MADE ON THE 28th day of July A. D. One Thousand Nine Hundred and Twenty-Five by and between Eloise Mackey, a single woman of the County of Greene, State of Missouri, of the first part, and Floyd Roberts of the County of Greene, in the State of Missouri, party of the second part.

WITNESSETH, That the said party of the first part, in consideration of the sum of Fifteen Hundred & 00/100 Dollars to her paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents grant, bargain, and sell, convey and confirm unto the said party of the second part his heirs and assigns the following described lot, tract or parcel of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All

of Lot Fourteen (14), in University Heights, an addition to the City of Springfield, Missouri.

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction, to cost not less than $3000.00 and to set back not less than 30 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this lot as a place of abode even temporary.

L. R. Stamp $1.50 cancelled

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said First Party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever Except taxes for the year 1926 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand — and seal— the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, }
County of Greene, } ss.

On this day of A. D. 19 , before me personally appeared , his wife, and to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in , the day and year first above written.

My term of office as Notary Public will expire 193

Notary Public.

STATE OF MISSOURI, }
County of Greene, } ss.

On this 28th day of July A. D. 1925, before me personally appeared Eloise Mackey, a single woman to me known to be the person — described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo., , the day and year first above written.

My term of office as Notary Public will expire July 19th 1927

(SEAL) A. E. Van Matre Notary Public.

Filed for Record on the 30 day of July A. D. 1925, at 3 o'clock 20 minutes P.M.

By Deputy. Arthur E. Finch - Recorder.

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From:	Mark Fletcher
To:	Neal, Daniel; Gage, Jason; cfletcher@carnahanevans.com
Subject:	University Heights - Lot 14
Date:	Monday, October 3, 2022 2:34:59 PM
Attachments:	487-335.pdf

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

Mr Neal

Attached is the original deed for Lot 14 which contains building & setback restrictions. Please add this to my submittal. Thank you.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Subject: University Heights
Date: Monday, October 3, 2022 8:05:49 PM

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

Mr Neal

Attached please find a copy of the Schedule B Exceptions on the title commitment for BK&M, LLC's purchase of lot 10. Exception #10 discloses the deed restrictions which will be at issue in the Commission hearing and is proof that the developer had actual knowledge of the restrictions prior to the purchase date. Please add this to my submission.

Mark Fletcher

SCHEDULE B, PART II

(Exceptions)

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. **Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.**

2. **The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid for the year 2022 and all subsequent years.**

   Tax ID# 88-13-25-424-001 VL: $54,820 TX: $2,993.61

3. **Rights or claims of parties in possession not shown by the public records.**

4. **Easements or claims of easements, not shown by the public record.**

5. **Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate survey and complete land survey of the land.**

6. **Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public record.**

7. **Taxes, or special assessments, if any, not shown as existing liens by the Public Records.**

8. **All Rights-of-Way, Easements, Setback Lines, and Informational Notes which are shown on the recorded plat for University Heights, an Addition, in Plat Book J, at Page 49, Recorder's Office, GREENE County, Missouri.**

9. **Right-of-Way Deed, granted to Springfield City Water Co. and Springfield Gas & Electric Co., as set out in Book 469, at Page 66, Recorder's Office, GREENE County, Missouri.**

10. **Terms and Provisions of Restriction on Warranty Deed as contained in Book 487, at Page 367 and Warranty Deed in Book 668, at Page 177 and Building Restriction on Warranty Deed in Book 817, at Page 45, and in on Warranty Deed in Book 848, at Page 238, and any subsequent deeds, Recorder's Office, GREENE County, Missouri. (Lot 10 University Heights)**

11. **Home Owners Association dues.**

12. **The lien of all taxes for the year 2022 and thereafter. None now due and payable.**

13. **All inquiries should be directed to Holly Foss at 1605 E. Sunshine - Springfield, Mo. 65804. Phone 417-882-0909 Fax 417-823-2620.**

MARK AND COURTNEY FLETCHER
1011 E. University
Springfield, Mo 65807

VIA U.S. MAIL AND EMAIL: bfisher@nnlaw.com

Mr. Bryan Fisher
Neale & Newman
2144 E. Republic Road, Unit F-302
Springfield, MO 65804

RE: BK&M, LLC's Proposed Rezoning of Lots 10, 11, 12, 13 and 14 in University Heights

Mr. Fisher,

We have resided at 1011 East University Street for over twenty-two years and are the owners of the east ½ of Lot 63 in University Heights. Our subdivision was designed as a single-family residential neighborhood. Restrictions were placed in the public record to create and preserve our neighborhood as an exclusively residential community. The original deed for our lot contains restrictions which prevent the construction of anything other than a private residence which must be setback a substantial distance from the front property line. In fact, similar restrictions permitting only the construction of private residences and requiring generous setbacks from the front property line are contained in each original deed for every lot in University Heights. The Plat Index Book which is at the Greene County Recorder's Office gives additional notice of these restrictions. In the remarks section of the index for University Heights, the index states, "Restrictions on first deeds. See Individual lots." Finally, there is substantial evidence of the existence and intent of these restrictions to run in perpetuity outside of the above-mentioned documents filed for record with the Recorder of Deeds. For your review, we are attaching copies of four advertisements placed by the developer, State Savings Trust Co., for original lots in University Heights. These advertisements appeared in the Springfield News Leader in 1925 and the Springfield Republican in 1927. Each advertisement provides information about the above-mentioned restrictions and markets them as important and **permanent** features of University Heights.

In March of this year, your client, BK&M, LLC (hereinafter "Company") purchased Lots 10-14 in University Heights. Each of the original deeds for these lots provides either, "Nothing to be erected theron excepting a private residence of brick, stone or stucco construction..." or "Nothing to be erected thereon except a private dwelling." Additionally, each original deed to these lots also contains a setback requirement which makes the potential placement of a commercial building incompatible with current City guidance and requirements. Copies of these deeds are attached hereto for your review. The Company was fully aware of the deed restrictions on Lots 10-14 prior to purchasing the lots. During the Company's pre-development meeting with

the City of Springfield, city staff mentioned possible deed restrictions which prohibit commercial zoning of the property. The City's Pre-Development Report recommended that the Company "look into this further on your end as part of the purchasing process..." Importantly, we have confirmed that the Commitment for Title Insurance issued to your client for one or more of the subject lots lists the above-mentioned restrictions in Schedule B, Part II, Exceptions. Attached are the exceptions for the Company's purchase of Lot 10. The restrictions at issue are listed in numbered paragraph 10. Despite having actual knowledge of the deed restrictions and no factual or legal basis to believe that they are not fully enforceable, the Company filed an application with the City of Springfield to rezone lots 10-14 from single-family residential to commercial use (hereinafter the "Application"). Additionally, the Company has issued various statements and taken certain actions all to the effect that it intends to construct commercial buildings upon some or all of the subject lots.

We have a contractual right and expectancy to enjoy the benefit of the protections in the public record which preserve University Heights as an exclusively single-family residential subdivision. We have the legal right and standing to enforce the restrictions and to obtain judicial relief for violations of them. Your client's actions, including but not limited to, filing the Application, constitute tortious interference with our indisputable contractual right and expectancy to the benefit of the deed restrictions. We can readily and easily prove each element of this claim. As set forth above, the Company had actual knowledge of our contractual rights. It is axiomatic that the filing of the Application and the threat to construct commercial buildings on Lots 10-14 is intentional interference with our contractual rights. Lastly, there is no justification for the Company's actions. The deed restrictions are clear from the four corners of the original deeds. There can be no claim that they have been waived or abandoned. Nothing but private residences have been constructed in University Heights in the almost 100 years of its existence.

By this letter, we demand that the Application be dismissed no later than Friday, October 14, 2022, and that a settlement agreement which ensures that the Company will permanently cease any and all efforts to violate our contractual rights be executed. If these conditions are not met, we will file an action for tortious interference in Greene County Circuit Court and seek the recovery of actual and punitive damages for your client's flagrant violations of our rights. Additionally, we will bring the appropriate ancillary causes of actions necessary to obtain an injunction from the court preventing the Company from taking further actions to commercially develop lots 10-14 and mandating the dismissal of the Application.

Sincerely,

Mark Fletcher

Courtney Fletch

Courtney Fletcher

Now Ready for Springfield People Who Desire Ideal Restricted Homesites Convenient to City and Schools

UNIVERSITY HEIGHTS

Drive out---stop and look back and enjoy a wonderful panorama of our fair city---a view that will delight you.

The Most Beautiful Tract Available--*Southeast*

Adjoining the most beautiful city ---Springfield.

Adjacent to the most wonderful college---Southwest Missouri State Teachers College. Located between Phelps Grove Park on the North, Sunshine road on the south, National Boulevard on the east, Kimbrough road on the west.

This addition is Absolutely Restricted, providing all essential safeguards as to buildings and other restrictions necessary for protected, high class residence building sites.

Right in the Path of Growing Springfield

City water, electric lights, surrounded by well made hard surfaced roads--one of the highest spots in Greene County.

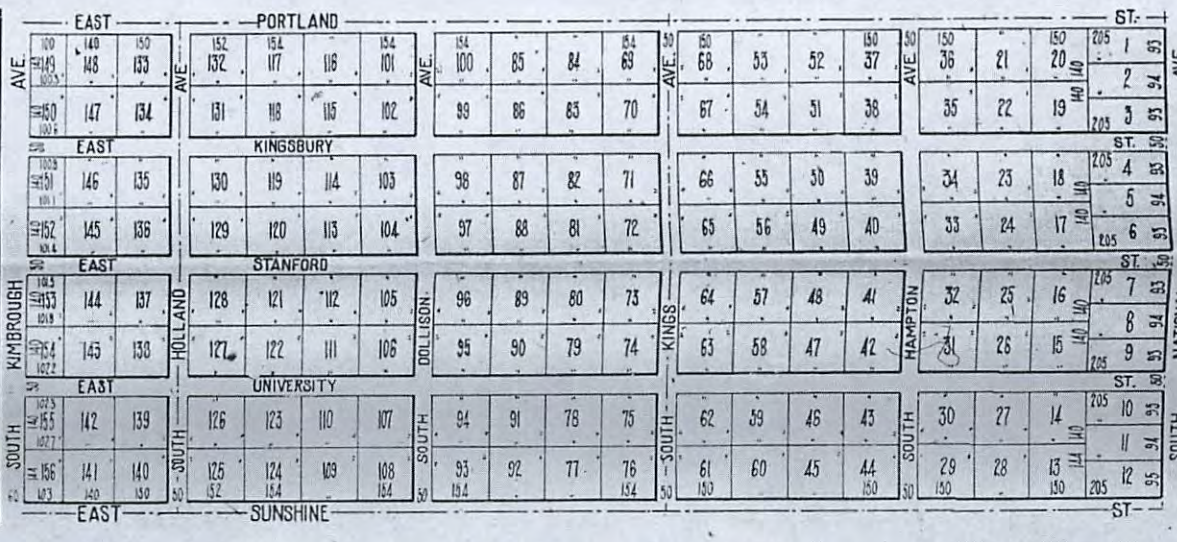
Want a Suburban Home?

Select One of These Tracts

Eighteen ½-acre tracts facing south on Sunshine Drive. This beautiful drive is to be widened to a 60-foot roadway and hard surfaced immediately. This road is the South Boulevard that the city of Springfield contemplates in its system of boundary drives around the city.

LOTS ARE APPROXIMATELY 150x140.

Building Restrictions — Houses in this section to cost not less than $5,000. Other lots restricted to $2,500 to $3,000.



Lots Fronting National Boulevard

13 lots each 93x205 ft. Buildings on these lots are restricted to brick, stone or stucco residences to cost not less than $5,000 and to set back on a building line 75 feet from the Boulevard.

SELECT YOUR LOT AT ONCE

With all city conveniences and the wonderful roadway just completed and maintained by the Federal Government this fronting on this thoroughfare offers marvelous opportunity for either investment or homes. These will go at once, so make your choice immediately.

The State Teachers College and University Heights

We fully believe that the State Teachers College, owing to its phenomenal growth and its wonderful management is destined to become eventually an important cog in the State University System. In anticipation of such an event we have given this beautiful tract the name of UNIVERSITY HEIGHTS. You can readily see the demand for lots in this addition and the price advance that will be commanded. We have therefore platted this tract giving three lots in one, so that later on purchasers should be able to sell a part of their holdings for what the entire tract cost them.

To See Is to Believe and Want to Buy

We could talk about this beautiful tract incessantly and still not tell you all about its beauty, its desirability, accessibility and future, so we suggest you drive out and see for yourself.

Salesmen will be on the ground every day to show you the various lots and locations if you care to drive out at your own convenience.
Our salesmen are available at all times with motor cars to drive you out if you will phone 2357 or 2358.

PRICES--We want you to see these lots before quoting prices, for we know your idea of values will coincide with ours.

TERMS--Of course we'll sell on convenient terms if desired.

University Heights Company

STATE SAVINGS TRUST COMPANY

State Agents

Phones: Business 2357-2358. After 5 p. m. 4631-W, 4631-J, 4061-W

155 North Side Square

UNIVERSITY HEIGHTS

Springfield's Most Popular Addition
Established Bus Service--Main Loop

PAVED STREETS

Ve are now paving Stanford Street which runs through the center of University Heights. The contrac as been let for the paving of Kimbrough from Sunshine to Catalpa, which upon the completion of th enton Avenue Viaduct will give a paved thoroughfare from Sunshine to Commercial. Sunshine Stree n our South has been unofficialy dedicated as Highway No. 16—completing a boulevard completel round the city.

City Water and Electric Lights to Every Lot

Fire Protection

Ve have just recently installed an eight-inch ater main through this beautiful addition with mple plugs to assure the best of fire protection nd the minimum fire insurance rates on every ouse in University Heights.

Building Restrictions

A purchase of a lot in this addition assures you also of high class restrictions; no garagettes o frame houses are permitted.

As you drive by stop and see what is being don to make this addition the most popular and idea residential district in the city.

EXTRA LARGE LOTS

Three Fifty-Foot Lots in One -- Price $10 a Foot

$50 Down—$10 Per Month

COMPARE

Compare our prices, improvements, restrictions nd locations with any other in the city. We vill be glad to show you why you should build in University Heights.

REMEMBER

Over half the lots in this addition have been sold. It is an established addition and a beautiful, permanent and desirable place for home sites.

Salesmen on the Grounds in the Evenings

DRIVE OUT TODAY

State Savings Trust Co.

PHONES 2357 - 2538

Everthing Points to

UNIVERSITY HEIGHTS

As the Safest Spot for your home if you have future development in mind. You build your home not for days, but for years. You protect the investment with the assurance of permanency of good location.

That is what we offer you, that is what is safe guarded in UNIVERSITY HEIGHTS by our building restrictions and our exacting standards of qualifications to become a Home-Owner in this community. A beautiful spot along the trail of future residential development. Reasonable prices. Easy terms. Two beautiful bungalows are now being built in this addition.

STATE SAVINGS TRUST CO.

155 N. S. Square Sales Agents Phones 2357-2358

WARRANTY DEED—Full Warranty Acknowledgment

THIS INDENTURE, MADE ON THE 18th day of June A. D.
One Thousand Nine Hundred and Twenty-five by and between Eloise Mackey, a single
woman of the County of Greene, State of Missouri Part y
of the first part, and J.Warren Sanders
of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part y of the first part, in consideration of the sum of one Dollar & Other valuable Considerations Dollars to her paid by the said part y of the second part, the receipt of which is hereby acknowledged, do s by these presents grant, bargain, and sell, convey and confirm unto the said part y of the second part his heirs and assigns the following described lot, tracts or parcels of land, lying, being and situate in the County of Greene, and State of Missouri, to wit: All all of Lot Number Ten (10) in University Heights, an addition to the City of Springfield, Greene County, Missouri. Building to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $6000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The west 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

J.J.Stamps $0/ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said part y of the second part and unto his heirs and assigns forever, the said first party hereby covenating that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has good right to convey the same; that the said premises are free and clear from all encumbrances done or suffered by her to the time under which she claims, and that she will warrant and defend the title to the said premises unto the said part y of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever except taxes for the year 1925 and thereafter

IN WITNESS WHEREOF, the said part y of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, }
County of Greene } ss.
On this day of A. D. 19 , before me personally appeared , his wife and to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in , the day and year first above written.

My term of office as Notary Public will expire 192

Notary Public.

STATE OF MISSOURI, }
County of Greene } ss.
On this 18 day of June A. D. 19 25, before me personally appeared Eloise Mackey, a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo., the day and year first above written.

My term of office as Notary Public will expire July 23th 192 7

(LS) A.H.Van Entre Notary Public.

Filed for Record on the 3 day of Aug. A. D. 1925, at 3 o'clock 00 minutes P.M.
By Ruble L.Tommack Deputy. Arthur Barnes Recorder.

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WARRAN[illegible] Statutory Acknowledgment

THIS INDENTURE, Made on the 6th day of May A. D. One Thousand Nine Hundred and Twenty-six

by and between Elaine Mackey, a single and unmarried woman

of Springfield, Missouri party of the first part, and James F. Sawyer & Adele Sawyer, husband and wife

of the County of Greene, in the State of Missouri, parties of the second part

WITNESSETH, That the said party of the first part in consideration of the sum of

$1.00 & other valuable considerations

paid by the said parties of the second part, the receipt of which is hereby acknowledged, does by these presents grant, bargain, and sell, convey and confirm unto the said parties of the second part their heirs and assigns, the following described land, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to wit:

All of Lot #11, UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Greene County, Missouri.

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $8000.00 and to set back not less than 75-ft. from the front property line.

Subject to a right-of-way covering the West 10-ft. of this lot, for water mains, electricity, sewerage, etc.

Internal Revenue cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said parties of the second part and unto their heirs and assigns forever, the said first party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims; and that she will warrant and defend the title to the said premises unto the said parties of the second part, and unto her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever excepting taxes due and payable in the year 1926 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of us

Elaine Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, } ss
County of Greene }

On this day of 192 , before me personally appeared and his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written.

My term of office as Notary Public will expire
(L. S.)

Notary Public

STATE OF MISSOURI, } ss
County of Greene }

On this 6th day of May A.D. 192 6 , before me personally appeared Elaine Mackey, a single and unmarried woman

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Elaine Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as Notary Public will expire September 24th 1930
(L. S.)

T. A. Nicholson Notary Public

Filed for record on the 25 day of June A. D. 192 7 , at 10 o'clock 10 minutes A. M.
By Ruby Likins Deputy. Jack W. McKee Recorder

170

WARRANTY DEED, with Marital Acknowledgment.

This Indenture, Made on the 14th day of July A. D. One Thousand Nine Hundred and twenty seven by and between Elaine Mosley, a single and unmarried woman of Springfield, Greene County, Missouri part Y of the first part, and J. F. Burtz of the County of Greene in the State of Missouri part Y of the second part,

WITNESSETH, That the said part Y of the first part, in consideration of the sum of Two thousand & 00/100 DOLLARS to her paid by the said part Y of the second part, the receipt of which is hereby acknowledged, do Grant by these presents Grant, Bargain, and Sell, Convey and Confirm unto the said part Y of the second part, his heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit: All of Lot twelve (12) in University Heights Addition to the city of Springfield, Missouri. Nothing to be erected thereon except a private dwelling, to cost not not less than twenty five feet from the front property line, and to cost not less than $2000.00

TO HAVE AND TO HOLD The premises aforesaid, with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining, unto the said part Y of the second part, and unto his heirs and assigns, forever; the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has a good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by herself or those under her; she will Warrant and Defend the title to the said premises unto the said part Y of the second part, and unto his heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever.

Except all taxes for the year 1927 and thereafter

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of us: Elaine Mosley [SEAL] [SEAL] [SEAL] [SEAL]

STATE OF MISSOURI, County of ... } ss. Be IT RE... day of ... 19... before me personally appeared ... and ... to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in ... the day and year first above written.

My term of office as a Notary Public will expire ... 19...

STATE OF MISSOURI, County of Greene } ss. Be IT REMEMBERED, on this 14th day of July A.D. 1927, before me personally appeared Elaine Mosley, a single and unmarried woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Elaine Mosley further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as a Notary Public will expire June 21 A.D. 30 Kim C. Caylor, Notary Public.

The foregoing Deed was filed for record in this office on the 20th day of April AD 1928 at 8 o'clock 10 minutes P. M.

Ben F. Shlotzman Recorder Jack D. Hulse Assistant

INSTRUMENT Warranty Deed

BOOK 520	PAGE 80	CONSIDERATION $ 7500.
DATED Jun 10 1927	NO. 90	FILED Jun 11 1927.

Eloise Mackey, a single woman.

TO

Albert G.Eckert &
Mary Eckert.

Granting Clause Grant Bargain and sell convey and confirm.

Conveys following land in Greene County, Mo., viz:

All of Lots 13,59,102,114 and 119 in UNIVERSITY HEIGHTS ADDITION to the City of Springfield,Missouri. Nothing to be erected on Lot # 13, except a private residence of brick, stone or stucco construction to cost not less than $5000.,and on lots 59,102,114 and 119,except a private residence of brick,stone or stucco construction to cost not less than $3000. to set back not less than 30 feet from the front property line, Parties of the second part hereby agree that they will not erect a garagette on any of these lots as a place of abode,even temporary.

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE MADE ON THE 28th day of July A. D. One Thousand Nine Hundred and Twenty-Five by and between Eloise Mackey, a single woman of the County of Greene, State of Missouri, of the first part, and Floyd Roberts of the County of Greene, in the State of Missouri, part y of the second part

WITNESSETH, That the said party of the first part, in consideration of the sum of Fifteen Hundred & 00/100 Dollars to her paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents grant, bargain, and sell, convey and confirm unto the said party of the second part his heirs and assigns the following described lot, tract or parcel of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All

of Lot Fourteen (14), in University Heights, an addition to the City of Springfield, Missouri.

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction, to cost not less than $3000.00 and to set back not less than 30 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this lot as a place of abode even temporary.

I. R. Stamps $1.50 cancelled

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said First Party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has a good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever Except taxes for the year 1926 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand — and seal— the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, }
County of Greene } ss.

On this day of A. D. 19 , before me personally appeared , his wife, and to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in , the day and year first above written.

My term of office as Notary Public will expire 192

Notary Public.

STATE OF MISSOURI, }
County of Greene } ss.

On this 28th day of July A. D. 1925 , before me personally appeared Eloise Mackey, a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo., , the day and year first above written.

My term of office as Notary Public will expire July 19th 1927

(12) A. M. Van Matre Notary Public.

Filed for Record on the 30 day of July A. D. 1925 , at 3 o'clock 20 minutes P.M.

By Deputy. Arthur B. Finch - Recorder.

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SCHEDULE B, PART II
(Exceptions)

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.

2. The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid for the year 2022 and all subsequent years.

   Tax ID# 88-13-25-424-001 VL: $54,820 TX: $2,993.61

3. Rights or claims of parties in possession not shown by the public records.

4. Easements or claims of easements, not shown by the public record.

5. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate survey and complete land survey of the land.

6. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public record.

7. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.

8. All Rights-of-Way, Easements, Setback Lines, and Informational Notes which are shown on the recorded plat for University Heights, an Addition, in Plat Book J, at Page 49, Recorder's Office, GREENE County, Missouri.

9. Right-of-Way Deed, granted to Springfield City Water Co. and Springfield Gas & Electric Co., as set out in Book 469, at Page 66, Recorder's Office, GREENE County, Missouri.

10. Terms and Provisions of Restriction on Warranty Deed as contained in Book 487, at Page 367 and Warranty Deed in Book 668, at Page 177 and Building Restriction on Warranty Deed in Book 817, at Page 45, and in on Warranty Deed in Book 848, at Page 238, and any subsequent deeds, Recorder's Office, GREENE County, Missouri. (Lot 10 University Heights)

11. Home Owners Association dues.

12. The lien of all taxes for the year 2022 and thereafter. None now due and payable.

13. All inquiries should be directed to Holly Foss at 1605 E. Sunshine - Springfield, Mo. 65804. Phone 417-882-0909 Fax 417-823-2620.

From:	Mark Fletcher
To:	Neal, Daniel; Gage, Jason
Subject:	University Heights
Date:	Tuesday, October 4, 2022 1:15:21 PM
Attachments:	Brian Fisher.pdf

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

Mr Neal

Please add the attached demand letter which has been sent to the applicant's attorney to my submission in this matter. Thank you.

Mark Fletcher

MARK AND COURTNEY FLETCHER
1011 E. University
Springfield, Mo 65807

VIA U.S. MAIL AND EMAIL mmcnew@gbank.com

Mr. Monte McNew, Chief Executive Officer
Guaranty Bank
2006 S. Glenstone Avenue
Springfield, Mo 65804

RE: Loans to BK&M, LLC secured by lots in University Heights

Mr. McNew:

We have resided at 1011 East University Street for over twenty-two years and are the owners of the east ½ of Lot 63 in University Heights. University Heights was designed as a single-family residential neighborhood. Restrictions were placed in the public record to create and preserve our neighborhood as an exclusively residential community. The original deed for our lot contains restrictions which prevent the construction of anything other than a private residence which must be setback a substantial distance from the front property line. In fact, similar restrictions permitting only the construction of private residences and requiring generous setbacks from the front property line are contained in each original deed for every lot in University Heights. The Plat Index Book which is at the Greene County Recorder's Office gives additional notice of these restrictions. In the remarks section of the index for University Heights the index states, "Restrictions on first deeds. See Individual lots." Finally, there is substantial evidence of the existence and intent of these restrictions outside of the above-mentioned documents filed for record with the Recorder of Deeds. For your review, we are attaching copies of four advertisements placed by the developer, State Savings Trust Co., for original lots in University Heights. These advertisements appeared in the Springfield News Leader in 1925 and the Springfield Republican in 1927. Each advertisement provides information about the above-mentioned restrictions and markets them as important and **permanent** features of University Heights.

In March of this year, BK&M, LLC (hereinafter "Your Borrower") purchased Lots 10-13 in University Heights. In September, Your Borrower purchased Lot 14. Springfield First Community Bank ("SFC Bank") provided Your Borrower with more than $1.3 million for the purchase of Lots 10-14. SFC Bank subsequently merged operations with Guaranty Bank upon their purchase by QCR Holdings, Inc., a multi-bank holding company headquartered in Illinois (hereinafter "Guaranty Bank"). Each of the original deeds for these lots provides either, "Nothing to be erected theron excepting a private residence of brick, stone or stucco construction…" or "Nothing to be erected thereon except a private dwelling." Additionally, each original deed to these lots contains a setback requirement which makes the potential placement of a commercial

building incompatible with current City guidance and requirements. Guaranty Bank was fully aware of the deed restrictions on Lots 10-14 prior to financing their purchase and taking a security interest in the lots via two separate deeds of trust. During Your Borrower's pre-development meeting with the City of Springfield, city staff mentioned possible deed restrictions which prohibit commercial zoning of the property. The City's Pre-Development Report recommends Your Borrower "look[ing] into this further on your end as part of the purchasing process..." Importantly, we have confirmed that the Commitment for Title Insurance for one or more of the subject lots lists the above-mentioned restrictions in Schedule B, Part II, Exceptions. Attached are the exceptions for Your Borrower's purchase of Lot 10. The very restrictions at issue are listed in numbered paragraph 10. These title insurance commitments would have listed Guaranty Bank as the Proposed Insured or Additional Insured. Further, there can be no dispute that Guaranty Bank reviewed these commitments to ensure the priority of its Deeds of Trust before issuing more than $1.3 million dollars in loans.

