



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

January 11, 2024

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. December 14, 2023

3. COMMUNICATIONS.

3.1. City Council Summary for December 2023

4. CONSENT ITEMS.

5. UNFINISHED BUSINESS.

5.1. Planned Development 387

1137 & 1141 East Delmar Street (Applicant: MSU Housing, LLC and Faucett & Bates Properties, LLC)

5.2. Vacation 830

923, 927 & 935 South Campbell and 425 West Grand Street (Applicant: South Campbell Avenue Baptist Church of Springfield)

6. PUBLIC HEARINGS.

6.1. Z-1-2024 COD 246

1330 South Kansas Avenue (Applicant: Eoff Land Trust)

6.2. Z-3-2024

2730 East Farm Road 188 (Applicant: Center Court, LLC)

6.3. Z-4-2024 COD 248

3961 South Campbell Avenue (Applicant: Conspo, LLC)

6.4. Z-5-2024

701 West Wall Street (Applicant: Slaughter House Productions, LLC)

6.5. Vacation 831

2901 West Division Street (Applicant: Wildflower Rentals)

6.6. Vacation 832

300 blk of West Chestnut Street (Applicant: City of Springfield)

6.7. Vacation 833

1141 East Delmar Street (Applicant: Faucett & Bates Properties, LLC)

6.8. Vacation 834

1544 North National Avenue (Applicant: Springfield Engine Supply, Inc.)

7. OTHER BUSINESS.

7.1. Subdivision Variance 356

1656 East Sunshine Street (Applicant: Sunshine Suites, LLC)

7.2. 2024 Election of Officers

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
Helen Gunther
Christopher Lebeck
Betty Ridge

Bruce Colony
Bill Knuckles
Eric Pauly
Dan Scott

December 14, 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 Ridge, Commissioner Colony (via Zoom), Commissioner Scott, Commissioner Pauly. Absent: Britton Jobe, Helen Gunther, and Christopher Lebeck

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

APPROVAL OF MINUTES.

The minutes of November 30, 2023 were approved.

COMMUNICATIONS.

City Council summary for November 2023.

COMMISSION ACTION: (Change order of presentation – Section 6 PUBLIC HEARINGS before UNFINISHED BUSINESS)

Planning and Zoning Commission Board Member Knuckles motioned to advance Public Hearings prior to Unfinished Business, Commissioner Scott seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

CONSENT ITEMS.

Request to Dispose 530
300 blk West Chestnut Street
Applicant: City of Springfield

COMMISSION ACTION:

Planning and Zoning Commission Board Member Knuckles moved to approve Request to Dispose 530. (300 blk West Chestnut Street), Commissioner Ridge seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

UNFINISHED BUSINESS.

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

Mr. Neal stated that this is a request to rezone to General Retail District from Single-Family District with Conditional Overlay District 220.

Mr. Pauly asked for clarification on the intersection of National Avenue and Sunshine Street which are identified as activity centers (Southeast, Southwest and Northeast) as well as the ingress and egress would be off Sunshine and University with limited truck traffic.

Mr. Neal noted that he is correct and there is a traffic engineer available to speak.

Mr. Brett Foster noted that they can't physically limit the trucks but will sign that University has no trucks and use traffic calming features and the turn radiuses can be constructed to discourage that traffic.

Mr. Scott asked about the design requirements and the bulk plane and suggested for a motion to take out the term "set back" and insert a 15-foot build to line which he believes is more appropriate and push them as close to National and Sunshine as possible. Further discussion on the bulk plane and questioned about signage for the development.

Discussion on size and location of signage and heights.

Mr. Colony asked about the basics of all traffic modifications that would be needed for this development.

Mr. Dane Seiler, 5051 S. National noted that they have looked at access on Sunshine but would be restricted with no direct access off National Avenue and lefts out of University Street. He also mentioned a dedicated additional right-of-way along National Avenue.

Mr. Brett Foster noted that they do see significant backups in the PM peaks all way to Portland and this causes people to cut through the neighborhood and stated that signal engineers have modeled and believe that a southbound turn lane movement to westbound would improve the situation.

Mr. Knuckles asked about storage in the southbound National west turn lane and Mr. Foster noted that there would be storage built.

Mr. Knuckles also asked about buffer yard additions, the evergreen hedge and it was noted that there will be an evergreen hedge as well as a fence.

Ms. Ridge asked what traffic calming areas and what would they consist of, and it was stated that some sort of raised like speed hump crosswalk like at Cherry and Pickwick with some lane narrowing.

Mr. Knuckles asked who would be responsible for the traffic calming measures and it was stated it would be the developer's responsibility and would be discussed when they come in with their site plan.

Bryan Fisher, 1944 E. Republic noted the changes to the Conditional Overlay District since the last Planning and Zoning meeting, stating the most significant is the reduction of the allowable height of the buildings, and here to answer any questions.

Mr. Scott asked about signage and if they would be willing to reduce the sign square footage to approximately a second arterial road size instead of primary road allowable size.

Mr. Fisher noted that he believes his client would be receptive to that idea, noted he does not have the authority to do so.

Mr. Pauly asked about business hours and if they would limit the hours to the outdoor athletic courts as part of the business activity.

Mr. Fisher again noted that they would defer to City staff.

City staff discussed what constitutes a business activity.

Mr. Ralph Duda, Springfield noted the suggested robust tree barrier behind the fence, and they will be 12 to 14 feet tall which will be very thick, and this will protect the neighborhood. He also noted that they lowered building heights from 75 feet to 45 feet and the tallest structure allowed in University Heights is 45 feet tall. He also stated that the pickleball courts will close at 11:00pm and that they have had several neighborhood meetings. He went over his slide presentation with the amenities of the development, including underground parking and a food hall.

Mr. Scott again asked about signage and Mr. Duda stated that he would accept restrictions on signage and went over what may be suitable for the development.

Discussion on the underground parking.

Mr. Dane Siler, 5051 S. National Avenue talked about the traffic study and access. He stated that the most challenging direction would be to go back north on National Avenue, and it probably would require going over to a street adjacent. He did note that there will be truck traffic for deliveries, etc.

Mr. Lee Viorel, 901 E. St. Louis Street representing lot owners. He noted that he believes there are still concerns regarding the (5) five-acre issue and believes the renderings presented by the applicant still show vague parameters and have the same problem. He is concerned that nothing is stated in the Conditional Overlay District (COD) that limits them on height restrictions and mentioned about the requirement for a 10' ROW on both National and Sunshine. He believes this whole corridor concept is not viable for this change and since there is no specific site plan that there will be no way for enforcement.

Mr. Scott noted that as an architect no projects look the same from beginning to finish and variances do occur.

Mr. Glen Green, 901 E. St. Louis, representing his parents who have lived in University Heights for over 50 years. He stated the main reasons for opposition is the continued spot zoning in the intersection and believes it will start a domino effect that would further impact University Heights. His family want to conserve the neighborhood legacy and noted that the Comprehensive Plan references "flight to the suburbs" and believe this will happen if their neighborhoods are reduced by commercial zoning.

Ms. Norma Capecci, 900 E. Kingsbury stated that this development is not in the spirit of Vision 20/20 and the plan designates activity centers as the preferred locations for commercial development. She also noted traffic

concerns and that shopping centers, grocery stores, restaurants, entertainment facilities, etc., are just blocks away and emphasized the protection of the neighborhood.

Mr. Donal Dunbar, 932 E. Kingsbury stated that he moved to University Heights because of the nature of the neighborhood and would not like to see this change, noting storm water issues/concerns and that he has found 41 mature trees, turf grass, and shrubs that will become non-permeable surfaces and said that the developer in the past has mentioned "saving" trees but does not see any of that in the current plan presented.

Mr. Jeff Carney, 920 E. Kingsbury has lived on Kingsbury for 32 years and addressed their fears of increased traffic in the neighborhood and believes the number of cars will be larger than what the study suggests and stated that this is a walking neighborhood.

Ms. Donna Hemann, 1039 E. University Street wants the commissioners to understand the consequences of commercial development and believes a beautiful park with sculptures, greenery and signage to welcome people to the historic neighborhood and art district. Stated that several businesses in the commercial business close to this corner are empty and she noted that the developer has prohibited public and private parks but believes they should embrace progressivism.

Ms. Susan Robinson, 1010 E. University Street spoke about the deed restrictions and limiting the property to single family and private residences. She also noted that Sunshine/National are the busiest intersections and has the highest number of crashes of all intersections in Springfield. Gave any example of a motorcycle accident at Kings and Sunshine and how the traffic was backed-up and believes the development will case even more problems.

Holly Achanya, 972 E. Linwood Drive stated her concerns for traffic and delivery trucks that the development will cause and how it will impact the neighborhood. She also stated that they have a lot of cyclists, dog walkers, and families in the neighborhood at all hours and believes an accessible walking path or low stress route for people versus the increased traffic that would happen.

Ashton Lewis, 1032 E. University, stated how they have improved their home and having a thriving business only a few blocks away will increase traffic significantly and will decrease his property values. He also pointed out what business are located a 1½ mile from his property, i.e., Price Cutter, Mama Jeans, 3 McDonalds, 4 Taco Bells, 3 Mexican Villas, Chick-fil-A, Raising Canes and others and does not believe the neighborhood needs more stuff crammed into the area.

Ms. Barbara Hughes, 951 E. Portland Street, and wants to keep her property value to make it her retirement home and stated that Vision 20/20 is committed to maintaining property values and believes rezoning will devalue her property. She also believes that discouraging people from weaving/driving and speeding through the neighborhood will not work as well stated that a wooden fence will not block the noise as well as a masonry wall.

Ms. Dixie Sleight, 1124 E. University believes that food and pickleball courts will negatively impact the value of her property and her neighbors.

Ms. Maggie Castrey, 1006 E. Linwood Drive stated that this property development is not adjacent to any activity area centers and said the City has an obligation to the homeowners and disagrees that development is inevitable and that stable and cohesive neighborhoods provide tremendous value to the homeowners and the city and need to prevent any erosion along their borders.

Ms. Evelyn Mangan, 818 E. Portland Street and has lived there for more than 50 years and believes there is insufficient protection for the neighborhood and that the proposed zoning change is inappropriate. She noted that a Planned Development would afford protection to the neighborhood and does not like the idea of a food court because of the smells, attract vermin, and possible dumpster diving, etc. She also noted about possible truck traffic and spoke to Section 36-421 regarding five-acre tract information.

Ms. Courtney Fletcher, 1011 E. University Street, noted the restrictions in all the deeds of University Heights and wondered how the commissioners can consider this proposal without a determination. She also pointed out that this is a historic neighborhood and has been around for approximately 100 years and stated that no commercial development has happened because of the deed restrictions. Spoke about the changing plans from the developer starting with a pancake pantry and now pickleball and food courts and the proposed development does not comply with Vision 20/20 and ForwardSGF.

Ms. Broekhoven closed the public hearing.

Mr. Knuckles asked about height restrictions of 45 feet and the direction of stormwater. Mr. Neal noted that the Conditional Overlay District language restricts them to the 45 feet, or three stories based on the height definition of the 33-degree bulk plane and Mr. Codichini explained that the lots drain in two different directions and the specifics of the stormwater drainage will be at the time of development. Additional discussion on size of pipe, additional capacity, and discharge that it can take.

Mr. Colony noted that the fears of the neighborhood appear to be well founded and would like to see something along this idea, just not at the proposed location (National/Sunshine) and that corner is part of the neighborhood and should remain as such. He also commented on the traffic concerns and not sure what will eventually be developed there based on what has been presented and currently not binding.

Mr. Pauly asked about stormwater and the possibility of future drainage going below National Avenue to get to the east side of National Avenue and who would be financially responsible.

Mr. Codichini noted that any public improvement would be done at the developer's expense and would have to be designed and approved before any building permits would be authorized.

Mr. Pauly noted that Vision 20/20 is supposed to be the guideline to follow in rendering a decision and the guidelines state this is not an activity center and should not be developed and believes that a development like this is basically a cancer that will grow into the rest of the neighborhood. He also voiced his concern about the traffic and believes people will take the least resistance path and go right through the neighborhood.

Mr. Colony also spoke about the traffic study and noted that people will want to go through the neighborhood to avoid an already saturated intersection and believes the traffic study does not address the impact that the changes will occur.

Mr. Knuckles believes that the changes that have been made this time will adequately protect the neighborhood and this is the best use of that corner.

Ms. Ridge noted that University Heights is a show place and one of the best neighborhoods in town and a kind of place that people would like to live and would not like to see it change as the houses are well maintained and that is one of the major investments for anyone.

Commissioners commented/discussed the positive changes to the proposal, but straight rezoning versus a Planned Development does not create stability for the corner.

COMMISSION ACTION:

Mr. Knuckles moved to approve Z-27-2022 COD 220 (1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133 & 1141 East Sunshine Street and 1138 East University Street). Commissioner Pauly seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Knuckles. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None. **Motion Failed**

Planned Development 387

1137 & 1141 East Delmar Street

Applicant: MSU Housing, LLC and Faucett & Bates Properties, LLC

Request to postpone to the January 11, 2024, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

Planning and Zoning Commission Board Member Knuckles moved to postpone Planned Development 387 (1137 & 1141 East Delmar Street) Commissioner Ridge seconded the motion. It was **Postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

PUBLIC HEARINGS.

Z-32-2023

1530 North Broadway Avenue

Applicant: KDR Real Estate, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.11 acres of property from an HC, Highway Commercial District to an R-TH, Residential Town-House District.

Mr. Knuckles asked about it being zoned Highway Commercial and now going back to Residential Town-House District and was wondering why?

Mr. Hosmer noted that the current zoning would not allow R-TH and the Matrix is just a tool and hopefully this area can be reevaluated in the future.

Mr. Josh Reed, 1660 E. Kearney Street and here to answer any questions.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Z-32-2023 (1530 North Broadway Avenue). Planning and Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

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

Mr. Neal stated that this is a request to rezone approximately 1.26 acres of property from O1, Office District to GR, General Retail with Conditional Overlay District 245.

Caleb Freeman, 1501 W. Meadowmere and looking to rezone from Office District to General Retail and here to answer any questions.

Natalie Broekhoven closed the public hearing.

Mr. Pauly noted that the area is a good location, but already has a lot of development and wants something else developed there, but not sure about another retail development.

Planning and Zoning Commission Board Member Knuckles moved to approve Z-33-2023 COD 245 (221, 225 & 227 East Sunshine Street) and Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: Commissioner Pauly. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

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

Request to postpone to the January 11, 2024, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION

Planning and Zoning Commission Board Member Knuckles moved to postpone Vacation 830, 923, 927 & 935 South Campbell Avenue and 425 West Grand Street) Commissioner Pauly seconded the motion. It was **Postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Pauly, Commissioner Scott, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Helen Gunther, Christopher Lebeck, and Britton Jobe. Abstain: None.

OTHER BUSINESS.

ADJOURN.

PNZ City Council Results

Meeting Dates From: 12/01/2023 **To:** 12/31/2023

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-27-2022 COD 220 1755 S NATIONAL AVE 1739 S NATIONAL AVE 1745 S NATIONAL AVE 1111E SUNSHINE ST 1119E SUNSHINE ST 1133 E SUNSHINE ST 1141 E SUNSHINE ST 1138 E UNIVERSITY ST	12/14/2023 Denied		
Z-33-2023 COD 245 227 E SUNSHINE ST 221 E SUNSHINE ST 225 E SUNSHINE ST	12/14/2023 Approved		
Planned Development 387 1141 E DELMAR ST 1137 E DELMAR ST	12/14/2023 Tabled		
Vacation 830 935 S CAMPBELL AVE 923 S CAMPBELL AVE 927 S CAMPBELL AVE 425 W GRAND ST	12/14/2023 Tabled		
Z-32-2023 1530 N BROADWAY AVE	12/14/2023 Approved		
Request to Dispose 530 300 blk of Chestnut Street	12/14/2023 Approved		
PPlat of Patel Subdivision 4808 E PARALLEL LN	11/9/2023 Approved	12/11/2023 Complete	
Z-29-2023 COD 242 5298 E FARM ROAD 104	11/30/2023 Approved	12/11/2023 Complete	
PD 12 FDP 1249 E KINGSLEY ST	11/9/2023 Approved	12/11/2023 Complete	
Z-30-2023 COD 243 2555 N NEERGARD AVE	11/9/2023 Approved	12/11/2023 Complete	
Z-31-2023 COD 244 1650 S INGRAM MILL RD	11/9/2023 Approved	12/11/2023 Complete	

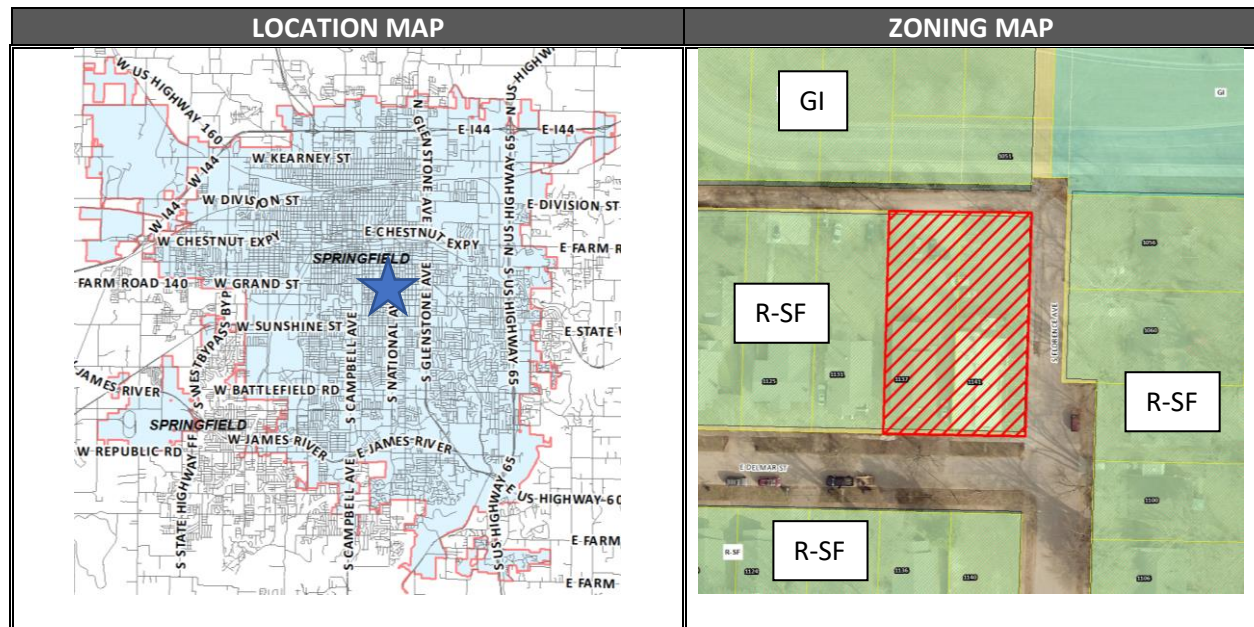
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Planned Development No. 387
Location:	1137 & 1141 East Delmar Street
Total Acres:	0.36
Applicant:	MSU Housing, LLC & Faucett & Bates Properties, LLC
Existing Land Use:	Single-family home & restaurant
Neighborhood Meeting:	October 15, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	February 12, 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 Planned Development No. 387 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

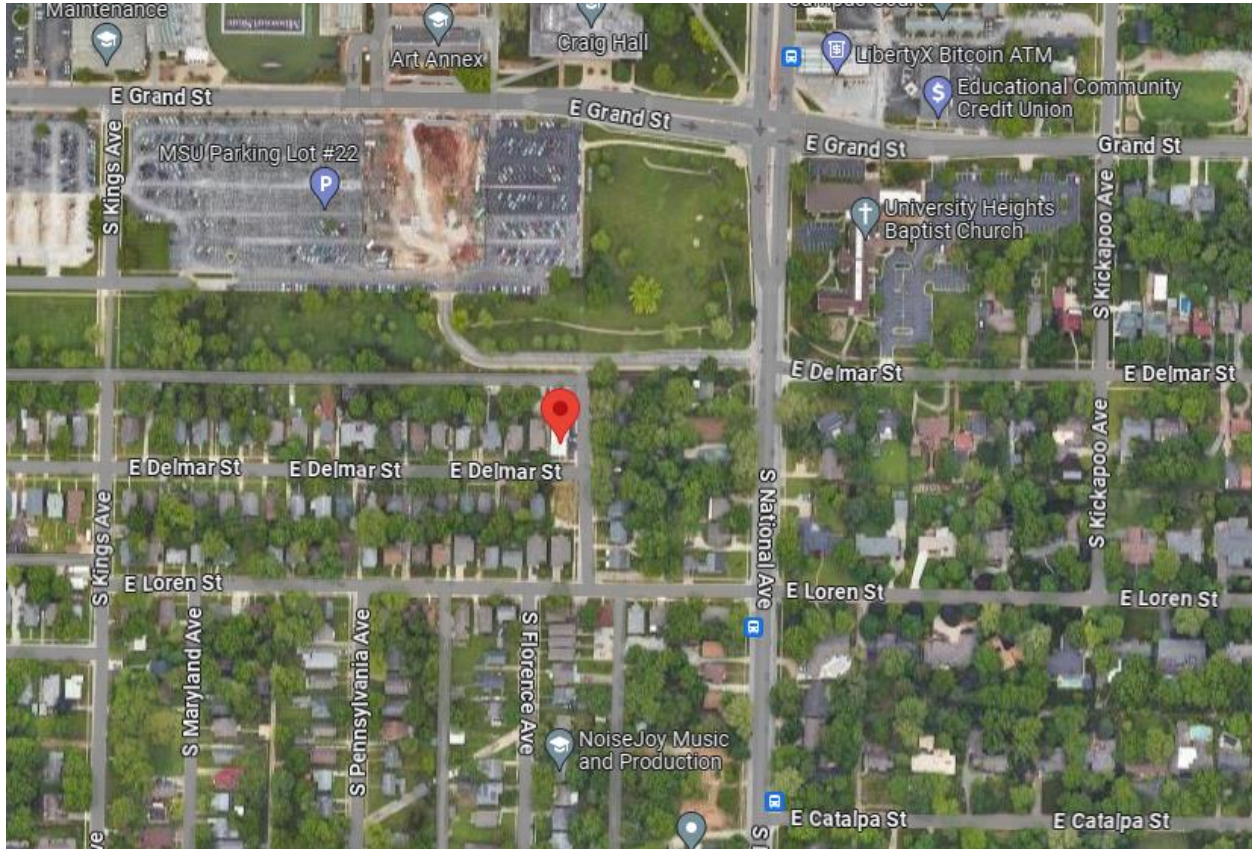
PROJECT SUMMARY:

Request to rezone approximately 0.36 acres of property generally located at 1137 & 1141 East Delmar Street from R-SF, Residential Single-family District within Phelps Grove Urban Conservation District No. 4 (UCD) to Planned Development No. 387.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned R-SF in the 1995 city-wide remapping. The Phelps Grove Urban Conservation overlay district was adopted in 1997 and revised in April 2019. The restaurant is considered an existing non-conforming use in an R-SF district.