Despite having actual knowledge of the deed restrictions and no factual or legal basis to believe that they are not fully enforceable, Guaranty Bank financed the purchase of Lots 10-13 knowing full well that Your Borrower intended to file an application with the City of Springfield to rezone the lots from single-family residential to commercial use (hereinafter the "Application"). Additionally, Guaranty Bank financed the purchase of Lot 14 after Your Borrower filed the application, issued various statements and took certain actions all to the effect that it intended to construct commercial buildings upon some or all of the subject lots.

We have a contractual right and expectancy to enjoy the benefit of the protections in the public record which preserve University Heights as an exclusively single-family residential subdivision. We have the legal right and standing to enforce the restrictions and obtain judicial relief for violations of them. Guaranty Bank's actions, including but not limited to, financing the purchase of Lots 10-14, constitute tortious interference with our indisputable contractual right and expectancy to the benefit of the deed restrictions. We can readily and easily prove each element of this claim. As set forth above, Guaranty Bank had actual knowledge of our contractual rights. It is axiomatic that loaning of monies to an entity which Guaranty Bank knew was going to file the Application and attempt to construct commercial buildings on Lots 10-14 is intentional interference with our contractual rights. Lastly, there is no justification for Guaranty Bank's actions. The deed restrictions are clear from the four corners of the original deeds. There can be no claim that they have been waived or abandoned. Nothing but a private residence has been constructed in University Heights in the almost 100 years of its existence.

By this letter, we offer to settle our claims against Guaranty Bank for payment of the sum of $250,000.00 and the entry of a settlement agreement which ensures that Guaranty Bank will permanently cease any and all efforts to violate our contractual rights. We will hold the settlement monies in trust to fund preservation efforts in University Heights. The primary use of these funds will be to help rebuild the iconic white house at 1755 S. National Avenue which was destroyed yesterday. We will stop the unlawful effort to build commercial properties in University Heights and we will build back the destruction which Guaranty Bank has financed. The house which symbolized our historic neighborhood will once again grace the corner of Sunshine and National. If these conditions are not met by Friday, October 14, 2022, we will file an action for tortious interference, and other appropriate causes of action, in Greene County Circuit Court and seek the recovery of actual and punitive damages for your flagrant violations of our rights.

Sincerely,

Mark Fletcher

Courtney Fletcher

Now Ready for Springfield People Who Desire Ideal Restricted Homesites Convenient to City and Schools

UNIVERSITY HEIGHTS

Drive out---stop and look back and enjoy a wonderful panorama of our fair city---a view that will delight you.

The Most Beautiful Tract Available--*Southeast*

Adjoining the most beautiful city ---Springfield.

Adjacent to the most wonderful college---Southwest Missouri State Teachers College. Located between Phelps Grove Park on the North, Sunshine road on the south, National Boulevard on the east, Kimbrough road on the west.

This addition is Absolutely Restricted, providing all essential safeguards as to buildings and other restrictions necessary for protected, high class residence building sites.

Right in the Path of Growing Springfield

City water, electric lights, surrounded by well made hard surfaced roads--one of the highest spots in Greene County.

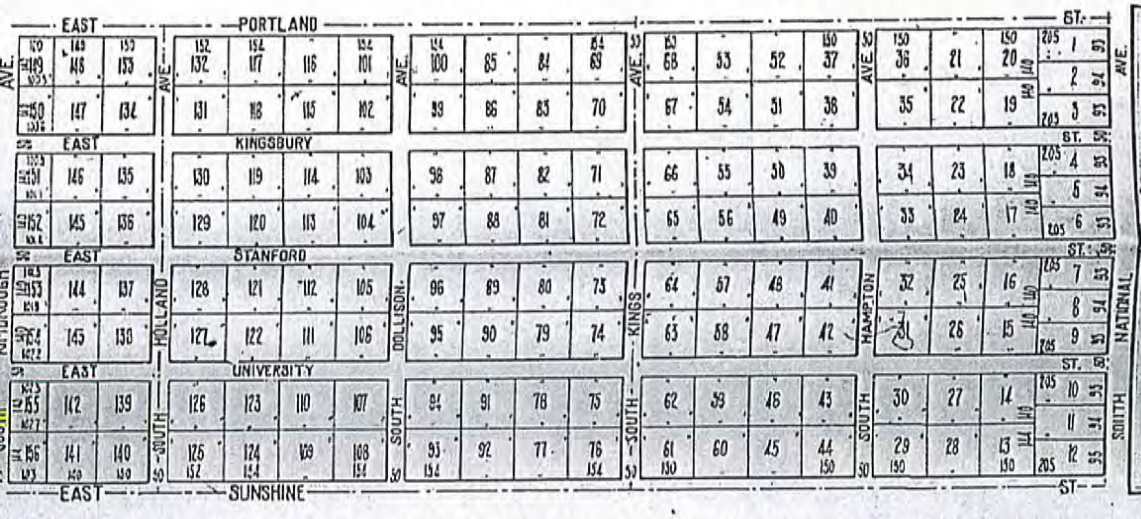
Want a Suburban Home?

Select One of Three Tracts

Eighteen hundred acres tract facing south on Sunshine Drive. This beautiful drive is to be widened to a 40-foot roadway and hard surfaced immediately. This road to the South Boulevard that the city of Springfield contemplates in its system of boundary drives around the city.

LOTS AND APPROXIMATELY 100x150.

Building Restrictions — Houses in this section to cost not less than $1,500. Other lots restricted to $2,500 to $5,000.



Lots Fronting National Boulevard

13 lots each 85x155 ft. Buildings on these lots are restricted to brick, stone or stucco residences to cost not less than $2,500 and to set back on a building line 35 feet from the Boulevard.

SELECT YOUR LOT AT ONCE

With all city conveniences and the wonderful roadway just completed and maintained by the Federal Government this frontage on this thoroughfare offers marvelous opportunity for either investment or homes. These will go at once, so make your choice immediately.

The State Teachers College and University Heights

We fully believe that the State Teachers College, owing to its phenomenal growth and its wonderful management is destined to become eventually an important cog in the State University System. In anticipation of such an event we have given this beautiful tract the name of UNIVERSITY HEIGHTS. You can readily see the demand for lots in this addition and the price advance that will be commanded. We have therefore platted this tract giving three lots in one, so that later on purchasers should be able to sell a part of their holdings for what the entire tract cost them.

To See Is to Believe and Want to Buy

We could talk about this beautiful tract incessantly and still not tell you all about its beauty, its desirability, accessibility and future, so we suggest you drive out and see for yourself.

Salesmen will be on the ground every day to show you the various lots and locations if you care to drive out at your own convenience.
Our salesmen are available at all times with motor cars to drive you out if you will phone 2357 or 2358.

PRICES--We want you to see these lots before quoting prices, for we know your idea of values will coincide with ours.

TERMS---Of course we'll sell on convenient terms if desired.

University Heights Company

STATE SAVINGS TRUST COMPANY

State Agents

Phones: Business 2357-2358. After 5 p. m. 4631-W, 4631-J, 4061-W

155 North Side Square

UNIVERSITY HEIGHTS

Springfield's Most Popular Addition
Established Bus Service—Main Loop

PAVED STREETS

Ve are now paving Stanford Street which runs through the center of University Heights. The contrac as been let for the paving of Kimbrough from Sunshine to Catalpa, which upon the completion of th enton Avenue Viaduct will give a paved thoroughfare from Sunshine to Commercial. Sunshine Stree n our South has been unofficialy dedicated as Highway No. 16—completing a boulevard completel round the city.

City Water and Electric Lights to Every Lot

Fire Protection

/e have just recently installed an eight-inch ater main through this beautiful addition with mple plugs to assure the best of fire protection nd the minimum fire insurance rates on every ouse in University Heights.

Building Restrictions

A purchase of a lot in this addition assures you also of high class restrictions; no garagettes o: frame houses are permitted.

As you drive by stop and see what is being don to make this addition the most popular and idea residential district in the city.

EXTRA LARGE LOTS

Three Fifty-Foot Lots in One -- Price $10 a Foot

$50 Down—$10 Per Month

COMPARE

Compare our prices, improvements, restrictions nd locations with any other in the city. We vill be glad to show you why you should build in Jniversity Heights.

REMEMBER

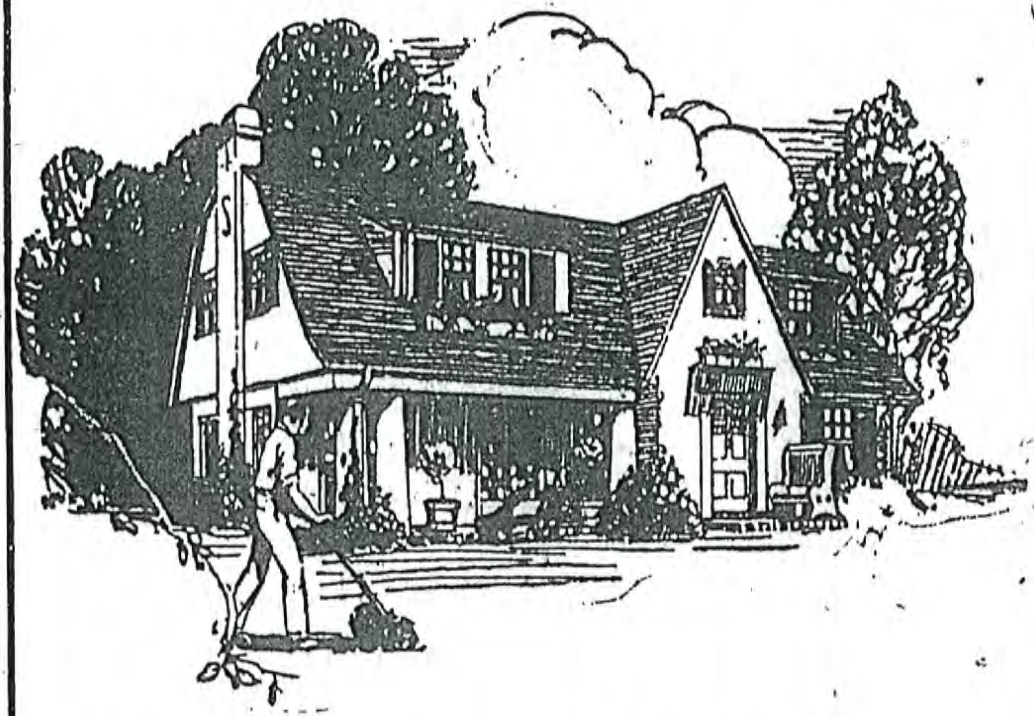
Over half the lots in this addition have been sold It is an established addition and a beautiful, permanent and desirable place for home sites.

Salesmen on the Grounds in the Evenings

DRIVE OUT TODAY

State Savings Trust Co.

PHONES 2357 - 2538



Everthing Points to

UNIVERSITY HEIGHTS

As the Safest Spot for your home if you have future development in mind. You build your home not for days, but for years. You protect the investment with the assurance of permanency of good location.

That is what we offer you, that is what is safe guarded in UNIVERSITY HEIGHTS by our building restrictions and our exacting standards of qualifications to become a Home-Owner in this community. A beautiful spot along the trail of future residential development. Reasonable prices. Easy terms. Two beautiful bungalows are now being built in this addition.

STATE SAVINGS TRUST CO.

155 N. S. Square Sales Agents Phones 2357-2358

FARMER BEEL AND Hayes, Abstracters

THIS INDENTURE, MADE ON THE 18th day of June A. D. One Thousand Nine Hundred and twenty-five between Eloise Mackey, a single woman of the county of Greene, State of Missouri part y of the first part, and Jameson Sanders of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part y of the first part, for and in consideration of one dollar & other valuable considerations Dollars to her paid by the said part y of the second part, the receipt of which is hereby acknowledged, do grant, bargain and sell, convey and confirm unto the said part y of the second part his heirs and assigns the following described lot, tract or parcel of land, lying and being in the County of Greene and State of Missouri, to wit: All of lot number Ten (10) in University Heights, an addition to the city of Springfield, Greene County, Missouri, waiting to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $6000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The west 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

J.J. Stamps $0/ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all the appurtenances thereunto belonging or in anywise appertaining unto the said party of the second part, his heirs and assigns forever. The said first party and she is lawfully seized of an indefeasible estate in fee in the premises hereby conveyed, that she has a good right to convey the same; that the said premises are free from all encumbrances except taxes assessed by her; and that she will warrant and defend the title to the said premises unto the said party of the second part, and his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever. Except taxes for the year 1925 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of: Eloise Mackey (SEAL) (SEAL) (SEAL) (SEAL)

STATE OF MISSOURI, County of Greene: On this day of A. D. 19 before me personally appeared this wife and husband to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the day and year first above written.

My term of office as Notary Public will expire 192 Notary Public.

STATE OF MISSOURI, County of Greene: On this 18 day of June A. D. 19 before me personally appeared Eloise Mackey, a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Springfield, Mo. the day and year first above written.

My term of office as Notary Public will expire July 1928 192 7

(SEAL) J.E. Van Raite Notary Public.

Filed for Record on the 3 day of Aug. A. D. 1925 at 3 o'clock 00 minutes P.M.

By Bessie Lowenmark Deputy. Arthur Barlosh Recorder.

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WARRAN[illegible] Statutory Acknowledgment

THIS INDENTURE, Made on the 6th day of May A. D. One Thousand Nine Hundred and Twenty-six

by and between Elaine Mackey, a single and unmarried woman

party of the first part

of Springfield, Missouri

James F. Sawyer & Adele Sawyer, husband and wife

of the County of Greene, in the State of Missouri parties of the second part

WITNESSETH, That the said party of the first part in consideration of the sum of

$1,00 & other valuable considerations

to her paid by the said parties of the second part, the receipt of which is hereby acknowledged, does by these presents grant, bargain and sell, convey and confirm unto the said parties of the second part their heirs and assigns the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to wit:

All of Lot #11, UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Greene County, Missouri.

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $5000.00 and to set back not less than 75-ft. from the front property line.

Subject to a right-of-way covering the East 10-ft. of this lot. for water mains, electricity, sewerage, etc.

Internal Revenue cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said parties of the second part and unto their heirs and assigns forever, the said first party

hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has a good right to convey the same, that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims, and that she will warrant and defend the title to the said premises unto the said parties of the second part, and unto her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever excepting taxes due and payable in the year 1925 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year first above written

Signed, sealed and delivered in the presence of us

Elaine Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, } ss
County of Greene } On this day of 192 , before me personally appeared and

his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written

My term of office as Notary Public will expire 192
(L. S.)

Notary Public

STATE OF MISSOURI, } ss
County of Greene } On this 6th day of May A.D. 192 6 , before me personally appeared

Elaine Mackey, a single and unmarried woman

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Elaine Mackey

further declared herself to be single and unmarried

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as Notary Public will expire September 24th 1929
(L. S.)

T. A. Nicholson Notary Public

Filed for record on the 23 day of June A. D. 192 7 , at 10 o'clock 10 minutes A. M.
By Philip Libbine Deputy. Jack W. Hoke Recorder

170

This Indenture, Made on the 11th day of July A. D. One Thousand Nine Hundred and twenty-seven by and between Elaine Hanley, a single and unmarried woman of Springfield, Greene County, Missouri party of the first part, and J. F. Hunter of the County of Greene in the State of Missouri party of the second part,

WITNESSETH, That the said party of the first part, in consideration of the sum of Two Thousand & 00/100 DOLLARS to her paid by the said party of the second part, the receipt of which is hereby acknowledged, do, by these presents Grant, Bargain, and Sell, Convey and Confirm unto the said party of the second part, his heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit: All of Lot twelve (12) in University Heights Addition to the city of Springfield, Missouri. Nothing to be erected thereon except a private dwelling, to cost not less than twenty five feet from the front property line, and to cost not less than $3000.00

TO HAVE AND TO HOLD The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said party of the second part, and unto his heirs and assigns, forever; the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has a good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under her; that she will Warrant and Defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever.

Except all taxes for the year 1927 and thereafter

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of us: Elaine Hanley [SEAL]

STATE OF MISSOURI, County of ____ } ss. On this ____ day of ____ before me personally appeared ____ to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in ____ the day and year first above written.

My term of office as a Notary Public will expire ____

STATE OF MISSOURI, County of Greene } ss. On this 11th day of July A. D. 1927 before me personally appeared Elaine Hanley, a single and unmarried woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And she said Elaine Hanley further declared she is a single and unmarried woman.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as a Notary Public will expire June 22 1930 Alex C. Taylor, Notary Public

The foregoing deed was filed for record in this office on the 20th day of April AD 1927 at 8 o'clock A M and recorded in Book 8 on page 170

Sam E. Whitehead Recorder By Jos. E. Bates Deputy

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE, Made on the 10th day of June A. D. One Thousand Nine Hundred and Twenty-

by and between Eloise Mackey a single woman

of Greene County, Missouri part y of the first part, and
Albert G. Eckert & Mary Eckert,
of the County of Greene, in the State of Missouri, parties of the second part.

WITNESSETH, That the said part y of the first part in consideration of the sum of
Seventy Five Hundred & 00/100 Dollars
to her paid by the said parties of the second part, the receipt of which is hereby acknowledged, do by these presents grant,
bargain, and sell, convey and confirm unto the said parties of the second part their heirs and assigns, the following described lot,
tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All of Lots 13, 59, 102, 114 and 119, in UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Mo.

Nothing to be erected on Lot #13, except a private residence of brick, stone or stucco construction to cost not less than $5000.00 and on lots 59, 102, 114 and 119, except a private residence of brick stone or stucco construction to cost not less than $3000.00 to set back not less than 30 feet from the front property line, Parties of the second part hereby agree that they will not erect a garagette on any of these lots as a place of abode, even temporary.

Internal Revenue Cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said parties of the second part and unto their heirs and assigns forever, the said
First Party
herein covenants that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under whom she claims; and that she will warrant and defend the title to the said premises unto the said parties of the second part, and unto their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.
Except taxes for the year 1927 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of us.

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI }
County of } On this day of 192 , before me personally appeared
and
to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in
the day and year last above written.

My term of office as Notary Public will expire
(L. S.) 192

Notary Public

STATE OF MISSOURI }
County of } On this 10th day of June A.D. 192 7 , before me personally appeared
Eloise Mackey, a single woman
to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as
her free act and deed. Witness my hand and seal. Eloise Mackey
herself

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo.
the day and year last above written.

My term of office as Notary Public will expire September 24th 192 9

W. A. Rio Nelson Notary Public

Filed for record the 23 day of June A.D. 192 7 , at 9 o'clock 30 minutes A. M.
Ben W. Scott Clerk By Jack W. Hokes Recorder.

WARRANTY DEED (Corporation Acknowledgment)

THIS INDENTURE, MADE ON THE 20th day of July A. D., Nineteen Hundred and Twenty-Five between Eloise Mackey, a single woman of the County of Greene, State of Missouri, of the first part, and Floyd Roberts of the County of Greene, in the State of Missouri, part y of the second part

WITNESSETH, That the said party of the first part, in consideration of the sum of Fifteen Hundred & 00/100 Dollars to her paid by the said party of the second part, the receipt of which is hereby acknowledged, do hereby grant, bargain, and sell, convey and confirm unto the said party of the second part his heirs and assigns the following described lot, tract or parcel of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All

of Lot Fourteen (14), in University Heights, an addition to the City of Springfield, Missouri,

Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction, to cost not less than $3000.00 and to set back not less than 30 feet from the front property line. The purchaser hereby agrees that he will not erect a garage on this lot as a place of abode even temporary.

4
8
7

I. R. Stamp $1.50 cancelled

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said First Party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims; and that she will warrant and defend the title to the said premises unto the said party of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever Except taxes for the year 1926 and thereafter.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand — and seal — the day and year first above written.

Signed, Sealed and Delivered in the presence of

Eloise Mackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, }
County of Greene } ss.

On this day of A. D. 19 , before me personally appeared , his wife, and to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in , the day and year first above written.

My term of office as Notary Public will expire 192

Notary Public.

STATE OF MISSOURI, }
County of Greene } ss.

On this 20th day of July A. D. 19 25 , before me personally appeared Eloise Mackey, a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Mackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo., , the day and year first above written.

My term of office as Notary Public will expire July 12th 192 7

(LS) A. M. Van Matre Notary Public.

Filed for Record on the 30 day of July A. D. 1925 , at 3 o'clock 30 minutes P.M.

By Deputy. Arthur B. Flick - Recorder.

SCHEDULE B, PART II

(Exceptions)

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.

2. The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid for the year 2022 and all subsequent years.

   Tax ID# 88-13-25-424-001 VL: $54,820 TX: $2,993.61

3. Rights or claims of parties in possession not shown by the public records.

4. Easements or claims of easements, not shown by the public record.

5. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate survey and complete land survey of the land.

6. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public record.

7. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.

8. All Rights-of-Way, Easements, Setback Lines, and Informational Notes which are shown on the recorded plat for University Heights, an Addition, in Plat Book J, at Page 49, Recorder's Office, GREENE County, Missouri.

9. Right-of-Way Deed, granted to Springfield City Water Co. and Springfield Gas & Electric Co., as set out in Book 469, at Page 66, Recorder's Office, GREENE County, Missouri.

10. Terms and Provisions of Restriction on Warranty Deed as contained in Book 487, at Page 367 and Warranty Deed in Book 668, at Page 177 and Building Restriction on Warranty Deed in Book 817, at Page 45, and in on Warranty Deed in Book 848, at Page 238, and any subsequent deeds, Recorder's Office, GREENE County, Missouri. (Lot 10 University Heights)

11. Home Owners Association dues.

12. The lien of all taxes for the year 2022 and thereafter. None now due and payable.

13. All inquiries should be directed to Holly Foss at 1605 E. Sunshine - Springfield, Mo. 65804. Phone 417-882-0909 Fax 417-823-2620.

From:	Mark Fletcher
To:	Neal, Daniel; Gage, Jason
Subject:	University Heights
Date:	Wednesday, October 5, 2022 10:07:52 AM
Attachments:	doc05079620221005093641.pdf

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

Mr Neal

Please add to my submission the attached demand letter to the bank which loaned money to the applicant despite knowing of the deed restrictions and BK&M, LLC's intent to violate the same. Thank you.

Mark Fletcher

WARRANTY DEED—Notary Acknowledgment

THIS INDENTURE, Made on the 7th day of December A. D. One Thousand Nine Hundred and twenty nine

by and between Eloise Hackey, a single woman-

of Greene county, Missouri part y of the first part, and

Bessie Lebovitz and Bella Hintz

of the County of Greene, in the State of Missouri, part ies of the second part.

WITNESSETH, That the said part y of the first part in consideration of the sum of fifteen hundred- Dollars,

to her paid by the said part ies of the second part, the receipt of which is hereby acknowledged, do es by these presents grant, bargain, and sell, convey and confirm unto the said part ies of the second part their heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Greene and State of Missouri, to-wit:

All of lot twenty nine (29) in University Heights an addition to the city of Springfield, Missouri.

Nothing to be built thereon except a private residence of brick, stone or stucco construction, to set back not less than thirty feet from the front property line and to cost not less than $3000.00

Internal Revenue cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said part ies of the second part and unto their heirs and assigns forever, the said Eloise Hackey hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has a good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under whom she claim s; and that she will warrant and defend the title to the said premises unto the said part ies of the second part, and unto their heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever except the taxes for the year 1930 and thereafter.

IN WITNESS WHEREOF, the said part y of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of us. Eloise Hackey (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, County of Greene, } ss. On this day of 19 , before me personally appeared and his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written.

My term of office as Notary Public will expire 19
(L. S.)
Notary Public.

STATE OF MISSOURI, County of Greene, } ss. On this 7th day of December 19 29, before me personally appeared Eloise Hackey a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Hackey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri, the day and year first above written.

My term of office as Notary Public will expire June 29th 1930 19
(L. S.)
Nina C. Taylor Notary Public.

Filed for record on the 19 day of March A. D. 19 30, at 11 o'clock 00 minutes, M.

By Ruby Libins Deputy. Jack S. McKee Recorder.

WARRANTY DEED—With Statutory Acknowledgment

THIS INDENTURE, Made on the 8th, day of June, A. D. One Thousand Nine Hundred and Twenty eh,
by and between Kleise Mackey, a single and unmarried woman
of Springfield, Missouri, party y of the first part, and
Vern Dillon,
of the County of Greene, in the State of Missouri, party y of the second part.

WITNESSETH, That the said party y of the first part in consideration of the sum of
$1.00 and other valuable considerations.
to her paid by the said party y of the second part, the receipt of which is hereby acknowledged, do es by these presents grant, bargain, and sell, convey and confirm unto the said party y of the second part his heirs and assigns, the following described lot, tracts or parcels of land, lying, being and situate in the County of Greene and State of Missouri, to wit:

All All of Lot 28, in University Heights Addition to the City of Springfield, Missouri

Nothing to be erected thereon except a private residence of brick, stone, or stucco construction, to cost not less than $5000.00 and to set back not less than 30 ft. from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

Internal Revenue ... cancelled

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said party y of the second part and unto his, heirs and assigns forever, the said First party hereby covenanting that she is lawfully seized of an indefeasible estate in fee in the premises herein conveyed, that she has a good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by her or those under whom she claims s; and that she, will warrant and defend the title to the said premises unto the said party y of the second part, and unto his, heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever.
Excepting taxes due and payable in the year 1926 and thereafter.

IN WITNESS WHEREOF, the said party y of the first part has s hereunto set her, hand and seal, the day and year first above written.

Signed, sealed and delivered in the presence of us Kleise Mackey, (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MISSOURI, } ss. On this day of 192 , before me personally appeared
County of Greene. }
and
his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written.

My term of office as Notary Public will expire 192
(L. S.)

Notary Public

STATE OF MISSOURI, } ss. On this 8th, day of June, A.D.1926, before me personally appeared
County of Greene. }
Kleise Mackey, a single and unmarried woman,
to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her, free act and deed. And the said Kleise Mackey, a single woman,
further declared herself, to be single and unmarried

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri the day and year first above written.

My term of office as Notary Public will expire September 24th, 192 9
(L. S.)