Land use maps dated from 1964 indicate a commercial use on the subject property.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR PD 387
Minimum Yard Requirements	See Exhibit 1.
Maximum Structure Height	Principal building 35 feet or two and one-half stories above the finished grade, except that all non-residential structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	See Exhibit 1
Buffering and Landscaping	See Exhibit 1.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

DEVELOPMENT REVIEW STAFF REPORT

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

1. Single-family detached

SUPPORTING USES

1. Single-family attached
2. Low-intensity multifamily
3. Low-intensity, neighborhood commercial
4. Parks, greenways, and open space
5. Public and private schools and places of worship
6. Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

DEVELOPMENT REVIEW STAFF REPORT

1. 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.
2. 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.
3. 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.
4. Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses.
5. 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.
6. 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.
7. 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:

1. The main entrances of new residential developments are oriented towards the primary street.
2. Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
3. 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.
4. 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.
5. New and infill buildings maintain the proportions and architectural features common in the existing block.
6. 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.

Center City Neighborhood Urban design characteristics unique to Center City Neighborhood character area include:

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.
2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached, and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.

DEVELOPMENT REVIEW STAFF REPORT

5. 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.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. 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.
8. 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.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

1. 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.
2. Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
3. 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.

Chapter 8 Economic Development

Goal 4.1 SUPPORT NEIGHBORHOOD COMMERCIAL

Support smaller-scale commercial development and local businesses in neighborhoods.

As Springfield has a significant number of commercial corridors that are auto-oriented in nature and contain an abundance of strip centers and big box retail occupied by national chains and franchises, supporting smaller-scale, local businesses were identified as a top priority by the community during public engagement. A great example that was highlighted frequently by community members are the small businesses at Cherry and Pickwick located in Rountree neighborhood, which feature locally owned restaurants, cafes, and shops in a charming, pedestrian-friendly setting.

These types of small businesses should continue to be supported throughout the City, particularly within the **Residential** and **Mixed Residential** placetypes. A highly walkable urban core represents the best environment for small, local, start-ups to get a footing and thrive. The City must continue to invest in projects like the Grant Avenue Parkway and Renew Jordan Creek to foster new investment, especially in Downtown (see **Chapter 13: Downtown Plan**). While Downtown should serve as the main focal point of mixed-use development and activity, other smaller-scale, pedestrian-friendly neighborhood commercial hubs should be

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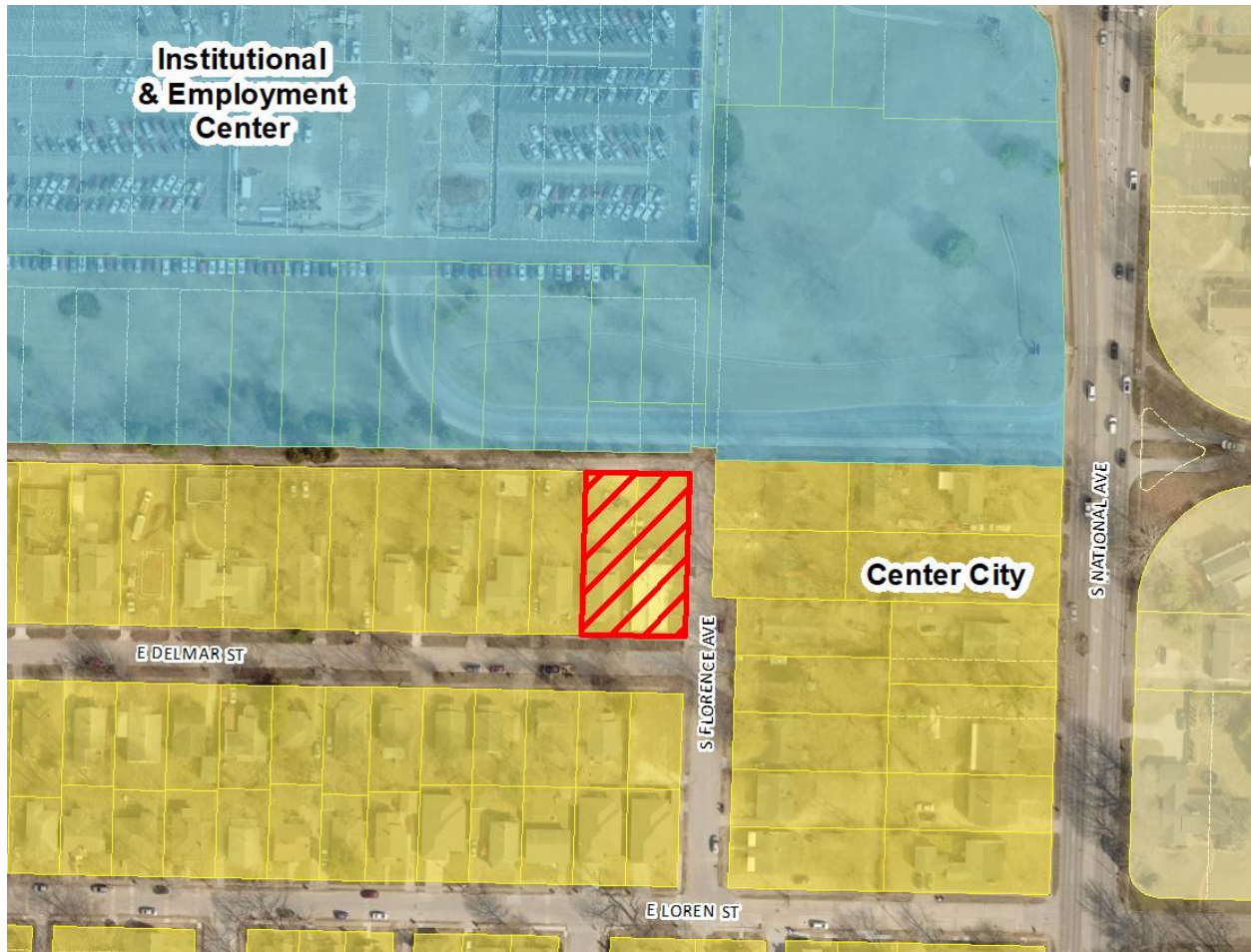
supported within residential areas. This will also help promote Springfield as an attractive place to live and work. As detailed in **Chapter 7: Housing and Neighborhoods**, Adaptive reuse of older and underutilized homes, industrial, or commercial buildings that are dispersed within or along the perimeter of neighborhoods should be supported as a strategy to support the development of neighborhood commercial hubs.

Potential locations where neighborhood commercial nodes could develop would include:

1. Low-intensity, neighborhood-scale commercial nodes could potentially be located at former trolley or streetcar stops where non-residential structures, sites, and neighborhood fabric still exist.
2. At intersections of key corridors, where transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
3. At locations where community facilities and amenities or other informal neighborhood hubs already exist. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors.

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FUTURE PLACETYPE MAP:



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

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

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

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

MAJOR THOROUGHFARE MAP:



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SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	MSU access drive & stormwater detention	Single-family residential	Single-family residential	Single-family residential
PLACETYPES	Institutional & Employment Center	Center City neighborhood	Center City neighborhood	Center City neighborhood

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

Building separation may be an issue see chapter 6 of the 2018 IBC.

CITY UTILITIES:

No issues with rezoning or PD language. There is a security light on a pole near the north end of the 1141 E Delmar St property that appears to conflict with the new parking lot plan, however, this can be addressed at the time of construction.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues or conflicts with 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	E. Delmar Street	Local	City	25	25	NA	No	Yes	Yes
Street 2	E. Florence Avenue	Local	City	25	25	NA	No	Yes	Yes

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

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

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

1137 and 1141 E Delmar St are two residential lots that combined are 0.35-0.040 acres. Both drain to the E Delmar St. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will be allowed**.

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

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.
 - (1) To a Public Right-of-way.
 - (2) A recorded drainage easement, continuing to a public right-of-way or public drainage system.
 - (3) A certified natural watercourse.

WATER QUALITY REQUIREMENTS

2. No water quality is required with the entire legal acreage area being under 1 acre.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.36 acres of property generally located at 1137 & 1141 East Delmar Street from R-SF, Residential Single-family District within Phelps Grove Urban Conservation District No. 4 (UCD) to Planned Development No. 387. The current location of the restaurant is in operation as a non-conforming land use.
2. The applicant intends to renovate and expand the existing restaurant, Bambino's on-site to improve the kitchen and storage areas. The expanded kitchen would occupy more of the ground floor space, and the new second floor addition will support seating and office spaces. This requires the property to the west, 1137 E. Delmar, to be included in the planned development as to remove the 30-degree bulk plane limitation, and to allow a cooperative parking agreement between the property owners to help alleviate the parking congestion in the public right-of-way. This development will help preserve the neighborhood restaurant that has long been a part of the history and vitality of the Phelps Grove neighborhood.
3. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype.
4. This application is consistent with the Placetypes recommendation that 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.
5. The *Comprehensive Plan's Economic Development Chapter 8* supports the reuse of existing concentrations of neighborhood-serving commercial uses in residential neighborhoods.
6. The restaurant is intended to expand by adding a second story. However, the height will be limited to no more than as allowed in the R-SF district.
7. 1137 East Delmar Street is currently and will remain a single-family home. This property is included in the planned development to remove the 30-degree bulk plane limitation, and to allow a cooperative parking agreement between property owners to help alleviate the parking congestion in the public right-of-way. The permitted uses on 1137 East Delmar Street will remain as the R-SF district.

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8. Approval of this application will allow for the redevelopment and continued use of this property and promote infill development where investments have already been made in public service and infrastructure.
9. This application includes design guidelines for the restaurant so that it will be more compatible with the surrounding single-family homes in this area. These guidelines include prohibiting vinyl siding, vinyl windows and other materials not commonly found in the area homes. It is also meant to have the development complement the architectural style of the surrounding neighborhood through the use of window openings and pitched roof profiles. Architectural details and cornices shall be appropriate to the style of the building. See Section H, Design Requirements for a full list of design guidelines included in this application.
10. The perpendicular parking on the west side of Florence Avenue north of Delmar Street is allowed as shown on the Exhibit 2. Parking stalls shall not extend east beyond the existing curb line/edge of street pavement. Vacation No. 833 is being processed concurrently with this application and, if approved, will vacate approximately eight (8) feet directly east of the subject property allowing these stalls to be private parking for use of the restaurant.
11. The off-street parking is intended to have access directly off Florence Avenue. The Traffic Division of Public Works reviewed this and determined it to be acceptable given that Florence Avenue currently has a reduced width and therefore functions as an alley in this location. Additionally, Florence Avenue has reduced traffic service as it dead ends north of this property and only handles traffic from the alley and to two residential homes on the east side of Florence Avenue. The vacation will extend only to the curb on Florence Street and not narrow or impact the driving surface of the street.
12. 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.
13. There are few changing conditions in the area affected that make the proposed rezoning necessary.
14. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The subject property has been the site of a long-standing business.
15. 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.
16. 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. The Planned Development will allow off-street parking to be redesigned to help alleviate on-street parking.

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17. 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.
18. 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 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: R-SF to PD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: October 15, 2023 from 4:00pm to 6:30pm
3. Meeting Location: 1141 E. Delmar
4. Number of invitations that were sent: 149
5. How the mailing list was generated: city staff
6. Number of neighbors in attendance (attach a sign-in sheet): 8
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

See attached meeting summary.

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

None.

I, BILLY KIMMONS (print name), attest that the neighborhood meeting was held on 10/15/23 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

BILLY KIMMONS
Printed name of person completing affidavit



October 16, 2023

Re: rezoning of 1137 & 1141 East Delmar Street

A neighborhood meeting was held on October 15, 2023 from 4:00pm until 6:30pm at 1141 East Delmar to discuss the rezoning application for the two parcels located at 1137 and 1141 East Delmar. Representatives of the applicant along with approximately five neighbors attended the meeting. The neighbors arrived at the start of the meeting and stayed for approximately 45 minutes. After this, no additional neighbors showed up. The meeting was pleasant, and those who attended expressed general support for the rezoning application. The following questions were asked during the meeting, and our responses are included below.

Question: What would happen if Bambino's closes and someone buys the restaurant? **Response:** *The rezoning would not limit the eating and drinking establishment to just one business. Other eating or drinking establishments would be allowed with this Planned Development.*

Question: Could another developer purchase the property, tear down the buildings, and rebuild whatever they want? **Response:** *The rezoning specifically outlines the approved uses. Any future development would have to substantially conform to this Planned Development.*

Question: What are you going to do to manage storm water runoff? **Response:** *All development plans will have to follow city guidelines for storm water management. The proposed plan considers landscaping strips to help mitigate storm water runoff from the parking area.*

The rest of the meeting was spent sharing stories about growing up in the area. Everyone who attended this meeting expressed their general support for this rezoning application.

Respectfully,

Billy Kimmons, AIA
Principal Architect



EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 387

A. APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

All requirements of the Springfield Zoning Ordinance shall apply unless modified by the requirements and standards that follow.

B. INTENT

The intent of this new Planned Development will help bring 1141 E. Delmar into compliance with the conditions proposed and will allow for an expansion to the restaurant to improve the kitchen and storage areas. The expanded kitchen would occupy more of the ground floor space, and the new second floor addition will support seating and office spaces. This requires 1137 E. Delmar to also be included in this planned development to remove the 30-degree bulk plane limitation, and to allow a cooperative parking agreement between property owners to help alleviate the parking congestion in the public right-of-way. This development will help preserve this neighborhood restaurant that has long been a part of the history and vitality of this established neighborhood district.

C. DEFINITIONS

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

D. USES PERMITTED

1337 East Delmar Street:

1. All permitted uses as permitted by section 36-380 (2) R-SF, Single-family Residential District.
2. Off-street parking lot.

1141 East Delmar Street:

1. Single-family detached dwellings.
2. Accessory uses, as permitted by section 36-450, accessory structures and uses.
3. Community gardens without retail or wholesale sales on-site in accordance with the performance standards of section 36-470, community gardens.
4. Eating and drinking establishments use group, including pick-up window, but excluding drive-in, or drive-thru facilities. Stand-alone bars and taverns are prohibited.
5. General office use group, excluding banks and financial institutions with automatic teller machines and drive-thru facilities.
6. Personal services use group.
7. Public and private parks, and playgrounds, excluding miniature golf courses and driving ranges.
8. Retail sales use group, excluding convenience stores with gas pumps.

9. Short-term rental type 3 in accordance with section 36-473.

E. USE LIMITATIONS

1. All activities and permitted uses except off-street parking and loading facilities, outdoor common area, outdoor patio seating related to the uses, and pick-up windows shall be conducted entirely within a completely enclosed building.
2. All uses shall operate in accordance with the noise standards contained in Section 36-485 of the Springfield Zoning Ordinance.
3. No use shall emit an odor that creates a nuisance as determined by Springfield City Code.
4. Garbage pick-up at refuse storage areas shall not occur between the hours of 10:00pm and 7:00 am.
5. There shall be no truck deliveries to or pick-ups from any use located on the property between the hours of 10:00pm and 7:00am, however, deliveries and pick-ups by passenger vehicles within these time frames is not prohibited.
6. There shall be no delivery trucks allowed to remain on the property with their engines idling between the hours of 10:00pm and 7:00am, however, engine idling by passenger vehicles within these time frames is not prohibited.
7. Parking lot maintenance sweeping equipment shall not operate on the property between the hours of 10:00pm and 7:00am.

F. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards:

1. Maximum residential density: The maximum density shall be six thousand square feet (6,000 square feet) per dwelling unit provided the requirements of subsection 36-303(22) are met.
2. Maximum floor area: The maximum non-residential area allowed shall be five thousand square feet (5,000 square feet) combined on all stories.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards:

1. Minimum lot areas: 6,000 square feet.
2. Minimum lot widths: 50 feet.
3. Minimum lot depths: 80 feet.
4. Maximum structure heights: Principal building 35 feet or two and one-half stories above the finished grade. Except that all non-residential structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

Minimum yard requirements:

1. Front yard: None, however, in no event may a structure be erected closer to the right of way line than the existing structures.
2. Side yard: None.
3. Rear yard: 20 percent of the lot depth or ten feet whichever is greater. No more than 20 feet shall be required.

H. DESIGN REQUIREMENTS

The design requirements shall adhere to the following standards:

Building Materials:

1. The following exterior building materials are not permitted: vinyl siding, vinyl windows, metal wall panels with exposed fasteners, galvanized metal wall panels, plastic wall cladding, corrugated metal panels, thin stone veneer (commonly referred to as “lick and stick stone”, manufactured panelized stone veneer, faux stone, or faux masonry).
2. The following exterior building materials are allowed, but not limited to: clay brick masonry, natural or cast stone masonry, architectural pre-cast block masonry, split-faced or ground-faced concrete masonry, terracotta, architectural concrete, glass, wood, cement board, stamped metal shingles, copper, standing seam steel or aluminum panels, aluminum windows, steel windows, wood windows, asphalt shingles, slate, synthetic stucco, stucco, wood, glass.
3. Exterior glass shall not be tinted. Opaque spandrel glass is not allowed.
4. Existing materials on existing building shall be acceptable.

Design to Encourage Pedestrian Activity:

1. A continuous pedestrian path (sidewalk) shall be provided along the east side of the property from Delmar Street to the north alley/property as shown on Exhibit 2.
2. Provide pedestrian amenities such as pedestrian scale lighting and furniture in the front yard to enhance the pedestrian environment and promote pedestrian access to the restaurant. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 30 feet in height. Parking lot lighting and pedestrian lighting should be appropriate to create adequate visibility at night and be evenly distributed to increase security.
3. The project will blend the building scale and set back with existing developments that are consistent with these guidelines.
4. The building elevation facing Delmar shall complement the architectural style of the surrounding neighborhood through the use of window openings and pitched roof profiles. Architectural details and cornices shall be appropriate to the style of the building.
5. At least two bicycle racks shall be provided to promote alternate means of transportation as shown in Exhibit 2.

Provide a Good Circulation System:

1. The design shall provide connectivity by including direct vehicular or access easements, pedestrian and bicycle connections between abutting or adjacent developments wherever possible by providing the sidewalk connections shown on Exhibit 2.

Respect the Natural Environment:

1. The total development shall include at least 15 percent of the total site or premise as open space.
2. Existing trees and vegetation shall be preserved to the best extent possible per the development shown in Exhibit 2.

I. OPEN SPACE, LANDSCAPING & SCREENING

1. Minimum open space:
 - a. Combined Planned Development area: Not less than 15 percent 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
 - b. 1137 E. Delmar: Not less than 20 percent 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
 - c. 1141 E. Delmar (Restaurant): None, however open space as shown on Exhibit 2.
2. Maximum impervious area: The combined area occupied by all main (primary) and accessory buildings or structures, parking storage, loading and other paved areas shall not exceed 85 percent of the total lot area unless modified in accordance with subsection 36-482(15).
3. Bufferyards: There shall be a 15-foot bufferyard with a 6-foot solid wood fence adjacent to the R-SF district to the west as shown on Exhibit 2. Plantings shall include one ornamental tree, one evergreen tree, and six shrubs.
4. Vehicular use area: Perimeter and interior landscaping shall be provided at the vehicular use areas as shown on Exhibit 2.

J. EXTERIOR LIGHTING

The requirements and standards of Section 36-484 of the Springfield Zoning Ordinance, in effect at the time of development shall apply except as modified below.

1. Purpose. The purpose of these requirements is to regulate the spillover of light and glare on operators or motor vehicles, pedestrians, and residential uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting, signs or seasonal displays.
2. Standards. The following standards are required of all exterior lighting, subject only to the exemptions permitted below.
 - a. The lighting installed in and around the development shall not exceed fifteen (15) feet in height above the finished grade of the parking lot on which the light standard is located. This lighting shall be directed in such a manner that the parking lots will be well illuminated, but is not directed toward the surrounding residential districts. The type and arrangement of the lighting shall have the most minimal impact practical on the nearby residential districts. The Final Development Plan shall include a parking lot photometric study which shows that the lighting at the property lines which abut residential property shall not exceed one (1) foot candle and that the average foot-candle lighting level across the lot shall not exceed two (2) foot candles. The illumination provided at the main entrance to the development described in Paragraph K shall be permitted to be up to four (4) foot candles provided the maximum lighting level at all property lines shall not exceed one (1) foot candle. The height of the lighting

poles at the entrance shall be limited to fifteen (15) feet and cut off fixtures which shield the lamps shall be required.

3. Exemptions. Emergency warning lights. Safety signal and warning device lighting shall be exempt from the exterior lighting standards of Section 36-484 above.
4. Exterior Lighting Plan. At the time any exterior lighting is installed or substantially modified for any use on the property, an exterior lighting plan shall be submitted in order to determine whether the requirements of this section have been met.

K. ACCESS TO PUBLIC THOROUGHFARES

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

L. OFF-STREET PARKING

Sections 36-455, 36-456 and 36-483 of the Springfield Zoning Ordinance in effect at the time of development shall apply except as modified below;

Off-street parking shall generally conform to Exhibit 2. The number of spaces and approximate location will be provided as illustrated by Exhibit 2. The quantity of off-street parking shown on Exhibit 2 shall be considered satisfactory for the permitted uses of this District. A cooperative parking agreement shall be maintained between 1137 & 1141 East Delmar Street properties.

The perpendicular parking on the west side of Florence Avenue north of Delmar Street is allowed as shown on the Exhibit 2. Parking stalls shall not extend east beyond the existing curb line/edge of street pavement. Vacation No. 833 is being processed concurrently with this application and, if approved, will vacate approximately eight (8) feet directly east of the subject property allowing these stalls to be private parking for use of the restaurant. The off-street parking is intended to have access directly off Florence Avenue. The Traffic Division of Public Works reviewed this and determined it to be acceptable given that Florence Avenue currently has a reduced width and therefore functions as an alley in this location. Additionally, Florence Avenue has reduced traffic service as it dead ends north of this property and only handles traffic from the alley and to two residential homes on the east side of Florence Avenue. The vacation will extend only to the curb on Florence Street and not narrow or impact the driving surface of the street.

M. SIGNS

The requirements and standards of Section 36-454 of the Springfield Zoning Ordinance, in effect at the time of development shall apply.

N. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. The development may be phased, and with each phase the Administrative Review Committee will make a determination as to the improvements that would be necessary to support the phase.

Prior to building permits being issued, the applicant or subsequent owners shall:

- a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
- a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. The following improvements are required for full development of the subject property:

- a. Sanitary sewer facilities.

Public sanitary sewer shall be extended onto this property to serve this project. Easements will be created and granted to the City of Springfield for these lines. Once on the property private sewers will be extended from the public main to serve the buildings. If the property is subdivided, public sanitary sewer shall be extended to each lot in accordance with the City's Subdivision Regulations.

- b. Storm water management facilities.

Current detention and water quality requirements must be met prior to development. All runoff from the site must drain to a detention basin or meet the buyout requirement. The detention basins must discharge to a public right-of-way, drainage easement or certified natural channel having sufficient capacity.