T. S. Nicholson, Notary Public

Filed for record on the 24, day of June, A. D. 192 6 at 10 o'clock 10 minutes A.M.
By Deputy. Arthur B. Finch, Recorder

From:	Mark Fletcher
To:	Neal, Daniel
Cc:	Courtney L. Fletcher; Istenes, Susan
Subject:	University Heights Rezoning
Date:	Monday, November 14, 2022 10:36:30 AM
Attachments:	570-544.g0000.pdf 503-92.pdf

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

Mr Neal

Attached are copies of the original deeds for lots 28 & 29 in University Heights. These are the lots added by BK&M, LLC in its new application. These lots contain the same building restrictions as Lots 10-14, for which I previously submitted the original deeds. Please add the deeds for Lots 28 & 29 to my submission in this matter.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Subject: University Heights Rezoning/Neighborhood Meeting in Violation of ADA
Date: Saturday, October 22, 2022 8:03:24 PM

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

Mr. Neal

I am contacting you regarding the Neighborhood Meeting in the above matter which is scheduled to take place Monday at 1955 S. National Ave. It is my information that the City has previously received complaints that this meeting site is not handicap accessible. It is also my information that the applicant has refused neighborhood requests to make reasonable accommodations and hold the Neighborhood Meeting at a handicap accessible site. As you are aware, there is no parking within 150 meters of this site. What parking is available is extremely limited. Additionally, anyone walking to this location must traverse the narrow sidewalk on either National Ave or Sunshine Street during the peak of evening traffic. The City is aware, or should be aware, that University Heights has a number of residents who are disabled under the Americans with Disabilities Act. Some of our residents would be required to walk almost a mile to the meeting site. For instance, my neighbor Grace Martin uses a walker and is only able to walk short distances. She lives 1/2 mile from the meeting site. It is impossible for her to attend this meeting. Additionally, the weather forecast for Monday afternoon/evening is for heavy rain. This is a purposeful attempt to violate the Americans with Disabilities Act in order to decrease neighborhood turnout and opposition at the scheduled meeting. The City has a legal obligation to ensure that public meetings are held in compliance with the ADA.

By this email, I am requesting that you provide me a response no later than 10;00 a.m Monday October 24th detailing the actions that City has taken, or intends to take, to protect the rights of University Heights residents and ensure compliance with Federal Law. If the City is unwilling to take the necessary steps to force the applicant to comply with the Americans with Disability Act, then the U.S. Attorney for the Western District of Missouri will be contacted. Additionally, University Heights residents will make points of order and privilege throughout the meeting regarding the applicant's willful violations of the Americans with Disabilities Act.

I look forward to the City taking action to uphold the ADA.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Subject: University Heights Follow up
Date: Sunday, October 23, 2022 3:33:36 PM

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

Attached is a picture of the tent on the corner of Sunshine and National that disabled University Heights residents are being forced to walk to in order to participate in the Neighborhood Meeting. This is an absolute disgrace.

From: Mark Fletcher
To: Neal, Daniel
Subject: University Heights Follow Up
Date: Sunday, October 23, 2022 8:11:12 PM

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

Mr Neal

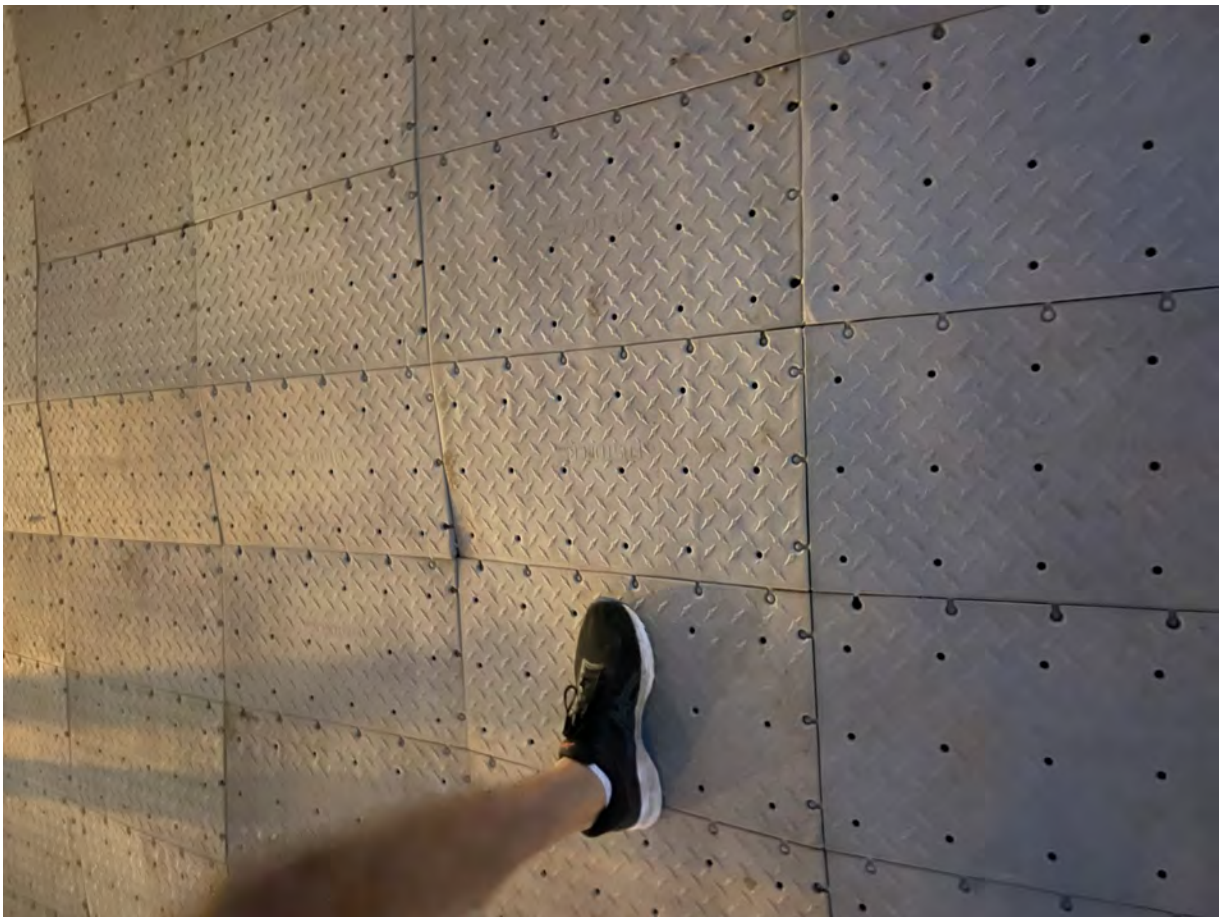
Attached are photos I took this evening of the flooring for tomorrow's meeting. I've never seen a more unprofessional & potentially dangerous grading of ground & placement of temporary flooring. This is a situation where the ADA is being mocked but also a hazard for healthy people. There are actually still large roots & rocks under this flooring. There are holes greater than a foot deep under the flooring.

The area under the tent is 25x30 - 750 square feet. The weather forecast is now 100% chance of thunderstorms between 4-6 p.m. My wife and I have already been contacted by seven neighbors who can not attend the meeting due to their disabilities. We have residents confined to wheelchairs, residents who use walkers, residents who can not be out in the rain due to MS and other diseases.

I question whether anyone is truly this incompetent. This is being done on purpose. I again demand that the City take action. It has also come to my attention that the tent permit for this event was not obtained the required five days prior to the event. I would like to know how the City is handling this situation and if it intends to enforce its guidelines.

Please add my emails of today's date to my submission in this matter.

Mark Fletcher



September 27, 2022

VIA HAND DELIVERY & EMAIL: dneal@springfieldmo.gov

PRIVILEGED & CONFIDENTIAL
Mr. Daniel Neal
840 N. Boonville Ave.
1st Floor
Springfield, MO 65802

RE: Proposed Rezoning of NW Corner of Sunshine and National/University Heights

Dear Mr. Neal:

We are concerned homeowners who have resided at 1011 E. University Street for twenty-two years. University Heights Addition was designed as a single-family residential neighborhood. Restrictions were placed in the public record to create and preserve our neighborhood as an exclusively residential community. The applicant in this matter seeks to rezone Lots 10-14 from single-family residential to commercial. Please find copies of the original deeds for Lots 10, 11 & 13 attached hereto. Each deed provides "Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction...." Additionaly, each deed contains a setback requirement which makes the potential placement of a commercial building incompatible with current City guidance and requirements. We are in the process of locating the original deeds for Lots 12 & 14 and will forward those to your attention within the next twenty-four hours.

It is our information that the above-mentioned restrictions are contained in every original deed for University Heights Addition. We own the east ½ of Lot 63. The very same building restrictions on Lots 10, 11 & !3 are contained in the original deed for our lot. As a result, we have the legal right to enforce the restrictions which exist on the applicant's lots. By this letter, we respectfully demand that the Planning & Zoning Commission immediately cease any and all activity related to the rezoning of any lots in University Heights Addition until such time as the present applicant, or any future applicant, obtains a court order that commercial buildings or appurtenances can be erected in University Heights Addition despite the existence of the above-mentioned restrictions. We are confident that these restrictions will be upheld by a court of law.

In the event that the Commission decides to proceed despite the clear and unequivocal

nature of the restrictions contained in the attached deeds, we will bring this issue before the Commission; however, we strongly believe that a Commission hearing is an improper forum for this issue to be heard. With all due respect, the Commission is not designed to resolve legal issues and it does not have the requisite expertise to do so, nor can it issue a final and binding judgment as to the applicability of the restrictions. The Commission should direct the applicant to challenge the restrictions in Greene County Circuit Court before this matter proceeds any further. The Commission is obligated to respect restrictions contained in the public record in the absence of a court order holding otherwise.

Thank you in advance for your time and attention to this matter.

Sincerely yours.

Mark Fletcher

Courtney L. Fletcher

Book 487- Page 367

WARRANTY DEED—With Notary Acknowledgment

THIS INDENTURE, MADE ON THE 16th day of June in the year of our Lord Nineteen Hundred and twenty-five A. D., by and between Eloise Hockey, a single woman of the county of Greene, State of Missouri of the first part and J. Marvin Sechrest of the County of Greene, in the State of Missouri, part y of the second part.

WITNESSETH, That the said part y of the first part, in consideration of the sum of one Dollar & Other valuable considerations Dollars to her paid by the said part y of the second part, the receipt of which is hereby acknowledged do by these presents grant, bargain, and sell, convey and confirm, unto the said part y of the second part his heirs and assigns the following described lot, tract or parcel of land, lying, being and situate in the County of Greene, and State of Missouri, to-wit: All of lot number ten (10) in Fairvarity Heights, an addition to the city of Springfield, Greene County, Missouri. Nothing to be erected thereon excepting a private residence of brick, stone or stucco construction to cost not less than $6000.00 and to set back not less than 75 feet from the front property line. The purchaser hereby agrees that he will not erect a garagette on this property as a place of abode, even temporary.

The rear 10 feet of the above described lot is hereby reserved and right-of-way is hereby given to cross said lot for the electric lights, city water, gas, sewer, etc.

I.R.Stamps 80¢ cancelled.

TO HAVE AND TO HOLD the premises aforesaid with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining unto the said party of the second part and unto his heirs and assigns forever, the said first party hereby covenanting that she the lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that she has a good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by her or those under whom she claims; and that she will warrant and defend the title to the said premises unto the said part y of the second part, and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever. Except taxes for the year 1925 are thereafter

IN WITNESS WHEREOF, the said part y of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of Eloise Hockey (SEAL) (SEAL) (SEAL) (SEAL)

STATE OF MISSOURI, County of Greene. } ss.

On this day of A. D. 19 , before me personally appeared , to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in , the day and year last above written.

My term of office as Notary Public will expire , 19 Notary Public.

STATE OF MISSOURI, County of Greene. } ss.

On this 16 day of June A. D. 19 25 , before me personally appeared Eloise Hockey, a single woman to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Eloise Hockey further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Mo., the day and year first above written.

My term of office as Notary Public will expire July 15th 1928 (SEAL) A.H.Van Matre Notary Public.

Filed for Record on the 8 day of Aug. A. D. 1928 at 3 o'clock 00 minutes P.M. By Mattie Williamson Deputy. Arthur Martinek Recorder.

WARRANTY DEED—Wife Joining, Acknowledgment

THIS INDENTURE, Made on the 11th day of March A. D. One Thousand Nine Hundred and Thirty-eight
by and between
J. Warren Sanders and Helen Sanders, his wife
of Springfield, Greene County, Missouri
parties of the first part, and
Dorit Lewellen
of the County of Greene in the State of Missouri part Y of the second part,
WITNESSETH, That the said part 1st of the first part in consideration of the sum of
One Dollar and other valuable consideration of property
to them paid by the said part Y of the second part, the receipt of which is hereby acknowledged, do by these presents grant, bargain and sell, convey and confirm unto the said part Y of the second part her heirs and assigns, the following described real estate, situated in the County of Greene and State of Missouri, to-wit:

Lot ten in University Heights, an addition to the City of Springfield, Missouri, subject to building restrictions as provided in deed from Elsie Mackey to J. Warren Sanders dated June 15, 1925, recorded in Book 487, page 367.

Subject also to the provisions in said deed from Elsie Mackey to J. Warren Sanders to the effect that the west ten feet of said lot is reserved and right of way given to cross said lot for electric lights, city water, gas and sewer.

Internal Revenue 50¢ cancelled 3/11/38 J.W.S.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining, unto the said part Y of the second part and unto her heirs and assigns forever, the said parties of the first part hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by them or those under whom they claim, and that they will warrant and defend the title to the said premises unto the said part Y of the second part and unto her heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

except taxes payable for the year 1936 and thereafter and also excepting as to building restrictions and reservation as above set out.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of us.

J. Warren Sanders (SEAL)
(SEAL)
Helen Sanders (SEAL)
(SEAL)

STATE OF MISSOURI, County of Greene } ss.

2018

WARRANTY DEED (Individual Grantor)

THIS INDENTURE, Made this 4th day of May A.D. 1986 Between Eloise Mackey, a single individual woman

of Springfield, Missouri party of the first part, and Jason L. Sawyer & Adele Sawyer husband and wife party of the second part

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

$1.00 & other valuable considerations

to her paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said parties of the second part, their heirs and assigns forever, the following described Real Estate, situated in the County of Greene and State of Missouri, to wit:

Lot 7, Block 1, UNIVERSITY HEIGHTS ADDITION to the City of Springfield, Greene County, Missouri

Nothing is to be erected thereon excepting a private residence or brick, stone or stucco garage. No trees may be removed except dead or diseased trees. The first floor of the residence must be at least 1400 sq. ft. in size. The residence must be erected not less than $8000.00 and to set back not less than 70-ft. from the street property line. Subject to a right-of-way covering the rear 10-ft. of this lot, for water mains, electricity, gas, telephone, etc.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and hereditaments thereto belonging or in anywise appertaining, forever, and the said party of the first part will warrant and defend the title to the said premises and the said party of the first part hereby covenants that she will warrant and defend the title to the said premises and the said party of the first part hereby covenants that she will pay all taxes and assessments due or suffered by her to be paid on said premises for the year 1986 and thereafter excepting taxes due and payable in the year 1985 and thereafter

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year first above written.

Eloise Mackey (SEAL)

STATE OF MISSOURI, County of Greene, ss. On this day of 192 , before me personally appeared

INSTRUMENT Warranty Deed

BOOK	PAGE	CONSIDERATION
520	80	$ 7500.

DATED	NO.	FILED
Jun 10 1927	90	Jun 11 1927.

Eloise Mackey, a single woman.

TO

Albert G.Eckert &
Mary Eckert.

Granting Clause Grant Bargain and sell convey and confirm.

Conveys following land in Greene County, Mo., viz:

All of Lots 13,59,102,114 and 119 in UNIVERSITY HEIGHTS ADDITION to the City of Springfield,Missouri. Nothing to be erected on Lot # 13, except a private residence of brick, stone or stucco construction to cost not less than $5000.,and on lots 59,102,114 and 119,except a private residence of brick,stone or stucco construction to cost not less than $3000. to set back not less than 30 feet from the front property line, Parties of the second part hereby agree that they will not erect a garagette on any of these lots as a place of abode,even temporary.

From: MARK WEALAND
To: Zoning@springfieldmo.gov
Subject: University Heights
Date: Thursday, September 15, 2022 10:55:55 AM

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

To whom it may concern,

I live at 911 East University Street in University Heights Springfield Missouri. I am against any rezoning around the borders of our community. Many of us have spent hundreds of thousands of dollars restoring these beautiful historic homes. Ours was Built-in 1935.

Mark Wealand
816-525-5535
Sent from the all new AOL app for Android

From: Calihman, Matthew S
To: Zoning@springfieldmo.gov
Subject: Opposed to rezoning at corner of Sunshine and National (Z-27-2022 COD #220)
Date: Monday, December 5, 2022 11:57:30 AM

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

Dear Planning & Zoning Commission:

I am a homeowner in University Heights, and I am writing to voice my opposition to the request to rezone the corner of Sunshine and National (Z-27-2022 COD #220).

As you know, University Heights is an historic residential neighborhood. Today Springfield does not have many such neighborhoods, which add value to the entire city and make it a nicer place to live. The city needs to take special steps to preserve these neighborhoods. It would be a big mistake to colonize University Heights to create more space for commercial real estate, “luxury lofts,” etc.

Thank you for taking the time to read this message.

Sincerely,
Matthew Calihman
1533 S. Clay Avenue
Springfield, MO 65807

From: Michael Cavin
To: Zoning@springfieldmo.gov
Subject: 1755 S National-Rezone to GR
Date: Thursday, August 18, 2022 7:33:13 PM

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 a resident of the University Heights neighborhood. This neighborhood has long been residential and it should remain that way.

I attended the informational meeting I hosted by the developers on August 18, 2022. There was no clear information on what the developers planned for the properties that they are wanting to re-zone. The developers offered no information for discussion.

For this reason, I completely oppose the rezoning. I would request that City of Springfield require the developer to start over and actually present information at the informational meeting.

If the developers return to the planning and zoning commission to request rezoning, I would ask that their plan be presented prior to the informational meeting so that we know that it won't be another waste of time.

Michael Cavin
1025 E Stanford St.
Springfield, MO 65807

From: Michael Cavin
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Monday, December 5, 2022 7:32:33 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 a resident of the University Heights neighborhood. This neighborhood has long been residential and it should remain that way.

I am concerned about how the additional traffic that this development will draw. The area's vehicular traffic is already overwhelming the infrastructure.

For this reason, I completely oppose the rezoning. I would request that the City of Springfield deny the rezoning request.

Michael Cavin
1025 E Stanford St.
Springfield, MO 65807

From: mmunkatchy@airemaster.com
To: Zoning@springfieldmo.gov; Council
Cc: lmunkatchy@yahoo.com
Subject: Voicing opposition
Date: Friday, September 9, 2022 2:44:26 PM

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

NW corner of Sunshine and National I am opposed to the rezoning of this corner for commercial at the current time.

Mitchell Munkatchy
Aire-Master of America, Inc.
National Account Representative
417-725-2691 x150
800-525-0957
airemaster.com
mmunkatchy@airemaster.com

From:	Molly Stoner
To:	Zoning@springfieldmo.gov
Subject:	National rezoning
Date:	Thursday, August 18, 2022 5:49:31 PM

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

I live in Phelps Grove and I beg of you to leave these properties alone leave them be. We DO NOT need more traffic and or more business on that corner. You are destroying our neighborhoods just this last fiasco with the Art Museum is unreal and had lasting damage that will obviously effect our resale value of our property!

From: Norma D. Capeci
To: Zoning@springfieldmo.gov; Council
Subject: P&Z CASE NUMBER 2-23-2022
Date: Wednesday, September 14, 2022 12:13:03 PM

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

I strongly object to the proposed rezoning of the entire northwest corner of National and Sunshine, the entrance to University Heights neighborhood, from single family residential to commercial.

This proposal is not consistent with the city's comprehensive plan, Forward SGF, for the present and future use of this area, which designates this area as Traditional Single Family Residential. "Forward SGF centers on the concept of ... maintaining unique and quality places that will be essential to the Springfield community's long term health and prosperity." Further, Placetypes assignments reflect "existing development patterns", which takes historical value into consideration. University Heights is this kind of neighborhood.

This change is not necessary. University Heights is a stable neighborhood, with a medium home selling price of $252,500, third only to Southern Hills and Brentwood. University Street would be the most impacted, where homes selling above those on the interior. Our neighborhood is considered a destination neighborhood, where buyers are willing to pay more per square foot, at $160, than for any neighborhood in the city. This kind of change would decrease our property values, as residents move out, because of the increased traffic, noise, and potential crime. Our neighborhood is continually revitalizing itself, as old people depart and younger couples come here to raise their families. (See Realtor.com.)

This change is not consistent with the present uses permitted on other property in the immediate vicinity. Our neighborhood has always been residential with no commercial use from its inception 97 years ago. The present layout provides some natural drainage of rain water, but it is already a problem. Development with necessary impervious parking lots, would create more run off into the

neighborhood. Aesthetically, the proposed two story shops and lofts structure is inconsistent with the skyscape.

This change would negatively impact the neighborhood, as the potential volume of traffic onto neighborhood streets would increase. The intersection of National and Sunshine has the second highest volume of traffic as any in the city. Drivers cut through on University and Stanford streets at high speeds, when the intersection becomes too congested. West bound traffic on Sunshine is often backed up to Fremont during rush hour. There are frequent near misses as patrons turn onto Mexican Villa. The new strip mall on the northeast corner is struggling because patrons do not want to turn into the parking lot. Residents already find alternate routes to enter/exit the neighborhood. The city would need to widen National to accommodate increased traffic, taking a lane width from the front of these very same houses. Customers would invariably park on University Street. The increased traffic would endanger the safety of the children at play, walkers, bike riders.

Considering the failed development to the east, with the strip mall having less than a 66% occupancy rate, and the struggling businesses on the south, specifically Einstein Bagels, there is not guarantee that the plan would work anyway. The city might gain some sales tax revenue, but that would be lost in property tax collection.

The developers state that the current residents in the National houses do not like the noise. If that is their justification for demolishing the current houses to build loft apartments, then what makes them think that the new residents would find the noise acceptable.

There are plenty of other areas along the Sunshine corridor that are in dire need of development. For example, the northeast corner of Sunshine and Fremont is completely empty. Plus there is already an abundance of unoccupied retail shops and housing city wide.

This concept is impractical for the city and destructive for the neighborhood. This proposal is counter to the Forward SGF idea of ensuring the neighborhood's "long term health and prosperity". The city and the neighborhood would bear a heavy

burden for this development.

It has been noted that the city of Springfield is *not* aesthetically pleasing, which, to some, shows a lack of pride and investment in the community. Given the number of visitors to Mercy Hospital and Bass Pro Shop, coming from outside of the city, it seems that this major intersection *counters* that image. The house on the corner is a landmark, which is recognizable to almost everyone in the city. The houses to the north and west are unique architecturally. These houses display Springfield's rich heritage of almost a century ago. Other Missouri cities like Saint Louis and Kansas City prize their old historic homes. Springfield should do the same.

Thank you for your dedication to our community and continuous hard work.

Norma D. Capeci
900 East Kingsbury Street
Springfield Missouri 65807
471-883-3379

From: Raquel García Hansen
To: Zoning@springfieldmo.gov
Subject: University Heights Neighborhood Rezoning Proposal
Date: Monday, September 26, 2022 8:59:34 PM

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

Dear Planning Commissioners Natalie Broekhoven, Kuleya Bruce, Bruce Colony, Randall Doennig, Britton Jobe, Carl Knuckles, Chris Lebeck, and Eric Pauly,

I am kindly writing for your consideration to oppose the rezoning request being presented by BK&M regarding University Heights properties near S. National Avenue and E. Sunshine Street based on the following:

--[if !supportLists]-->1. <!--[endif]-->**Safety** will be severely impacted. The intersection of S. National Avenue and E. Sunshine Street is one of the highest volume intersections in Springfield and has the highest number of crashes in the city. Attempts to get on and off E. University Street from S. National Ave and E. Sunshine St is currently problematic and dangerous with the existing traffic. If these properties were to be rezoned, traffic on E. University Street would increase by 1,000 vehicles per day. This quiet, residential, interior street is the location that children, youth, families, elderly, and all the residents use daily for walking, running, and playing. E. University Street will become unsafe as drivers attempt to bypass the already congested main streets.

--[if !supportLists]-->2. <!--[endif]-->Under current City Code, **access** to S. National Ave and E. Sunshine St cannot be allowed due to the properties not meeting driveway access requirements. Current City Code requires access on S. National Ave be 400 feet from the nearest right of way line of E. Sunshine St, and access on E. Sunshine St is required to be 300 feet from the nearest right of way line of S. National Ave. There is not enough property frontage to meet these requirements along S. National and E. Sunshine. Current City Code also requires that access on E. University St be 110 feet from the nearest right of way line of S. National; therefore, the developers will either intend to "vacate E. University Street" for S. Hampton Ave. access, or access will be forced onto E. University St. If vehicle access only allowable through E. University,

--[if !supportLists]-->3. <!--[endif]-->**Crime** will immediately increase. If an alley or back road were created off E. Sunshine or E. University Street. An environment for the criminal minded and loiterers to linger in the interior neighborhood is created.

--[if !supportLists]-->4. <!--[endif]-->If the developers intend to "vacate E. University Street" for S. Hampton Avenue access, vehicle traffic **congestion and parking overflow** on the quiet residential street will occur.

--[if !supportLists]-->5. <!--[endif]-->Commercial **parking overflow** will pour onto the residential areas of E. University Street and other interior neighborhood streets.

--[if !supportLists]-->6. <!--[endif]-->Rezoning residential homes **does not follow the Comprehensive Plan** or the soon-to-be ratified Forward SGF, which designate all of University Heights as strictly Single Family Residential. University Heights Neighborhood is classified as a "Residential Neighborhood – Traditional" and, therefore should be provided all the protections of such.

<!--[endif]-->There are **no current conditions or foreseeable conditions that make rezoning necessary**.

<!--[endif]-->This neighborhood boasts the highest **property values** in its history and consistently maintains one of the highest property values in Springfield; therefore,

<!--[endif]-->Rezoning will negatively affect **property values**. Commercial rezoning so close to a residential neighborhood allows for establishments such as marijuana dispensaries, "head" shops, and bars. With these come unpredictable clientele. If more foot traffic, vehicle traffic, tall buildings, smelly food establishments, marijuana dispensaries, bars, "head" shops, or any other proposed General Retail Allowable Use is put in place, the predictable calm, quiet, and safety of University Heights is lost, and

residential flight will occur.

--[if !supportLists]-->10. <!--[endif]-->University Heights has **never had commercial development within its borders** in all its history. Conceding to rezoning will only encourage more commercial development in the future, which will be the demise of this valuable, quiet, and safe historic neighborhood.

--[if !supportLists]-->11. <!--[endif]-->Lastly, due to an existing problem with **flooding**, removal of green-spaces would only increase neighborhood flooding – an ongoing problem for residents and people who try to move around the area during flooding. It is currently unknown what impact a commercial development will have on the sewer and Fassnight Creek drainage basin.

Respectfully, the most advisable action for the Planning and Zoning Commission currently is:

--[if !supportLists]-->1. <!--[endif]-->Postpone all decisions until an in-depth, thorough review is complete; and,

--[if !supportLists]-->2. <!--[endif]-->Wait until a complete traffic, safety, and environmental/sewer/water study is complete.

Please, for the sake of the residents of University Heights Neighborhood, consider opposing a decision that will negatively impact their safety and well-being. Thank you so much for your time and consideration.

Sincerely,

Raquel García Hansen, resident/owner at 625 E. University Street

raquette.garcia@gmail.com

808-222-3907

625 E. University Street

Springfield, MO 65807

From: Rowena Raborar
To: Zoning@springfieldmo.gov; Council
Subject: Opposition to Rezoning Case Z-23-2022 at Sunshine/National
Date: Sunday, September 4, 2022 9:13:04 AM

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

Dear Members of the Springfield Zoning and City Council,

I am a homeowner in the University Heights Neighborhood and am writing to voice my opposition to rezoning case Z-23-2022 w/ Conditional Overlay District No. 220 at the NW corner of Sunshine and National. I would also like to advocate for an administrative pause in considering rezoning requests along our historic corridors.

Thank you for your consideration in this matter. We appreciate the work you do.

Regards,
Rowena Raborar
1127 E Stanford St
Springfield, MO 65807

From: Sara Garrett
To: Zoning@springfieldmo.gov
Subject: University Heights Rezoning Proposal
Date: Saturday, October 22, 2022 10:07:12 AM

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

Springfield Zoning,

I am responding to a Neighborhood Meeting Notice I received in the mail. This notice was concerning a zoning map amendment for the properties at 1111, 1119, 1133 & 1141 E Sunshine St, 1138 E University St, 1739, 1745 & 1755 S National Ave. This rezoning is vehemently opposed to by every resident of University Heights Neighborhood I have talked to. This is a historic Springfield Neighborhood. Many of the homes here are close to 100yrs old. The beautiful and well kept homes here are unique. The residents chose this Neighborhood for these reasons. Many here have lived in the University Heights Neighborhood for decades. This proposed rezoning will also greatly effect the traffic issues that already exist at National and Sunshine. I am concerned that the egress to the proposed property will create an even bigger problem with this intersection. Has there been a traffic study to ascertain impact of this change? I ask that you reconsider the preposed rezoning and the impact will have for those of us who love this historic neighborhood.

Sara Garrett
University Heights Neighborhood Resident or 23yrs.

From: Sara Garrett
To: Zoning@springfieldmo.gov
Subject: University Heights Zoning Issue
Date: Saturday, October 29, 2022 2:16:43 PM

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

I wrote to you a few days ago to express my displeasure about attempts to rezone the properties at Sunshine and National. As I am sure you are aware the residents of University Heights Neighborhood are very upset at the thought of this invasion into our historic neighborhood. This is unacceptable for a number of reasons. Among those I neglected to mention in my first email is the matter of traffic. I live on Stanford St and the problem of cars not associated with our neighborhood who use this street to avoid the backlog of traffic at the intersection of National and Sunshine is already a real problem . These cars not only travel down this residential street as if it were a thoroughfare but they literally gun their engines as if it is a racetrack. This endangers elderly residents, children and beloved pets. Do not exacerbate these issues by adding a commercial property at the corner. This is simply bad city planning. The other issue is that construction of a commercial building on any lot in the University Heights original plat is a violation of the contract and property rights of every single resident of University Heights. ***The deed restrictions require that anyone seeking to build commercial properties on these lots must acquire approval of every single lot owner in University Heights.***

Do not destroy this historic neighborhood.

Sara Garrett
Stanford St.

Note: Attending the recent meeting gave us an opportunity to express our feeling about this issue. However, there was no one available to answer any questions or provide us with a site plan that might give us an idea what is planned for this corner. Not the the developer, not a representative of the city, no one (although I understand that a member of city council was overheard saying he saw the site plan…seriously what are they hiding? This meeting was held in a tent, in a downpour, at a busy intersection. It was impossible to hear above the din. Then the generator went out and we did not even have a mic. We screamed through the rest of the meeting. Thank god there was armed private security there! Seriously? How insulting. We are neighbors not radicals. Do better!

From: Dunbar Sheila
To: Zoning@springfieldmo.gov
Subject: Rezoning in University Heights
Date: Thursday, August 18, 2022 8:01:00 PM

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 adamantly opposed to rezoning 1755 S National, 1745 S National, 1739 S National and 1138 University to commercial from residential. Per the community meeting on August 18, 2022, the developers, BK&M, LLC, failed to provide any detailed information on their plans except for indicating that they do not plan to keep, restore and reuse the existing homes.
Thank you,
Sheila M. Dunbar
932 E Kingsbury
Springfield 65807
210-842-5118
Sent from Yahoo Mail for iPhone

October 26, 2022

The Planning and Zoning Commission
840 N Boonville Ave – 1st Floor
Springfield, MO 65802

Re: Protest to Proposed Rezoning in University Heights Neighborhood by BK&M, LLC

Dear Planning and Zoning Representatives,

I am writing to strongly encourage you to deny the rezoning request referenced above for several lots in my neighborhood owned or controlled by BK&M, LLC. As I understand it, based on the criteria you use to evaluate such requests, please consider the following:

1. Rezoning of these lots in question does not follow guidance in the city's existing Comprehensive Plan or the proposed Forward SGF Plan. These plans designate University Heights as strictly Single Family Residential. The official classification is "Residential Neighborhood – Traditional" and residents should be afforded the protections of such a designation without the encroachment of commercial enterprises.
2. There are no changing conditions which would make rezoning necessary. University Heights is enjoying some of the highest property values in its almost 100 year history and maintains among the highest property values of neighborhoods in Springfield proper.
3. University Heights has always been residential and has not had commercial development within its borders.
4. Any removal of lawns, trees, and grass would threaten further flooding in an area which already battles such problems with regularity.
5. The impact of uses, were rezoning done, is estimated to increase traffic by more than 1,000 cars per day on East University Street, which is a quiet, interior residential street where children play and families walk and cycle. Traffic at National and Sunshine is consistently congested, with cars already beginning to use E University as a cut through. Residents on E University currently struggle to enter or leave the neighborhood from their street at certain times of day. Such an effect would spread into the neighborhood with increased pressure from added commercial traffic due to the proposed rezoning.
6. Property values are also threatened from the proposed rezoning throughout the neighborhood. Such a reduction harms residents directly and the city indirectly over time as valuations fall for homes and, ultimately, property tax receipts as a result.
7. Commercial properties within the neighborhood increase the likelihood of balooning crime, especially if a back road or access ally were installed with an outlet on E University Street. Problems with loud commercial trash storage and pickup would also be a disturbance to many neighbors.

I strongly appeal to you to deny the request for rezoning to commercial use from BK&M, LLC involving the properties in question which fall within University Heights Neighborhood boundaries. Help us preserve one of the shining examples of an iconic and treasured city neighborhood.

Thank you for your time and consideration.

Sincerely,

Sheila M. Dunbar

Sheila M. Dunbar
932 E Kingsbury Street
Springfield, MO 65807

From: Shellie Foltz
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Monday, December 5, 2022 1:36:32 PM

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 Shellie Foltz. I live at 718 E. Portland St. in the University Heights neighborhood. I may be reached by phone at 417-886-0878.

I am writing out of great concern over and in opposition to the proposed rezoning of the properties located on the northwest corner of National and Sunshine reaching as far north as University.

Portland, as you may be aware, between Kimbrough and National, has no stop signs and no traffic calming features. Though, through the years, our neighborhood has requested help to slow traffic on our street, nothing has ever been done and traffic continues to use this section of Portland as an alternative route to traffic-ladened Sunshine, and to travel at high speeds through the day and at night. The noise of speeding traffic has increased so that rarely a night goes by that we are not awakened by motorcycles and speeding cars passing our house. Whenever there is road construction, Portland becomes an unofficial quick way around it. The traffic on our north-south streets like Holland, Dollison, Hampton, and Kings picks up as well. This is particularly problematic because none of our north-south streets (excepting Holland) have sidewalks and this neighborhood is populated by walkers, runners, children, pets, and wildlife.

Additionally, in the late afternoons and early evenings, we must reroute to get out of or back into our neighborhood because traffic on National consistently backs up past Portland.

University Heights is a favorite neighborhood for use in the many organized runs hosted by various charitable organizations. We are frequently on the map for weekend events. Additionally, there are frequent and annual events our neighborhood hosts -- grassroots efforts among neighbors to bring us together as families and friends who share life together in this beautiful area. It is a busy neighborhood already abuzz with the kind of life that expresses what our city has recently unveiled in its Forward SGF plan, most succinctly expressed in its vision statement as its unifying principle: "improve quality of place".

My primary concern at this moment is that the city not permit a rezoning of that land from residential, thus increasing traffic as well as noise and the potential for crime in our neighborhood. To move ahead with a zoning change that will have not a passive and null effect, but a direct and negative impact on the residents adjacent, is not in the spirit of what this city is proposing moving forward to. Rather, it is a step away from it and a signal to the rest of Springfield that business takes precedence over quality of life.

Thank you for your consideration.

Sincerely,

--

Shellie Foltz

> “Life appears to me too short to be spent in nursing animosity or registering wrongs.” — *Jane Eyre* by Charlotte Brontë

From: sherry sherry
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 cod #220
Date: Monday, December 5, 2022 3:57:05 PM

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

I strongly oppose the proposed rezoning at the corner of Sunshine & National. This does not benefit the Neighborhood, the city of Springfield, or the Citizens of Springfield. There is already too much traffic pressure on that intersection and poses additional safety challenges & danger to everyone concerned. Except the developers. Their intent is self-serving only to them & does not benefit our city in any way. Please vote in favor of the citizens that support you in the office of best interest to them, not greedy developers. Thank you
Sherry Wirth

From: Steve Brooks
To: Zoning@springfieldmo.gov
Subject: Proposed zoning change at the corner of National and Sunshine
Date: Tuesday, October 25, 2022 3:44:37 PM

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Planning and zoning commissioners, I live in the University Heights neighborhood just a bit west of the proposed development. Our 2 children went to Sunshine Elementary, Jarrett Middle School, and Parkview High School throughout that era of their educational time, as we have lived here 37 years.

I will have more to say about this issue later, as we get closer to the hearing, but I had a few thoughts after the neighborhood meeting that was held yesterday evening, organized by the developers. We had heard that the meeting needed to be at the site, even though most who read the rules thought it could have been at a nearby church, such as at the National Avenue Church, just a few blocks to the north. Instead, the attendees dealt with a pouring downpour, a poor sound system that failed, windy conditions, no rest rooms, and little parking. The was no ADA accessibility. I decided not to attend, as at the time I could go, the rain was forceful, and the tent was overflowing with people, as I saw from a live feed on Facebook. Why did the developers pay for two armed guards? That seems ridiculous.

And, what was the purpose of the meeting? They had no new plans, to share. They have bought 3 more properties, and did not offer a plan when they had the prior meeting when they owned 5 properties. The purpose seemed to get area neighbors more upset, as the meeting was being held at the site of the house they have torn down.

Many of us wonder about the vacant retail property, zoned commercial, 1 block to the east, at Fremont and National. A strip center sits vacant, the prior pool company building is overgrown with weeds, and a former restaurant sits vacant. Why would this company want to fight the battle at National and Sunshine (with so much traffic), when so much property is available a block away. If they succeed in the rezoning, will we soon have more vacant retail on this corner of National and Sunshine?

Perhaps it is time to consider a moratorium on these proposed developments, near historical neighborhoods, until we can create appropriate plans with the neighborhoods, in keeping with the proposals in the Forward SGF plan.

Steve Brooks
417 840-4446

From: mikeandsusie1124
To: Zoning@springfieldmo.gov
Subject: Sunshine and National rezoning
Date: Wednesday, October 26, 2022 11:34:38 AM

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I writing to defend the people living in the University Heights neighborhood. I have huge objections to rezoning that unique and beautiful area. It's neighborhoods like that that make us love Springfield, and tearing down homes and putting businesses there which cause traffic and all kinds of problems is so wrong. It's happening all over Springfield. Quality of life is everything and that area should be cherished.

Thank you,
Susie Wilson

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

From: Teresa Pope
To: Zoning@springfieldmo.gov
Subject: Sunshine and National
Date: Saturday, October 22, 2022 11:15:35 AM

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Project address: Northwest corner of Sunshine and National

I strongly believe that these properties must remain zoned as residential, probably single family. Traffic at this corner is already problematic, and the Cox clinic will certainly add significantly to that when it opens. The use of the property proposed by BK&M, LLC would add further traffic to the intersection and cause drivers to use residential streets in the neighborhood. Please do not change the zoning to commercial. Thank you.

Teresa Pope
1526 E. Portland, 65804
417-316-3900

Sent from my iPhone

From: Tracey Anand
To: Zoning@springfieldmo.gov; Jan Peterson
Subject: Proposed Zoning in University Heights
Date: Tuesday, October 25, 2022 8:19:41 PM

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I am opposed to the rezoning of the requested portion of University Heights... and more specifically this investor/group, BK&M.

I have owned a home in University Heights (I now live just adjacent in Phelps Grove), and I also still own an investment/rental property in University Heights. My husband and I love this neighborhood so much that we wanted to have a long-term investment. We bought our property which had come under significant disrepair as well as being outdated, and we did a complete remodel, investing in the neighborhood. I would have never considered buying up home after home with the express purpose of bulldozing an entire street to create unneeded commercial space. It seems this is also antithetical to Springfield's own Restore SGF plan.
https://www.restoresgf.com/about/

I really appreciate the way the city of Springfield is making such great strides to update and beautify our city. I love the Springfield Art Museum project, the Grant Avenue project, the connectivity, walking trails, etc. The one item that stands out to me that I have heard repeatedly with all these city projects is "a sense of place". Those big, historic homes on the corner National and Sunshine provided generations of Springfieldians, well beyond the boundaries of our neighborhood, a sense of place. It isn't too late to save what remains.

There are other vacant, commercially zoned, busy intersections in Springfield available for development where no historic homes need to be destroyed. The first couple that come to mind are the intersections of Sunshine and Kansas Expressway, an another at Battlefield and Lone Pine.

I am specifically opposed to this investor/group. While there has been some bad press about some city resident... these folks have been abrasive, evasive, and even combative with the neighbors. Mr. Duda isn't asking or working with the neighborhood and is really acting like he is only going through the motions and already has this project green-lighted. I work in law enforcement and the ARMED security guards was an absolutely disgusting show of intimidation.

Thank you for taking my comments for consideration.

Tracey Anand

From:	Tyler Samuel
To:	Zoning@springfieldmo.gov
Cc:	Whitman, Randall; Simpson, Matthew
Subject:	National and Sunshine Rezoning Issue
Date:	Wednesday, September 21, 2022 10:54:40 AM
Attachments:	UHNA rezoning letter - Tyler Samuel P&Z.pdf

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Springfield Planning and Zoning Commission members,

Please take just a few minutes to review and consider the attached letter regarding the rezoning effort of the homes at National Ave and Sunshine St (1739 S. National Ave, 1745 S. National Ave, 1755 S. National Ave, and 1138 E. University St.). I am a resident of University Heights and own one of the few houses located directly on National (1715 S. National Ave).

At this time, I oppose the demolition and rezoning efforts of the developer for the reasons included in the attached. Thank you for your time!

Regards,

Tyler Samuel

Engineer (Management of Change), Power Production
Direct Office: 417.371.5292 Mobile: 417.773.8474 Fax: 417.371.5394

Associated Electric Cooperative, Inc.
2814 S. Golden, P.O. Box 754
Springfield, MO 65801
417.881.1204

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Tyler D. Samuel
1715 S. National Ave
Springfield, MO 65804

September 20, 2022

Dear Springfield Planning & Zoning Commission:

My name is Tyler Samuel, and for over a year now I have resided at 1715 South National Avenue – in a beautifully-renovated, historic home (built in 1937, renovated in 2016) located within the block immediately north of the proposed redevelopment area at National Ave and Sunshine. While I have only lived in the University Heights neighborhood for a short time, I was born and raised just east of Springfield (outside of Rogersville), and I consider myself a Springfield native. As a 29-year-old Engineer, employed at Associated Electric Cooperative, Inc., I am inclined to believe that I represent a unique demographic within the University Heights Neighborhood – that of a single, young professional who desires to continue to live and one day raise a family within this historic neighborhood. I also represent a unique perspective in that I own one of the few houses within the University Heights Neighborhood situated on, and with direct access only from National Avenue – a characteristic cited by the developer as a reason that "no one wants to live in these [the proposed rezoning] houses."

Firstly, I would like to apologize for the antics and vitriol displayed by some of my University Heights neighbors during this time of uncertainty and adversity. The inability to hold a civil discussion with developers and the use of derogatory and insulting language at the neighborhood meeting in August was completely uncalled-for, out-of-line, and is not representative of the character and spirit of the University Heights neighborhood. I equally would like to apologize for the general disorganization and unpreparedness of the University Heights Neighborhood Association (UHNA) leading up to this redevelopment effort. Both infractions have contributed to a chaotic and adversarial series of events since the developers (BK&M LLC) stated their intention to rezone the four-lot area at the northwest corner of Sunshine St. and National Ave. Unfortunately, this has largely prevented a constructive, civil dialogue concerning the future of the slated property. Even so, my proposition is that a poor response by the neighboring community should not be grounds for advancement of BK&M's hap-hazard, unwarranted, and demonstrably poorly planned effort to rezone and/or demolish the iconic, historic homes located at 1739 S. National Ave, 1745 S. National Ave, 1755 S. National Ave, and 1138 E. University St.

I personally attended the August 18th neighborhood meeting with an open mind, desiring to hear what the developers planned to do with the area, if rezoned. It quickly became clear that the developers and engineering firm had brought no such plan to the discussion – no mock-ups, concepts, drawings, infrastructure plans, interested businesses, etc. The subsequent two-hour meeting accomplished little beyond raising the tempers of many in the room. Even amidst the confusion and outrage of the community members in attendance, the developers made clear their intention to move forward with the rezoning request as early as October of this year – without a clear plan in place. As neighborhoods across this city have experienced, allowing for rezoning of the area in question to General Retail without a plan in place is tantamount to handing the developer a blank check. Given the lack of relevant development

experience and adversarial nature of the primary developer, Ralph Duda III of BK&M, I believe that granting the rezoning of this land *at this point in time, to this developer,* would be a grave mistake for the character and cultural fabric of the University Heights Neighborhood and Springfield, at large.

In addition to the lack of a clear and concise plan, I noted several other issues with the development effort during the neighborhood meeting that bear mentioning. The developer repeatedly used the point that the corner house (at 1755 S. National Ave) has been vacant for 6 years as reasoning to why the land should be redeveloped. While I am not intimately familiar with the listing history of that house, it appears to me that the home was listed for an extended period of time with a commercial realtor - not a residential realtor - despite the fact that the property is clearly still zoned as residential. This flimsy argument by Mr. Duda should be regarded as such.

Mr. Duda also repeatedly claimed that no one wanted to live in the houses being proposed for rezoning, citing as evidence the recent vacation of the halfway house, operating at 1745 S. National Ave. To this argument I will partially concede, with a caveat – no one wants to live in these houses *in their current condition.* Again, I offer a unique perspective in that I live less that 150 feet north of the area in question with the only access to my property being National Ave. Certainly, traffic and noise can be periodic issues on National Ave, but it is not a challenge that I would classify as greatly or even mildly affecting my day-to-day life. The bigger issue at hand within this argument centers around the condition of the homes. The homes at 1739 S. National Ave and 1138 E. University St have been well-cared-for, have both recently been transacted in the marketplace, and would be marketable with few or no improvements. In fact, per Mr. Duda, both houses are planned to be used as rental properties (ST and/or LT) while awaiting rezoning. The houses at 1745 and 1755 S. National Ave, however, have been allowed to deteriorate into various states of disrepair by their owners. This is an unfortunate reality and does happen with many older homes, but it should not be lost on the council and committee that Mr. Duda is the current owner who has allowed these properties to become, as he has stated, 'an eye sore'. It should also not be lost on the council and committee that Mr. Duda presumably stands to gain financially from the rezoning of these lots and as such, has an interest in their deterioration – an interest oppositional to that which a primary residence homeowner would hold.

Once again, I will remind you that an individual previously purchased my home, built in 1937, at 1715 S. National and then thoughtfully and tastefully modernized it for livability while keeping the original charm and character intact. I say this as an encouragement and as a witness to Mr. Duda, the council, and committee that it is possible for these historic University Heights homes to be retained as single-family residences, even now. It is a home (located directly on National Ave) that I am proud to live in and that I view as integral to the character of University Heights, National Ave, and central Springfield. I would be happy to show my home to Mr. Duda as an example of what can be accomplished to cultivate modern livability while retaining classic charm, even on one of Springfield's busiest streets. However, the character of the neighborhood in which I chose to purchase my home - a neighborhood that is a crown jewel of Springfield, enjoyed by many who travel National Ave each day – is at risk at the hands of Mr. Duda and BK&M LLC.

As for the needs of our city, and whether this rezoning is in the best interest of Springfield, one does not have to travel more than a few hundred feet east, west, or south of the proposed rezoning area to find empty and/or derelict retail space. The new development at the northeast corner of Sunshine and National was beautifully constructed but has had continual issues finding and keeping retail tenants since

its completion. Furthermore, there are many instances of available and/or deteriorating retail space on Glenstone and Campbell – both streets serving as solemn reminders of the impact of lining major surface corridors with soulless strip malls and retail. Campbell and Glenstone retail areas certainly serve their purpose, and are largely beneficial to city, but they are not beautiful, nor do they add to the character and culture of our city. If the council and committee believe more retail is needed, I would encourage them to take a look at the retail that is already available and being un- or underutilized or look to truly blighted areas where this can be accomplished. Does the city of Springfield desire our most beautiful major city corridor (National Ave) to be stripped of its historic character so that another strip mall can be added?

The last major concern I will address centers around the Forward SGF initiative. Mr. Duda, when asked about the impact of his rezoning effort with regard to the Forward SGF Plan, had no idea that such a plan existed and is in the process of ratification. Forward SGF protects University Heights, in its entirety, as a residential area for the effective period of the Plan. Firstly, it is concerning to me that the primary developer who takes no issue with demolishing historic structures within a historic neighborhood can be so out-of-touch with the city that he is impacting to be unaware of such a comprehensive, community-engaging effort as Forward SGF. Setting that issue aside, the timing of this rezoning request in relation to the Forward SGF ratification bears consideration. The rezoning decision should be halted pending the Forward SGF adoption and adoption of the resulting policies. The Forward SGF plan was developed by countless members of the Springfield community and should not be stepped over, discounted, or ignored by the actions of one eager developer.

Please carefully consider the impacts of allowing Mr. Duda and BK&M LLC to demolish and rezone the properties at National Ave and Sunshine. Regardless of their current condition, these homes are historic, iconic, and once they are gone, there's no bringing them back. Mr. Duda's adversarial and prideful temperament, lack of proper planning and coordination with the neighborhood, and lack of awareness of major community efforts, such as Forward SGF, should disqualify him from the ability to disturb such a sensitive, historic, and important location that is held dear to the University Heights neighborhood and Springfield, as a whole. Thank you for your time and consideration.

Regards,

Tyler Samuel

tsamuel@aeci.org

(417) 773-8474

University Heights Neighborhood Association
Member, City of Springfield Neighborhood Advisory Council

To: Susan Istenes, Brendan Griesemer, Bob Hosmer and Tim Rosenbury, City of Springfield; Planning and Zoning Commission; and City Council
From: Jan Peterson, president, University Heights Neighborhood Association
Re: Rezoning request at Sunshine Street and National Avenue
Date: Aug. 29, 2022

Greetings, all.

University Heights Neighborhood Association board members have heard about discussions at the recent planning and zoning workshop. I am writing to request that the city pursue an administrative pause in processing rezoning requests along our corridors until the city and UHNA's board have the opportunity to discuss and implement a neighborhood plan as part of the city's comprehensive plan.

It is not hyperbole to say the rezoning request is an existential threat to our neighborhood. What we are asking for is the same opportunity afforded other historic neighborhoods in mapping out their visions for the future. We first reached out to the city regarding a neighborhood plan in the fall of 2019. We were told at the time city staff was too busy with Forward SGF, the Grant Avenue Parkway plan, Restore SGF and other initiatives to chat. We understood and planned to get back with the city about the subject, but Covid hit. Now that the city is finalizing Forward SGF and our neighborhood is threatened, we ask the city to find the time to work with us to preserve this gem of a neighborhood.

Developers will tell you no one wants to live at 1755 S. National Ave., in the big white house that has been the source of controversy over the years. But that isn't true. I recently heard from a couple who lived in it just four years ago. They loved it so much they tried to buy it. Ultimately, they couldn't because the previous owner would not negotiate on price, which was above residential market value. That put lenders out of reach of any would-be homeowner who wanted to live there. The couple who owned the house next door to the north also loved their home. They sold out of necessity, not because they wanted to escape noise or traffic. The home north of it was owned by two generations of the same family for more than 40 years. Again, the owner sold out of necessity. The home just across the street, on the north side of University at National, is under contract after being on the market for a fairly short time at an asking price of nearly $700,000. Our homes are so solidly built, urban noise is only an issue if you're outside. The fact is, despite the traffic, these homes remain in demand.

Homes elsewhere in our neighborhood sell within hours, if they ever hit the market. We have neighbors who have lived in several different homes within University Heights. People who live here do so intentionally. They love living in a historic center-city neighborhood so close to the places they work, study and play. This is an active neighborhood. Many of our neighbors walk or bike to their jobs at Missouri State University, Bass Pro Shops, Mercy or their offices downtown. Our neighbors enjoy the easy access we have to our parks and trail system. A photo of University Street a half block from the

proposed rezoning is used to illustrate the "Beautify Neighborhoods" section in Forward SGF. Another is used on page 64 to illustrate "Expand Housing Programs."

Our neighborhood enjoys a rich diversity of architectural styles, people and home sizes. We have had plumbers and fire equipment salesmen living next door to university presidents and professors, hospitality industry workers and computer programmers. Our homes vary greatly in size and price, but they are all very well built and have among the highest assessed values in the city.

Our neighbors living in our historic central neighborhoods fuel the economic engine that makes downtown and Commercial Street hum. We buy our coffee there, shop there and dine there. If the rezoning request is allowed to proceed as planned, I fear the fallout not only for our neighborhood but for the center-city businesses our neighbors support if redevelopment pushes us to the suburbs.

As the new comprehensive plan goes into place, it seems like a great time to collectively take a deep breath and decide what we want for this city. The homes included in BK&M's rezoning request are icons of the Springfield landscape. Every out-of-town visitor who enters Springfield from Sunshine and U.S. 65 to visit Mercy, Bass Pro Shops or other destinations pass by them. They put Springfield's beauty front and center. Putting a Bear Town or Kum & Go in that location couldn't possibly do a better job of selling visitors on what we have to offer. It also would not align with either Vision 20/20 or Forward SGF plans as the area is clearly zoned R-SF on zoning maps.