- c. Right of Way Improvements.

Alleyway improvements and On Street parking improvements as shown in Exhibit 2 will be constructed by the developer and meet public improvement standards.

4. Improvement Standards.
Improvements shall conform to the following standards.

- a. All utility services lines and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other

telecommunication systems and wires, unless utility easements providing for overhead service exist or are obtained in the future.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

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

P. PHASING

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

Q. FINAL DEVELOPMENT PLAN

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

1. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by Subsection 36-405 (9) (c) of the Springfield Zoning Ordinance.
2. The final development plan shall be submitted to the Administrative Review Committee for final action, either as a whole or in phases. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - a. Any uses within the District other than those specifically prescribed by the ordinance.
 - b. Any increase in the intensity of use permitted within the District.

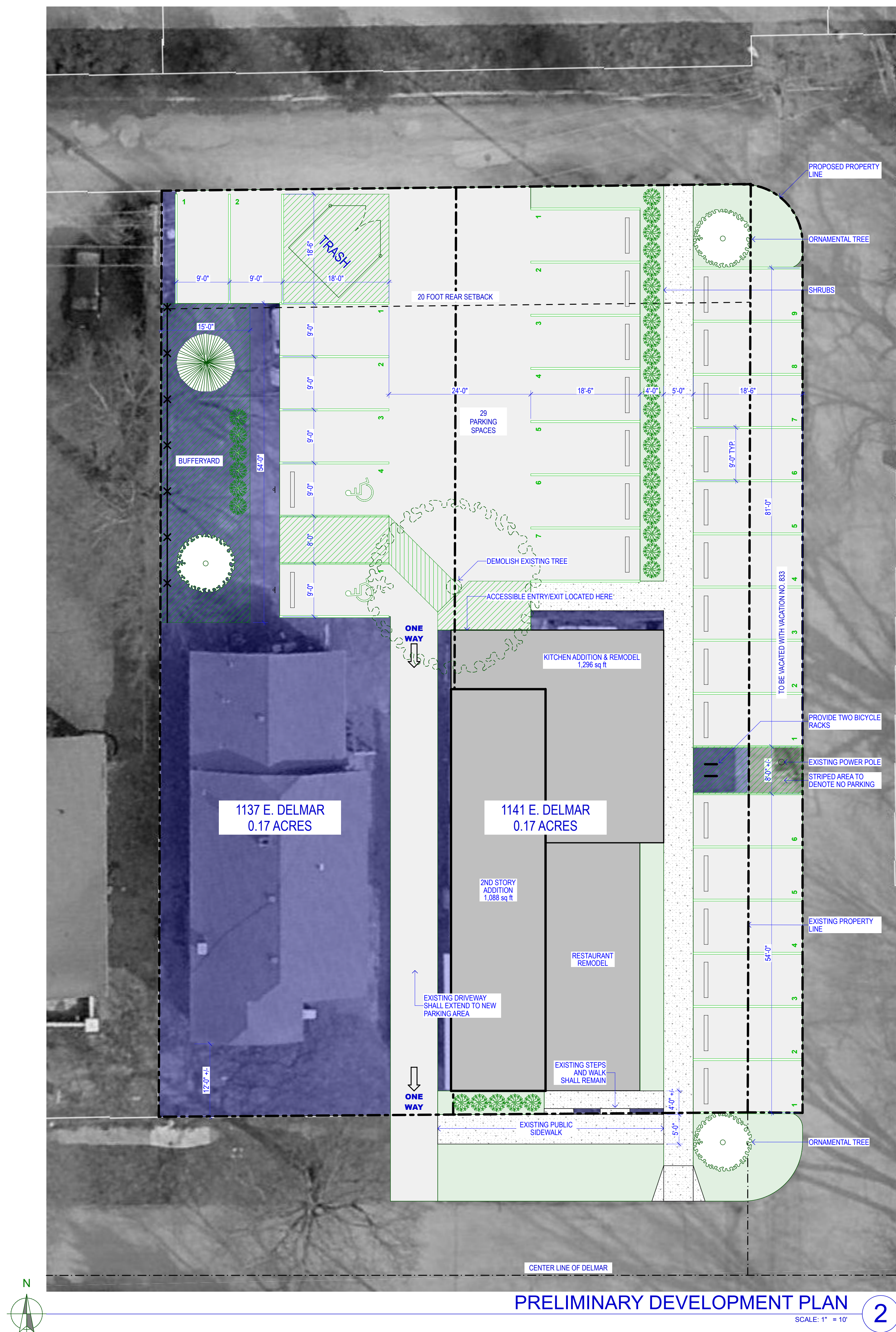


EXHIBIT 2

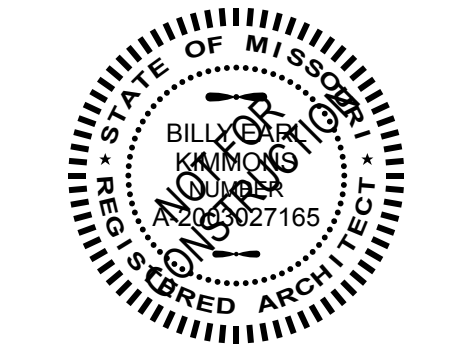
ZONING DATA:

ADDRESS:	1137 & 1141 EAST DELMAR SPRINGFIELD MISSOURI 65807
SITE AREA:	1137 E. DELMAR = 0.17 ACRES 1141 E. DELMAR = 0.17 ACRES VACATION NO. 833 = 0.037 ACRES
ZONING:	PROPOSED PLANNED DEVELOPMENT REFER 30 EXHIBIT 1 FOR ADDITIONAL DESIGN REQUIREMENTS



400 South Avenue, Suite 300
Springfield, MO 65806
P: 417.862.4483

Hood-Rich, Inc. MISSOURI
Certificate of Authority A-622-D



BILLY KIMMONS - Architect
MISSOURI A-2003027165

The Professional Architects seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments or other documents not exhibiting this seal shall not be considered prepared by this architect, and this architect expressly disclaims any and all responsibility for such plan, drawings or documents not exhibiting this seal.

PLANNED DEVELOPMENT
FOR
FAUCETT & BATES PROPERTIES, LLC
& MSU HOUSING, LLC



EXISTING FRONT ELEVATION

SCALE: 1:5

Proj.No.	23-143
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Date:	1/5/24
revisions:	
No.	date

sheet
A1.0
SITE PLAN

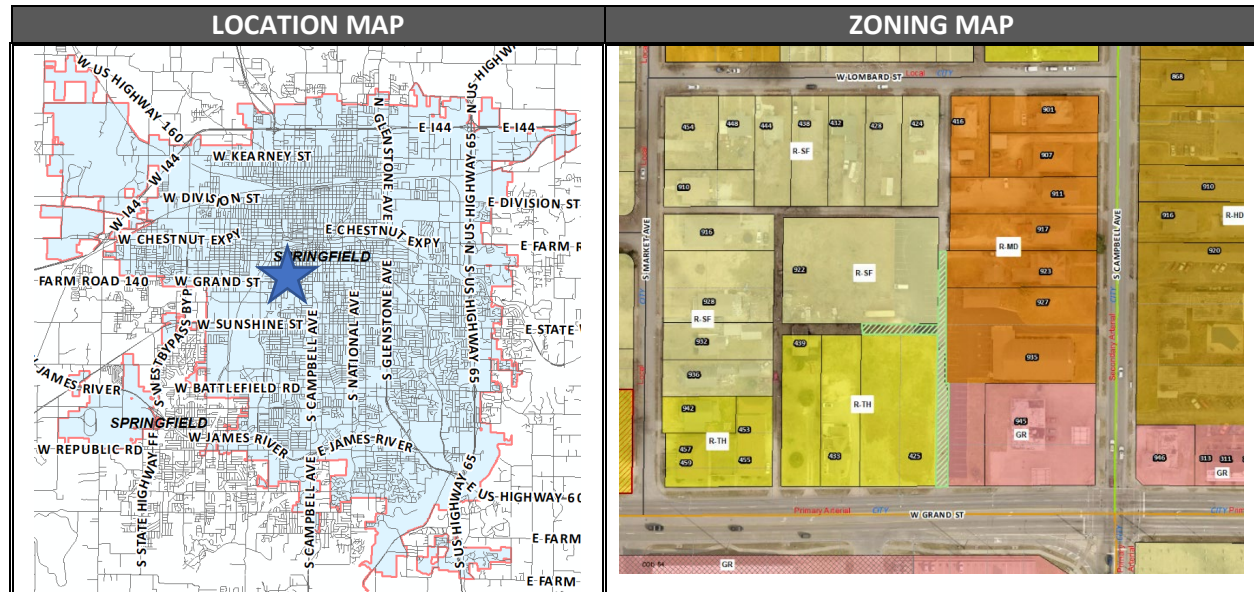
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Vacation No. 830
Location:	923, 927 & 935 S. Campbell Avenue and 425 W. Grand Street
Total Acres:	0.15 acre
Applicant:	South Campbell Avenue Baptist Church of Springfield
Existing Land Use:	Public alley
Neighborhood Meeting:	December 15, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	N/A
Public Notification:	Mail, posted property, and legal in <i>Springfield News-Leader</i>
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 830 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

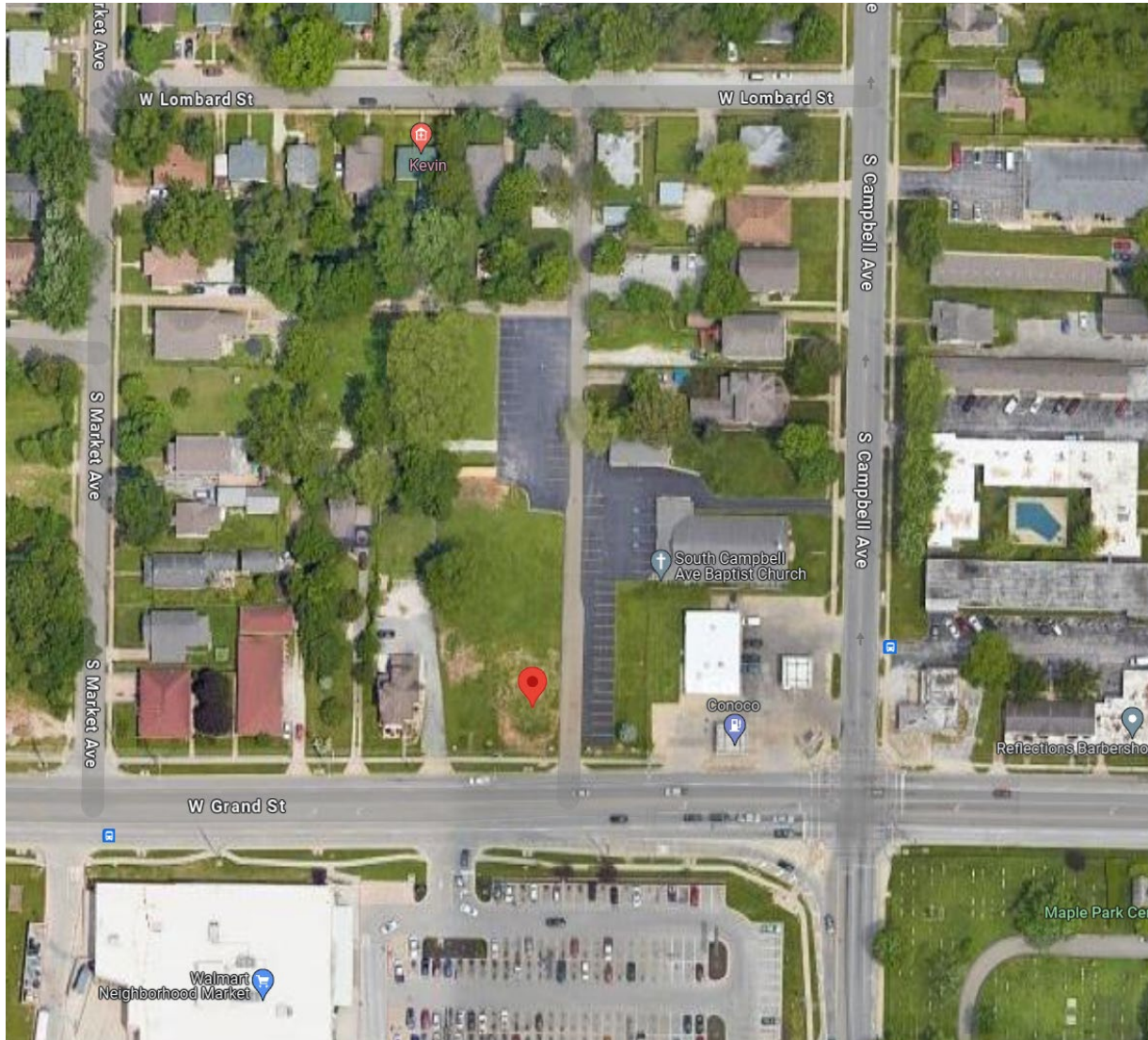
PROJECT SUMMARY:

Request to vacate a portion of public alley right-of-way behind 923, 927 & 935 S. Campbell Avenue and to the side and behind 425 W. Grand Street.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

This portion of public alley right-of-way was originally dedicated as part of S.H. Epley's Addition in 1888 and Widman Addition in 1912.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-151. - Petition for vacation; notice of proposed vacation.

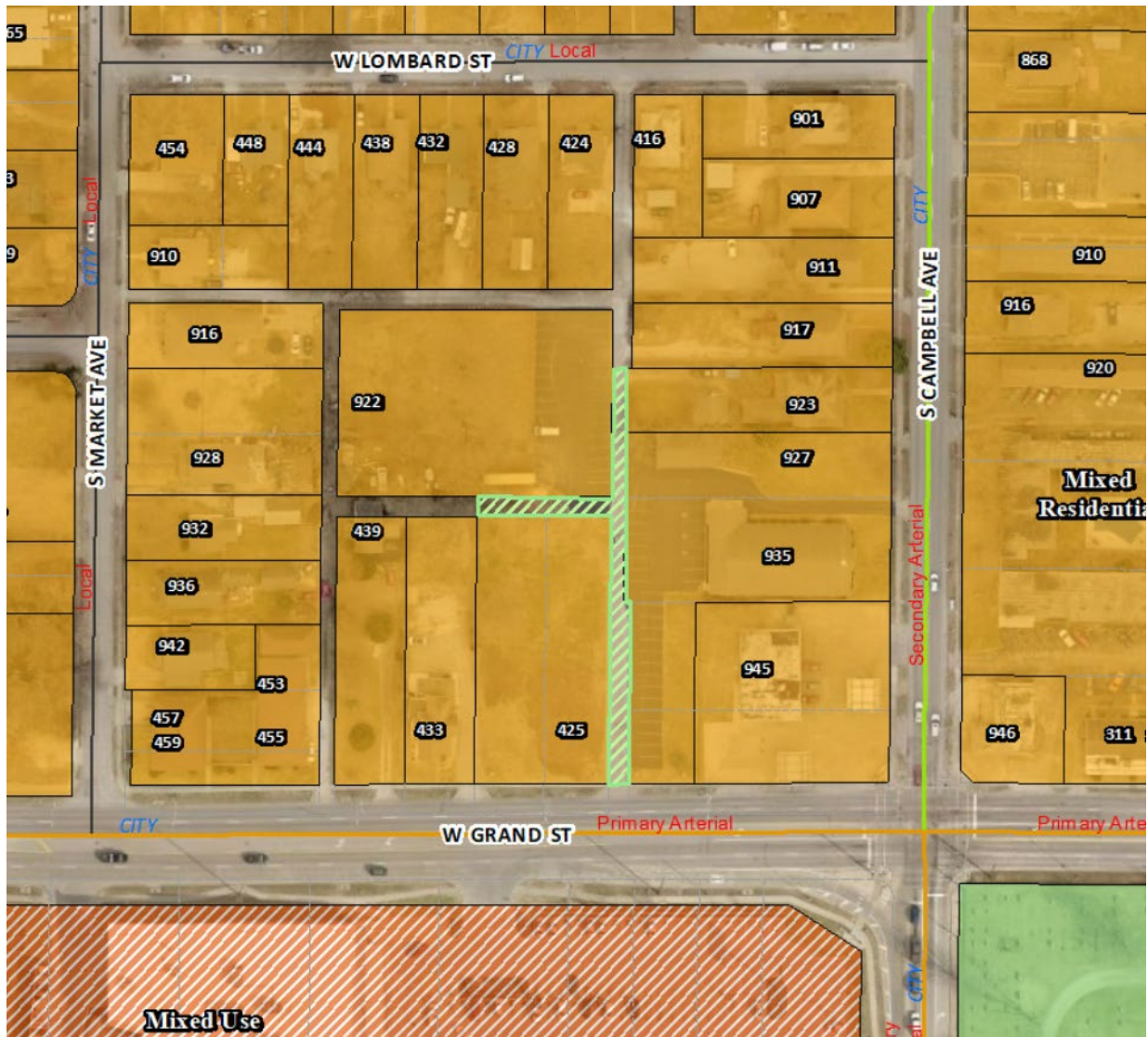
Any person owning any real estate within the city which has been subdivided by a duly recorded plat may petition the city to vacate the subdivision, or any part thereof, giving a distinct description of the property to be vacated and the names of the owners thereof with proof of their ownership; and any person owning property abutting upon any alley, street, common or public square, or any part thereof, may petition the city to vacate all or any part of the alley, street, common or public square, giving a distinct description of the property to be vacated and the names of the owners of the property abutting thereon. A petition to vacate such land shall be filed with the city clerk and referred to the planning and zoning commission for consideration. Thereupon, the planning and zoning commission shall cause notices of the proposed vacation to be posted in at least three prominent places in the vicinity of the area to be vacated and the petitioner shall cause a notice of the proposed vacation to be published in the daily newspaper having the greatest number of paid subscribers in the city at least 30 days prior to the public hearing, which newspaper shall meet the requirements of RSMo 493.050. No vacation shall take place until the petitioner shall have filed with the executive secretary of the planning and zoning commission proof that notice has been given of such vacation as required in this section, except in no event shall the failure of the planning and zoning commission to post the property in any way affect the validity of the vacation, it being intended by the city council that the legal notice for such vacation shall be solely by newspaper advertisement and that other advertisements shall be for informational purposes. In addition to the methods established by this section for notice, the city manager shall endeavor to cause notices of such vacations to be circulated in the area in accordance with rules to be adopted by the city manager, which rules should be filed with the executive secretary of the planning and zoning commission; provided, however, the failure to give such notice shall in no way affect the validity of the vacation.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Not applicable to vacation request

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF & R-MD	GR	R-MD & GR	R-SF & R-TH
LAND USE	Single-family residence	Retail uses	Church, retail, single-family residences	Single-family residences
PLACETYPES	Mixed Residential	Mixed Use	Mixed Residential	Mixed Residential

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.

CITY UTILITIES:

No issues with the vacation, however, the existing streetlight in the area to be vacated will become a private outdoor light and billed to the property owner monthly. This has been acknowledged by the applicant.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Vacation is approvable by Environmental Services so long as the replacement easement description is correct.

FIRE DEPARTMENT:

No comments.

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	S. Campbell Avenue	Secondary Arterial	City	35	27	NA	No	Yes	Yes
Street 2	W. Grand Street	Primary Arterial	City	50	46	NA	No	Yes	Yes

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. At the time of development, the existing connection of the alley to Grand St will have to be completely removed and replaced with curb and gutter. Access from Grand St would have to come from the shared driveway between 425 and 433 W Grand.

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

IMPROVEMENTS - At the time of development, the existing connection of the alley to Grand St will have to be completely removed and replaced with curb and gutter. Access from Grand St would have to come from the shared driveway between 425 and 433 W Grand.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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 vacation of the sanitary sewer easement. 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 vacation of the sanitary sewer easement is over existing impervious area. No detention requirements are triggered.

WATER QUALITY REQUIREMENTS

N/A

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 vacate a portion of public alley right-of-way behind 923, 927 & 935 S. Campbell Avenue and to the side and behind 425 W. Grand Street. The applicant is requesting to construct a new building and off-street parking on adjacent properties that they own. They are attempting to consolidate their properties into one.
2. The requested vacation meets the approval criteria listed in Attachment 2.

DEVELOPMENT REVIEW STAFF REPORT

3. The applicant is proposing to vacate right-of-way that is no longer needed which was originally dedicated as part of S.H. Epley's Addition and Widman Addition.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets.
2.	The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of this portion of street.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the public alley right-of-way is unnecessary.
4.	That the vacation will not affect the ability to use utilities, public or private.	This vacation area does not contain City Utilities' infrastructure but does contain existing sewer infrastructure which must be placed within an easement prior to the vacation.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2

Legal Description

A TRACT OF LAND, BEING A PORTION OF ALLEYS AS SHOWN ON PLAT OF S. H. EPLEY'S ADDITION RECORDED IN PLAT BOOK C PAGE 95 AND LOT 19 WIDMAN ADDITION RECORDED IN SURVEY RECORD BOOK 51 PAGE 337, ALL BEING IN IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF LOT 5 OF SAID S. H. EPLEY'S ADDITION; THENCE NORTH 01°32'24" EAST A DISTANCE OF 15.00 FEET; THENCE SOUTH 88°27'13" EAST A DISTANCE OF 104.55 FEET; THENCE NORTH 01°50'22" EAST A DISTANCE OF 101.48 FEET; THENCE SOUTH 89°13'00" EAST A DISTANCE OF 12.00 FEET; THENCE SOUTH 01°50'22" WEST A DISTANCE OF 181.55 FEET; THENCE SOUTH 89°14'31" EAST A DISTANCE OF 4.00 FEET; THENCE SOUTH 01°50'22" WEST A DISTANCE OF 138.39 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GRAND STREET; THENCE NORTH 88°58'25" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 19.34 FEET; THENCE NORTH 01°50'22" EAST A DISTANCE OF 203.42 FEET; THENCE NORTH 88°27'13" WEST A DISTANCE OF 101.14 FEET TO THE POINT OF BEGINNING, AND CONTAINING 6,638 SQUARE FEET OR 0.1524 ACRE(S) OF LAND, MORE OR LESS.

NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: 935 S Campbell Ave

(subject address)
2. Meeting Date & Time: December 15, 2023 / 4-6:30pm
3. Meeting Location: 935 S Campbell Ave
4. Number of invitations that were sent: 127
5. How was the mailing list generated: P&Z
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:

Had conversation about a number of south-bound thoroughfares in the city being closed or obstructed due to construction. Neighbor had no concerns with vacation of the alley. Concern was expressed about Market Street being closed that day due to digging by Public Works. Neighbor was informed of the P&Z Commission date for vacation and the likelihood of the Market Street project not being on-going.

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

See above and attached.

Sign-In for Neighborhood Meeting

Name: DAVID PATRICK

Address: 865 S MARKET AVE.