Now, about the traffic: At certain times of day, traffic on southbound National stacks up north to Portland and beyond. If there's an accident, it pushes traffic even farther north. The stacking problem at Sunshine and Campbell is already legendary. Putting in yet another commercial space at Sunshine and National would only exacerbate the problem. Our neighborhood is already concerned about what the addition of traffic at the new Cox clinic is going to do it. We've learned to migrate around the congestion, but don't want any additional traffic speeding down Portland or cutting down University.

Other cities have found ways to preserve beautiful historic homes while addressing traffic concerns. I can't help but wonder what the traffic count on Lindell Boulevard at Forest Park in St. Louis is. Their grand homes remain standing. Our board would love to partner with the city to find creative solutions to our problems.

We feel an administrative pause would give us a chance to come up with a sustainable plan for University Heights. We can't fight off or buy out every developer who shows up on our doorstep. We need a permanent solution. We need a neighborhood plan in place to protect the historical character and architectural integrity of our neighborhood. If we don't achieve that and those homes are razed, it will severely destabilize this neighborhood.

We don't need revitalization. We need protection.

We urge you to hit pause.

Sincerely,

Jan Peterson

Jan Peterson

University Heights Neighborhood Association
Member, City of Springfield Neighborhood Advisory Council

Public statement
Sept. 23, 2022

All,

The University Heights Neighborhood Association (UHNA) realizes recent events and discussions surrounding the rezoning case at National and Sunshine may be confusing and reflecting negatively on the neighborhood and community. We want to reiterate our position on the rezoning case and clarify our stance.

UHNA is opposed to the request to rezone the properties at National and Sunshine to General Retail. General Retail is the most intense commercial use and offers no assurances for compatibility with surrounding neighborhood uses or character and would have a negative impact on the surrounding properties for reasons including creating further traffic issues at an already challenging location.

Each zoning case is unique, and UHNA takes these matters very seriously. We work diligently to educate ourselves on the facts of each case and applicable processes and procedures so we can react with well-informed, thoughtful responses.

UHNA continues to work to maintain our vision to "be a destination residence for those who seek the benefits of center-city living in a historic neighborhood." We believe respectful and productive discourse between all parties is a must. We will not tolerate or condone inappropriate actions, insults, threats, trespassing or vandalism of any kind. We support everyone's right to their opinion and strive to create an environment for civil discourse between all parties.

We maintain a willingness to work with all residents, developers and the city to find a productive path forward for our neighborhood and surrounding corridors.

We respect the city's processes and procedures for planning and zoning and support the creation and implementation of the Forward SGF comprehensive plan.

Previous rezoning cases for one of the properties in question occurred prior to UHNA being recognized by the city as an organized neighborhood association.

Over the last few weeks, actions taken by a few individual neighbors have taken the spotlight, reflecting poorly upon the neighborhood and jeopardizing the ability of all parties involved to have productive conversations about the issues at hand.

A group of University Heights neighbors has been distributing materials and petitions and holding meetings to address the zoning issue. While we respect their passion to oppose the rezoning request, we need to clarify that these individuals do not officially represent all UHNA members and neighbors surrounding the properties affected by the zoning request.

Additionally, a UHNA member has filed a lawsuit against the UHNA Board of Directors to obtain the UHNA membership database. The time and energy spent addressing the lawsuit would have been much better served focusing on the rezoning case.

UHNA has worked with city officials throughout the Forward SGF planning process and has discussed the possibility of creating a neighborhood corridor plan to help address zoning pressures along National and Sunshine. The planning department has been very receptive but has not been able to assist in specific planning efforts for this area to this date. The Forward SGF plan will not be able to directly address our concerns with the form and place-based zoning regulations for some time.

Community involvement is critical to our planning and zoning process, and we ask for cooperation for all parties to help us set a healthy and productive path forward.

- University Heights Neighborhood Association Board of Directors

From: Vicki Craig
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Monday, December 5, 2022 9:29:50 AM

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Dear Planning and Zoning Commission,
We respectfully urge you to not rezone the University Heights neighborhood from residential homes to include businesses. There are so many reasons for our request, but we will focus on two main issues.

First and foremost, our neighborhood is a high pedestrian area. There are so many neighbors out walking their children in strollers or on bikes, not to mention walking their dogs. Some of the pedestrians have a disability. Some use wheelchairs or other mobility devices. My husband is totally blind and walks at least three miles a day in the neighborhood. He walks to and from work at MSU. It's already a dangerous situation for him. He has had his cane hit out in the middle of National after a negligent driver did not stop at an intersection. There are accidents weekly at Portland and National. I KNOW because I hear the crash and go running out my home to give assistance as I call 911. We've lived here for 28 years. Please please don't add to this traffic congestion that is already bad enough.

Secondly, the beauty of our very old homes would be diminished. One home has already been torn down that should have been preserved. Many of our homes are almost 100 years old. These single dwelling homes in this neighborhood are extremely well kept and we have spent a lot of money, time and love in the upkeep of these homes.

Please vote no on rezoning and SAVE OUR HOMES,

Dr and Mrs Chris Craig
1613 S. National Ave
Springfield, MO. 65804

Sent from my iPhone

From: Vanda Chism <vandachism@gmail.com>
Sent: Thursday, October 6, 2022 11:55 AM
To: Griesemer, Brendan <bgriesemer@springfieldmo.gov>
Subject: Strip Mall Development at Sunshine and National

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I'm not sure this is the place to express my concern and disappointment but I'm giving it a try.

It is very upsetting to see another area being torn down all in the name of progress. The west corner at Sunshine and National is a very busy intersection without adding another strip mall. The area behind the proposed mall is a well established and family oriented community. It has lots of architectural history which needs to be preserved and respected. Everytime I drive down University Street there are numerous people walking, riding bikes and jogging down the sidewalks, The neighborhood hugs me when I turn off National. It says welcome. The strip mall will ruin that feeling with more traffic and noise. There is a strip mall on the east corner of National and Sunshine that is hard to get into and is not even full of occupants. I'm also afraid that more congestion in that area will slow down response time to Mercy Hospital. It's challenging enough now to move out of the way of arriving ambulances.

I don't pretend to understand what all goes into planning and zoning, but I do understand the feeling of community. I do understand what it feels like to come home after a long day at work and to be in my own personal sanctuary, where I can restore my mental being, reconnect with my family, friends and neighbors and rest.

Please protect this community. Don't let the destruction of more homes continue. Don't let another strip mall be built.

Thank you

Vanda Chism

From:	Warren Gene Campbell
To:	Zoning@springfieldmo.gov; Council
Subject:	Zoning
Date:	Tuesday, August 30, 2022 1:21:37 PM

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Just a quick note from a neighbor of the parcel at Sunshine and National under rezoning consideration: DON'T ZONE IT COMMERCIAL/ DON'T ALLOW ANY BUSINESS THERE. That intersection is clogged enough with a strip mall (NE corner), Hospital (SE corner) and Cox building (SW corner). I realize the developer's intentions are good but right idea/wrong location. Thanks for your considerations. Please pass these comments along to the decision makers.

Rev. Dr. Warren Gene Campbell, HR
417.737.0138
1221 East Minota Street, 65804
Member Delaware Neighborhood Association (past VP)

From: Maggie Castrey
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Friday, December 9, 2022 11:39:21 AM

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Dear Planning and Zoning commissioners,

I live in the University Heights neighborhood and oppose application Z-27-2022 COD #220 to rezone some areas to general retail. I do not categorically oppose development in the neighborhood but feel the current complex proposal is inappropriate and will damage the integrity, quality of life, safety, and property values of the entire neighborhood. The introduction of large-scale restaurants and a six-story apartment building would impact a large surrounding area.

If the development of safe, healthy, and friendly neighborhoods is a city goal, this rezoning application is already degrading our neighborhood on all three counts. Furthermore, the developer's offer to sell the properties back to the neighborhood provided he can realize $1 million profit, bears the earmarks of an extortionist con game, not a good-faith effort to develop our city.

I request that Planning and Zoning reject application Z-27-2022 COD #220.

In addition, I believe the city needs time to develop guidance for P&Z and City Council to develop corridor plans and implement the new Forward SGF comprehensive plan. To prevent a rush of rezoning requests trying to get ahead of the new zoning structure, **I request that the city put in place a moratorium on rezoning changes** in our neighborhood of at least one year while the new codes and regulations are developed.

Thank you for your voluntary service on this important commission.
Respectfully,

Margaret Castrey

1006b E Linwood Drive
Springfield, MO 65807

From:	Martha
To:	Zoning@springfieldmo.gov
Subject:	Z-27-2022 COD #220
Date:	Friday, December 9, 2022 11:05:01 AM
Importance:	High

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As a fifty (50) year resident, living at 1046 East University, may I please express a complete lack of understanding how a zoning change to general retail could even be considered for one of the most beautiful, well kept residential areas of Springfield, Missouri. Additionally, prior to living at my home for fifty consecutive years as of August, 2022, I previously lived at 1703 South National for several years in this very lovely residential area, University Heights.

It is quite evident, just driving in University Heights that each owner cares very much about their property and this lovely, historic, residential area. The traffic congestion not only at the corner of Sunshine and National, but north and south on National and east and west on Sunshine already prohibits easy entrance from a side street the majority of the day, particularly on south National. Thankfully, the Brookside/Bennett stoplight is now available again. Why would the city want to add additional traffic on an already overloaded major intersection?

The better question is actually: why would the City of Springfield allow any part of one of the most beautiful, well kept historic areas of our city to be turned into general retail? Why?

I beg City Council to *not* approve the zoning request and allow the residents of University Heights to continue to maintain one of the most beautiful, historic areas in Springfield, Missouri as residential only.

Martha J. Pickering
1046 East University
Springfield, Missouri 65807-2069
mj1776@mchsi.com
417.886.1776

From: Lindsay Thieman Tobin
To: Zoning@springfieldmo.gov
Subject: Opposition to Application for Zoning Map Amendment for BK&M
Date: Monday, December 12, 2022 11:57:27 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 a resident of the University Heights neighborhood in Springfield, Missouri, and live within the area bordered by Bennett/Brookside St., National Ave., Sunshine St. and Campbell Ave. I oppose the application to rezone neighborhood properties to General Retail (Z-27-2022 COD #220 and subsequent variations).

Lindsay Tobin
1559 S Jefferson Ave, Springfield, MO 65807

Traffic/safety, sense of place, and quality of life are my main concerns.
Vehicular traffic cuts through University Heights in order to avoid National and Sunshine. I can't imagine how much it would increase with retail placed in the neighborhood.
My son attends Sunshine Elementary. I walk him to school everyday since we live close enough. The bus routes were reduced due to lack of drivers so there has been increased vehicular traffic to the area as well as pedestrian traffic. At times it is dangerous to walk. People speed through the streets. I have watched several cars fly through stop signs. There are no crosswalks or traffic calming methods in the area. I have asked the city for help (I suggested a traffic study) but nothing has been done (my case was closed). If the zoning is approved for BK&M the problem will only worsen.
I love my neighborhood because it is center city Springfield, there are beautiful historic non-cookie cutter homes, and has residents of varying economic backgrounds. Neighborhoods such as mine should be celebrated and protected. Not demolished. Ralph Duda has said he wouldn't have his family live in center city (but he wants others to live in his apartments??). Of all the things he has said, that one hurt the most. If he wouldn't live here then he shouldn't be allowed to build here. He has shown he has his own agenda in creating a strip center with apartments - not one for the betterment of the community. He bulldozed a home that has been around for generations only to prove a point- he didn't have the zoning permit to build his strip center, why did he feel the need to bulldoze right away? His disregard for the neighborhood was made evident. None of the materials from the home were salvaged - so much could have been repurposed and reused. But no, he bulldozed and then trashed the scraps.

Please do not allow this area to be rezoned. There are plenty of vacant strip centers (including one directly across the street). Springfield does not need another one. It doesn't need a 'high end apartment complex'. We need to preserve and protect one of the few remaining historic and economically accessible neighborhoods in the city.

Thank you for your time and consideration. If you have further questions I can be reached at (720)404-3056 or via email at lindsaythieman@gmail.com.

Sincerely,
Lindsay Tobin

Opposition to Application for Zoning Map Amendment

I am a resident of the University Heights neighborhood in Springfield, Missouri, and live within the area bordered by Bennett/Brookside St., National Ave., Sunshine St. and Campbell Ave. I oppose the application to rezone neighborhood properties to General Retail (Z-27-2022 COD #220 and subsequent variations).

Name: Jan Schreiber
Address: 1521 S Virginia Ave

Jan Schreiber
12/12/22

From: Shelley Wolbrink
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Sunday, December 11, 2022 10:08:50 PM

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

I write to condemn the actions of BKM in the last four months and the stressors that have inundated our neighborhood. As university professionals we purchased a historic home in the center of University Heights because of its value to the community. Our deed says that NO COMMERCIAL DEVELOPMENTS WILL BE BUILT IN UNIVERSITY HEIGHTS. It was an attractive offer to purchase this home, that would never be zone commercial, and we moved in.

When purchasing our house in 1998, ONLY ONE CORNER OF SUNSHINE AND NATIONAL was developed. One corner was a grassy field, two corners had beautiful homes with large evergreens. Only St. John's Hospital invited the space. Still, it was the third busiest corner in Missouri with substantial traffic and accidents. Still, as one drove by you largely saw neighborhood. Unfortunately, the last two years have not been kind to the corner. It has emerged as just another shopping mall eyesore – now with a Hurt's donuts smell and a total teardown of two historic homes on the other corners. It's ugly and desolate.

Our neighborhood is in the center of the city. It is currently not immune to noise. We can hear loud cars racing on Sunshine for instance, or ambulances (as I am writing, there is currently a car racing on Sunshine! LOL). I can't imagine the noise pollution that would emerge with a 4-6 tall story complex with eateries, lights, and flash.

Our historic neighborhood risks destruction. The entire point of SGF Forward is to encourage historic neighborhoods to foster city growth. We have now a number of young families living in the neighborhood. Congestion will be a problem.

Finally, the proposed structure is hugely out of Proportion for City and neighborhood.

I do not support any zoning at any time on this corner. I support the law suits vs. BKM.
The city voted on the Lone Pine issue and showed what it wants.

I appreciate your time.

Shelley Wolbrink

From: Norma D. Capeci
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 COD #220
Date: Saturday, December 10, 2022 8:13:32 PM

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ADDENDUM TO E-MAIL

I strongly reiterate my objection to the proposed rezoning of the entire northwest corner of National and Sunshine, the entrance to University Heights, from single family residential to commercial.

The past three months have finally given residents more clarity to the massive scope of this project and its destructive effect on our neighborhood.

It is unclear, however, as to which of the city's comprehensive plans, Vision 20/20 and Forward SGF, is applicable to this plan. What is clear is that the project is inconsistent with either plan. For that reason alone, this proposal should be not be permitted.

Vision 20/20 states that "older, established areas are vital to the overall integrity of the community". "It is not necessary to line every stretch of arterial frontage with commercial or multi-family development". Further, "allowing some low-density neighborhoods along arterial roads is both necessary and desirable". (Vision 20/20 pp 128 and 139)

Likewise, Springfield SGF gives University Heights the status of Traditional Single Family Residential. Forward SGF "centers on the concept of...maintaining unique and quality places that will be essential to the Springfield community's long term health and prosperity". Placetypes assignments reflect "existing development patterns", which takes historical value into consideration. University Heights is this kind of neighborhood.

This project is massive in scope. There are 275 homes in University Heights. If 66 units of lofts were stacked on just 9 lots, that would be 24% of the houses in the neighborhood. This is equivalent to the number of homes on both sides of just one block. This is high density, contrary to both comprehensive plans

The 5-6 story structure would be the second highest on Sunshine and would be incompatible with the present skyscape.

The new building under construction on the corner of Fremont and Battlefield is smaller than this project, but it gives the one the idea of how massive this proposed structure would be. This project is not suitable for this space. It is like trying to force a square peg into a round hole.

This project would be destructive to our neighborhood. With retail on ground floor and lofts above, the structure would negatively impact our neighborhood with water runoff, increased traffic, crime, personal safety, noise pollution, air pollution, pests, privacy, declined property values.

As a destination neighborhood, University Heights commands the highest price per square foot, at $163, than any other part of the city.
University Heights should remain a Single Family Residential neighborhood, even on the periphery.

Please vote NO on this proposed rezoning issue.

Thank you for your consideration of my objections.

Norma D. Capeci
900 E. Kingsbury St.
417-883-3379

Mark G. Boyer

1140 E. Stanford St.
Springfield, MO 65807-2058

(417) 887-4811
boyer50@mediacombb.net

March 27, 2022

Mr. Bob Hosmer
Planning and Zoning Commission
840 N Boonville Ave.
Springfield, MO 65802

Dear Mr. Hosemer and All Members of the Planning and Zoning Commission:

I wish to comment on the BK& M proposal to change the zoning on the northwest corner of Sunshine and National (specifically 1141, 1133, 1119, and 111 Sunshine; 1138 University St.; and 1755, 1745, and 1739 National Ave.) in the University Heights Neighborhood.

To my knowledge, no traffic study has been done to assess the number of additional cars locating a business on the northwest corner of Sunshine and National would bring to the intersection. At peak times, cars are lined up on National for four blocks across the intersections of University, Stanford, Kingsbury, Portland, and often beyond. A business on the corner of Sunshine and National would turn the neighborhood street of University into a main artery. Already, many cars cut through University, Stanford, Kingsbury, and Portland to avoid the light at National and Sunshine, if they are intending to make a right turn onto Sunshine. And those who do that speed through the neighborhood streets with no police around to give tickets! A business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business strip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

University Heights Neighborhood contains some of the oldest houses in Springfield. I live in one built in 1918 before the neighborhood was founded in 1925. While in principle I am not opposed to the development of businesses, I am opposed to the destruction of old neighborhoods. Once it begins, there is no end to how much will be lost block by block. Part of a city's grandeur is appreciating an preserving its heritage in old buildings. There is an integrity to an old building

that needs to be preserved. In University Heights there are no cookie cutter houses; every home is different and needs to be preserved.

Property values throughout the neighborhood will drop if businesses begin to be added; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People who live in University Heights Neighborhood do not want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is the Planning and Zoning Commission going to listen to them? They have lived in the neighborhood long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes on April 6. Please do not grant any more requests to have homes demolished in the University Heights Neighborhood. Please keep the neighborhood intact.

Sincerely,

Mark G. Boyer

Mark G. Boyer

From: Munde, Alan
To: Zoning@springfieldmo.gov
Subject: National and Sunshine
Date: Saturday, April 1, 2023 9:54:13 AM

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

Dear Springfield City Council, Planning and Zoning Board, and Staff,

I am writing in opposition to the proposed, and staff approved rezoning of the two and one half acres of residential homes at the corner of National and Sunshine. I have written several times before after reading of developments in the situation, and my opposition is still firm. You ask our neighborhood for a plan. There is a plan that has been in place for many, many years. The neighborhood is zoned residential, single family housing. That is a the plan, and has been a good one all these years and sould continue to be. Please do not rezone this area.

Respectfully, Alan Munde

Alan Munde
P.O. Box 4989
Springfield, MO 65808
512-694-8173 cell
www.mundemusic.com
www.almundesbanjocollege.com
www.campbluegrass.com

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April 3, 2023

Sent Via Email: ***awerland@springfieldmo.gov***

Planning & Zoning Commission
c/o Amy Werland
Department of Planning & Development
840 Boonville Avenue
Springfield, MO 65802

RE: **Zoning Hearing on Matter # Z-27-2022 w/COD #220**
Set for April 6, 2023 at 6:30 pm
Matter ID 37559-000

Dear Ms. Werland:

I represent 22 individuals representing 13 lots in the University Heights neighborhood. I am writing on behalf of those concerned citizens with respect to the meeting on Thursday, April 6th. The meeting is to commence at 6:30 pm. Due to the high number of participants who had signed up at the previous meetings, it appears that there will be a large number of people seeking to speak at this meeting. It would seem to be a situation where the Planning & Zoning Commission would bifurcate the hearing so that it is held on multiple nights to ensure that all citizens have a chance to speak with respect to the matter as opposed to limiting the speaking period. Also, due to the capacity limits of the City Hall Chambers, it would benefit all the parties if this could be heard on multiple evenings.

In addition, the Staff Report was not issued until Friday afternoon, reducing the normal seven (7) day period for review and comment. Based upon that, it would seem logical for the Commission to hold public hearings on two nights.

I am enclosing a copy of Helicopter Safety Standards so that the Planning & Zoning Commission can ensure that there is ready access to the hospital helipad at St. Johns.

Lastly, both the Staff Report with the additional conditions, and the traffic study submitted by BK&M, have indicated that impact would be minimal. It is hard to believe that changing from eight (8) single family residences to a multiuse facility with 117 parking spaces and limited access would not impact traffic at the busiest intersection in the city. Based upon that, my clients have requested that the traffic engineer and Public Works Department be present so that questions can be elicited with respect to an explanation on the traffic impact. While we recognize that the development department has indicated that if there are any changes in traffic counts, that the traffic study may need to be redone, it seems impractical and illogical to believe that there is minimal traffic impact with the use

intensity growing from eight (8) single family lots to one lot with 117 parking spaces and proposed multiple units to be used as multifamily dwellings.

Based upon those above and foregoing, my clients would urge that Planning & Zoning consider having multiple meetings for public comment as opposed to a single meeting.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel, III

LJV:klc

Enclosure

This guide is brought to you by:

MISSOURI AAMS
Association of Air Medical Services

www.MOAAMS.org

and its member programs:

Mercy Life Line

LifeFlight Eagle

ARCH Air Medical Service — Owned and Operated by: Air Methods

Air Evac Lifeteam

LifeNet Air Medical Services

Children's Mercy Critical Care Transport — Just for Kids

The Staff for Life Helicopter Service

MedFlight — Owned and Operated by: Air Methods

Cox Air Care — CoxHealth

Survival Flight

St. Louis Children's Hospital — Critical Care Transport Team

EagleMed

The recommendations in this document are best practices and are to serve as guidelines only.

These are not regulation requirements.

The information is based on the National EMS Pilots Association 2008 Hospital Helipads Presentation prepared by Rex Alexander. It is intended for education and information only and should not be considered or used in substitution of actual FAA, DOT or other regulations.

Contact MOAAMS for questions or more resources

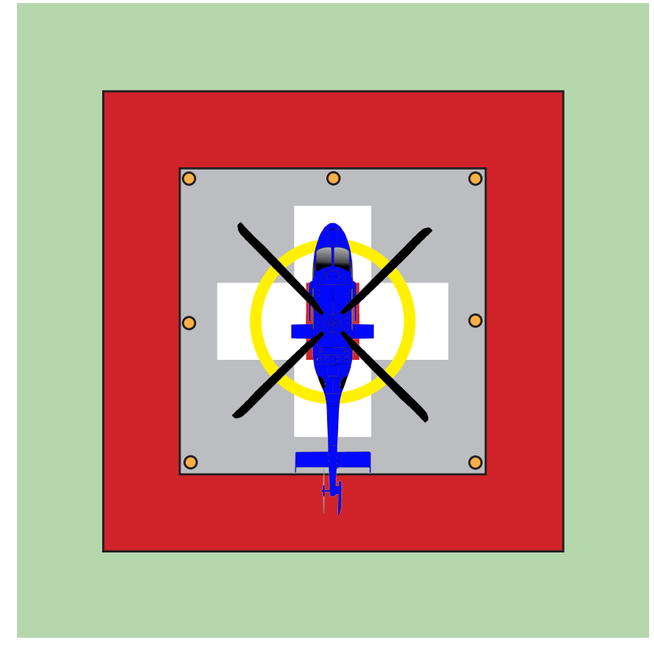
President
Susan Crum
Cox Air Care
417-269-4040

Treasurer
DJ Satterfield
Mercy Life Line
417-820-6679

Vice President
Ruby Mehrer
LifeFlight Eagle
816-506-2792

Secretary
Christy Dressler
Children's Mercy Hospital
816-802-1112

Hospital Helipad Recommendations



As you and your facility consider hospital construction projects, whether additions or renovations to existing facilities, or changes to helipads in consideration of Missouri's TCD designations, please examine the recommendations in this guide.

As with all air-medical operations, safety is the highest priority. Ensuring hospitals have safe facilities for helicopter operations is critically important to our end-goal of providing safe, rapid transport for patients in need. This guide provides helpful information about minimum helipad sizes, safety zones, helipad maintenance, landscaping, fencing, hazard marking and more.

We strongly encourage you to include your local air-medical program in the earliest planning stages possible as you consider any helipad changes or hospital construction projects. Collaborating on helipad and construction projects early in the process can save time, money and frustration.

prepared by:

MISSOURI AAMS
Association of Air Medical Services

www.MOAAMS.org

Helipad Size

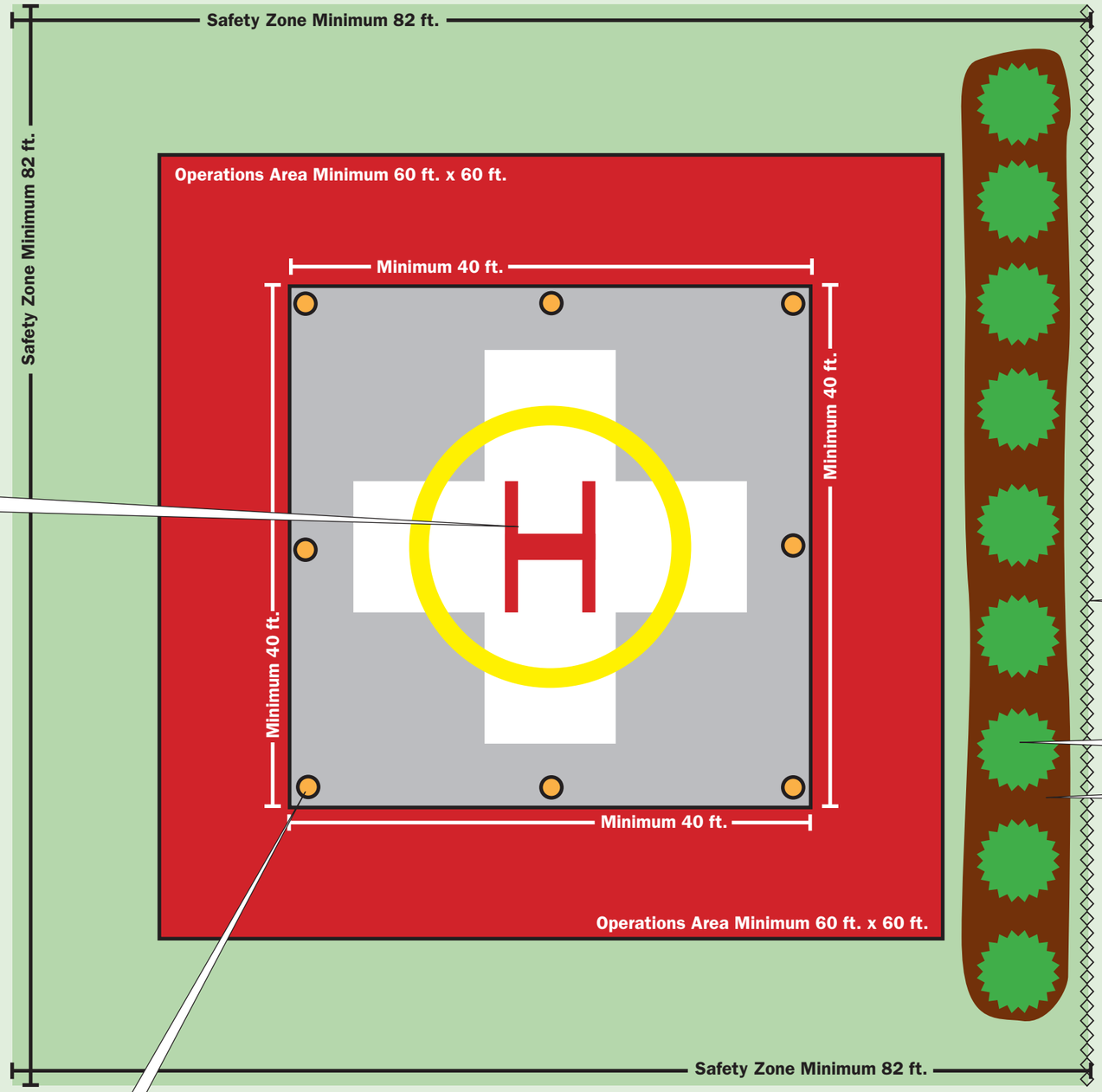
- Helipads should be no less than 40 feet by 40 feet, and surrounded by a safety zone no less than 82 ft. x 82 ft.
- Ground helipads should be made of Portland cement concrete, at least 6 inches thick. Helicopters can sink into asphalt on a hot day.
- Keep the safety area around the helipad free of obstacles approximately twice the area of the helipad when possible.
- Drainage should be sloped away from access points for patient loading etc.