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

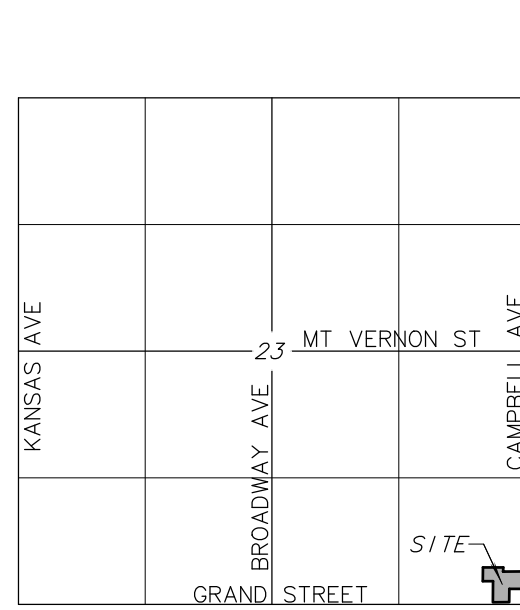
DATE:	12/15/23	Telephone No.	417 536-0493
YOUR NAME:	David Patrick		
YOUR ADDRESS:	865 S. Market Ave		
PROJECT ADDRESS:	935 S. Campbell Ave.		

COMMENTS:

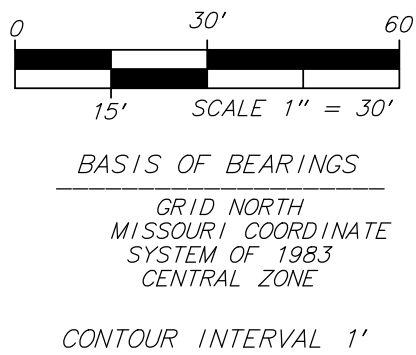
I have no complaint about vacating the alleyway.

My only concern is the timing with Market Ave and Grant Ave street closings making it very difficult to get in or out of our neighborhood. The alleyway is one of the few ways to get onto Grand until Market Ave is reopened.

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611 Phone / 417.864.1882 Fax

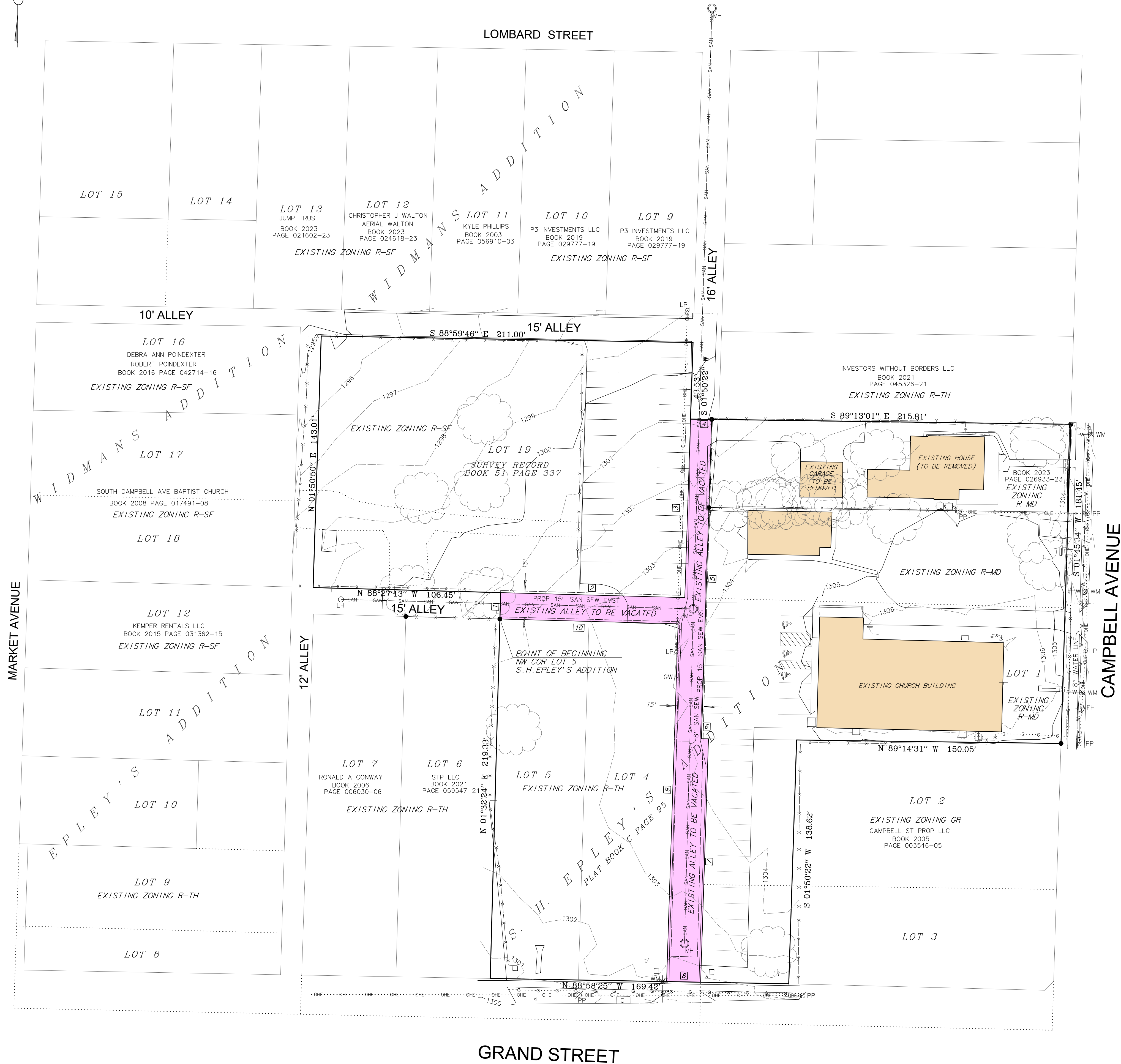


LOCATION SKETCH
SCALE 1" = 2000'



SITE BENCHMARK
Elevation Benchmarks: 006A
Intersection: Holland @ Grand
Location: NE Quadrant
Set By: City of Springfield
Northing: 497,363.97
Easting: 1,411,679.08
Elevation (feet): 1,305.52

SURVEY FOR SOUTH CAMPBELL AVENUE BAPTIST CHURCH OF SPRINGFIELD
PROPOSED ALLEY VACATE
A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST
SPRINGFIELD, GREENE COUNTY, MISSOURI
923 & 927 SOUTH CAMPBELL AVENUE



PROPERTY DESCRIPTION OF ALLEY TO VACATE

A TRACT OF LAND, BEING A PORTION OF ALLEYS AS SHOWN ON PLAT OF S. H. EPLEY'S ADDITION RECORDED IN PLAT BOOK C PAGE 95 AND LOT 19 WIDMAN'S ADDITION RECORDED IN SURVEY RECORD BOOK 51 PAGE 337, ALL BEING IN IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF LOT 5 OF SAID S. H. EPLEY'S ADDITION; THENCE NORTH 01°32'24" EAST A DISTANCE OF 15.00 FEET; THENCE SOUTH 88°27'13" EAST A DISTANCE OF 104.55 FEET; THENCE NORTH 01°50'22" EAST A DISTANCE OF 101.48 FEET; THENCE SOUTH 89°13'00" EAST A DISTANCE OF 12.00 FEET; THENCE SOUTH 01°50'22" WEST A DISTANCE OF 181.55 FEET; THENCE SOUTH 89°14'31" EAST A DISTANCE OF 4.00 FEET; THENCE SOUTH 01°50'22" WEST A DISTANCE OF 138.39 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GRAND STREET; THENCE NORTH 88°58'25" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 19.34 FEET; THENCE NORTH 01°50'22" EAST A DISTANCE OF 203.42 FEET; THENCE NORTH 88°27'13" WEST A DISTANCE OF 101.14 FEET TO THE POINT OF BEGINNING, AND CONTAINING 6,638 SQUARE FEET OR 0.1524 ACRE(S) OF LAND, MORE OR LESS.

COURSE TABLE

COURSE	BEARING	DISTANCE
1	N 01°32'24" E	15.00'
2	S 88°27'13" E	104.55'
3	N 01°50'22" E	101.48'
4	S 89°13'00" E	12.00'
5	S 01°50'22" W	181.55'
6	S 89°14'31" E	4.00'
7	S 01°50'22" W	138.39'
8	N 88°58'25" W	19.34'
9	N 01°50'22" E	203.42'
10	N 88°27'13" W	101.14'

LEGEND

— 1305 —	EXISTING CONTOURS
— — — — —	PROPERTY LINE
— OHE — — — — — OHE — — — — —	OVERHEAD ELECTRIC
— SAN — — — — — SAN — — — — —	EXISTING SANITARY SEWER LINE
— W — — — — — W — — — — —	EXISTING WATER LINE
— G — — — — — G — — — — —	EXISTING GAS LINE
WM X	WATER METER
MP O	SANITARY SEWER MANHOLE
PP O	POWER POLE
FH O	FIRE HYDRANT
CB O	CABLE BOX

AREA = 2.33 ACRES

DECLARATION:
Global Precision Surveying, LLC, hereby declares to the information contained herein is based on an actual survey of the land described above, which was performed to the best of company knowledge and belief in accordance with the minimum standards for property boundary surveys as promulgated for the state of Missouri by the Board of Architects, Professional Engineers and Land Surveyors; and the Missouri Department of Natural Resources; and based on information provided by the lender. Monuments and pins shown as set were placed under my personal supervision. Physical evidence of improvements as shown is from information obtained by visual inspection of the premises. Easements shown are those written, provided, or discovered and may not be all inclusive. Apparent ownerships as shown are those based on information provided by others and do not represent an opinion as to title. Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. No attempt has been made as part of this survey to obtain or show data concerning existence, size depth, condition, capacity, or location of any underground utility. For information regarding these utilities please contact the appropriate agencies. No attempt has been made as a part of this boundary survey to obtain or show data concerning the existence of or the location of floodways and sinkholes. Existing fences are located at the corners of the property and may not be on the property line between the corners. The location and/or existence of utility service lines to the property surveyed are unknown and are not shown.

SOUTH CAMPBELL AVENUE BAPTIST CHURCH OF SPRINGFIELD
LAWRENCE E. JANSEN PLS 2385 10-03-23
DATE

CLASS "URBAN" SURVEY
EIP O -- EXISTING IRON PIN
SIP O -- SET IRON PIN
X-X-X FENCE LINE
P - PLAT DISTANCE
M - MEASURED DISTANCE
D - DEED DISTANCE
Job No.: 2303-004
Date: 10-03-2023
Location: SPRINGFIELD, MO
923 & 927 SOUTH CAMPBELL AVENUE

THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY THE FLOOD INSURANCE RATE MAP # 25027 C 0333 E DATED 12-17-2010

GLOBAL PRECISION SURVEYING, L.L.C.
P.O. BOX 790, REPUBLIC, MO 65738
PHONE (417) 883-0300 FAX (417) 883-0335
CERTIFICATE OF AUTHORITY
NUMBER LS-2010000563

STATE OF MISSOURI
EUGENE JANSEN
NUMBER LS-2385
REGISTERED LAND SURVEYOR
10-03-23

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

DATE: December 29, 2023

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Z-1-2024 COD 246

This case has been postponed to the Planning and Zoning Commission meeting on February 15, 2024.

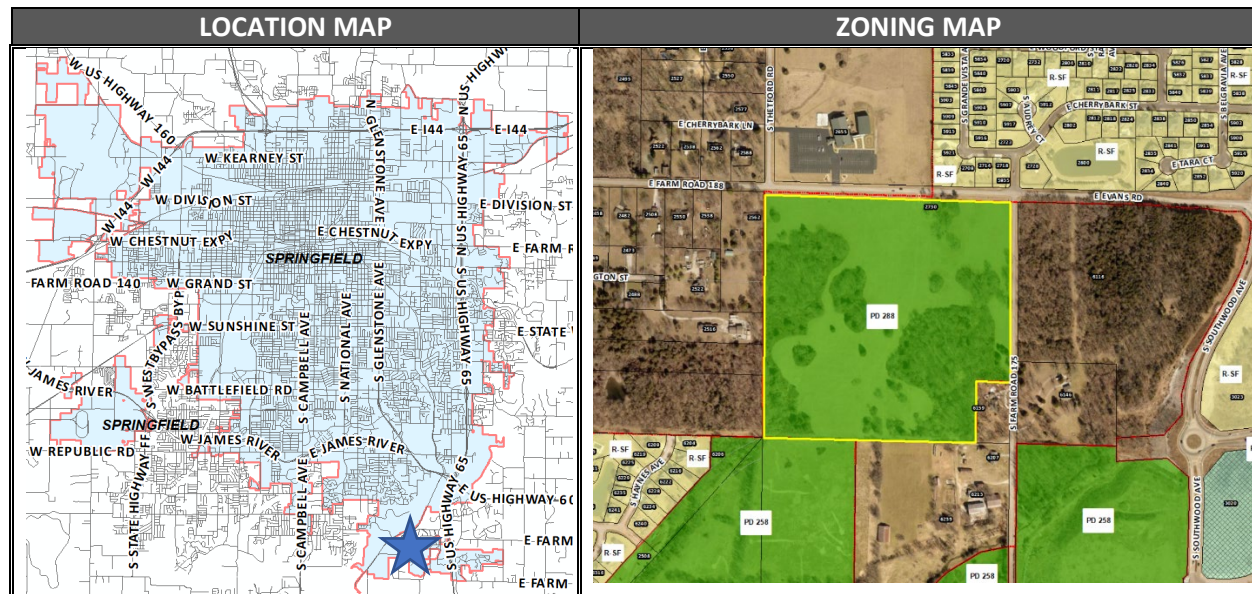
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-3-2024
Location:	2730 E. Farm Road 188
Total Acres:	38.5 acres
Applicant:	Center Court, LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	December 20, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	February 12, 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-3-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

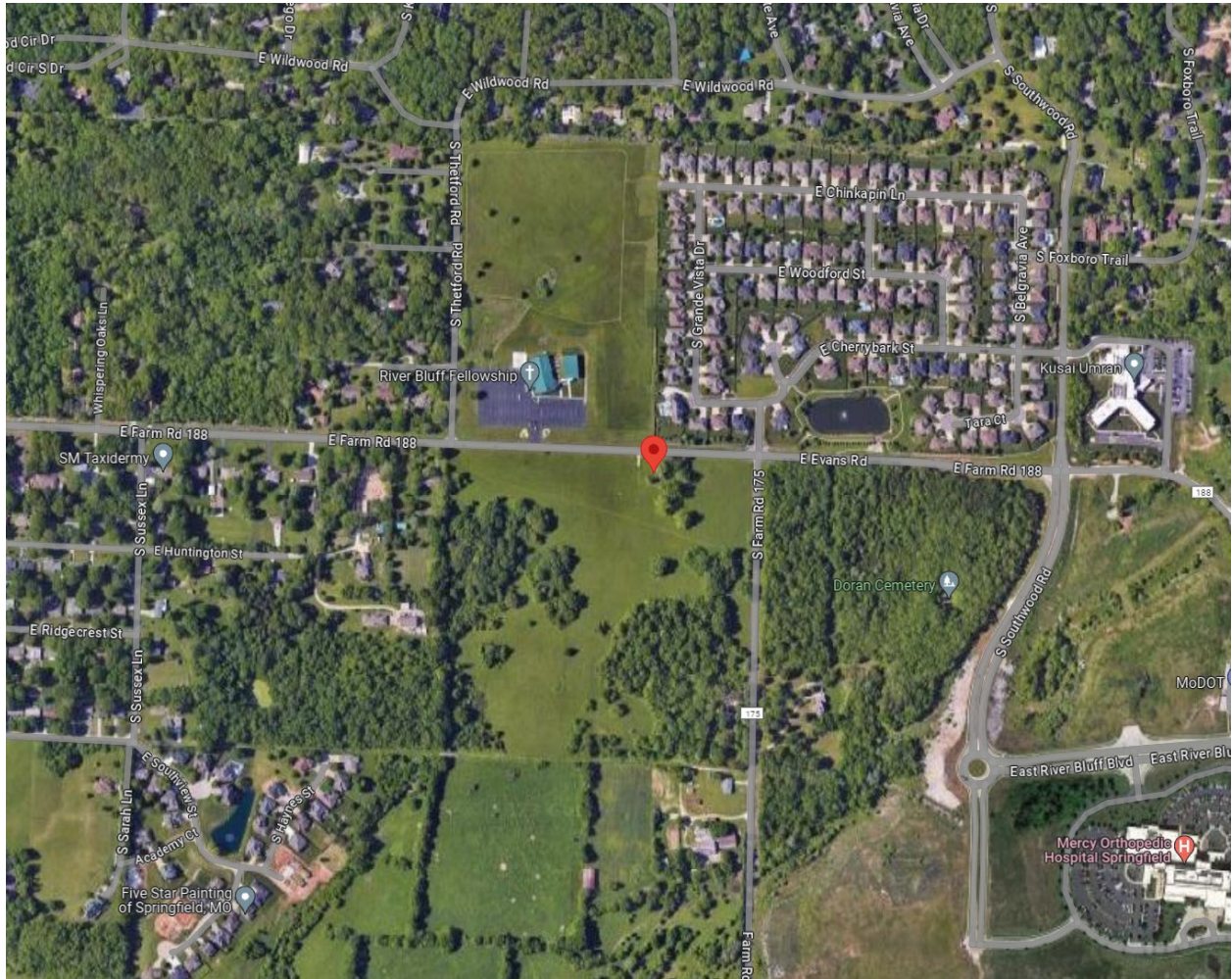
PROJECT SUMMARY:

Request to rezone approximately 38.5 acres of property generally located at 2730 E. Farm Road 188 from Planned Development No. 288 to R-SF, Single-Family Residential District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was annexed and rezoned from County R-1 to Planned Development 288 in 2006. The PD allowed for residential single-family, duplex and townhouse uses. Each phase or Final Development Plan was required to be reviewed and approved by Planning and Zoning Commission and City Council. City Council approved a small lot single-family residential subdivision in 2007 within Area 2 called Thetford Place that met the requirements of the PD.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-SF
Use Limitations	(a) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (b) No use shall emit an odor that creates a nuisance as determined by 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

DEVELOPMENT REVIEW STAFF REPORT

Buffering and Landscaping

None, unless a non-residential use is established. The non-residential use adjacent to a residential district requires a bufferyard Type D.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhoods placetype. Traditional Neighborhoods are comprised of post-war residential neighborhoods that contain predominantly single-family detached dwellings with uniform setbacks, building designs, and parcel sizes, that are separated from dissimilar uses by distinct zoning boundaries and buffer yards. Housing in Traditional Neighborhoods range from bungalows to expansive ranch style homes constructed with a variety of materials and methods. Neighborhood parks, schools, and churches are dispersed throughout to serve nearby residents. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well connected internally with sidewalks and trails. Traditional Neighborhoods tend to be expansive, isolating residents from services and resources on the edges, often beyond walking distance.

Planning for Traditional Neighborhoods should strive to increase and integrate quality of place and complete neighborhood characteristics. These characteristics could include beautification efforts such as planting street trees, expanding connections and access to the greenway and trail system, and support for low-intensity multi-family, low-intensity neighborhood commercial, or a mix of uses to serve area residents. Multi-family, neighborhood commercial, or mixed use should be located on the edges of the greenway system, on higher classification roadways, or areas identified by residents during the neighborhood planning process. Preservation of residential housing and housing patterns should be prioritized where lots are predominately accessed from side or internal local streets.

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

DEVELOPMENT REVIEW STAFF REPORT

- 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.

Traditional Neighborhood, Urban design characteristics unique to Traditional Neighborhood character area include:

- Residential subdivisions are designed and platted with curvilinear streets in structured layouts that maximize use of land.
- Lots have uniform widths, depths, and setbacks that align with home sizes and densities.
- Attached garages are a standard element, typically integrated into the design of the home and make up a dominant part of the front elevation, reducing the on-street parking demands.

DEVELOPMENT REVIEW STAFF REPORT

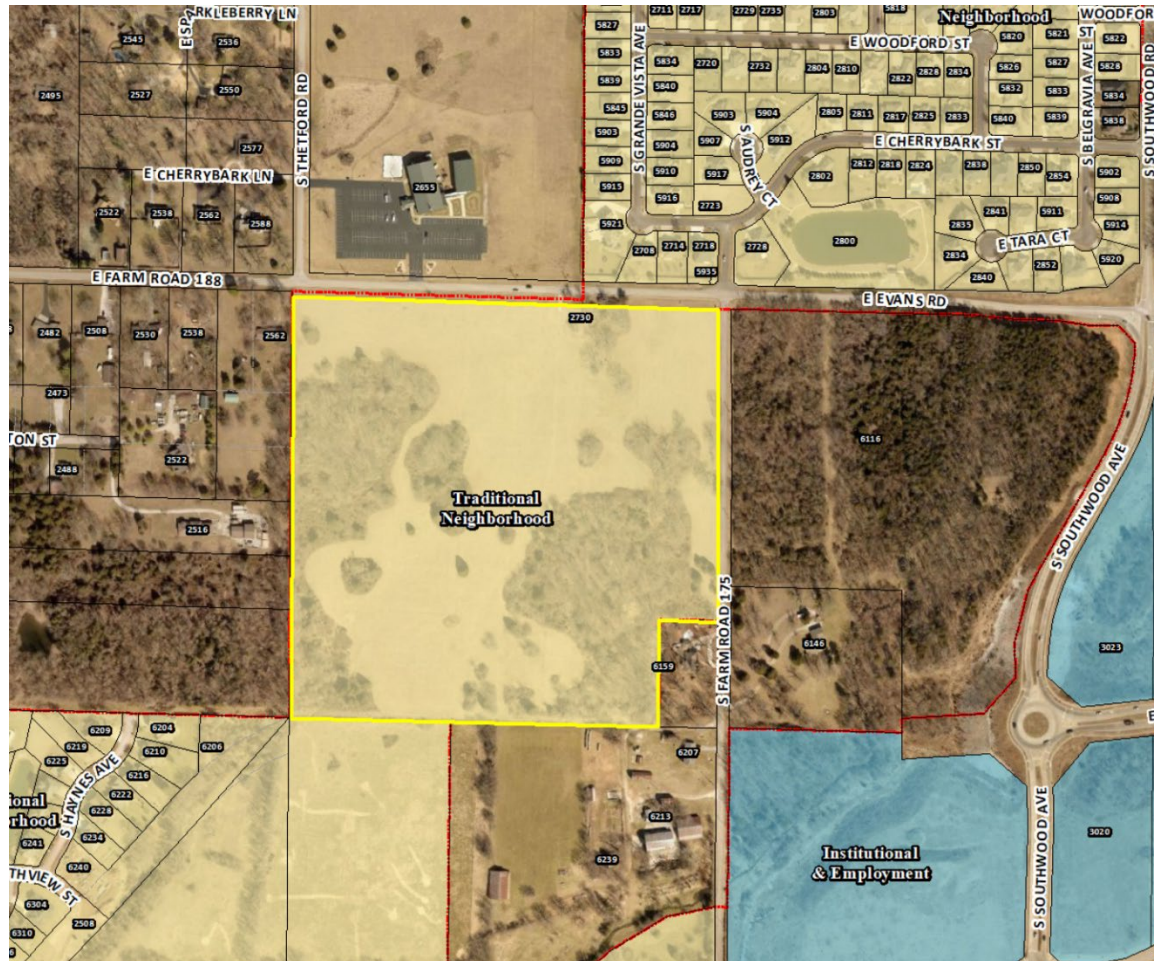
- Vehicular driveways are provided for each home and are accessed almost exclusively from the front or side street, limiting on-street parking opportunities.
- Neighborhoods are often self-regulated by covenants that limit use, size, and design of structures, as well as care and use of private amenities and common areas.