Ensure Non-Slip Surface

- Helipads should have a red capital letter H centered on helipad, oriented in the preferred takeoff and landing direction.
- When applying paint on a new helipad, make sure a non-slip surface is prepared and that silica sand is added to the paint.
- When reapplying paint, always add silica sand to the paint to maintain the helipad's non-slip integrity.
- The addition of reflective glass beads to paint helps to identify areas more clearly at night.
- DO NOT use rock salt to melt ice on helipads; it damages helicopters. Use products containing urea.

Helipad Location

- Aircraft need two unobstructed flight paths in/out of a helipad, whether on the rooftop or ground. This means there can be no obstacles more than 10 feet tall within 80 feet of the edge of the helipad in two directions.
- Ground helipads should be placed close enough to the emergency department to allow quick access, but not too close to hospital structures. Consult your local air program early in the planning stages before any helipad construction.
- Follow regulations: FAA, DOT, OSHA, State & Local Zoning etc.
- Hospital ventilation systems may ingest helicopter exhaust fumes if too near. Consider prevailing wind patterns when determining helipad placement.
- Resources for special considerations for rooftop helipads will be provided on request.



Helipad Lighting

- Utilize flush lights to define the perimeter, one at each corner, and additional lights uniformly spaced at a maximum interval of 25 feet between lights. Low wattage amber LED lights are recommended.
- Never have flood lights high above the helipad — they can blind pilots. Flood lights in the area should be aimed down.

Windsocks

A windsock should be visible from the helipad to reflect wind speed and direction. It should be 6-8 feet long and lighted (amber) for night. It should be at least 10-15 feet above ground, and located at least 100 feet from the helipad.

Mark Hazards

- Power lines in the vicinity of the helipad need to be marked with appropriate orange markers.
- Any structure 200 feet or above needs to be lighted with red obstruction lights.
- Cranes should have flags for daylight and be lighted at night; lower cranes at night if possible; always notify helicopter programs if you have cranes or construction near the hospital or helipad.

Please Don't

- **Please Don't** install a fence as a perimeter for a helicopter landing area unless it is at least 41 feet from the center of the helipad. If you do build a fence, it should be short. Consult your local air program about materials and fence height.
- **Please Don't** plant trees or shrubs near the helipad — they grow into obstructions.
- **Please Don't** use small decorative landscaping bark, wood chips, stones etc., near the helipad. Rotor wash can cause them to become dangerous projectiles.
- **Please Don't** locate a helipad within 50 feet of anything flammable.
- **Please Don't** put an MRI unit (or any strong magnet) near the helipad, it can affect the helicopter's instrumentation.
- **Please Don't** allow trash or construction materials to be affected by our rotor wash (75 to 100 mph winds are common).

Safety and Communication

- Train designated personnel to provide security (air ambulance programs provide this training free of charge).
- Remove snow and ice prior to helicopter arrival.
- DO NOT use rock salt to melt ice on helipads; it damages helicopters. Use products containing urea.
- Block all vehicle and pedestrian traffic near the helipad during landing and takeoff.
- Stay away from the tail rotor area at all times; approach only in the pilot's line of sight and follow all crew member instructions.
- Communicate with your air ambulance provider with questions, concerns or new information.

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April 5, 2023

Sent Via Email: ***awerland@springfieldmo.gov***

Planning & Zoning Commission
c/o Amy Werland
Department of Planning & Development
840 Boonville Avenue
Springfield, MO 65802

RE: **Project/Case No. Z-27-2022 w/COD #220**
Location: 1739, 1745, & 1755 S. National Ave. and
1138 E. University, as well as 1111, 1119, 1133, & 1141 E. Sunshine
Matter ID 37559-000

Dear Ms. Werland:

I write on behalf of owners in the University Heights neighborhood. They have requested that I make a written request of Planning & Zoning that this matter be tabled until resolution of the current pending lawsuit styled Sleigh, et al. v. BK&M LLC, et al.; Case No. 2231-CC01284 pending in Greene County, Missouri. It directly impacts on the current Application and the Motion to Dismiss filed by the Defendants that was overruled and the case is moving to trial. Plaintiffs have recently requested a scheduling conference in the matter.

In addition, City Council has in committee, a review of a possible corridor study for the National/Sunshine area with a possible moratorium to go into effect if voted upon and approved by Council. With those items pending, the owners would request that the current proposal for rezoning by BK&M as set forth above be tabled.

Thank you for your time and attention to this matter.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Lee J. Viorel

Lee J. Viorel, III

LJV:klc

From: David Hutchison
To: Zoning@springfieldmo.gov; Werland, Amy; Hosmer, Bob
Subject: Z-27-2022 COD 220 SR Proposed change in zoning
Date: Wednesday, April 5, 2023 5:23:08 PM

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 David Hutchison, 1101 E Kingsbury, Springfield, MO 65807 Phone 417 830-5268

You have heard more than enough about how great our neighborhood is. Traffic will be a problem, I have already witnessed it.
Quiet? Depending where you live, the flight path of ER helicopters is over both my home and the proposed BKM project.

My concern is the property bordering University, especially 1138 E University. All general use property east of National on the Northside of Sunshine leaves
University Street open. I use this route often to avoid traffic at National and Sunshine.

#1 Should 1138 E University be rezoned for general use, who knows what they will do? Probably, as a parking lot or site for waste containers.
I believe this property needs to be excluded. Rezoning 1138 University will open a path for rezoning both east and west University Street.

As a 4th generation Springfieldian. I have seen many changes in Springfield. As a child Sunshine was 2 lane, Battlefield Road was also
partially dirt and gravel.

Sunshine will be rezoned! However rerouting traffic on University Street is not a good plan. I know the developers have said they will limit use of the retail
section of the property. Probably not binding. By the way, No Neighborhood Pub??? A pub would be welcomed by myself!

The developer has said He purchased the properties prior to rezoning. His name is not John Q. Hammons!
Investing in property with the expectation of rezoning is blind faith! A calculated RISK! Sometimes you don't get what you want.

There is no #2..
Please consider NOT allowing 1138 E University Street to be rezoned.

Thank you,
David Hutchison

From: David Scrivner
To: Zoning@springfieldmo.gov
Subject: Z-27-2023 Comments
Date: Wednesday, April 5, 2023 9:10:28 PM

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Dear Planning & Zoning Commission:

I am writing to express my concerns regarding rezoning the properties currently classified as residential to make them commercial for this proposed development. Preserving in-tact, older residential areas, especially ones with historic homes, is crucial for attracting and retaining residents who can contribute to both Springfield's cultural life and economic development. These homes are in a particularly desirable neighborhood that contributes significantly and uniquely to Springfield's character, and neither the homes nor the quality of the neighborhood can be replaced by new development. As Springfield looks to grow, having neighborhoods with historic homes and mature trees, such as these residences, is essential, and without it, people will choose areas such as Nixa and Ozark rather than living in our city. When I was looking to move to Springfield nearly five years ago, I had to look very purposefully to find an older neighborhood with a mature tree canopy and desirable homes, and I know I am not alone in this desire. Modern commercial developments abound, and people do not have to look far to find them. Neighborhoods such as University Heights develop over decades—even a century or more—and disregarding the treasure this neighborhood is in favor of bland development will only hurt our city, both now and for decades to come.

Thank you,

David Scrivner

Crime and Property Value Analysis Re: Zoning Case Z-27-2022 w/COD 220

University Heights Neighborhood

Written by Donna Hemann

Crime and Property Value Analysis Committee Members: Gayla Carey, Raquel Hansen, Donna Hemann, Susan Knapp, John Walstrand

Summary: Rezoning Residential Land to Commercial Development inside University Heights Would Reduce Property Values and Increase Crime.

Destruction of Property Values – The intrusion of retail strip centers into residential neighborhoods is well known to devalue private property. This is true nationwide and has an effect similar to inverse condemnation. Conversely, "zoning helps protect the local environment and helps keep property values stable" (Millman National Land Services/Nationally Recognized Land Surveyors and Zoning Experts). Currently, UH boasts some of the highest-per-square foot property values in the City. A newly renovated home (1721 S. National [north corner of E. University and National]) directly across the street from the most impressive and well maintained of the homes the developers seek to raze (on the corner of University and National [1739 S. National]) sold in September 2022, for just under **$700,000**. It was purchased by a couple from Kansas City, one of whom is vice-president of a large accounting firm here in Springfield which merged with a Kansas City company. There would be a significant reduction in the value of their property, and then potentially be uninhabitable should a parking lot and strip center be erected directly across from them on the interior of E. University. Half a block from this house is a home valued at $850,000. A young couple immediately to the west of 1721 E. National at 1139 E. University, moved to quiet University Heights recently from Rountree due to the high-rise student buildings and proliferation of student rentals and retail near their Rountree home. Those conditions made it an undesirable place for her and her husband to raise a family. She did not know of BK&M's intention to buy homes across the street from her new home and try to change the zoning, leaving her with a massive parking lot and back alley across from her front yard. She reached out to University Heights Neighborhood Association leadership in great distress seeking assurance that this is not happening to her and her husband again before they even unpack their bags. The current view from their front yard is one of the houses slated to be razed by developers with an alley/back road put in its place.

Spike in Vagrancy, Homelessness Congregation and Crime – Problems with vagrancy, congregation of the homeless and crime will increase if more homes are torn down, parking lots erected, and a back alley/road is cut through the interior of University Heights. For example, currently, people without transportation released from Mercy Hospital's Marian Center typically walk down Sunshine and National but only pass by, as homeowners are vigilant in contacting police if there is behavior of concern. If homes were destroyed and homeowners removed from the equation on these crucial corridors, an environment would be created for this population to stay. Sadly, the state of people we see leaving the hospital on foot is frightening. It would be unsafe for residents if they were to congregate in UH. This new environment would also consist of loitering, drug use, and a place for other criminal activity; these phenomena can be seen anytime during the day or night downtown and at the intersections of Sunshine/Campbell. We cannot allow this activity to happen inside UH.

Land Use

A. *Homogeneity* of Residential Properties Decreases Crime

There has been considerable research on the related issue of the effect of different kinds of land use on crime. In general, research has concluded that, '^ commercial uses are associated with increased rather than decreased crime." Similarly, considerable research on this issue has shown that homogeneous residential neighborhoods have lower rates of crime than mixed-use neighborhoods.^"[1]

[1] Reducing Crime by Shaping the Built Environment With Zoning. James m. Anderson, John M. MacDonald, Ricky Bluthenthal and J. Scott Ashwood. University of Pennsylvania Law Review, Vol.161:699)

B. *Natural Surveillance*

Many have argued that design should "create opportunities for natural surveillance by residents and neighbors." [2]^ Routine-activities theory, which is featured prominently in criminology literature, notes the importance of capable guardianship in reducing the propensity of motivated offenders to commit crimes against suitable targets.^^ Individuals who act as "eyes on the street" are proactive in calling the police or asking questions of potential criminals. The process by which individuals living in neighborhoods actively intervene in ways that discourage problem behaviors has been termed "collective efficacy."^'*

Empirical studies are consistent with the claim that natural surveillance is associated with lower crime. Empirical research has suggested the importance of the watcher's identity. Moreover, mixed-use areas make it harder to identify abnormal behavior.

C. *Territoriality*

From his study, Newman concluded that the physical environment should "create perceived zones of territorial influence. i.e.: "a residential environment intended to reinforce inhabitants in their ability to assume territorial attitudes and prerogatives." Katyal expounded on this argument: "Territoriality connotes ownership or stewardship of an area. It both provides an incentive for residents to take care of and to monitor an area and subtly deters offenders by warning them that they are about to enter a private space.""

D. *Permeability*

Another study concluded that physical permeability matters even more than markers of informal territorial control.'" Considerable evidence links more neighborhood permeability with higher crime.'* **Replacing residential neighborhood perimeters which serve as buffers for the whole neighborhood, with commercial business, creates permeability and diminishes territorial control.**

"The repeated finding that commercial land uses are associated with more crime may result because commercial land uses reduce territoriality and informal social control of residents."' Residents in an area with nonresidential uses are less happy,'"^ less likely to have contact with their neighbors,'"^ and less likely to be able to distinguish local residents and outsiders.'"*

There is also a relationship between territoriality and natural surveillance. Others have suggested that, without sufficient density, commercial strips (in contrast to higher-density commercial areas) might be associated with crime because the linearity of the commercial strip reduces activity and eyes on the street.^"' Similarly, some have argued that nonresidential uses may be associated with increased crime because those uses create holes in the fabric of the community, attract outsiders, and generally impair the facial recognition of those who belong in the neighborhood."

[2] Ibid. p716

reduce crime, blocks with a single type of residential zoning have the lowest level of crime.

Table 4: Estimated Effect of Refined Zoning Classifications on Crime[190]

100 meters	Total	Assault	Robbery	Theft	Burglary	Auto Theft
Single Residential	0.52 * (.44-.61)	0.70* (.47-1.05)	0.31* (.20-.46)	0.46* (.31-.70)	0.56* (.37-.85)	0.74 (.51-1.08)
Multi-Commercial	2.48* (2.12-2.90)	1.71* (1.07-2.72)	1.92* (1.36-2.72)	6.10* (4.25-8.54)	1.21 (.72-2.05)	1.79* (1.14-2.80)
Single-Commercial	1.45* (1.20-1.75)	1.50* (.92-2.45)	1.08 (.70-1.68)	3.18* (2.12-4.76)	1.27 (.76-2.13)	1.22 (.74-2.01)
Pseudo R^2	0.39	0.25	0.34	0.34	0.25	0.28

250 meters	Total	Assault	Robbery	Theft	Burglary	Auto Theft
Single Residential	0.95 (.88-1.02)	0.95 (.79-1.14)	0.82* (.69-.98)	1.05 (.88-1.24)	0.92 (.77-1.10)	1.01 (.83-1.20)
Multi-Commercial	1.97* (1.81-2.14)	1.58* (1.22-1.94)	1.80* (1.48-2.20)	4.25* (3.55-5.07)	1.13 (.88-1.43)	1.42* (1.13-1.78)
Single-Commercial	1.47* (1.34-1.61)	1.18 (.91-1.14)	1.32* (1.04-1.66)	2.65* (2.16-3.24)	1.10 (.86-1.42)	1.20 (.95-1.52)
Pseudo R^2	0.46	0.29	0.35	0.33	0.41	0.38

*$p < 0.05$ (two-tailed); $n = 205$ blocks. All models include area-level fixed effects.

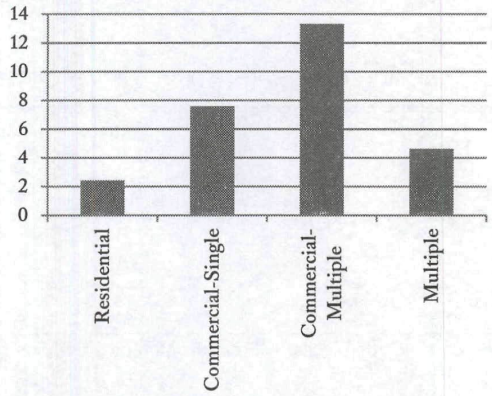
190 "Total" represents the sum of homicide, rape, assault, robbery, theft, theft from automobile, burglary, and auto theft. The count-multiplier or incidence-rate ratios are displayed, along with 95% confidence intervals in parentheses. We also estimated the models in Table 4 using robust standard errors to adjust for overdispersion. *See supra* note 185.

3 Ibid p.761

These results are generally consistent with the situational crime prevention literature, which predicts that areas with commercial establishments create more attractive crime opportunities.[191] According to this theory, establishments that attract strangers who are potential offenders or suitable criminal targets will increase criminal victimization. Consistent with this theory, our results show that, on average, residential-only areas with likely fewer strangers have less crime, whereas commercially zoned areas with likely more strangers have higher rates of crime.

Figure 1 below shows the expected total crime counts at 100 meters for the different types of zoning. The expected crime counts are substantially lower in multiple zoned areas than in single commercially zoned blocks.

Figure 1: Estimated Effect of Zoning on Crime Counts at 100 Meters



2. The Association Between Zoning Homogeneity and Crime

Zoning homogeneity refers to the degree to which parcels on a block share the same zoning classifications. The concept of zoning homogeneity thus complements the Jacobs argument that mixed-use zoning increases the "eyes on the street,"[192] and to the situational crime prevention literature, which argues that multiple-form zoning encourages establishments such as

[191] *See, e.g.*, Sherman et al., *supra* note 146, at 45 tbl.5 (reporting that 36 of the top 42 areas of predatory crimes in a study of Minneapolis were nonresidential areas).

[192] *See* JACOBS, *supra* note 12 and accompanying text.

4 Ibid p738

Conclusion on correlation of zoning with crime: "We found that exclusively residential blocks exhibit lower reported crime than blocks zoned for commercial or mixed-use, even in relatively high crime neighborhoods."

***Together, these findings provide evidence to support the surprisingly prescient intuitions expressed in early zoning judicial opinions about the effect of commercial establishments in attracting crime.

Looking forward, our findings suggest that strategic decisions about zoning could be part of the overall crime prevention strategy. Reduced crime will lead to a variety of positive social welfare outcomes, including increased community efficacy, reduced fear of crime, increased outdoor exercise, and better long-term health outcomes.

Neighborhood Culture and Crime

Mixing commercial into a purely residential neighborhood can contribute to disintegration of the existing neighborhood culture, contributing to "disorganized neighborhood syndrome." Disorganized neighborhoods undergo the disintegration of their existing culture, standards, and locus of control. In these areas, the major sources of normal, informal social control (family, school, neighborhood, and civil services) are weakened and become ineffective.[5]

Effects of a disorganized neighborhood:

- Residents develop a sense of hopelessness and mistrust
- Kids are at risk of criminality
- Basic stabilizing forces are undermined
- The ability of the community to control its inhabitants (assert informal social control) is damaged/frayed
- The community becomes socially disorganized
- Residents increasingly become exposed to disruption, violence, and incivility

As areas decline, residents flee to safer, more stable localities. Disorganized neighborhoods are left with inferior housing and victimization.

_____

5 Introduction to Criminal Justice, 17Ed, Siegal, L.J. and Worrall, J.L., 2022

The "Cohesive Neighborhood"

Cohesive neighborhoods:

- Have high levels of social control and social integration, where people know one another and develop interpersonal ties.
- They are a "collective efficacy" that develops mutual trust and cooperation.
- Cohesive neighborhoods have a high level of formal and informal social control (a willingness to intervene in the maintenance of public order).
- Have shared expectations in a public space
- Residents have a sense of belonging and confidence with one another

Residents in cohesive neighborhoods enjoy a better life because of their stability, efficacy in maintaining safety and order, and sense of connection to others that make up their environment. Children's exposure to behaviors such as crime and vagrancy is minimal, and instead kids see that people care, have control over the environment and that there are expectations of how they should behave, which shapes behavior.

Social cohesion is built over years.

Business Closure and Empty Retail Space – A direct Correlate to Increased Crime and Property Devaluation

Tom Chang and Mireille Jacobson[6] find that there's a link between business closure and crime within two miles of the business closure. According to the analysis, crimes increased 14 percent to 16 percent within a quarter mile of the businesses that were closed, and 23 percent to 24 percent within an eighth of a mile. The effect was driven by an increase in property crimes, especially thefts from vehicles.

Even temporary businesses closure is linked to rise in property crime.
Again, Chang and Jacobson found that crimes, particularly property crimes, within the immediate vicinity would increase. Thefts from vehicles, for instance, increased by up to 30 percent within a quarter of a mile of a closed restaurant.

Empty local retail:

On the Northeast corner of Sunshine/National, (directly across the street from the National-facing properties proposed for rezoning), continuously to the intersection of E. Sunshine/Fremont, there is an abundance of long-vacant strip centers/retail spaces/businesses. Starting from the corner, at 1231 E. Sunshine, Hurts Donuts is new but not yet operating, next to it is 1251 where a unit has remained empty for four years, next to that is 1301 which was vacated by Neighbor's Mill and is now empty, then 1403, a large, retail strip center built several years ago called Jaclyn Square, that is completely empty and has never been occupied, next to it is the Thai Basil building, the business closed and building was abandoned, then there is Fishel Pools empty for years and deteriorating also. "When a retail business closes crime around it increases (Harvard Business Review 2017)." Continuing to E. Sunshine/65hwy, more retail centers sit empty for years. There is an overabundance of empty retail, and a shortage of single-family housing.

In conclusion, our research has found that retaining healthy, homogenous, residential neighborhoods produces the highest property values and lowest crime levels. Introducing commercial development into stable residential

[6] Ibid

neighborhoods increases crime and long term negative consequences for a city. By shaping the built environment, policy makers can reduce crime by design. Even higher crime areas experience a reduction in crime when, in a mixed-use or strictly commercial area, residential is introduced. In these cases, assaults, robberies and burglary are reduced, and thefts from cars and stolen vehicles are reduced markedly. Lower crime and stable neighborhoods are economic and social advantages for the entire city, not just the neighborhood most directly affected.

This information on the effects of introducing commercial property into a healthy residential neighborhood bolsters the position that re-zoning should not take place in the University Heights subdivision, and augments the information previously provided to Planning and Zoning.
University Heights has remained a healthy neighborhood with re-invigorated housing stock that holds high value. There are no current conditions that make re-zoning necessary. In considering Sunshine/National Corridor planning, please exclude the sections of those streets that are part of our borders.

Thank you for your consideration of these facts.

Respectfully,
Crime and Property Value Analysis Committee
University Heights Neighborhood Association
For further information:
uhnasgf@gmail.com
c: 818.264.6146

Lowther Johnson
Attorneys at Law, LLC

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April 6, 2023

Email: awerland@springfieldmo.gov

Planning & Zoning Commission
c/o Amy Werland
Department of Planning & Development
840 Boonville Avenue
Springfield, MO 65802

RE: **Zoning Case Z-27-2022**
University Heights
Matter ID 37559-000

Dear Commission:

I am representing my parents, Walter and Kathleen Green, with respect to the above zoning application by BKM. My parents have resided in the University Heights neighborhood since the 1970's.

They are adamantly opposed to any rezoning from R-SF for these lots. I cannot attend the meeting tonight because it is Holy Thursday in the Christian tradition and I am the head usher for a Holy Thursday service tonight.

I am requesting that the hearing be postponed or that a second hearing date be set for additional comments, due to the fact that the Staff Report not being issued a full 7 days prior to hearing, as required under the rules.

In the event that this request is not granted, I am submitting my comments with this letter for consideration by the Commission.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC

Glenn P. Green

Glenn P. Green

GPG:cam
Enclosure

PX272195

If the basis of spot zoning for a different use is arbitrary and unreasonable and made for the sole benefit of the private interests of the owner, it is invalid. If the spot zoning is in accord and in harmony with the comprehensive zoning plan and is done for the public good, i.e., to serve one or more of the purposes of the enabling statute, and so bears a substantial relationship to the public health, safety, morals and general welfare, it is valid. Treme v. St. Louis County, 609 S.W.2d 706, 713 (Mo.App.1980).

RSMo 89.350 required municipalities to develop a Comprehensive Plan to guide the physical development of the community.

From the Springfield website: "The Comprehensive Plan serves as a policy guide for the overall development of the community."

A comprehensive plan is relied upon both by developers and homeowners to determine the characteristics of the neighborhoods around them and potential uses of neighboring properties.

The are 8 factors to be considered in a re-zoning application under City Code Sec. 36-367)7)(a):

#1- Whether the proposed zoning classification is consistent with the Springfield Comprehensive Plan.

Owners in University Heights have relied upon Springfield's Comprehensive Plan in purchasing and improving their homes with the understanding that both the Vision 20/20 and the Forward SGF comprehensive plans have consistently designated the University Heights area as Low Density Single Family Housing. The BKM proposal clearly fails factor #1.

Furthermore, the Neighborhoods Element of the Vision 20/20 Comprehensive Plan specifically provides on page 25-2:

> *The Vision for Neighborhoods Springfield should be a community of neighborhoods that have strong ties to elementary schools, exhibit a small town or "home town" feeling, and are characterized by activities and events that draw the neighborhood together. The physical character of these neighborhoods should be a source of pride for the community. Streets should be tree lined,* ***historic buildings preserved*** *and the neighborhoods clean, well maintained, functional and aesthetically pleasing. Linkages to parks and open space should be hallmarks of both old and new neighborhoods.* ***There should be a public commitment to conserve existing neighborhoods*** *and a specific recognition of the importance of redeveloping declining, older neighborhoods.*

The Neighborhoods Element of the Vision 20/20 Comprehensive Plan continues on page 25-3 to state as follows:

> *The City and County* ***should adhere to the principle that the more developed and established a neighborhood, the greater the burden of proof is upon the proponent of change.*** *Among the factors to be considered are the social and economic costs of the loss of existing housing; use and site planning compatibility; and the importance of new investment to the long-term residential health of the neighborhood.*

#2- Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary.

The Neighborhoods Element of the Vision 20/20 Comprehensive Plan continues on page 25-4 to state:

> *Inclusion of diverse housing types in existing neighborhoods* ***should relate to areas in transition*** *and should adopt appropriate design and buffering considerations for the particular neighborhood.*

The Staff Report specifically indicates that University Heights Neighborhood is a vital and exclusively single-family residential neighborhood. University Heights has been a high quality neighborhood since its creation in the 1020's. It is not an "area in transition." Thus, there is no justification for "diverse housing types" to be added in this neighborhood.

The justification offered by BKM to approve the rezoning request is because there are high traffic levels at the Sunshine and National intersection that the highest and best use is for commercial or mixed use such as their proposal. The "highest and best use" justification is a red herring that could be used for virtually any single family lot. There would be few if any residential lots that would be worth more in their current RSF use as compared to a commercial use. This justification cannot be allowed to justify a change from RSF zoning.

As for the traffic argument, that intersection has been one of the busiest intersections in the City for decades. More traffic has been added by the City approving commercial uses on the Northeast corner, and increasing the square footage of commercial space on the Southwest corner. Those changes should not be allowed to create a domino effect of justification to continue to change RSF properties to commercial properties. University Heights has shown a resilience of families continuing to purchase and improve houses with large remodels and renovations. along National despite the traffic. Houses along Sunshine have continued to be used for residential uses, even if some of them are rental properties.

In fact, the only properties that have been a problem have been a few such as the house at the Northwest corner that was recently demolished after a succession of owners allowed the property to deteriorate when their efforts to speculate on rezoning failed. The Staff report even states that ***"little or no degradation of quality is apparent [in that area]***. [page 14].

#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.

There are no commercial uses permitted anywhere in the University Heights District. Any commercial use is across National or Sunshine. When the Northeast and Southwest corners were approved for rezoning, there were University Heights residents that argued that if the City allowed that rezoning, it would create a domino effect in that area and University Heights would be the next target for commercial rezoning. Now that fear has come to a head.

Also, according to page 25-10, an objective of the Comprehensive Plan is :

4. Neighborhood Preservation: ***Maintain and strengthen the character of the city's various residential areas****.*

The Staff report specifically notes that:

> *The Growth Management and Land Use Plan designate this are as appropriate for Low Density Housing uses and neither the northwest nor the northeast quadrants of this intersection are specifically identified by the Land Use Map as being located in an activity center, which is the preferred location for commercial land uses.*

The Staff report goes on to note that:

> Different from the other three quadrants, the land use pattern at the northwest corner heading westward, on both the north and south sides of Sunshine Street have remained single family residential from the intersection and westward along Sunshine Avenue for approximately one mile. **Residential development in the northwest quadrant of this intersection and along the north and south sides of Sunshine Street to the west is viable, functioning, well-established and vibrant despite the large volumes of traffic that pass though the intersection and along Sunshine Street and National Avenue.**

Allowing a rezoning of part of the University Heights neighborhood to commercial mixed use does not in any way maintain or strengthen this legacy residential area.

The Staff report notes that:

> *[The Growth Management and Land Use Plan] seeks to identify and designate locations as mixed-use that are close to higher density residential neighborhoods [....].*

Thus, the BKM proposal does not meet the higher density factor for locating mixed-use development.

Furthermore, there are no 5 plus story buildings anywhere in the vicinity of the subject property, or in the neighborhood. The Staff report notes that:

> *The Growth Management and Land Use Plan also states that new development should be compatible with existing development in terms of scale, materials, rooflines, setbacks and open space.*

Clearly the scale is not at all compatible. There is also no way to make it compatible in terms of setbacks and open space to the existing neighborhood.

Furthermore, the Staff report notes that:

> *[...] there is nothing in the COD that limits the height to 5 stories.*

Thus, BKM could build even taller buildings, which would be even less compatible.

#4- Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would permitted on the property if it were rezoned.

The staff report indicates the sewer pipe in that area is a 4-inch clay pipe. That pipe seems undersized for the current uses already existing in the area, much less adding over 50 residences and several commercial stores to the sewer system.

The drainage system in that area already is overtaxed during significant rains. Basements in the neighborhood have had flooding problems for decades that will only be exacerbated by adding so much impervious surface to that area. The Staff report notes that 1.26 acres of impervious surface will be added by the BKM plans.

#5- The impact the uses will have on traffic and traffic safety.

While the Planning Staff has required certain traffic routing conditions, they are all based on a Traffic Study that claims there will be no real increase in traffic from the proposed development. The engineer submitting the study should be required to appear for questioning to explain how that could be accurate. It defies logic that several commercial businesses and 50-apartment units with a 170-space parking lot would have the same traffic as 8 single-family residences.

#6- Whether a reasonably the proposed rezoning would correct an error in the application of the zoning article as applied to the subject property.

There is no assertion by the Applicant that this factor applies.

#7- Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.

As has been discussed above, the properties in University Heights are viable as single-family residences. The staff report verifies that.

The only issue here is that BKM wants to squeeze more money out of the properties that they are speculating on. That does not justify a rezoning.

#8- Information submitted at the public hearing.

The Staff report did not come out at least 7 days before the hearing, as required so there has been less time to prepare for the hearing.

If there is any new information submitted by the Applicant at the public hearing, then the hearing should be set for another hearing for the public to be able to review and comment on.

As it is, we have an application that was initially recommended by Staff for denial. For some reason that has changed to an approval recommendation without any explanation as to why Staff changed their mind. This is despite the numerous factors that are clearly not met by the Applicant, and the fact that the Staff report indicates that BKM's:

> *[...] proposed language will make the interpretation of the proposed styles very subjective and there isn't enough detail to truly limit the development like one could in a Planned Development with approved elevations, site plans and renderings.*

The Staff report also notes that:

> *[...] because the applicant is proposing a rezoning to GR, the intensities and densities are not guaranteed and may only be limited based on the traffic impact analysis/study and other site restraints.*

Additionally, the Staff report notes that :

> *Areas zoned GR are intended to be **at least five acres** in size unless the zoning is based on an adopted plan or comprehensive zoning scheme.*

BKM's application is for land that is about ½ of that size, and there is no explanation why Staff would recommend approval despite that fact.

From: anfogle@aol.com
To: Zoning@springfieldmo.gov
Subject: Zoning change at corner of National and Sunshine,
Date: Thursday, April 6, 2023 2:40:21 PM

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

Members of the Planning and Zoning Commission,

I realize that you have already received dozens of pieces of correspondence regarding BK&M, LLC's rezoning request at the northwest corner of Sunshine and National. I feel it necessary to add my (our) voice to those opposing this rezoning request before you hear arguments on this matter this evening.

I have read through most of those letters and emails and know that my neighbors have communicated our high level of concern regarding increased traffic (both vehicular and pedestrian) and the inherent issues caused by both. There is no doubt that people will use the streets on the interior of University Heights to access any development on that corner. There is also no doubt that vehicles will park on our neighborhood streets to access any development there. There is also no doubt that there will be many unintended consequences of developing that property, i.e. trash, noise, vagrancy, and I'm confident there will be others.

Brian and I have lived almost 40 years on the 1100 block of E. Kingsbury and it has been an exceptional place to raise our three kids and to age in place. At a time when Springfield is attempting to figure out the best ways to revitalize declining neighborhoods, it is hard to believe that the city would take steps to rezone a corner that could (and in my opinion would) begin a process of deterioration of our lovely and welcoming University Heights.

I am also VERY concerned that after months of discussion and listening to the developers talk about the high quality development that they are planning, as of yesterday, April 5, there is a "FOR LEASE/BUILD TO SUIT" sign on the property. From the beginning of this journey, one of my biggest fears has come from the knowledge that IF this request were approved that BK&M would have the go-ahead to put anything that fell under the conditional overlay plan and would not be held to any of the promises they have been making to the neighborhood.

University Heights is one of the rare, if not only, neighborhoods in the middle of our city that has not had commercial/retail establishments begin to encroach within the borders of the neighborhood. I ask you help us in our fight to keep our single family residential area as it is, not only to protect our property values but more importantly to me, to protect our quality of place/life.

I heard Mayor McClure speak at Missouri State last fall at an event to encourage student voting/involvement in the community. He said that top two priorities of City Council were **safety and quality of place**. He listed development after those two issues. I see no way that rezoning the property in question would possibly improve either the safety or quality of place of not only our neighborhood but Springfield in general. The only benefit of this proposal would be to BK&M, LLC and that isn't even a certainty considering the number of empty retail spaces available within short distances of this property.

Thank you very much for your service to the community and please, please listen to the University Heights neighbors on this issue.

Warm regards,

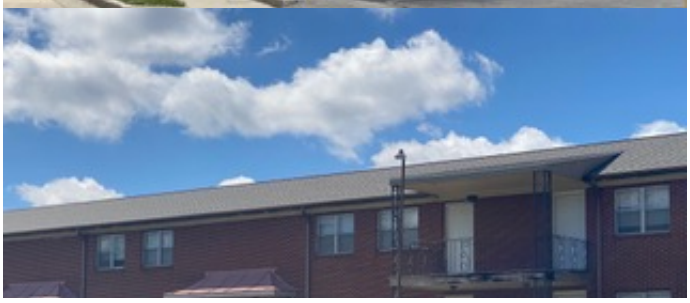
Renee Arnaud Fogle
1125 E. Kingsbury

417-848-2153

From: **University Heights Neighborhood Association** uhnasgf@gmail.com
Subject: Please include in overhead projection for Z-27 this Thursday
Date: April 4, 2023 at 3:47 PM
To: zoning@springfieldmo.gov

Hello,

Please include these photos for part of my presentation at P&Z hearing on Z-27 w/COD this Thursday, April 6, 2023.
They are in the order to be shown.
If questions: 818.264.6146
Thank you,
Donna Hemann
University Heights Neighborhood Association
*Additional Photos Following



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MARK AND COURTNEY FLETCHER
1011 East University Street
Springfield, M 65807

June 13, 2023

VIA EMAIL: awerland@springfieldmo.gov; Bhosmer@springfieldmo.gov; bgriesemer@springfieldmo.gov

Planning & Zoning Commission
c/o Amy Werland
Department of Planning & Development

Brendan Griesemer
Interim Director
Department of Planning & Development

Bob Hosmer
Planning Manager
Development Review Office

RE: **BK&M, LLC**
Project/Case No. Z-27-2022 W/COD #220

We are writing to you regarding the conduct of any future public hearings which may be held by the Planning & Zoning Commission in the above matter. Code Section 36-350(4)(a) requires the Commission in all public hearings to afford interested parties the "opportunity to present evidence, exhibits and argument, and **to question, through the chairman of the commission, witnesses on all relevant issues. . .**" This code section guarantees interested parties, such as us, the right to cross-examine (subject to certain limitations which are not clearly defined) individuals who provide information or testimony to the Commission at any public hearing concerning this matter. The term "witnesses" is not defined in the Code; however, when procedural rights are at issue, Missouri courts liberally interpret the extent of the rights granted. Accordingly, the term "witnesses" in the Code extends to all persons providing information or testimony to the Commission, including, but not limited to, city staff members.

When this matter was before the Commission for public hearing on April 6, 2023, interested parties were not provided the opportunity to cross-examine those who provided information and testimony to the Commission. City Staff members and witnesses for the developer were permitted to provide inaccurate and incomplete information to the Commission without being questioned by interested parties opposing the application. Please contact us no later than Friday June 16th so that we may reach an agreement as to how the rights provided for us to fully participate in public hearings will be guaranteed by the Commission and how the Commission will rectify its failure to afford those rights at the April 6th hearing. We would note that the additional procedural rules the Commission is authorized to adopt pursuant to Code Section 36-350(4)(d) do not address this situation.

Thank you for your prompt attention to this matter.

Mark Fletcher

Courtney Fletcher

From:	Mark Fletcher
To:	Neal, Daniel
Cc:	Courtney L. Fletcher; Griesemer, Brendan
Subject:	Fwd: Unauthorized Use of property in a SIngle- Family Residential District by BK&M
Date:	Saturday, July 8, 2023 3:16:25 PM

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

Mr. Neal:

Please add the below e-mail to my submission in the BK&M, LLC rezoning matter. By this email, I am also requesting that the supplemental staff report regarding the purported changes submitted by BK&M, LLC address the multiple violations of the Americans with Disabilities Act, City zoning, sign and nuisance regulations by BK&M. A proper and professional recommendation would consider the track record and ability of the developer to comply with the law, especially on a large construction project at such a busy intersection. I am also requesting that the supplemental report address whether this rezoning complies with the 5-acre requirement contained in Code Section 36-421(1). You may recall that Susan Istenes informed City Council that this was addressed in a supplemental report. When I requested a copy of that report, Ms. Istenes admitted that it did not exist. To my knowledge, City Staff has not informed City Council that it was given incorrect information on this point. I am also requesting that you inform City Council of this fact. Thank you for your attention to this matter.

Mark Fletcher

---------- Forwarded message ---------
From: **Mark Fletcher** <lfrentalproperty@gmail.com>
Date: Sat, Jul 8, 2023 at 2:58 PM
Subject: Unauthorized Use of property in a SIngle- Family Residential District by BK&M
To: Gage, Jason <jgage@springfieldmo.gov>
Cc: Donna Farr Hemann <donnafarr@gmail.com>, Courtney L. Fletcher <cfletcher@carnahanevans.com>

Mr. Gage:

I am contacting you regarding the improper use of the vacant lots owned by BK&M, LLC at the intersection of Sunshine and National. These lots are zoned Single-Family Residential. These lots are now covered with gravel, similar to a parking lot. City Code Section 36-380(2)(a)-(s) lists the permitted uses in a SIngle-Family Residential District. Filling a lot with gravel, whether or not it is used for a parking lot, is not a permitted use in a Single-Family Residential District. Please advise me what steps the City intends to take to obtain compliance with the City Code. This is getting to be a constant issue with BK&M, LLC. Thank you for your prompt attention to this matter.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Cc: Courtney L. Fletcher; Griesemer, Brendan
Subject: Fwd: Unlawful Front Yard Parking by BK&M, LLC
Date: Saturday, July 8, 2023 6:40:54 PM

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Mr Neal

Please include the below email in my submissions in the BK&M rezoning matter. I again request that BK&M's continual & purposeful violation of the City Code be addressed in the supplemental report. You & other City Staff will be cross-examined at the P&Z hearing regarding these violations.

Mark Fletcher

---------- Forwarded message ---------
From: **Mark Fletcher** <lfrentalproperty@gmail.com>
Date: Sat, Jul 8, 2023 at 5:04 PM
Subject: Unlawful Front Yard Parking by BK&M, LLC
To: Gage, Jason <jgage@springfieldmo.gov>
CC: Courtney L. Fletcher <cfletcher@carnahanevans.com>, Donna Farr Hemann <donnafarr@gmail.com>

Mr. Gage:

BK&M has been unlawfully parking motor vehicles on the front yard (as that term is defined in City Code) of the lots on the corner of Sunshine & National. City Code provision 106-535 prohibits front yard parking on these lots. Earlier today and throughout the week, pickup trucks have been parked on the front yard of these lots and construction equipment is currently parked there. City Code Section 106-1 defines motor vehicles as "every vehicle which is self-propelled". This would include the construction equipment currently parked on the front yard of these lots. Please let me know what action the City intends to take to remedy this situation. BK&M is a persistent and purposeful violator of the City Code. You and I both know that these actions are being taken to purposely blight our neighborhood.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Cc: Courtney L. Fletcher; Griesemer, Brendan
Subject: Fwd: Yet another Code Violation by BK&M
Date: Sunday, July 9, 2023 6:07:56 PM

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Mr Neal

Please add the below email to my submissions in the BK&M, LLC rezoning. Also, please update my on the status of providing rules for cross-examination at the upcoming P&Z hearing, to include how the City intends to remedy the denial of those rights at the last hearing.

Mark Fletcher

---------- Forwarded message ---------
From: **Mark Fletcher** <lfrentalproperty@gmail.com>
Date: Sun, Jul 9, 2023 at 2:09 PM
Subject: Yet another Code Violation by BK&M
To: Gage, Jason <jgage@springfieldmo.gov>
CC: Courtney L. Fletcher <cfletcher@carnahanevans.com>, Donna Farr Hemann <donnafarr@gmail.com>, Simpson, Matthew <msimpson@springfieldmo.gov>

Mr. Gage

I am sure that you are getting tired of my emails. I am getting tired of having to send them because of the City's continual failure to follow and enforce the law as it regards to BK&M. There are as of this morning, 6 separate signs on the on one of the lots at the corner of Sunshine and National. Not one of these signs is allowed by City Code. As you are aware, City Code Section 36-454(16) governs signs in non-business areas such as University Heights. I have attached a portion of that Code to the end of this email. None of the signs which Mr. Duda placed this morning are permitted by 36-454(4). I will provide you pictures of each sign by separate email. The code is also clear that only one sign per lot is permitted. Once again, this is being done on purpose to blight our neighborhood and make that corner look more like a commercial property. It is not and never will be.

Please let me know what action the City intends to take on this matter. If I have not heard from you by noon tomorrow, it is my intention to come to your office and speak to you in person about this situation. It is intolerable and it is your responsibility as CIty Manager to put a stop to it. I have copied Councilman Simpson on this email, on the off chance he has some interest in the purposeful blight and violation of City Code provisions in a neighborhood he represents.

16)*Provisions for non-business areas.*
(a)*General provisions.* These provisions shall apply to permanent signs in non-business areas:

1. Dwelling units in the R-SF and R-TH zoning districts shall be allowed to utilize any non-business sign described in subsection 36-454(4), but shall not be allowed to display any other sign.

Mark Fletcher

From: Mark Fletcher
To: Neal, Daniel
Cc: Courtney L. Fletcher; Griesemer, Brendan
Subject: Fwd: More Code Violations by BK&M
Date: Tuesday, July 11, 2023 8:21:13 AM

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Mr. Neal:

Please add the below email which documents multiple additional Code violations by BK&M to my submissions in that rezoning matter. Thank you.

Mark Fletcher

---------- Forwarded message ---------
From: **Mark Fletcher** <lfrentalproperty@gmail.com>
Date: Tue, Jul 11, 2023 at 8:14 AM
Subject: More Code Violations by BK&M
To: Gage, Jason <jgage@springfieldmo.gov>
Cc: Courtney L. Fletcher <cfletcher@carnahanevans.com>, Donna Farr Hemann <donnafarr@gmail.com>, Simpson, Matthew <msimpson@springfieldmo.gov>

Mr. Gage:

The parking area which exists across the three lots I previously brought to your attention violates 36-380(6)(d) which governs Single-Family Residential Districts. I have attached a copy of this provision to the end of my email. I did not trespass upon the properties to measure but it certainly appears that all three lots are in violation.

Further, 36-380(8)(a) requires a site plan meeting the requirements of 36-360 site plan review to be submitted and approved for all uses except single-family detached dwellings. I have previously emailed you regarding the fact that this parking area is not a permitted use under the Code, however, in the event that there is dispute on this issue then 36-380(8) applies. It is my information that no site plan was submitted and that no site plan has been approved for the current use. Similarly, pursuant to 36-380(8)(c) a landscaping plan was required to be submitted and approved for this non-single-family-detached dwelling use. It is my information that this has not been done. Also, BK&M is using this area for off street parking. When this is done in areas for permitted nonresidential uses, 36-380(8)(d) requires the parking area to be screened from all residential uses in accordance with 36-480. It is not.

36-380(b)(1) requires each of these lots to have a front yard. 36-380(8)(f) requires this front yard to be landscaped. These front yards are not landscaped. Also, Impervious surfaces located in the front yards are limited in manners in which BK&M, LLC are violating.

36-380(g) requires construction equipment incidental to any use except single-family detached dwellings to be screened from view in accordance with 36-480. These lots are frequently used

by BK&M, LLC to park construction equipment which is not in use for days on end.

Once again, this is a single-family residential district. BK&M, LLC is violating dozen of Code provisions in a deliberate attempt to blight our neighborhood and create the impression that his lots are in a business district. Please let me know what action the City intends to take. I would appreciate the opportunity to personally meet either with yourself or the individual at the City responsible for enforcing these, and the other Code violations I have brought to your attention, so that we can discuss the status of these matters and the protection of our historic single-family neighborhood. I am available anytime next week. Thank you.

Mark Fletcher

(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 70 percent of the total lot area unless modified in accordance with subsection 36-482(15).

From: Anne Griffin
To: Zoning@springfieldmo.gov; Council; McClure, Ken
Subject: UHN/BK&M
Date: Thursday, July 13, 2023 1:23:47 PM

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To: Mayor McClure, City Council, Planning and Zoning members

Re: UHN/BK&M

"In the name of progress!" is the banner for the crusade to rezone and commercialize the lots north and west of the intersection of Sunshine and National. History shows that as much harm as good has been done under that banner. Are you confident that this is the vision vital to Springfield's future prosperity, that without it Springfield, home of multiple universities and major hospitals, is doomed to decline? A Comprehensive Plan (CP) is a living document, not static.

The mayor pro tem has proclaimed the importance of holding fast to "our goals and visions" as formulated in Forward SGF, the city's new CP. He and others have implied it is a mandate to power decisions. From the Core Elements section of the official online Forward SGF site, I quote the following:

> "While the Comprehensive Plan should be used to inform decisions and specific sections should be referenced depending on the topic at hand, Quality of Place should serve as a north star used to guide all future decision making

I am not trying to devalue Forward SGF, but some are trying to weaponize it, as they recently weaponized prioritizing work for code updates. Forward SPF can be used to inform, but doesn't mandate approval. The mayor noted citizen involvement was part of developing and approving the city's CP, indeed a valuable inclusion. But, broad acceptance as a guide isn't transferable as blanket approval. How detailed were the plan's initiatives when citizens were asked for their input? For instance, particular to this topic at hand, under Housing and Neighborhoods, when discussing and supporting neighborhood commercial hub development, was the commercial hub located at Pickwick and Cherry used as an example, or a 4 to 5-story development like BK&M's proposal? Were specifics included such as the demolition of stately homes in University Heights and along National Ave for the sake of corridor commercialization discussed? Maybe so. Waiting to hear.

The UHN has been admonished to work with and find a compromise with the developer. BK&M, with the support of some city leaders, wants to raze existing homes and in place build their project, and in so doing will tear down the Quality of Place that has been established and nurtured by University Heights homeowners over nearly a century (stated north star of the Comprehensive Plan). The compromises proposed by the developer have been minuscule. Mr. Duda is disingenuous with any effort or respect toward the neighborhood. The stealth acquisition of the properties and anticipated rezoning capitulation by the city are evidence of this, along with his spinning to the media. To steal a phrase, some lives are made small so that others may grow.

When I left the last City Council meeting where UHN was on the docket I was chuckling to myself, despite feeling both disrespected and disturbed by the maneuverings and complicity displayed once again. I felt as though maybe I was back in Elizabethan times watching a Shakespearen play. Is it a comedy, a tragedy, or a farce? No, apparently, it is THE PROCESS, useful to some in the planning and governing of Springfield, whether it is efficient, cost effective, or fair.

Thank you for your time. I still await hearing good cause.

Anne Griffin

More questions

1. What existential reasons will be given by those voting for imposing this invasion, disruption and sacrifice on UHN? This battle seems to be between a vision and a neighborhood, theory versus real lives. 2. Why choose National Ave for corridor designation when Campbell Street is more equally distanced between the two current north-south commercial corridors and has always been more commercial? 3. Why not put limited time, energy and money into areas that are broken rather than those which are not? (Just look west from City Hall.) 4. The burden of defending our rights has already been cast on the neighborhood. Who also is trying to cast the blame for this mess on us? (If this issue was about just that corner white house we wouldn't be here.)

From: Bruce Adib-Yazdi
To: Zoning@springfieldmo.gov
Subject: Z-27-2022 w COD 220
Date: Friday, December 8, 2023 1:21:15 PM

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On behalf of the Seminole Holland Neighborhood I offer these comments related to the zoning request for the NW corner of Sunshine and National.

This project is not within our neighborhood association boundary, but it is an area that most of our residents will encounter on a daily basis. And since we received the notice from the city, please accept these observations and comments on behalf of our neighborhood:

1 - It's unfortunate that the owner of these properties has demolished the existing homes of historic nature before a plan was set in place for the development. You can't replace history.

2 - It's unfortunate that the corridor study that was recommended by P&Z and sent to committee by council has not resurfaced. There are aspects of the nature of these two corridors (Sunshine from Jefferson to National, and National from Sunshine to Grand) that bear review and public discussion. Such a discourse could yield a solution for these properties that preserved the character yet also encouraged growth and revitalization.

3 - It's unfortunate that the applicant did not take advice from the city staff to pursue a Planned Development vs a rezoning with a conditional overlay. With the current plan to rezone, we just don't know, nor will we (as a public community and as the city) have much input or enforcement of what will be constructed.

4 - It's unfortunate that the city can't or won't acknowledge the ongoing legal matter related to the deed restriction and put rezoning aside until that matter is resolved.

5 - It's unfortunate that we (the community and city) have to decide on a rezoning request that already has, and will bear further significant negative impact upon several adjacent residential properties. As well as the general neighborhood and our community as a whole.

6 - It seems like with such a controversial project and prominent location a rezoning effort should need to include what the project will actually be, and the applicant and land owner - current or future - be held to that.

As a result of this series of unfortunate events, we encourage that the planning commission *not recommend* approval of this zoning case.

--

Bruce Adib-Yazdi

President Seminole Holland Neighborhood Association

417-848-6001 (cell)

PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM

DATE: November 30, 2023

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Planned Development 387

This case has been postponed to the Planning and Zoning Commission meeting on January 11, 2024.