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:



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

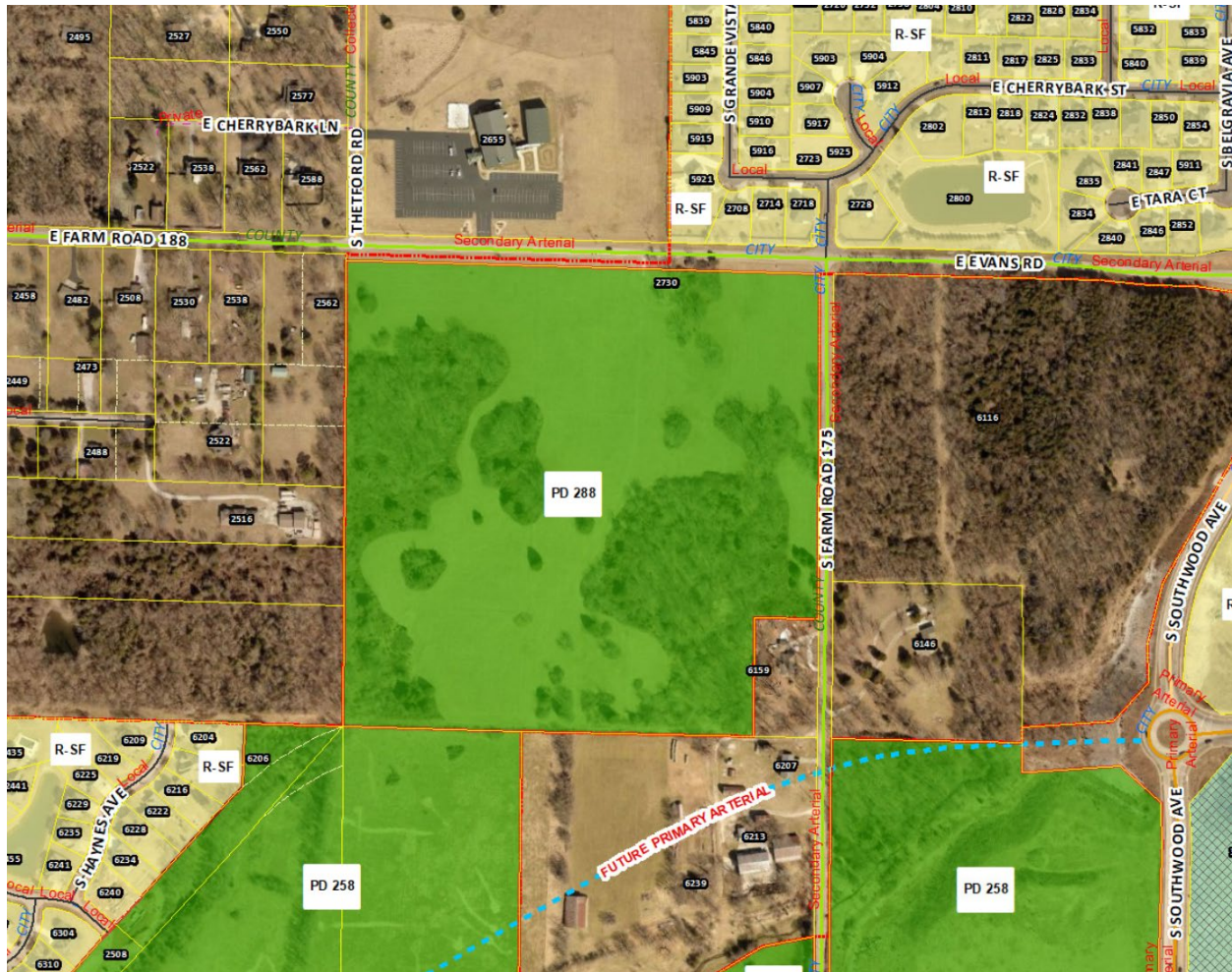
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF, County R-1	PD 258, County R-1	County R-1	County R-1
LAND USE	Single-family residences, Church	Single-family residences	Single-family residence	Single-family residences
PLACETYPES	Traditional neighborhood	Traditional neighborhood	Traditional neighborhood	Traditional neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning. CU Electric/Gas/Water is available to the property.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to rezoning however we have the following critical comments about site development:

1. The property is not served by public sewer. Public improvement plans will need to be designed, submitted and constructed to city standards to serve the property. The public improvements must be approved, filed and constructed or escrowed before any building permits or plats can be issued according to city code section 98-12(b)(c) Private Construction of Public Improvements and section 98-14. - Assurance for completion of Public Improvements.
2. The property is subject to two trunkline/joint district fees; The east portion is subject to a \$0.03542 per s.f. fee of property being developed. The west portion is subject to a \$0.0075 per s.f. fee of property being developed. These fees will be determined during review of the public improvement plans and will be included in the engineering and inspection fees required to file the plans.

FIRE DEPARTMENT:

No comments.

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. Farm Road 188	Secondary Arterial	County	35	40	NA	No	Yes	No
Street 2	S. Farm Road 175	Secondary Arterial	County	35	20	NA	No	Yes	No

ACCESS - 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 Trail near the property. There are no bus stops near the property.

DEVELOPMENT REVIEW STAFF REPORT

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is required at the time of development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

38.5-acre lot with 0% existing impervious area. The Site drains to the SE and SW areas through natural draws. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Farmer 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** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater has no concerns for the proposed rezoning from PD 288 to R-SF. 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. Detention designs need to account for the discharge to drain to existing adjacent properties through sheet flow or level spreaders.

WATER QUALITY REQUIREMENTS

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

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

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

1. A small sinkhole located in the NW corner of the property. It is visible from 2001 Aerial and possibly earlier. Per Ch. 11 Sec. 2.0 a sinkhole evaluation must be completed by a professional engineer or geologist.

DEVELOPMENT REVIEW STAFF REPORT

ADDITIONAL STORMWATER REQUIREMENTS

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

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

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 38.5 acres of property generally located at 2730 E. Farm Road 188 from Planned Development No. 288 to R-SF, Single-Family Residential District. The applicant intends to sell to a church. Church uses are not currently permitted in PD 288.
2. This application for R-SF is consistent with the *Comprehensive Plan's Land Use & Development* chapter which identifies the subject property as within the Traditional Neighborhood placetype. The primary use in this placetype is single-family detached which is a permitted use in the R-SF District. The current PD also allows for single-family detached uses in a higher density. The rezoning would also allow for non-residential uses such as churches, community gardens, police and fire stations, public and private parks, or elementary and secondary schools which are recommended in the Traditional Neighborhood placetype.
3. This application is consistent with the Traditional Neighborhood placetype which lists single-family detached dwellings as a primary use. The current PD is also supported by the Comprehensive Plan.
4. The current zoning, Planned Development No. 288, allows single-family detached and semi-detached dwellings in all areas and in areas to the north and east, duplexes and townhomes at a maximum density of 8 dwelling units per acre. The R-SF district allows for single-family attached and semi-detached at 7 dwelling units per acre and does not allow for duplexes or townhomes. The PD also allows for smaller and narrower lots with a height limitation in some areas to two stories and other comparable to the R-SF District. The original intent for the current zoning was for a private gated residential subdivision.
5. The developer was also required to make roadway improvements such as dedicate additional right-of-way along Farm Road 188 (Evans Road) and Farm Road 175 to meet current standards, dedicate right-of-way triangles at street intersections, align interior streets with Thetford Rd to the north, construct sidewalk and provide trail easements to the common areas.

DEVELOPMENT REVIEW STAFF REPORT

6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are few known changing conditions in the area affected that make the proposed rezoning necessary.
8. The range of uses in the proposed R-SF district are compatible with the uses permitted on other property in the immediate vicinity. Although the surrounding properties are mostly in the County, they are zoned R-1, Suburban Residence District which allows for churches with a conditional use permit.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A traffic study is required at the time of development.
11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property can still develop with the existing zoning.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Traditional 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.

Attachment 1
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 288 to R-SF
(existing zoning) (proposed zoning)
2. Meeting Date & Time: December 20, 2023; 4-6:30 pm
3. Meeting Location: Fire Station 12, 2455 S Blackman Rd, Springfield, MO 65809
4. Number of invitations that were sent: 61
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 16
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 neighborhood comments and response letter.

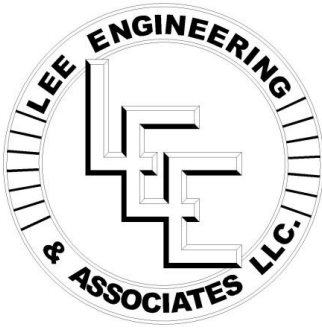
8. List or attach the written comments and how you plan to address any issues:

See attached neighborhood comments and response letter.

I, Martha Middleton (print name), attest that the neighborhood meeting was held on 12/20/2023 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Martha Middleton
Signature of person completing affidavit

Martha Middleton
Printed name of person completing affidavit



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

December 21, 2023

RE: **PLN2023-00295**

Z-3-2024 - 02.Zoning Map Amendment - 2730 E FARM ROAD 188

Lee Engineering hosted a Neighborhood Meeting on December 20th at Fire Station #12 from 4:00-6:30 p.m. to discuss the proposed rezone with the neighborhood.

Below is a summary of the comments we received—both written and verbal—from the neighborhood meeting and how we will address each comment. A copy of this letter will be sent to the City of Springfield Planning Department.

Unnamed Church:

The biggest issue at the neighborhood meeting was that the church that is seeking to rezone the property does not want their name on the project at this time. The neighborhood made it clear that they were not generally in favor of a church at this location without knowing what denomination/type of church was seeking this rezoning. Residential Single Family (R-SF) zoning allows churches without any restrictions on denomination or “type” of church. Churches are a permitted use in every standard zoning district (Residential, Office, Commercial & Industrial) within the City of Springfield. We are surrounded by single family residential, so the zoning request matches the surrounding properties.

No Site Plan/Access Plan/Building Size:

The proposed zoning change to R-SF does not require a site plan or building plans. The church has not purchased the property, and this zoning change is a contingency of the purchase. They are not far enough along in the process to have a site plan to share at this time. They have generally told us that the church will not use the whole property. Site plans and architectural plans meeting all of the restrictions of R-SF zoning and the City of Springfield design codes will be submitted to the city at the time of permitting should this project move forward. Access spacing for the development will meet the City of Springfield’s design codes and standards at the time of development.

Potential Traffic:

The existing PD allows 8 units/acre, which is a higher density than the single-family residential zoning that we are requesting. A traffic study meeting the City of Springfield’s requirements will be submitted at the time of development.

Stormwater:

The runoff produced by this development will be reduced to the predeveloped condition in accordance with City of Springfield Flood Control and Water Quality Manual. A stormwater system will be sized and located in accordance with the City of Springfield Flood Control and

Water Quality Manual.

The existing zoning is undesirable:

Many of the neighbors made comments both verbally in writing that they did not like the higher density of townhomes and duplexes that were permitted in the existing zoning and were in favor of single-family residences at this location.

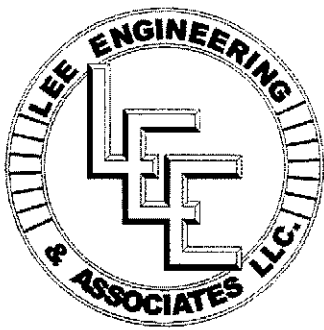
If you have any questions or need additional information, please contact our office. Thank you.

Sincerely,
Daniel Richards

A handwritten signature in black ink that reads "Daniel Richards". The signature is written in a cursive, flowing style.

FR 188 Rezone Sign In Sheet

Name	Address	Phone Number
Clark & Victoria M. Mott	5839 S. Grande Vista	417-351-9051
Roberta Hatfield	2832 E. Chinkapin	651-491-5471
Jim & Kay DONOVAN	3808 E. Chinkapin	576-3662 or 3550
Dave Blake	2745 " "	417-761-2279
Greg & Gabe Haggard	5839 S. Delgravia	417-496-6757
Roger & Donna Liller	2802 E. Cherrybark	417-838-8632
Don Ackerman	5903 S. Grande Vista Dr.	417-827-0010
GERALD & MARILYN EHRHARDT	5904 S. AUDREY Ct	417-655-0165
James & Mary Johnston	2745 E. Chinkapin	417-496-4096
Dana & Stephen Haggard	2711 E. WOODFORD	417-693-0977
John & Gwen Walker	6163 S. Farm Rd 175	417-543-3599



LEE ENGINEERING AND ASSOCIATES, L.L.C.

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COMMENT SHEET

Neighborhood Meeting

Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
John Walker	6163 S Farm Road 175	417 543 3559

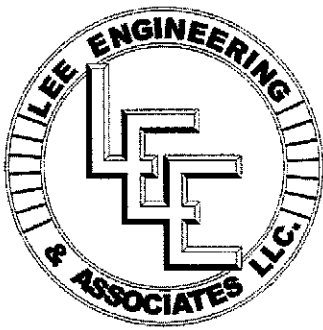
Victor Korlov 6146 S Farm Road 175 503-939-1700.

COMMENTS:

*I am in favor of re-zoning PD 288 to SFR.
Being surrounded on two sides by multi-story
townhomes has always concerned our family, so
if future development must happen, we would
rather it be similar to our property. Thank*

you,

*John Walker
Victor*



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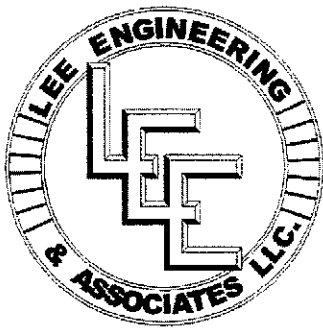
NAME	ADDRESS	PHONE
Kay Donovan	2808 E. ChinKapin	576-3662

COMMENTS: Why all the secrecy on the church identity?
~~We~~ do not want a mega church built there to tense up each traffic
on FR 188 and the entrances to our subdivision!

The present zoning allows for way too many undesirable buildings -
apartments & duplexes specifically - that would increase
traffic, also. My subdivision is upscale & any future
single family homes on the land in question should
be too. I agree w/ rezoning single family use only,
but with covenants & restrictions! No apartments,
duplexes or multi-use buildings - We are trying to
maintain our property values for the future -

Thank you for the public meeting w/ reps of
Lee Engineering - They were very personable -
Looking forward to a traffic study & future
meetings.

Kay B. Donovan



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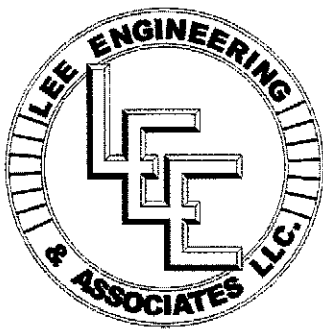
Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
PAUL ENGEL	2901 E Chickadee Lane	417-840-2517

COMMENTS:

- 1) NO SITE PLAN : WHAT IS THE POINT OF US COMING TO THIS MEETING?
- 2) NO SPECIFIC DETAILS ABOUT THE PLANNED CHURCH
- 3) HOW WILL THE USE IMPACT OUR NEIGHBORHOOD?
TRAFFIC IMPACTS?
LEXINGTON SQUARE IS A HIGH VALUE SUBDIVISION, THIS MAY HAVE NEGATIVE IMPACTS.
- 4) POORLY EXECUTED NEIGHBORHOOD MEETING.



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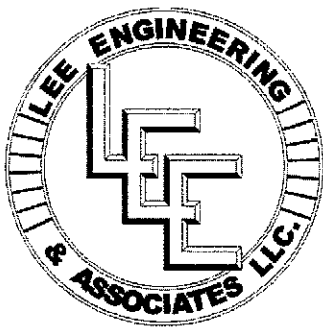
Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
Mike & Josie Beck	2708 E Cherry Bark Ln	417-574-3943

COMMENTS:

While we understand that changing the zoning from PUD to SFR would be a better zoning for this property, we are unsettled about the minimal amount of information that was given to the public regarding what the plans for this property shall be. We know "a" church wants to build on part of this property. But, why were we not told what type of church or were in general do they want to build on this land. To gain public approval more information is warranted.



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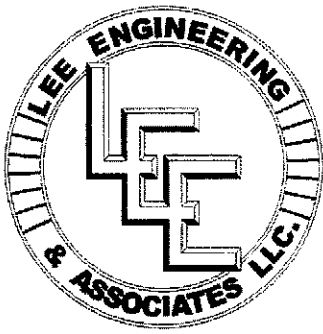
NAME	ADDRESS	PHONE
John Walker	6163 S Farm Rd 175	417 543-3599

COMMENTS:

On behalf of Jean Hartley, who lives on farm
South of my address:

Mrs. Hartley is concerned about water
run-off that might be created from any large
parking lot built in the future. She would like
assurance that the effects of such run-off onto
her property would be considered in future
development plans. Thank you,

John Walker



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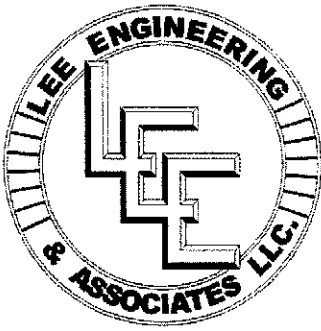
Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
Ryan Kruger	3921 S Grand Vista	417-522-6802

COMMENTS:

Where will the access be?
How quick will traffic be addressed if it is congested?
Why secret?
How many members of the church?
How many buildings? What type?



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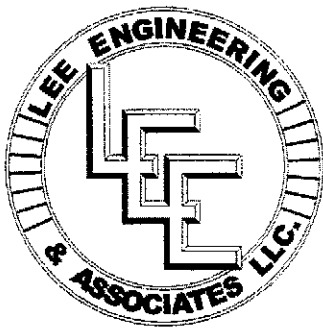
Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
Todd & Amy VanCorden	5834 S Belgravia	417-840-1068 - Amy

Springfield MO 65804 417-775-4343 - Todd

COMMENTS:

- * We are very concerned that the church does not want to be transparent with their future (possible) neighbors.
- * A large church would increase traffic and decrease property values for neighborhoods directly opposite or surrounding the area due to traffic flow.
- * Large "Mega" churches have activities on nearly every day of the week, not just Sundays and Wednesdays - we do not want constant traffic right across the street to the entrance to our neighborhood (Lexington Square).



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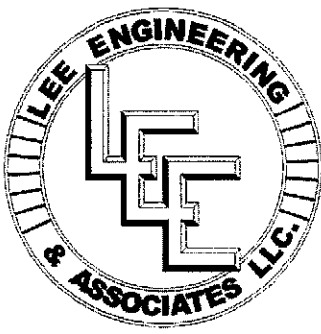
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Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
HAGGARD	2711 E WOODFORD ST	417-693-0977

COMMENTS:

- NO SITE PLAN - REALLY?
- SECRET IDENTITY OF CHURCH? WHY?
- WE ALREADY HAVE TWO CHURCHES ' TRAFFIC ON SUNDAY MORNING - WE DON'T NEED ANOTHER.
- HOW BIG IS THE CHURCH GOING TO BE?
HOW MANY PARKING PLACES?



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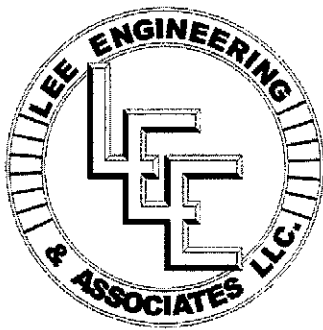
Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
DANIEL CLARK	2720 E CHURCH	417-761-9979

COMMENTS:

Pls explain how our input will be considered
Valid when the details of the project
will not be disclosed. As property owners
nearby; for zoning planning, we should
at least be informed of conceptual plans
as well as the budget of the property is.



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COMMENT SHEET

Neighborhood Meeting

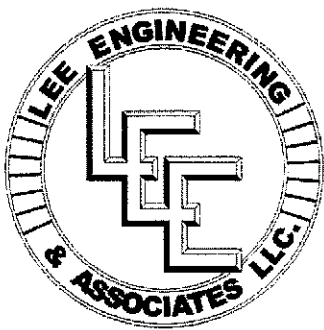
Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
MARILYN	5904 S. AUDREY CT	417-655-
ETHRARDT		0164

COMMENTS:

AT PRESENT CANNOT AGREE TO
REZONING WITHOUT KNOWING
WHAT CHURCH IS LOOKING TO BUILD,
WHAT SIZE THE FACILITY WOULD
BE, WHERE ON PROPERTY CHURCH
WOULD BE LOCATED, HOW WOULD
~~THE~~ THE TRAFFIC BE AFFECTED.
IF CHURCH WOULD SELL OFF A PORTION
OF THE PROPERTY, WHAT WOULD
BE ABLE TO BE BUILT AND COULD
IT BE REZONED.



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

Wednesday, December 20, 2023

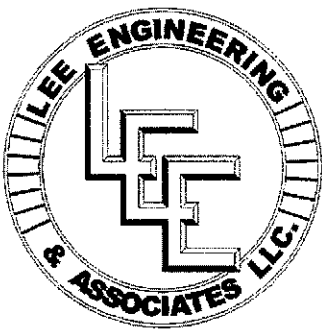
Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
GERALD	5904 S. Audrey CT.	417-655-0165

EHRHARDT

COMMENTS:

I have no problem with The single Family zoning
However, There is insufficient information
of The Location of The church on The property
and The denomination of The church. Why The
Secrecy? Without more information, I could not
agree with The change.



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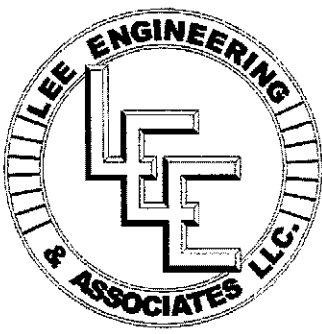
Neighborhood Meeting

Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
James E Johnston	2745 E Chinkapin Ln	417 848 1945

COMMENTS:
Not enough information. Building Size? # attending est.?
MTX occupancy? Traffic flow etc. Need to provide
specifications. *James Johnston*



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COMMENT SHEET

Neighborhood Meeting

Wednesday, December 20, 2023

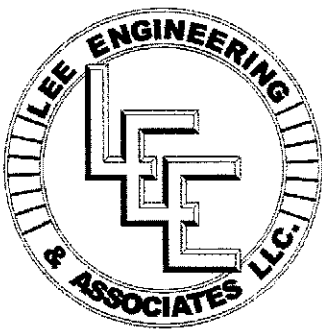
Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
James Mary Johnston	2745 E. Chinkapin	417-496-4096

COMMENTS:

Too many variables at this time. Why
secrecy? "Church" is too vague.
Info. needed concerning building,
traffic, etc.