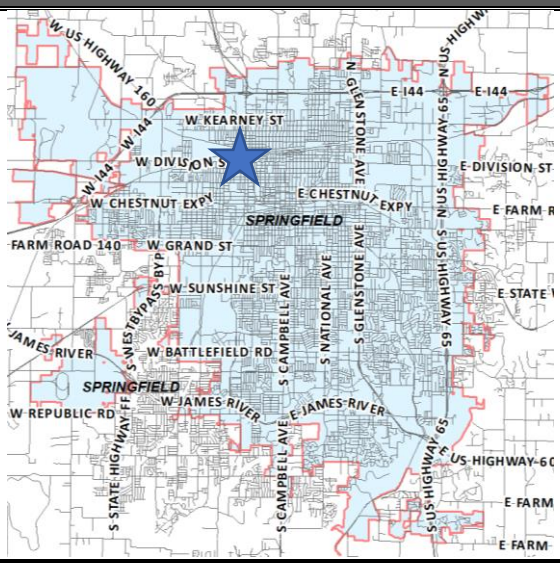
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-32-2023
Location:	1530 North Broadway Avenue
Total Acres:	0.11 acres
Applicant:	KDR Real Estate LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	November 22, 2023
Planning and Zoning Commission:	December 14, 2023
City Council:	January 22, 2024
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-32-2023 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

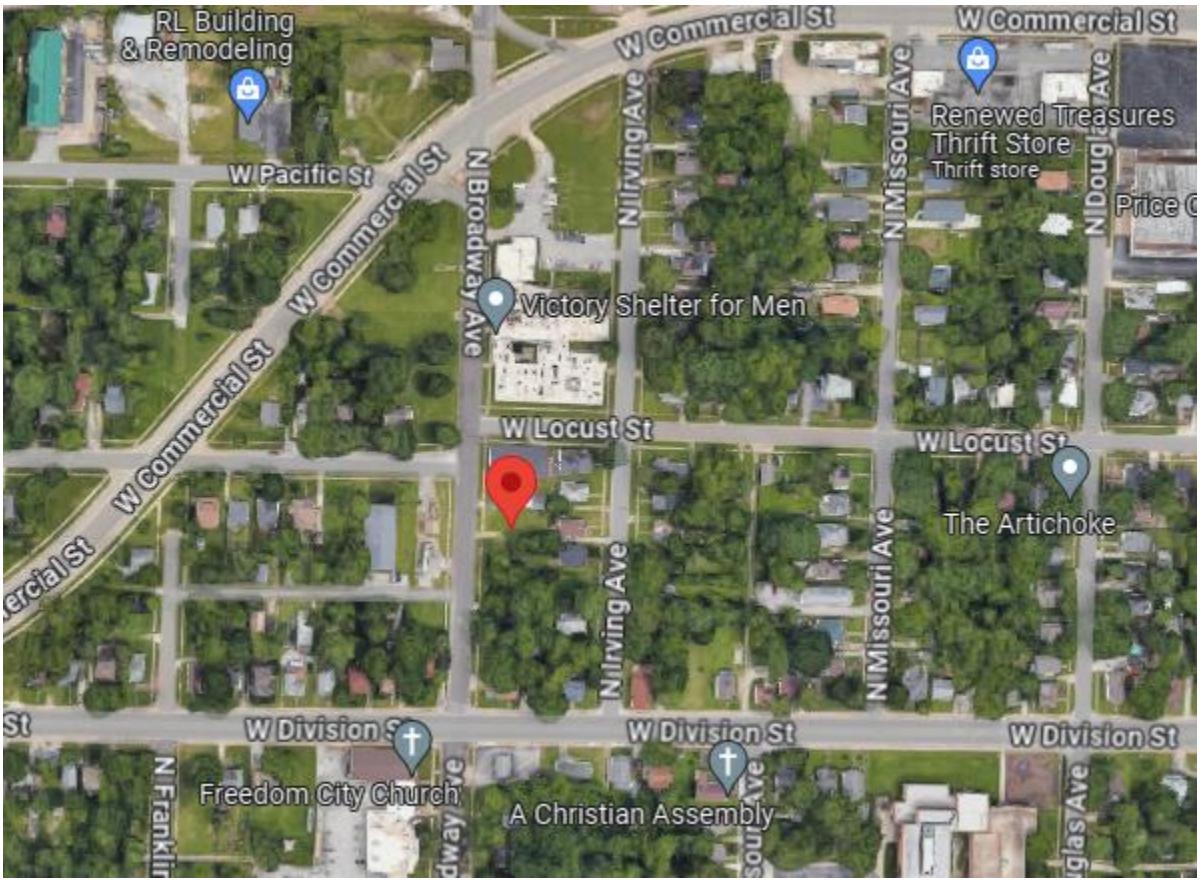
PROJECT SUMMARY:

Request to rezone approximately 0.11 acres of property generally located at 1530 North Broadway Avenue from HC, Highway Commercial to R-TH, Residential Townhouse.

LOCATION MAP	ZONING MAP
	

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 zoned HC in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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-TH
Use Limitations	(a)There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling unit. (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.
Maximum Height	1.When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2.When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Minimum Open Space	Not less than 20 percent
Buffering and Landscaping	None required for this site surrounded by HC zoning

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities. Due to their compact form and proximity to urban centers, these neighborhoods are places where residents should reasonably be able to walk, bike, or ride transit to meet some of their educational, employment, shopping, and recreational needs. Center City Neighborhoods are also integrated with key cultural and institutional uses, such as schools and places of worship that serve surrounding residents. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing. The creation of neighborhood-scale commercial should focus on the incorporation of context sensitive designs and low intensity uses to ensure integration into the surrounding area. These low intensity uses could include dining, personal services, office, and essential goods. These nodes could be located along historic streetcar routes or higher classification roadways on the edges of the neighborhood. Priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents.

PRIMARY USES

- Single-family detached

SUPPORTING USES

- Single-family attached
- Low-intensity multifamily
- Low-intensity, neighborhood commercial
- Parks, greenways, and open space
- Public and private schools and places of worship
- Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

- Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses are located within the neighborhood and around the perimeter.
- Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses.
- Sense of place and identity is enhanced through neighborhood organization efforts, preservation and planting trees, neighborhood identification signs, and traffic calming improvements that double as streetscape elements.
- As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Major entrances into neighborhoods are marked by identification signs and landscaping.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

Urban design characteristics that apply to both Center City and Traditional Neighborhoods include:

- The main entrances of new residential developments are oriented towards the primary street.
- Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
- When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
- Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
- New and infill buildings maintain the proportions and architectural features common in the existing block.
- When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

Urban design characteristics unique to Center City Neighborhood character area include:

- Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.

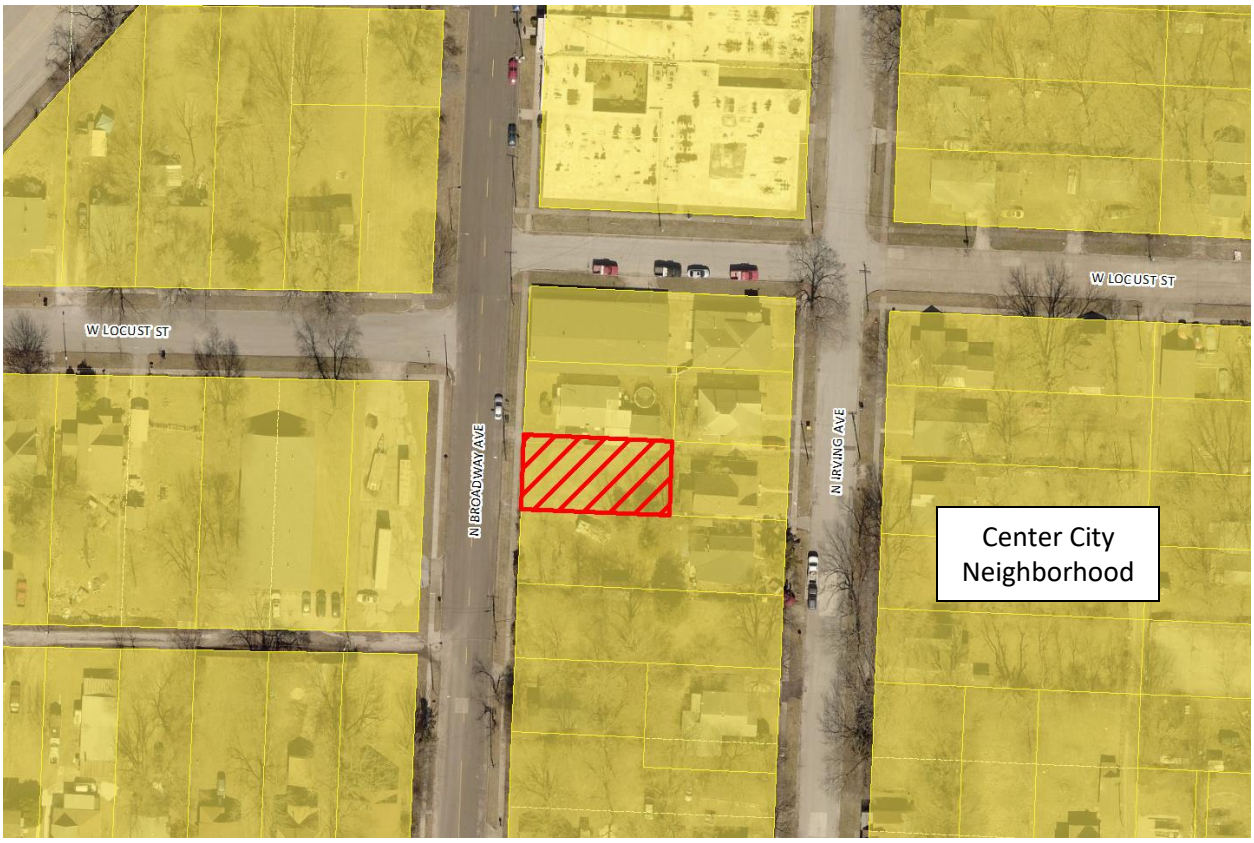
- Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
- While not as common, attached and detached garages provide limited parking options and create a greater demand for on-street parking.
- Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
- Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
- Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
- Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
- Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
- Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

- A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
- Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
- The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



LAND USES

PLACETYPES	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	Warehousing & Distribution Facilities	Heavy Industry & Manufacturing	Airport, Railroad & Freight 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	HC	HC	HC	HC
LAND USE	Single-family residence	Single-family residence	Single-family residence	Commercial, vacant land
PLACETYPES	Center City neighborhood	Center City neighborhood	Center City neighborhood	Center City neighborhood

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:

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

ACCESS - There is currently one driveway access point onto the property from N. Broadway Avenue. 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 N. Broadway Avenue 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
The property is in the **Jordan Creek Lower 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 **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**

PW Stormwater has no concerns for the proposed rezoning from HC to R-TH. The submitted application does not have a site plan, but no mention of future development is made. 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
N/A

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.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.11 acres of property generally located at 1530 North Broadway Avenue from HC, Highway Commercial to R-TH, Residential Townhouse. The applicant intends to build a single-family home. Single-family homes are not a permitted use in the HC district.

2. The R-TH is more consistent with the Center City neighborhood placetype *as* identified in the *Comprehensive Plan's Land Use & Development* chapter. The Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities.

3. This application is consistent with the center city neighborhood placetype which lists single-family detached dwellings as a primary use.

4. 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.

5. There are few known changing conditions in the area affected that make the proposed rezoning necessary.

6. The range of uses in the proposed R-TH district are compatible with the uses permitted on other property in the immediate vicinity. Although the surrounding properties have been zoned HC since 1995, this area has remained predominately residential uses.

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, is not expected to 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.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City neighborhood 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: Highway Commercial (existing zoning) Residential Townhouse (proposed zoning)
2. Meeting Date & Time: November 22, 2023 4:00 to 6:00
3. Meeting Location: 1610 E Kearney Street, Springfield MO 65803
4. Number of invitations that were sent: 125
5. How the mailing list was generated: Labels from Planning & Zoning
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).

Questions were regarding the intended use of the property

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

Explained the intent was to build a rental property

I, Joshua Reed (*print name*), attest that the neighborhood meeting was held on 11/22/2023 (*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

Joshua Reed, Manager

Printed name of person completing affidavit

KDR Real Estate, LLC

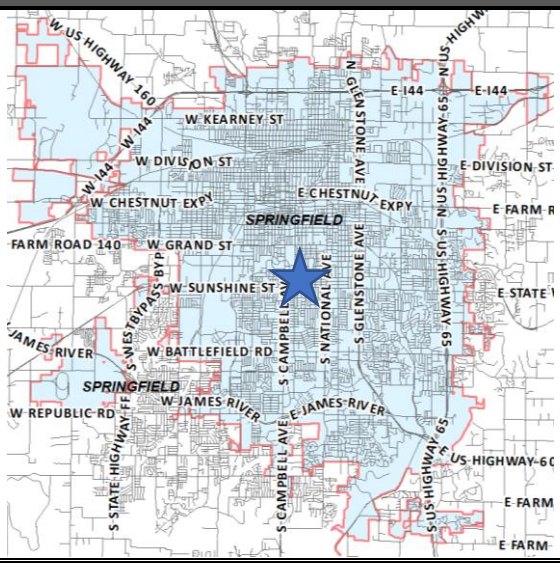
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-33-2023 with Conditional Overlay District No. 245
Location:	221, 225 & 227 East Sunshine Street
Total Acres:	1.26 acres
Applicant:	Sanders Prop LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	November 16, 2023
Planning and Zoning Commission:	December 14, 2023
City Council:	January 22, 2024
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-33-2023 with Conditional Overlay District No. 245 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).

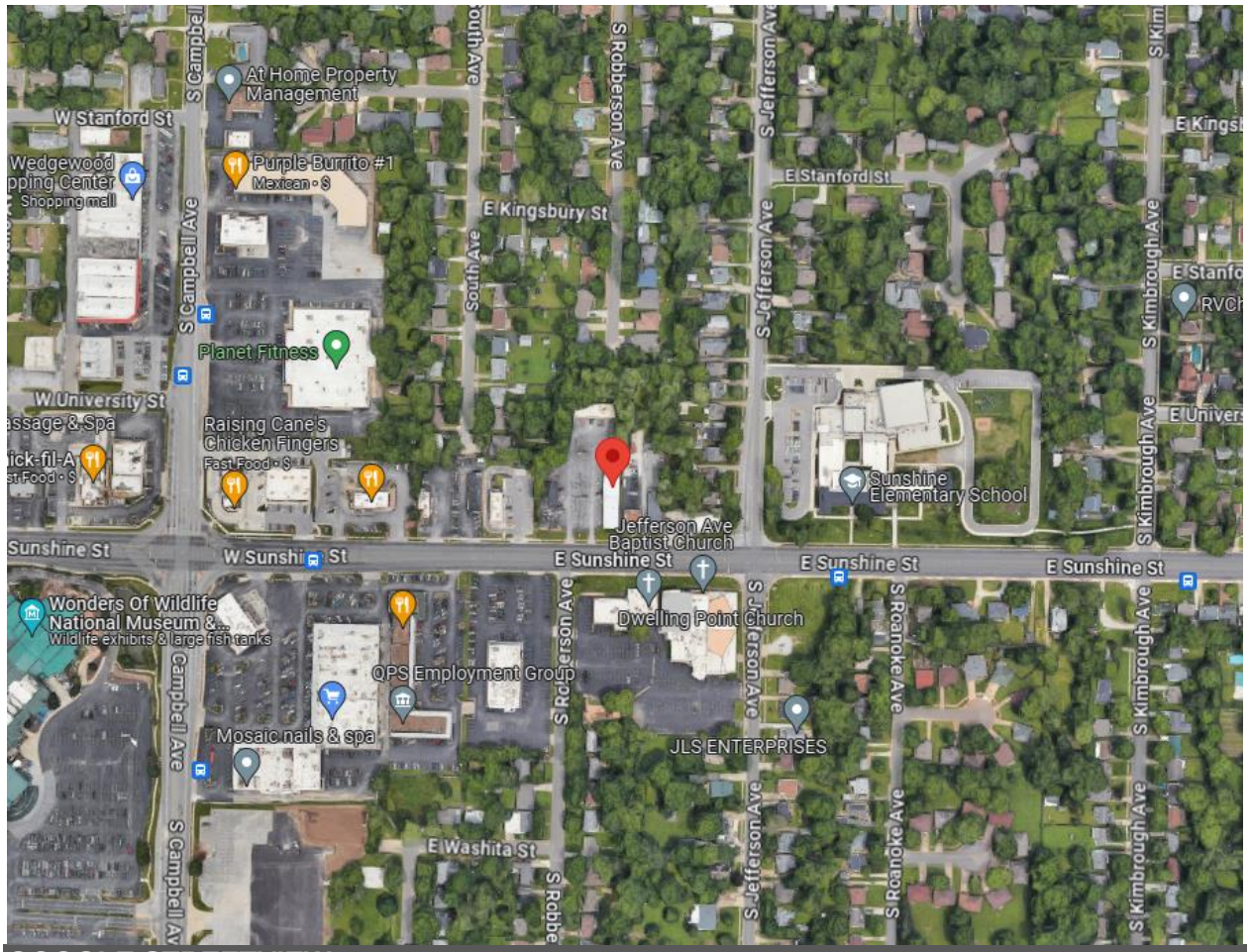
PROJECT SUMMARY:

Request to rezone approximately 1.26 acres of property generally located at 221, 225 and 227 East Sunshine Street from O-1, Office District to GR, General Retail with Conditional Overlay District No. 245.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned O-1 in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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 DISTRICT
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 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 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.
Minimum Lot Size	Not applicable to the GR, General Retail District
Maximum Height	Not applicable to the GR, General Retail District
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Yard Requirements	Front yards – 25 feet when fronting on a street classified as collector or higher, or as required by Section 36-453, Supplemental open space, and yard regulations. 15 feet when fronting a street classified as local, or as required by Section 36-453. The front yard setback may be reduced below the minimum required above if a Conditional Use Permit is approved in accordance with Section 36-363, Conditional use permits, or if a preliminary plat is approved in accordance with the City's subdivision regulations. Side yards – None, except as required by Section 36-453 and the bufferyard requirements contained in Section 36-482, Landscaping and bufferyards. Rear yards – None, except as required by the bufferyard requirements contained in Section 36-482.
Minimum Open Space	Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and bufferyards unless modified in accordance with subsection 36-482 (15). Open space shall not include areas covered by buildings, structures, parking, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan, meeting the requirements of Section 36-360, Site plan review, shall be submitted and approved. (b) A landscape plan, meeting the requirements of Sections 36-482 and 36-483, Off-street parking and loading design standards, shall be submitted, and approved.

	(c) Off-street parking and vehicular use areas shall be screened from all residential uses, in accordance with Section 36-480, Screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with Section 36-480. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with Section 36-480. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with Section 36-484, Lighting standards. (g) Accessory buildings and structures shall meet the requirements of Section 36-450, Accessory structures and uses.
Buffering and Landscaping	Future development must comply with the interior and perimeter landscaping requirements, as applicable to a future site plan, per subsections 36-482 (9) (a) and (b), unless the property owner opts to utilize the point system described in subsection 36-482 (10) instead. Based on the proposed zoning for the subject area and the zoning of its neighbors, a Bufferyard Type F will be required along the north and west property line where adjacent to property zoned R-SF, Single-Family Residential District.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype.

The City Corridor 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.

Primary Land Uses:

- Office, hospitality, retail sales and service
- Multi-family
- Sports complexes and recreation facilities
- Maker, artisan, and innovation spaces

Supporting Land Uses:

- Public and private schools and places of worship

- Parks, greenways, and open space
- Urban agriculture
- Universities, colleges, and vocational schools
- Personal and outdoor storage

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

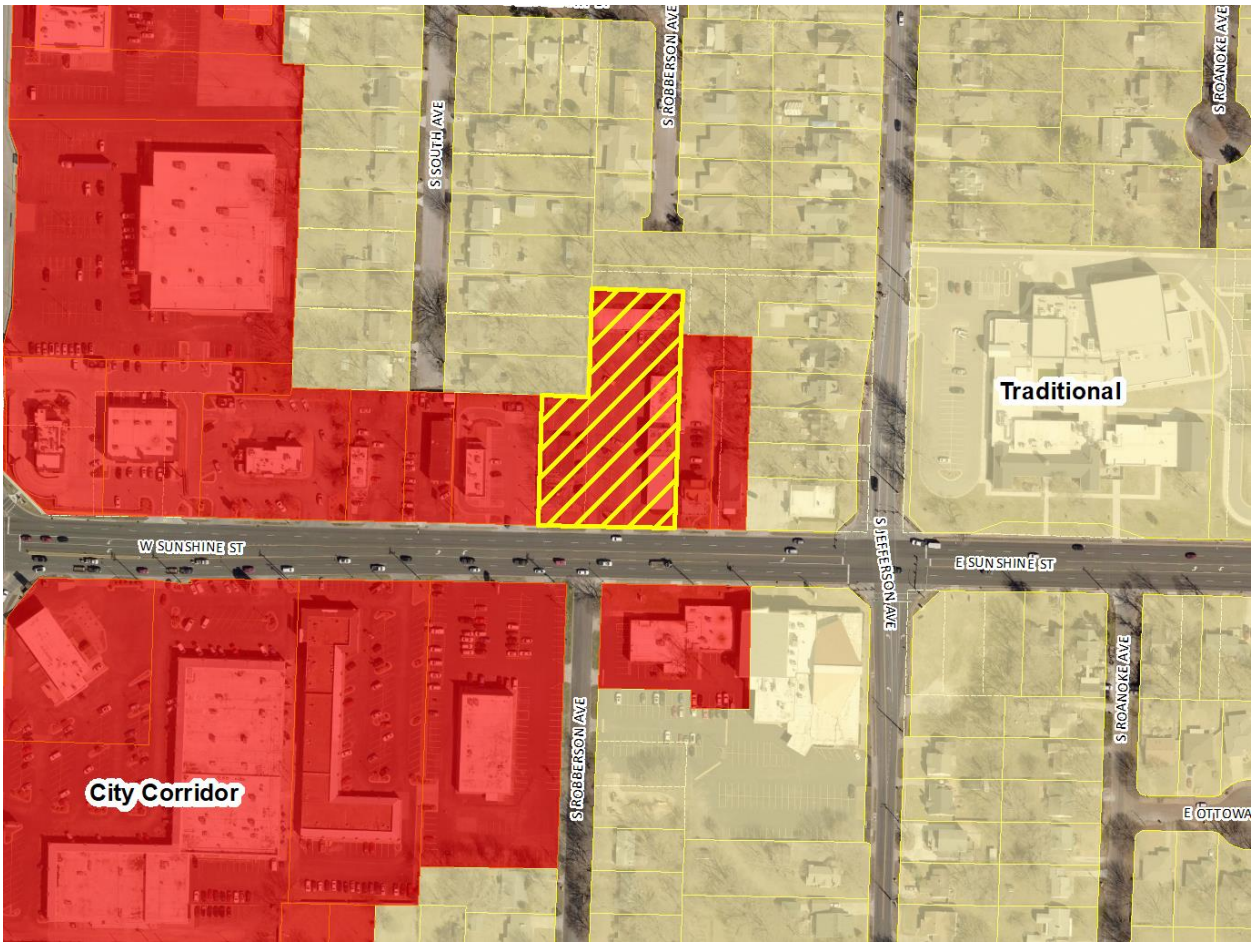
- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

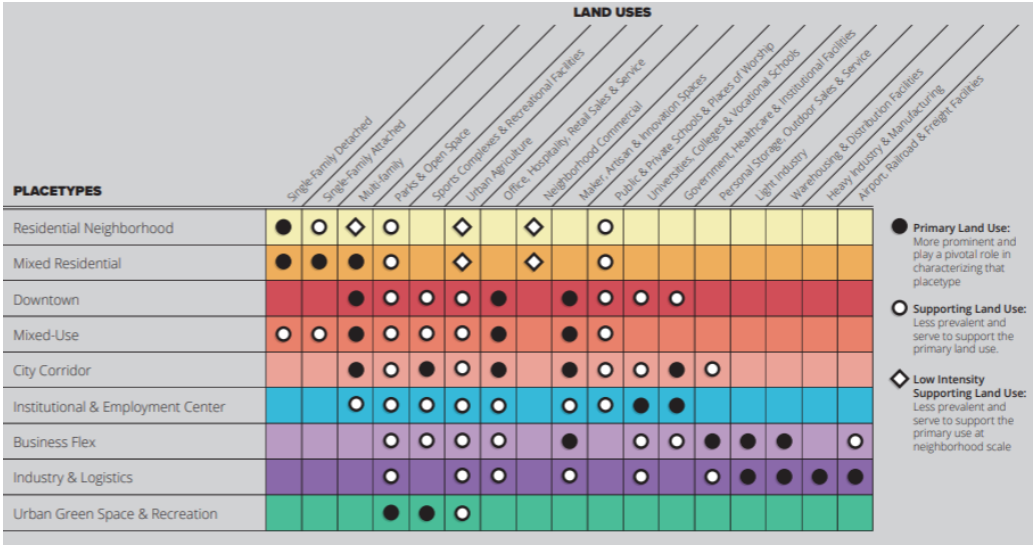
TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:





DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:

SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	GR, O-1	O-1, R-SF	GR, R-SF
LAND USE	Single-family residence	Commercial uses	Office uses, Single-family residence	Restaurant
PLACETYPES	Traditional neighborhood	City Corridor	City Corridor, Traditional neighborhood	City Corridor, Traditional neighborhood

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:

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	E. Sunshine Street	Primary Arterial	City	50	40	NA	No	Yes	Yes

ACCESS - There are currently two driveway access points onto the property from E. Sunshine 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 is one bus stop along E. Sunshine 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
227 E Sunshine St is an existing heavily impervious area site. Approximately 95% of the 1.26-acre site is parking or building. 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 **is not applicable because the site is built out.**

PW Stormwater has no concerns for the proposed rezoning from O1 to GR. 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 approximately 95% impervious area. Any redevelopment of the area will be over impervious area not requiring detention volume requirements. The site is the top-of-hill for the surrounding drainage with discharge draining to E Sunshine St.

WATER QUALITY REQUIREMENTS

1. Water Quality is required if greater than 1 acre is disturbed at time of development.

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

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.26 acres of property generally located at 221, 225 and 227 East Sunshine Street from O-1, Office District to GR, General Retail with Conditional Overlay District No. 245.

2. This application is consistent with the City Corridor placetype which 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.

3. The subject property is located near the Sunshine and Campbell intersection. These areas are intended to be locations of business and high-end housing development and that development be concentrated in and around activity centers so as to optimize transportation investments and compact growth pattern.

4. The proposed COD will require the installation of perimeter and interior landscaping for any change of use, building permit or subdivision of the property which is intended to further the goals of the Comprehensive Plan recommendation to actively enhance landscaping in the City Corridor placetype.

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, though new easements may be necessary to accommodate this.

6. There are changing conditions in the area affected that make the proposed rezoning necessary. New redevelopment of property within the vicinity has been occurring.

7. The range of uses in the proposed GR district is compatible with the uses permitted on other property in the immediate vicinity.

8. 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.

9. 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.

10. 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.

11. 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.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 245

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

1. Perimeter landscaping shall be provided along Sunshine Street for any change of use, building permit or subdivision of the property. The plantings within the perimeter landscape area shall consist of at least one canopy tree, one understory, ornamental, or evergreen tree and four shrubs per 100 linear feet of street frontage as required in Sec. 36-482 the Zoning Ordinance.

2. Interior landscaping as required in Sec. 36-482 of the Zoning Ordinance shall be provided for any change of use, building permit or subdivision of the property.

3. If an existing building or structure that currently does not conform to the current bufferyard requirements is demolished, then the standard bufferyard shall be provided according to the bufferyard requirements in Sec. 36-482 of the Zoning Ordinance.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Office to General Retail
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: November 16, 2023 @ 4:00pm-6:30pm
3. Meeting Location: 1500 S Campbell Ave, Springfield, MO 65807
4. Number of invitations that were sent: 186
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 3
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

   See attached

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

   None

I, Jared Davis (*print name)*, attest that the neighborhood meeting was held on 11/16/2023 (*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

Jared M. Davis
Printed name of person completing affidavit

Verbal Comments from attendees:

Increased traffic concerns – Anne Griffin

GR allows by right drive thru restaurant and that block does not need another one creating more cross traffic on Sunshine – Bruce Adib-Yazdi

PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM

DATE: November 30, 2023

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Vacation 830

This case has been postponed to the Planning and Zoning Commission meeting on January 11, 2024.