Mary Johnston



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COMMENT SHEET

Neighborhood Meeting

Wednesday, December 20, 2023

Re: Rezone from Planned Development to Single Family Residential
2720 E FR 188
Ozark, MO 65721

NAME	ADDRESS	PHONE
RANDOLPH A. LATA	57055 RAMSGATE RD	417-569-6532

COMMENTS: Representing self + River Bluff Fellowship.

- (1) Trust in a process is based on transparency + truth.
 - (2) There can be no trust in this project developed because:
 - a. The denomination of the church or its size is not revealed.
 - b. When you hide behind non-disclosures, suspicion is launched.
 - c.
 3. Therefore, you are starting off on wrong foot
 4. The revealed intent to rezone from PD to R5F is not an issue.
 5. The issue of a church across from a church is suspicious.
- Reveal the owner + denomination.

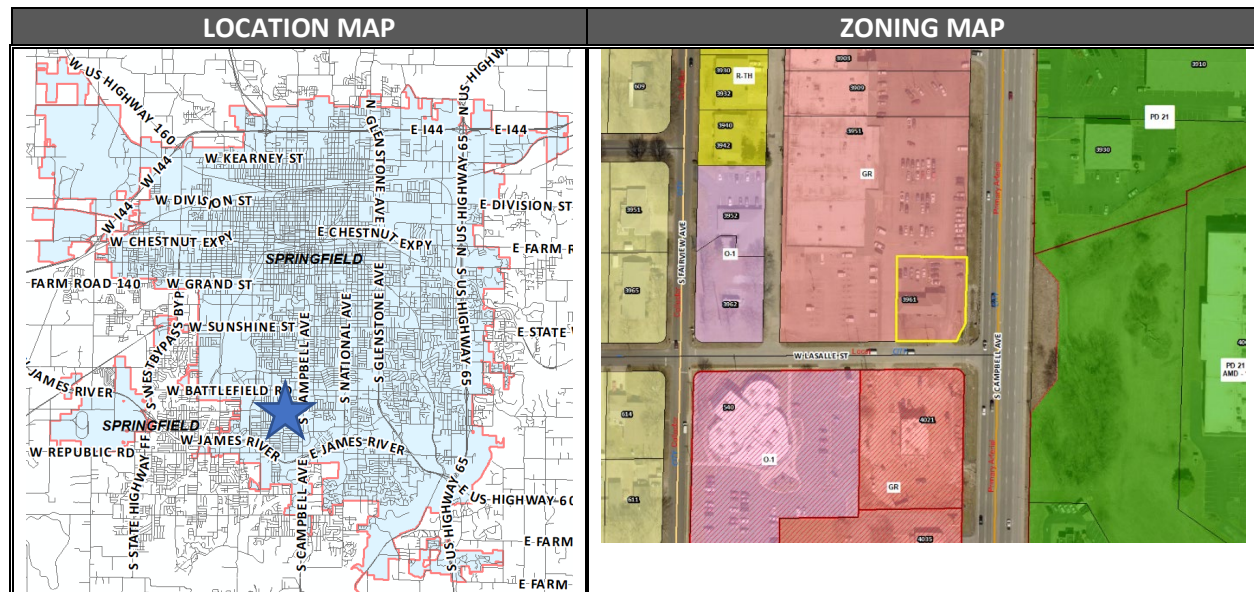
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-4-2024 with Conditional Overlay District No. 248
Location:	3961 S. Campbell Avenue
Total Acres:	0.4 acre
Applicant:	CONSPLO, LLC
Existing Land Use:	Vacant commercial building
Neighborhood Meeting:	December 18, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	February 12, 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-4-2024 with Conditional Overlay District No. 248 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).

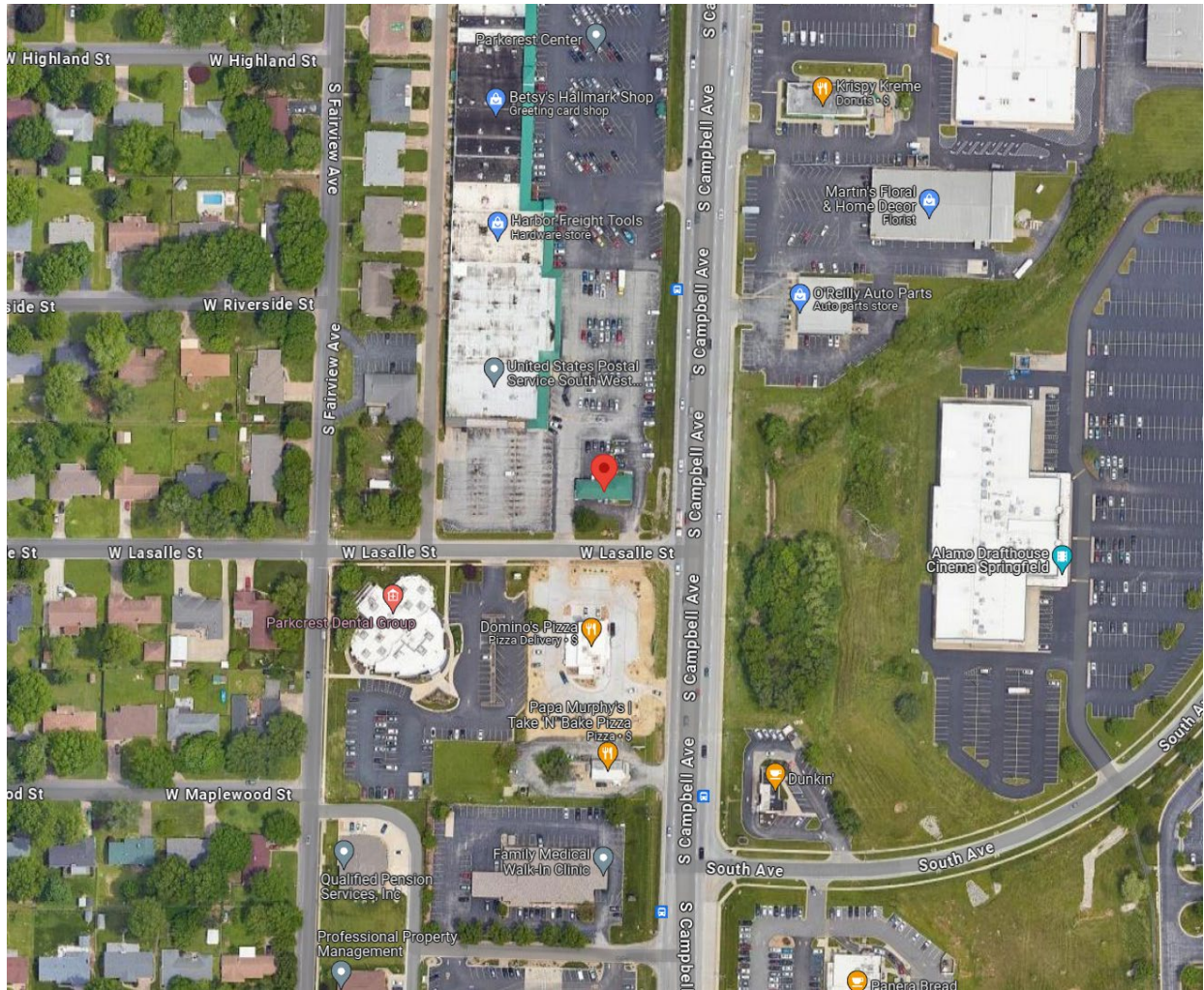
PROJECT SUMMARY:

Request to rezone approximately 0.4 acre of property generally located at 3961 S. Campbell Avenue from GR, General Retail District to HC, Highway Commercial District and establishing Conditional Overlay District No. 248.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned HC, Highway Commercial District since the Citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Use Limitations	(a) Streets through adjacent residential areas 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. (b) No motor vehicle repair or maintenance work shall take place outdoors within 150 feet of the boundary of any residential district. (c) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved, or otherwise improved with an all-weather, dust-free surface. (d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

DEVELOPMENT REVIEW STAFF REPORT

	(f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

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.

DEVELOPMENT REVIEW STAFF REPORT

- 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.

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FUTURE PLACETYPE MAP:



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

- Primary Land Use: More prominent and play a pivotal role in characterizing that placetype
- Supporting Land Use: Less prevalent and serve to support the primary land use.
- ◇ Low Intensity Supporting Land Use: Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	GR	PD 21	GR
LAND USE	Shopping Center	Retail uses	Movie Theatre & common area	Post office uses
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No comments.

FIRE DEPARTMENT:

No comments.

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	S. Campbell Avenue	Primary Arterial	City	50	50	29,190	No	Yes	No
Street 2	W. Lasalle Street	Local	City	30	25	1,706	No	No	No

ACCESS - 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 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 **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not**

DEVELOPMENT REVIEW STAFF REPORT

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

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

DETENTION AND DISCHARGE REQUIREMENTS

N/A

WATER QUALITY REQUIREMENTS

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

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

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

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

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.4 acre of property generally located at 3961 S. Campbell Avenue from GR, General Retail District to HC, Highway Commercial District and establishing Conditional Overlay District No. 248. The applicant is proposing a

DEVELOPMENT REVIEW STAFF REPORT

car rental business in the existing building and utilizing the adjacent off-street parking spaces.

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. This placetype consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.
3. The Highway Commercial District is consistent with the goals and objectives of the City Corridor placetype.
4. The applicant is proposing a Conditional Overlay District to add perimeter landscaping with a change of use, building permit or subdivision of the property.
5. The subject property is in an area that has other retail, office and service uses that take advantage of easy access to Campbell Avenue.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are no changing conditions in the area affected that make the proposed rezoning necessary.
8. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application does not require a traffic study.
11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

DEVELOPMENT REVIEW STAFF REPORT

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. 248

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

1. Perimeter landscaping shall be provided along Campbell Avenue and La Salle 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.

Attachment 2
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GR to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: December 18, 2023; 4-6:30 pm
3. Meeting Location: The Library Center, 4653 S Campbell Ave, Springfield, MO 65810
4. Number of invitations that were sent: 62
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).

Comments were written. See attached written comments.

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

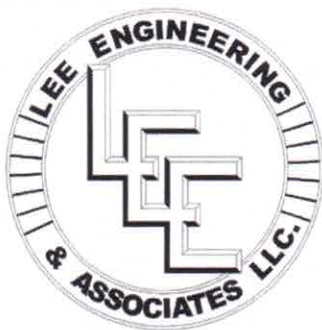
One neighbor asked if we would consider signaling the LaSalle/Campbell intersection. The corner of the site we are rezoning is very small (0.40 acres) with an existing building that has been used as a bank. We are simply proposing a rezone to allow a car rental agency to occupy the existing building. The traffic volumes produced by this site will be very low and no improvements are warranted.

Two neighbors had no issues with the rezoning, but were concerned about issues they have had in the past with the nearby post office employees parking in the street in front of their home. The corner of the site that we are rezoning does not have any shared parking spaces with the post office, and if the rezoning is successful, the rental car agency will be restricted to only parking in their lot. For these reasons, the issues with the postal service parking are outside the scope of this rezoning.

I, Martha Middleton (print name), attest that the neighborhood meeting was held on 12/18/2023 (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."

Martha Middleton
Signature of person completing affidavit

Martha Middleton
Printed name of person completing affidavit



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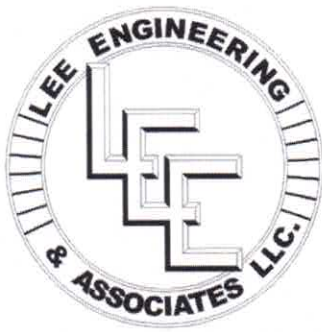
Monday, December 18, 2023

Re: Rezone from General Retail to Highway Commercial
3961 S. Campbell Ave. (NW Corner of Campbell and LaSalle)
Springfield, MO 65807

NAME	ADDRESS	PHONE
JULIA CHIN	6250 W. LASALLE	408-313-5204

COMMENTS:

Add traffic signal w/city if possible
for consideration



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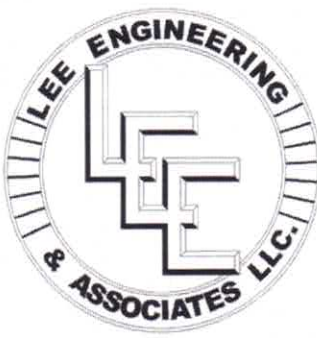
Monday, December 18, 2023

Re: Rezone from General Retail to Highway Commercial
3961 S. Campbell Ave. (NW Corner of Campbell and LaSalle)
Springfield, MO 65807

NAME	ADDRESS	PHONE
<i>Sandy McDermott</i>	<i>3951 S. Fairview Ave</i>	<i>417-823-8355</i>

COMMENTS:

My only concern is that there is not enough parking on the Park Crest Shopping Center. I do not have a problem with the zoning change. My difficulty lies with the employees that work at the postal station there in Parkcrest shopping - that they do not return to using our residential streets of Fairview, Riverside and LaSalle as their parking access for reporting to work - as they have done in the past. This is ~~the~~ a hazard for getting in & out of our driveway & not conducive to properly caring for our yard. Thank you.



LEE ENGINEERING AND ASSOCIATES, L.L.C.

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Neighborhood Meeting

Monday, December 18, 2023

Re: Rezone from General Retail to Highway Commercial
3961 S. Campbell Ave. (NW Corner of Campbell and LaSalle)
Springfield, MO 65807

NAME	ADDRESS	PHONE
DAN MCCLEMON	3951 S. FAIRVIEW Springfield Mo	417-823-8355

COMMENTS:

The only problem I have with this, is it is very important the Post Office Employees need to park on the Parkcrest Shopping Center parking lot and NOT park off site on Fairview Ave anywhere.

Dan McClemon

From: [Daniel McClernon](#)
To: Zoning@springfieldmo.gov
Subject: 3961 S Campbell Ave (NW Corner of Campbell and Lasalle)
Date: Tuesday, December 12, 2023 12:15:05 PM

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

To whom it may concern

My name is Daniel McClernon and I live at 3951 S. Fairview (behind the Parkcrest shopping center and more importantly the U S Postal Service Facility.

When I moved here in 2008 there were employees of the Postal Service Facility that were parking adjacent to my house on the corner of Fairview and Riverside. As you know mail is delivered six days a week and I would have cars to the north of me and cars on Fairview up to 6 hours a day 6 days a week.

I could not properly maintain my property because of the postal employees parking around my property.

I was told by one of the postal employees that he was parking on a public street and there was nothing i could do about it.

I complained to the city of Springfield, the Postmaster General, the person in charge of the post office here at Parkcrest, and to the US Postmaster General, nothing was ever done.

I finally was able to get the traffic supervisor to put NO PARKING signs around my property. The business across the street Mitchel Chiropractic also was complaining about cars parking on her side of the street because her patients could not see around the cars to safely exit her parking lot.

I measured the street width of Fairview and it is smaller than the width of LaSalle which has had NO PARKING on both sides of the street for years.

I would think it would be necessary to make a field visit to the site any day of the week, you will see cars parked around the old bank building not just one but many, they are all POST OFFICE employees. If this zoning gets passed and not just me but many neighbors around me will be subject to the Postal Service employees again.

There are NO PARKING signs on the east side of Fairview going north from Lasalle to Westview but if this happens there may be cars parked on Fairview from Riverside to Westview and also parking on both sides of Fairview going south to Republic Road.

The attitude that we can park on any PUBLIC street is wrong and against the rights of homeowners and businesses.

The post office has NEVER had enough Parking for their employees and I beg you to consider what will happen if this goes through.

I have also contacted the Springfield Public schools Director of Transportation about school buses using Fairview as a cut through for the comings and goings of picking up children returning children before and after school from Kickapoo. I have followed these buses they do not drop off or pick up children in this neighborhood. The Springfield Public schools Director of Transportation told me " Those school bus drivers are on a schedule to get those kids home as quick as possible". I told him that the city of Springfield has spent a lot of money to put in double left turn lanes at Primrose and Campbell but I guess that does not matter to Springfield Public Schools.

They use Fairview to cut through to Republic Road turn right and go past Kansas Ave, Kansas Expressway and

points beyond. If cars are parked on both sides of Fairview these busses pose a treat to walkers in my neighborhood and also to the public driving their cars.

Of course if the rental car company agrees to the post office employees parking around their business then this all is in vain but I don't think the rental car business will be happy with the post office either.

I will be at the meeting to see how Lee engineering and Associates handles this problem.

Daniel McClernon
3951 S. Fairview Ave.
417 823 8355

**KPAC PROPERTIES
3811 S CAMPBELL AVE SUITE D
SPRINGFIELD, MO 65807
417-886-1157**

December 22, 2023

Mr. Bob Hosmer
City of Springfield
Development Review Office
840 Boonville Avenue
Springfield, MO 65801

RE: Zoning Case – PLN 2023-00298 (Parkcrest Shopping Center)

Dear Mr. Hosmer:

We have reviewed the applicants request and have no problems with it. We support the applicants zoning request.

Respectfully,



Michael R. Pike
General Manager

MRP/jmd

CC: Lee Engineering, Attn. Daniel Richards P.E.
1200 E. Woodhurst Drive Suite D200
Springfield, MO 65804

CC Kenny Morris
Findlay River Realty
2023 S. Glenstone
Springfield, MO 65804

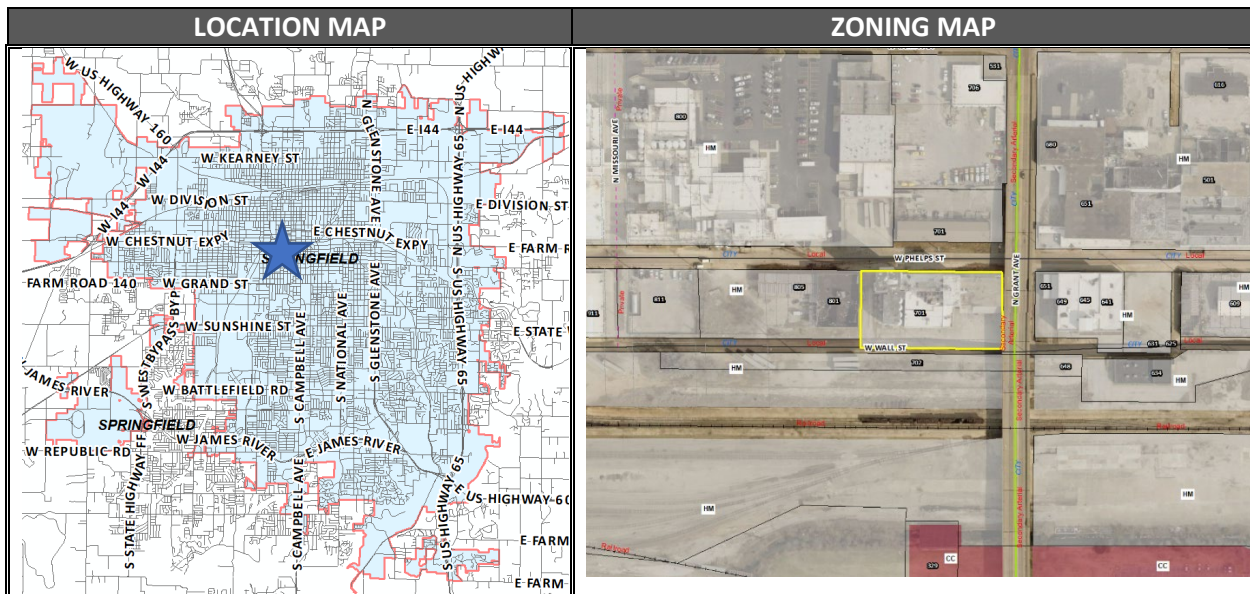
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-5-2024
Location:	701 W. Wall Street
Total Acres:	1 acre
Applicant:	City of Springfield
Existing Land Use:	Commercial amusement
Neighborhood Meeting:	December 21, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	February 12, 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-5-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

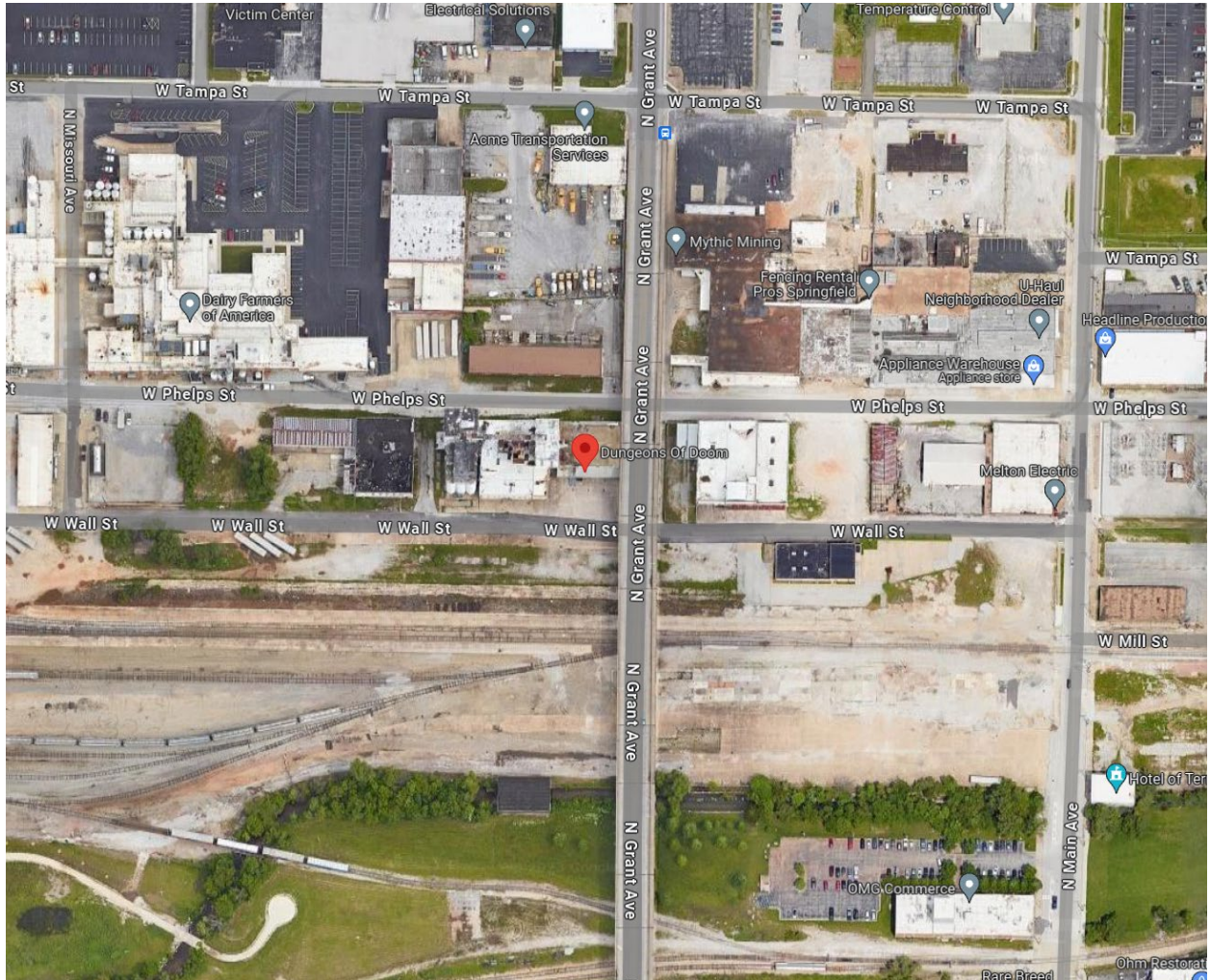
PROJECT SUMMARY:

Request to rezone approximately 1 acre of property generally located at 701 W. Wall Street from HM, Heavy Manufacturing District to CC, Center City District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned HM, Heavy Manufacturing since the Citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR CC
Use Limitations	(a) All activities and permitted uses except the following shall be conducted entirely within a completely enclosed building. 1. Automobile servicing, but not repair. 2. Drive-in, pick-up window, or drive-thru facilities. 3. Occasional sidewalk sales. 4. Off-street parking and loading facilities. 5. Outdoor eating and drinking facilities. 6. Outdoor live or amplified music provided a permit for such activity has been obtained from the city manager pursuant to chapter 2, article I, section 2-10, permits for outdoor music and any regulations promulgated by the city manager and on file with the city clerk. 7. Playgrounds associated with a school or day care center. 8. Street vendors licensed by the City of Springfield.

DEVELOPMENT REVIEW STAFF REPORT

	(d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (f) No use shall emit an odor that creates a nuisance as determined by Springfield City Code.
Maximum Height	None.
Minimum Open Space	None.
Buffering and Landscaping	Whenever any development in a CC district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480 , screening and fencing, and 36-482 , landscaping and bufferyards

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized.

PRIMARY USES

- Maker spaces, artisan, and innovation spaces
- Personal and outdoor storage
- Light industry
- Warehousing and distribution facilities

SUPPORTING USES

- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Urban agriculture
- Office, hospitality, retail sales and service
- Universities, colleges, and vocational schools
- Government, healthcare, and institutional facilities

DEVELOPMENT REVIEW STAFF REPORT

- Airport, railroad, and freight facilities

The Downtown placetype serves as the primary activity center of Springfield, containing a wide variety of uses, such as retail, entertainment, office, institutional, multi-family residential, and public gathering spaces. The pedestrian environment is accentuated with ample streetscaping elements, offering a unique and attractive place to live, work, shop, dine, and socialize. This placetype contains the densest areas within the City with higher building heights encouraged. Vertical mixed-use buildings with residential or office located above active ground floor uses, oriented to streets and sidewalks, are the predominant development type. Some supporting stand-alone commercial or multifamily uses also exist. Integrated multi-family housing increases foot-traffic in the area, helping to create a lively, thriving environment.

PRIMARY USES

- Mixed-use
- Office, hospitality, retail sales and service
- Multifamily
- Maker, artisan, and innovation spaces

SUPPORTING USES

- Parks, greenways, and open space
- Sports complexes, and recreational facilities
- Universities, colleges, and vocational schools
- Public and private schools and places of worship
- Government, healthcare, and institutional facilities

PLACETYPE ASSIGNMENTS AND TRANSITIONS

Assignments

Placetype designations are based on a variety of factors but largely represent desired future land use patterns. Placetype assignments also reflect existing development patterns, take into consideration historical value, as well as the impact and relationship to the built and natural environment. The following conditions and land characteristics should be considered when changes or amendments are proposed to and within a placetype.

Primary use - The predominate historical use and development pattern of a geographic area that exists within the built and natural environment.

Proximity – The location with respect to significant landmarks and geographic places

Edges and boundaries – Natural boundaries and geographic edges, including major roadways, railways, waterways, parks, and geographical land features.

Roadway classifications – Functional use and type of roadways on the edges or at crossroads

DEVELOPMENT REVIEW STAFF REPORT

Regulatory – Existing zoning, permitted and conditional uses, historic designations, and redevelopment plans.

Forecasts – Anticipated major land use shifts, changes in use, or trends.

Other Considerations –

Decreasing or increasing market demand for commercial or housing in non-traditional districts or corridors

Greater focus on integrating diverse uses at the edges and areas of transition.

Community expectations

More walkable, livable integrated neighborhoods and districts

Documented increases in nuisances, code violations, disinvestment, and other related trends

More diversity in housing types, affordability, and availability

Increased beautification, aesthetics, and identity

Greater focus on preservation, adaptation, and reuse of existing homes and structures

Transitions

In every city, dissimilar land uses converge at some point. Transitioning within, between, and along the edges is one of the most critical elements to align as Placetypes are implemented, changed, or amended. Typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

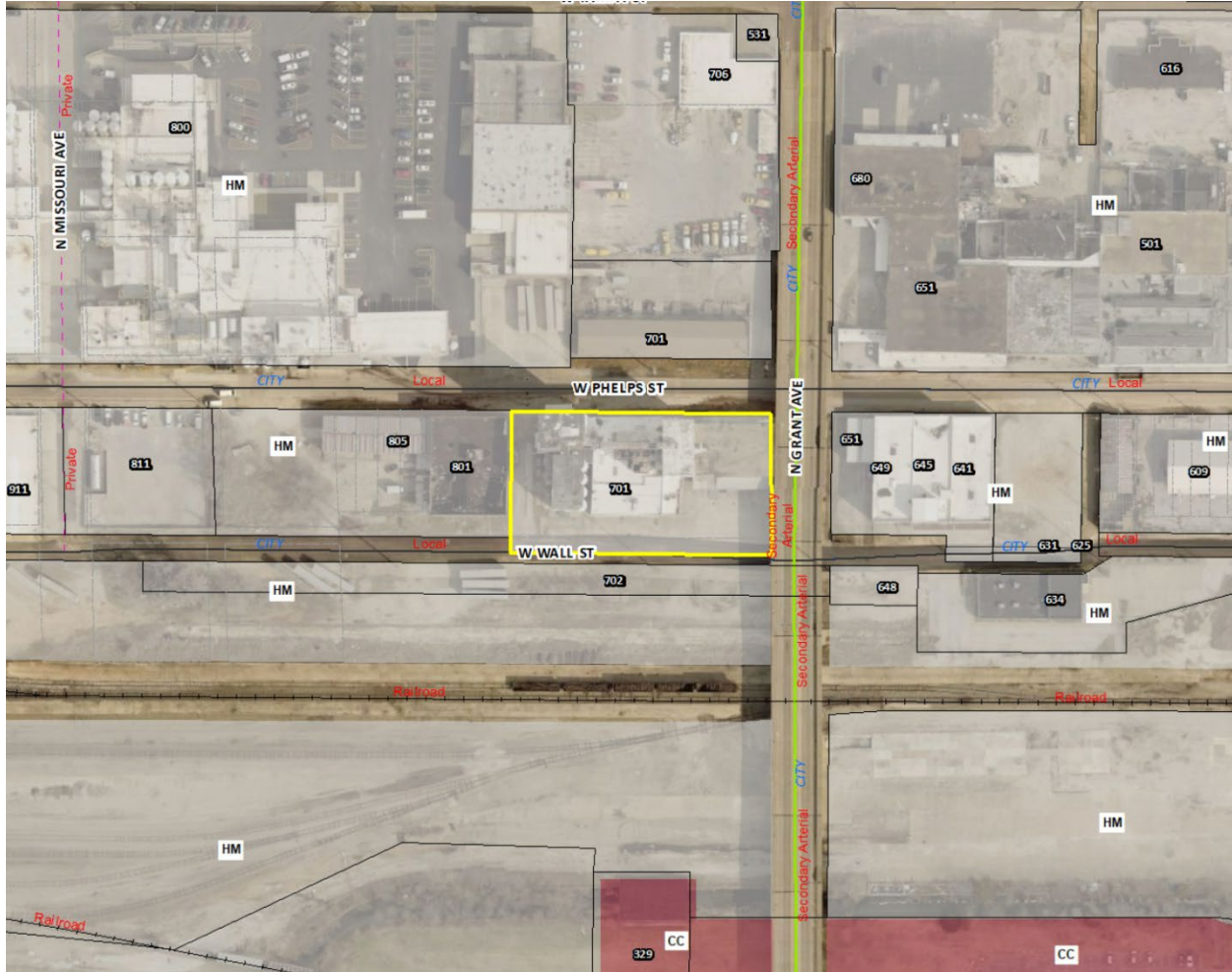
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	HM	HM	HM
LAND USE	Industrial uses	Railroad	Industrial uses	Vacant site
PLACETYPES	Business Flex	Business Flex	Downtown	Business Flex

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Tract is served by public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Wall Street	Local	City	25	15	NA	Yes	Yes	No
Street 2	W. Phelps Street	Local	City	25	30	NA	Yes	Yes	No

ACCESS - 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 Trail near the property. There are no bus stops 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

701 W Wall St is a 1.07-acre lot that is approximately 100% existing impervious area. The lot drains to W Wall St. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Jordan Creek Lower Branch** drainage basin. The property is 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**.

DEVELOPMENT REVIEW STAFF REPORT

PW Stormwater has no concerns for the proposed rezoning from HM to CC. 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

N/A

WATER QUALITY REQUIREMENTS

N/A

FLOODPLAIN

1. The proposed rezoning is within the Floodplain of the Jordan Creek Lower Branch stream. Per Chapter 3, Sec 2.6 a Floodplain Development Permit is required when constructing a new development.

a. Floodplain Development Permit: As described in Section 2.2.3 and Chapters 1 and 2, Springfield participates in the NFIP, which requires that the City administer the rules of the NFIP through floodplain regulation. Depending on the proposal and circumstances, various permits may be required when a structure or fill are proposed in the floodplain or floodway. An elevation certificate is required for any structure constructed in the floodplain.

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 acre of property generally located at 701 W. Wall Street from HM, Heavy Manufacturing District to CC, Center City District. The applicant intends to expand the existing commercial amusement use. Center City District does not require off-street parking and would accommodate the commercial amusement uses.
2. While this application may have some compatibilities with the Business Flex placetype of the *Comprehensive Plan's Land Use & Development* chapter, it is better suited in the Downtown placetype which is across Grant Avenue. The *Land Use & Development* chapter states that typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another. Staff believes that the typology of the Downtown placetype is more appropriate for this particular

DEVELOPMENT REVIEW STAFF REPORT

site could be mixed use with office, retail, service and multifamily which are primary uses in this placetype. Additionally, this property is near to the Renew Jordan Creek/ Jordan Valley West Meadows Plan. The Business Flex placetype focuses more on industrial uses such as storage, distribution, and warehousing.

3. 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.
4. There are known changing conditions in the area affected that make the proposed rezoning necessary. The applicant is proposing to relocate another commercial amusement use to the subject property.
5. The range of uses in the proposed Center City district are compatible with the uses permitted on other property in the immediate vicinity. The CC district allow for manufacturing uses as well as mixed use development.
6. 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.
7. 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. A traffic study is not required as part of this rezoning.
8. 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.
9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property can still develop with the existing zoning.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Downtown 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: HM, Heavy Manufacturing to CC, Center City
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, December 21, 2023 4-6:30 PM
3. Meeting Location: Busch Municipal Building, 840 Boonville Ave., Springfield, MO 65802
4. Number of invitations that were sent: 32
5. How the mailing list was generated: City of Springfield
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).

No issues with rezoning, wanted the property to be maintained.

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

N/A

I, Bob Hasmer (print name), attest that the neighborhood meeting was held on 12-21-23 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Thomas R. Hasmer

Printed name of person completing affidavit

Hotel of Terror/City of Springfield 12/21/2023

4:00pm to
6:30pm

NAME	PROJECT
Bob Hosmer	City of Springfield Planning Dept.
Joe Costello	Fast Finish, LLC
Paul Blees	City of Springfield - ROW
Daniel Neal	City of Springfield, Planning Dept.
Sterling Mathis	701 W Wall Dungeons of Dawn

Bob Hosmer - Neighborhood Mgt

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

DATE: December 29, 2023

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Vacation 831

This case has been postponed to the Planning and Zoning Commission meeting on February 15, 2024.

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

DATE: January 3, 2024

TO: Planning and Zoning Commission

FROM: Andrew Menke
Senior Planner

SUBJECT: Vacation 832

This case has been postponed to the Planning and Zoning Commission meeting on February 15, 2024.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Vacation No. 833
Location:	1000 block of South Florence Avenue, directly east of 1141 E. Delmar Street
Total Acres:	0.03 acres
Applicant:	Faucett & Bates Properties LLC
Existing Land Use:	Street right-of-way
Neighborhood Meeting:	December 14, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	February 12, 2024
Public Notification:	Mail, posted property, and legal in <i>Springfield News-Leader</i>
Staff:	Michael Sparlin, Senior Planner – (417) 864-1901
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 833 with conditions (All commission motions are made in the affirmative).
Required Vote:	A majority of five (5) voting members shall be required.

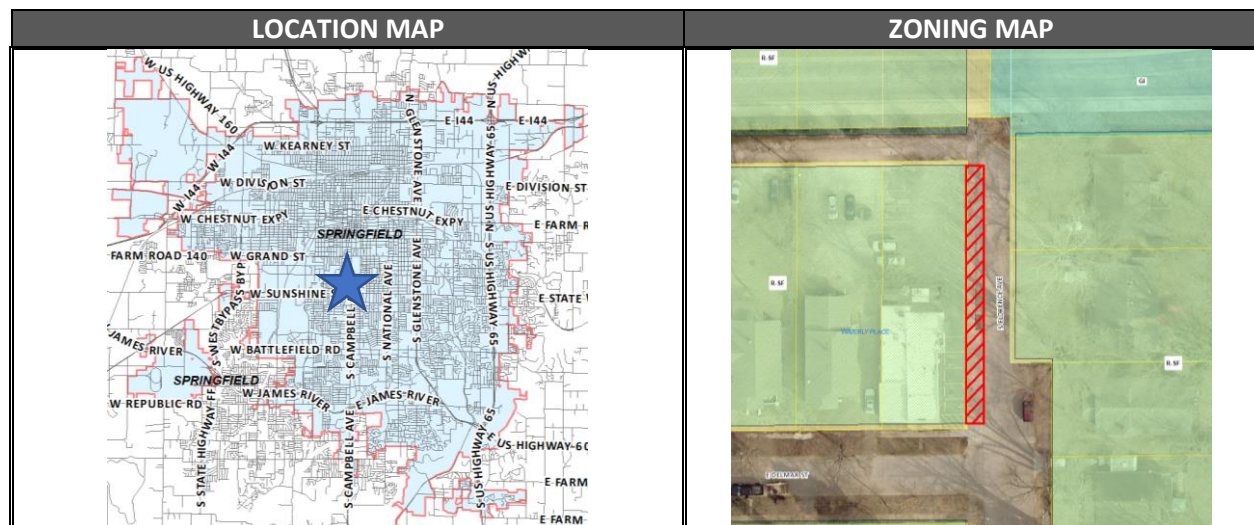
PROJECT SUMMARY:

Request to vacate a portion of a public street right-of-way in the 1000 block of South Florence Avenue with conditions.

This vacation shall not become effective until the following condition is met:

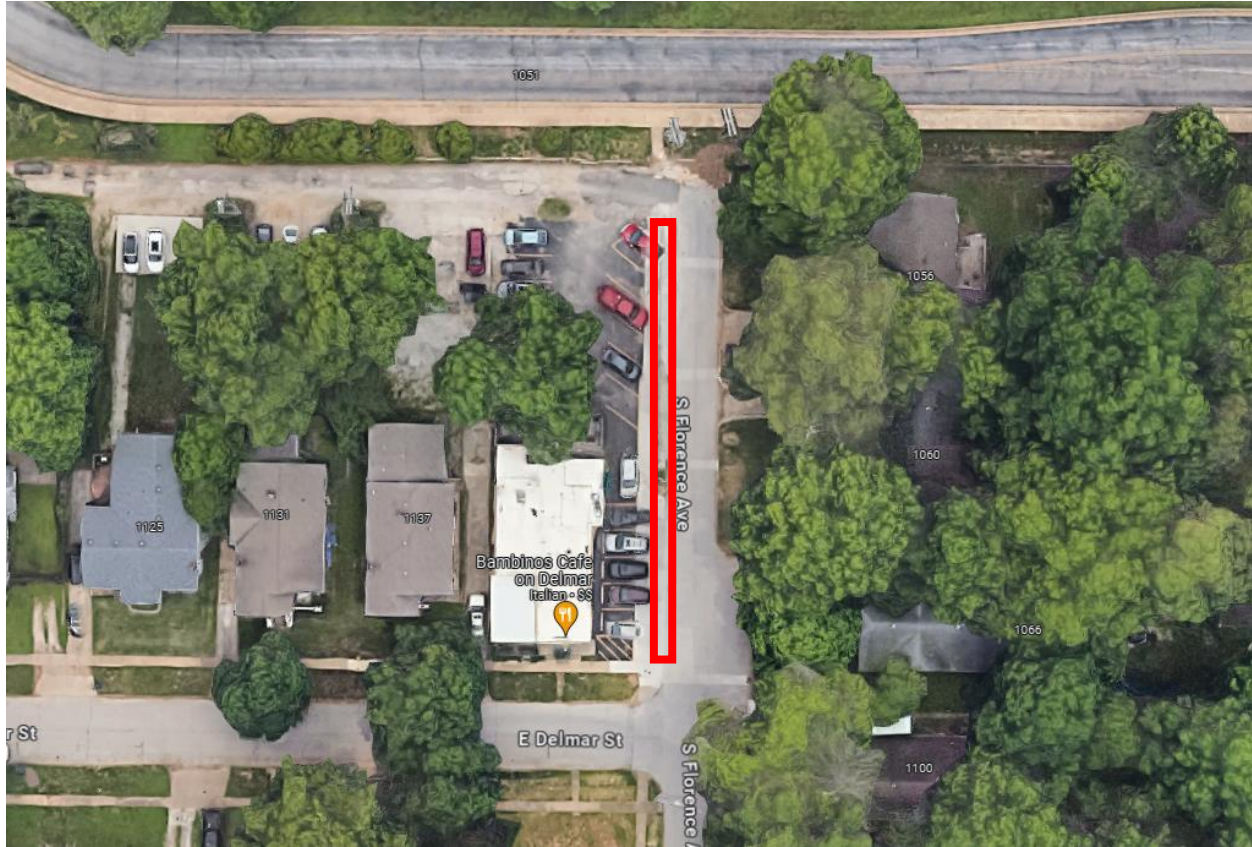
1. Approval of the Final Development Plan by the Administrative Review Committee for Planned Development No. 387, which is being processed concurrently with this application.

If this condition is not met within one (1) year of City Council approval of the vacation, the aforementioned vacation approval is null and void and the public street right-of-way shall remain.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject right-of-way was platted with Waverly Place subdivision in 1907.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-151. - Petition for vacation; notice of proposed vacation.

Any person owning any real estate within the city which has been subdivided by a duly recorded plat may petition the city to vacate the subdivision, or any part thereof, giving a distinct description of the property to be vacated and the names of the owners thereof with proof of their ownership; and any person owning property abutting upon any alley, street, common or public square, or any part thereof, may petition the city to vacate all or any part of the alley, street, common or public square, giving a distinct description of the property to be vacated and the names of the owners of the property abutting thereon. A petition to vacate such land shall be filed with the city clerk and referred to the planning and zoning commission for consideration. Thereupon, the planning and zoning commission shall cause notices of the proposed vacation to be posted in at least three prominent places in the vicinity of the area to be vacated and the petitioner shall cause a notice of the proposed vacation to be published in the daily newspaper having the greatest number of paid subscribers in the city at least 30 days prior to the public hearing, which newspaper shall meet the requirements of RSMo 493.050. No vacation shall take place until the petitioner shall have filed with the executive secretary of the planning and zoning commission proof that notice has been given of such vacation as required in this section, except in no event shall the failure of the planning and zoning commission to post the property in any way affect the validity of the vacation, it being intended by the city council that the legal notice for such vacation shall be solely by newspaper advertisement and that other advertisements shall be for informational purposes. In addition to the methods established by this section for notice, the city manager shall endeavor to cause notices of such vacations to be circulated in the area in accordance with rules to be adopted by the city manager, which rules should be filed with the executive secretary of the planning and zoning commission; provided, however, the failure to give such notice shall in no way affect the validity of the vacation.

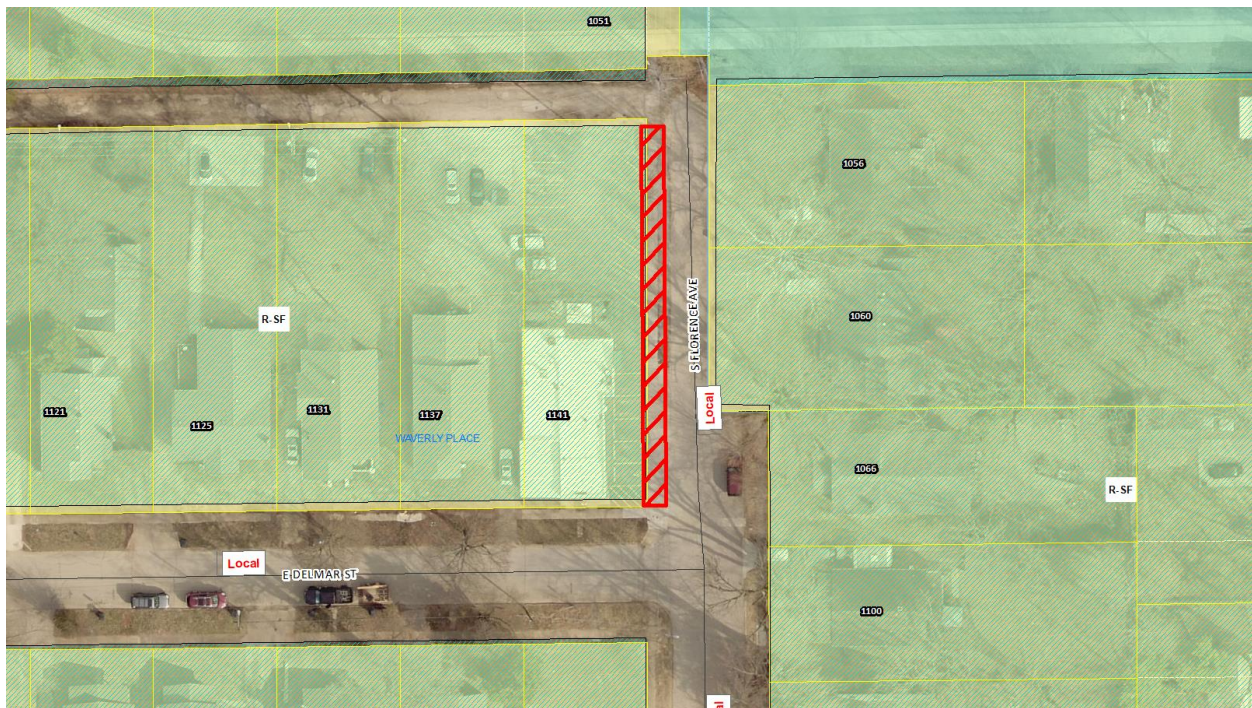
COMPATIBILITY WITH COMPREHENSIVE PLAN:

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

DEVELOPMENT REVIEW STAFF REPORT

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.

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Alley ROW	Street ROW	Street ROW	Restaurant
PLACETYPES	Institutional & Employment Center	Center City neighborhood	Center City neighborhood	Center City neighborhood

DEPARTMENT COMMENTS:

DEVELOPMENT REVIEW STAFF REPORT

CITY UTILITIES:

The entire area to be vacated will need to be dedicated as a utility easement to CU.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with the vacation; there is no public sewer within the proposed vacation area.

FIRE DEPARTMENT:

Add "No Parking on Florence Ave beginning 65 feet north of the centerline on Delmar St. and continuing north for 120 feet."

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The vacation of the alley does not affect the local stormwater infrastructure.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

The vacation does not narrow/impact the driving surface of Florence. The existing curb line remains.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to vacate a portion of public right-of-way in the 1000 South Florence Avenue.
2. This vacation request to be processed concurrently with Planned Development No. 387. This vacation intends to utilize the proposed vacation area as private parking for Bambino's restaurant. PD 387 seeks to renovate and expand the existing restaurant. One aspect of this project is to improve off-street parking for the restaurant and the street. The off-street parking is proposed to be located on the east side of the property and have access directly off Florence Street. The Traffic Division of Public Works reviewed this and determined it to be acceptable given that Florence currently has a reduced width and therefore functions as an alley in this location. This vacation will extend only to the curb on Florence Street and not narrow or impact the driving surface of the street. The sidewalk has been realigned to allow this and will be located between the restaurant building and parking stalls.
3. The applicant is requesting to have conditions placed on this request. This condition is to ensure the associated Planned Development No. 387 is approved and the vacation will then follow after approval of the Final Development Plan.
4. The requested vacation meets the approval criteria listed in Attachment 1.
5. The applicant is proposing to vacate right-of-way that is no longer needed and will help to improve the off-street parking in the area.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1 and that the vacation shall not become effective until the following condition is met:
 - a) Approval of the Final Development Plan by the Administrative Review Committee for Planned Development No. 387, which is being processed concurrently with this application.

If this condition is not met within one (1) year of City Council approval of the vacation, the aforementioned vacation approval is null and void and the public street right-of-way shall remain.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

To approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley, or public way.	All adjacent properties have access to public streets.
2.	The owners of two-thirds of the property adjacent to the street, alley, or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of the right-of-way.
3.	That the retention of the street, alley, public way, or subdivision serves no useful purpose.	It has been determined that the retention of the public right-of-way is unnecessary.
4.	That the vacation will not affect the ability to use utilities, public or private.	This vacation area contains City Utilities infrastructure, which must be placed within an easement prior to the vacation.

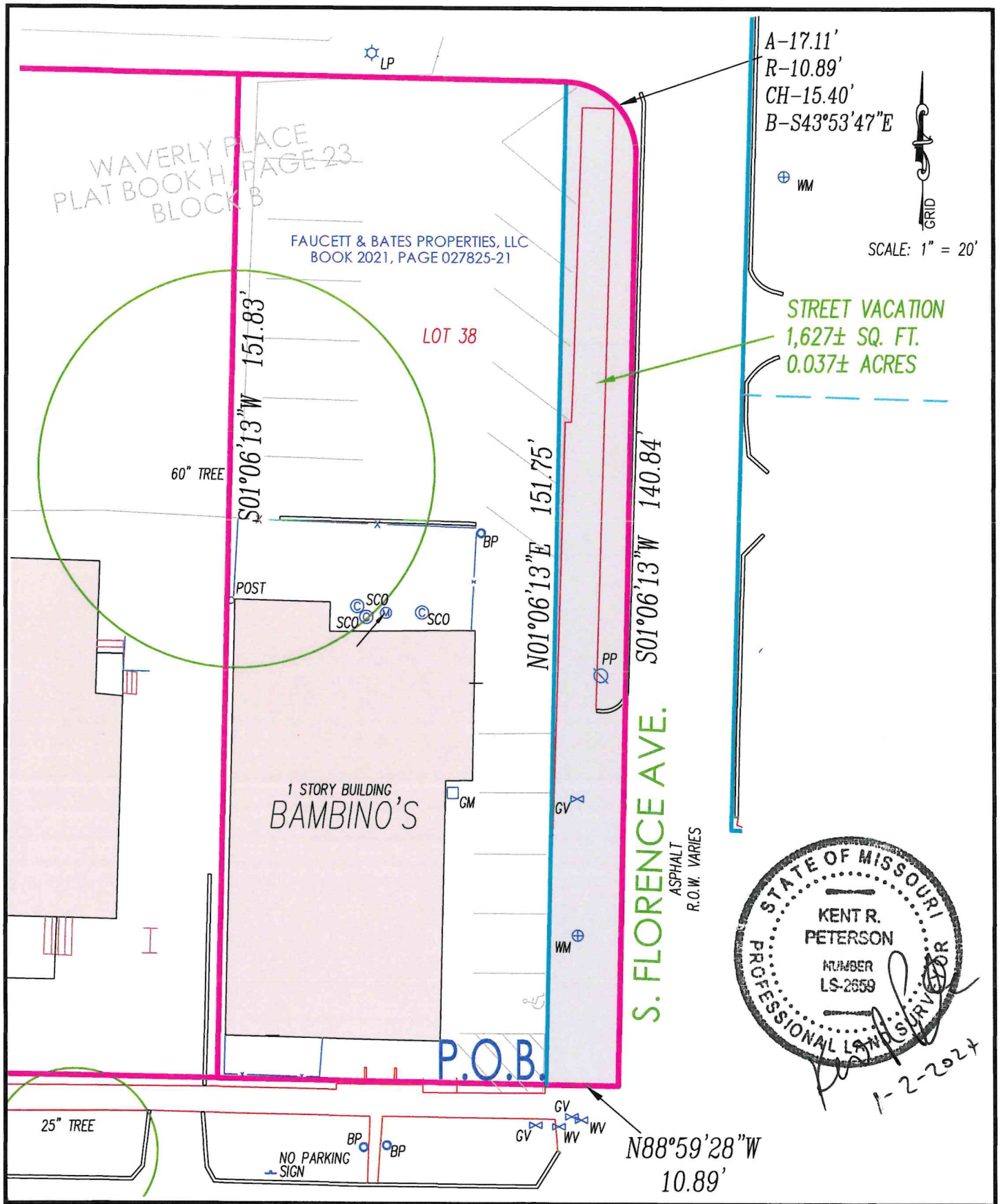
DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN BLOCK B OF WAVERLY PLACE, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 38, BLOCK B IN THE PLAT OF WAVERLY PLACE AND ALSO BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 38, BLOCK B OF WAVERLY PLACE, SAID POINT ALSO LYING AT THE NORTHWEST CORNER OF DELMAR STREET AND FLORENCE AVENUE; THENCE ALONG THE WEST RIGHT-OF-WAY OF FLORENCE AVENUE NORTH $01^{\circ}06'13''$ EAST, 151.75 FEET TO THE NORTHEAST CORNER OF SAID LOT 38; THENCE 17.11 FEET ALONG A 10.89 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH $43^{\circ}53'47''$ EAST FOR 15.40 FEET; THENCE SOUTH $01^{\circ}06'13''$ WEST, 140.84 FEET; THENCE NORTH $88^{\circ}59'28''$ WEST, 10.89 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 1,627 SQUARE FEET AND 0.037 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.



 3213 S. West Bypass Springfield, MO 65807 417.866.2741 weareown.com FORMERLY ANDERSON ENGINEERING	COA #000062 HOOD-RICH ARCHITECTURE STREET VACATION SKETCH 1141 E. DELMAR ST., SPRINGFIELD, MO	DRAWN BY: EEM DATE: 12-19-2023 JOB NO: 23SP20195
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NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: 1141 E. DELMAR
(subject address)
2. Meeting Date & Time: 12-14-23 4pm - 6:30 PM
3. Meeting Location: 1141 E. DELMAR
4. Number of invitations that were sent: 133
5. How was the mailing list generated: CITY STAFF
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:

NONE

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

SEE ATTACHED FOR LETTER SUMMARY OF MEETING



December 14, 2023

Re: Vacation of Right-of-way along Florence at 1141 East Delmar Street

A neighborhood meeting was held on December 14, 2023 from 4:00pm until 6:30pm at 1141 East Delmar to discuss the vacation of right-of-way application for the portion of Florence Avenue adjacent to 1141 East Delmar. Representatives of the applicant along with three neighbors attended the meeting. The neighbors arrived at the start of the meeting and stayed for most of the meeting. The meeting was pleasant, and those who attended expressed general support for the application. There were no questions raised other than ones to gain understanding of why the application was needed. I explained the purpose of the vacation, and that satisfied the people in attendance.

The rest of the meeting was spent sharing stories about growing up in the area. Everyone who attended this meeting expressed their general support for this rezoning application.

Respectfully,

Billy Kimmons, AIA
Principal Architect



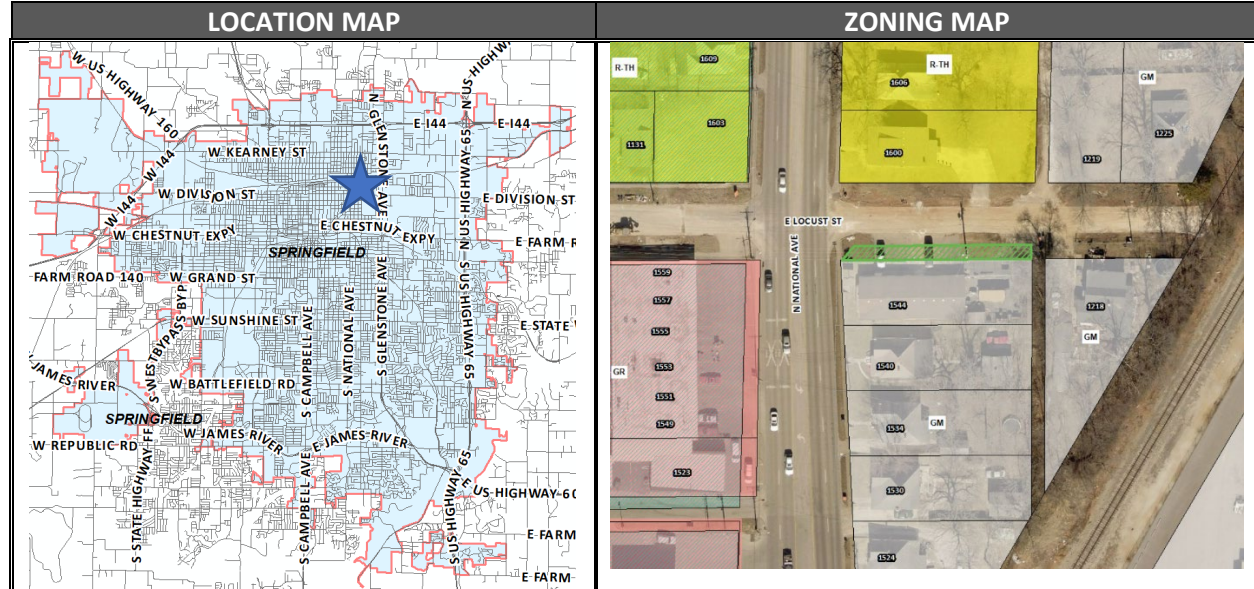
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Vacation No. 834
Location:	1200 block E. Locust Street
Total Acres:	0.03 acre
Applicant:	Springfield Engine Supply, Inc. c/o Clint Bebout
Existing Land Use:	Public right-of-way
Neighborhood Meeting:	December 15, 2023
Planning and Zoning Commission:	January 11, 2024
City Council:	N/A
Public Notification:	Mail, posted property, and legal in <i>Springfield News-Leader</i>
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 834 (All commission motions are made in the affirmative).
Required Vote:	A majority of five (5) voting members shall be required.

PROJECT SUMMARY:

Request to vacate a portion of public right-of-way along the 1200 block of E. Locust Street.

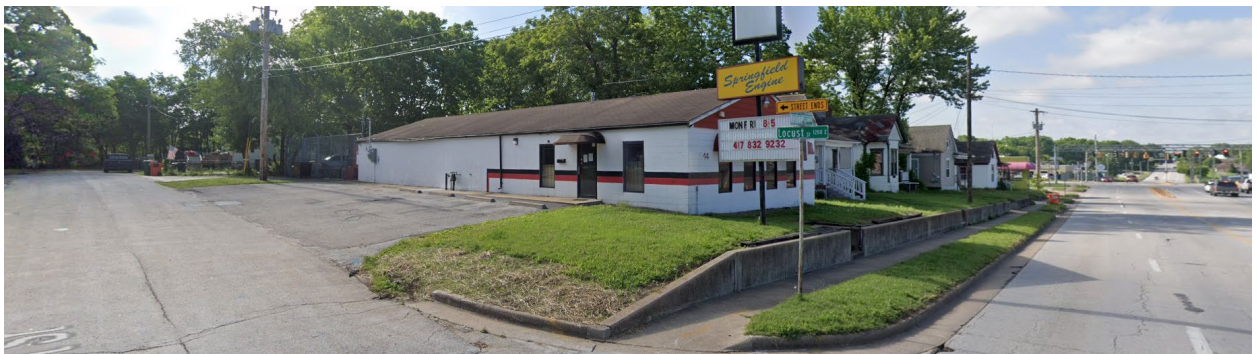


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

This portion of public right-of-way for Locust Street was originally dedicated as part of Coombs Addition in 1887.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-151. - Petition for vacation; notice of proposed vacation.

Any person owning any real estate within the city which has been subdivided by a duly recorded plat may petition the city to vacate the subdivision, or any part thereof, giving a distinct description of the property to be vacated and the names of the owners thereof with proof of their ownership; and any person owning property abutting upon any alley, street, common or public square, or any part thereof, may petition the city to vacate all or any part of the alley, street, common or public square, giving a distinct description of the property to be vacated and the names of the owners of the property abutting thereon. A petition to vacate such land shall be filed with the city clerk and referred to the planning and zoning commission for consideration. Thereupon, the planning and zoning commission shall cause notices of the proposed vacation to be posted in at least three prominent places in the vicinity of the area to be vacated and the petitioner shall cause a notice of the proposed vacation to be published in the daily newspaper having the greatest number of paid subscribers in the city at least 30 days prior to the public hearing, which newspaper shall meet the requirements of RSMo 493.050. No vacation shall take place until the petitioner shall have filed with the executive secretary of the planning and zoning commission proof that notice has been given of such vacation as required in this section, except in no event shall the failure of the planning and zoning commission to post the property in any way affect the validity of the vacation, it being intended by the city council that the legal notice for such vacation shall be solely by newspaper advertisement and that other advertisements shall be for informational purposes. In addition to the methods established by this section for notice, the city manager shall endeavor to cause notices of such vacations to be circulated in the area in accordance with rules to be adopted by the city manager, which rules should be filed with the executive secretary of the planning and zoning commission; provided, however, the failure to give such notice shall in no way affect the validity of the vacation.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Not applicable to vacation request

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-TH	GM	GM	GR
LAND USE	Single-family residence	Retail uses	Single-family residences	Retail & Office uses
PLACETYPES	Center City Neighborhood	City Corridor	City Corridor	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

CITY UTILITIES:

No issues with the vacation, however, there is existing overhead electric that will need to be within a utility easement.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. No sewer infrastructure is within the proposed vacation.

FIRE DEPARTMENT:

No comments.

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	N. National Avenue	Primary Arterial	City	50	30	NA	No	Yes	Yes
Street 2	E. Locust Street	Local	City	25	30	NA	Yes	No	No

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are three bus stops near the property.

IMPROVEMENTS - No improvements are required for this vacation.

COMMENTS - The existing ROW width on Locust Street is 60 feet total. The minimum ROW width required by city code for Locust Street is 50 feet total. Vacating 10 feet of existing ROW will still maintain the minimum 50 feet required by city code.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The current property is majority existing impervious area from building and parking lot. The property is in the **Jordan Creek North Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the 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**.

DEVELOPMENT REVIEW STAFF REPORT

PW Stormwater has no concerns for the vacation of Right-of-Way. The submitted application does not have a site plan. 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 approval 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

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to vacate a portion of public right-of-way along the 1200 block of E. Locust Street which is adjacent to 1544 N. National Avenue to the north. The applicant is requesting to bring the site into compliance with off-street parking requirements for a new retail use.
2. The requested vacation meets the approval criteria listed in Attachment 2.
3. The applicant is proposing to vacate a portion of right-of-way that is no longer needed which was originally dedicated as part of Coombs Addition.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets.
2.	The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of this portion of street.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the public right-of-way is unnecessary.
4.	That the vacation will not affect the ability to use utilities, public or private.	This vacation area contains City Utilities' infrastructure which must be placed within an easement prior to the vacation.

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 2****Legal Description**

TRACT OF LAND LYING IN THE SOUTH ONE-HALF (S ½) OF THE SOUTHWEST QUARTER (S ¼) OF SECTION 7, TOWNSHIP 29 NORTH (T29N), RANGE TWENTY-ONE (R21W) OF THE 5TH PRINCIPAL MERIDIAN, SPRINGFIELD, GREENE COUNTY, MISSOURI MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN EXISTING IRON PIN (EIP) AT THE NW CORNER OF LOT 7, BLOCK A, COOMB'S ADDITION TO NORTH SPRINGFIELD, A RECORDED SUBDIVISION IN SAID SPRINGFIELD ON FILE IN SAID COUNTY'S RECORDER'S OFFICE, SAID POINT BEING THE SOUTHEASTERLY CORNER OF THE RIGHT-OF-WAY (ROW) OF NATIONAL AVE. & LOCUST ST. AS THEY NOW EXIST; THENCE NORTHEASTERLY 14.3' TO MAINTAIN A 10'x10' SIGHT TRIANGLE AT SAID ROW INTERSECTION; THENCE EASTERLY PARALLEL TO THE NORTHERLY LINE OF SAID COOMB'S SUBDIVISION TO A POINT 10' NORTHERLY OF THE NORTHEAST (NE) CORNER OF SAID LOT 7; THENCE SOUTHERLY TO SAID NE CORNER; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 7 TO SAID TRUE POINT OF BEGINNING (POB) CONTAINING 1,399.78 SF, 0.03 ACRES MORE OR LESS SUBJECT TO ALL EASEMENTS.

Attachment 3

NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: The southern ten (10') feet of Locust Street adjacent to 1544 N National
(subject address)
2. Meeting Date & Time: December 19th from 4:00 to 6:30
3. Meeting Location: Inside 1544 N National
4. Number of invitations that were sent: There were 89 invitations sent.
5. How was the mailing list generated: By the city of Springfield
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:

There were no concerns so nothing has to be addressed.

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

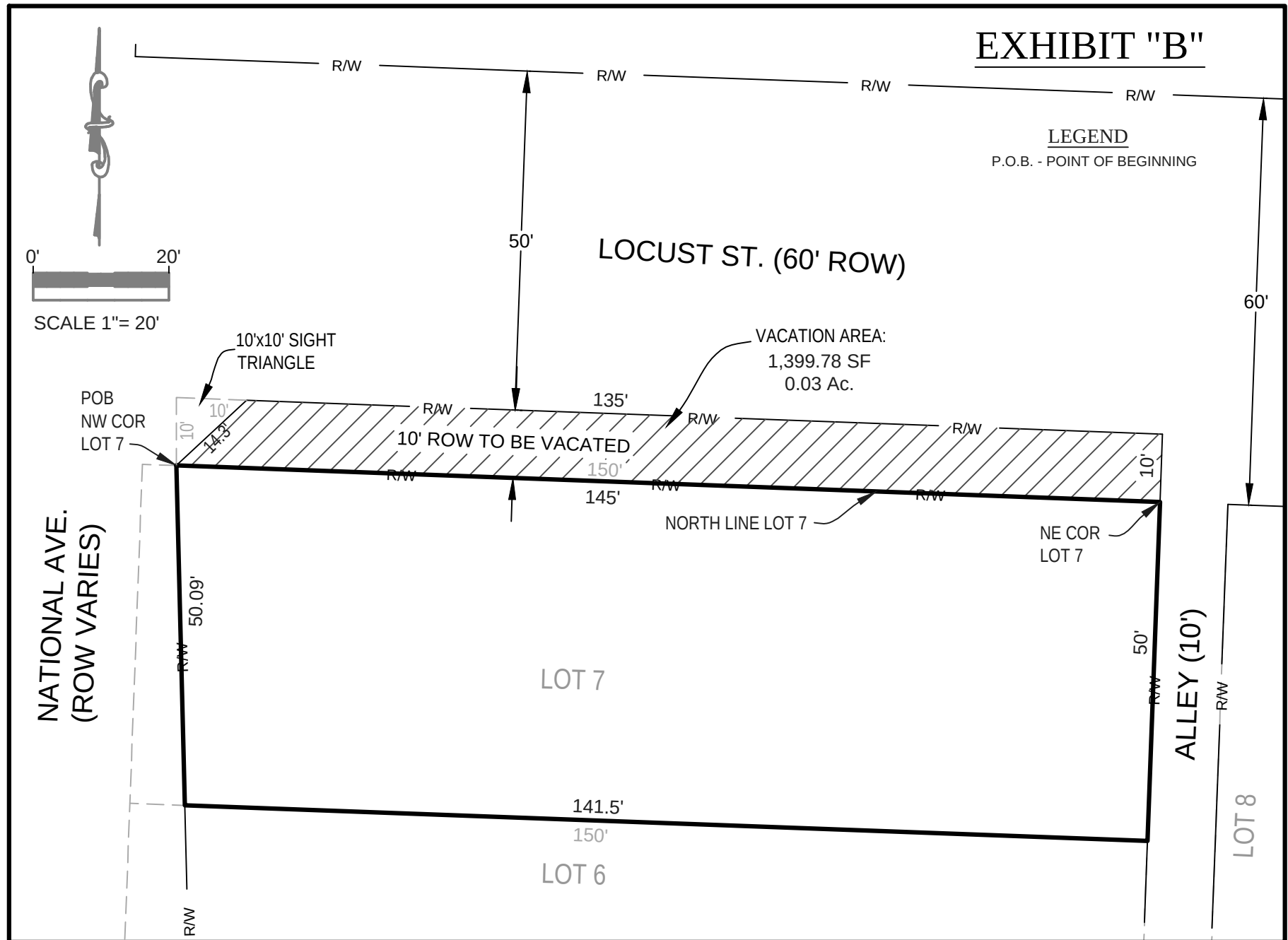
N/A

[illegible]

EXHIBIT "B"

LEGEND

P.O.B. - POINT OF BEGINNING



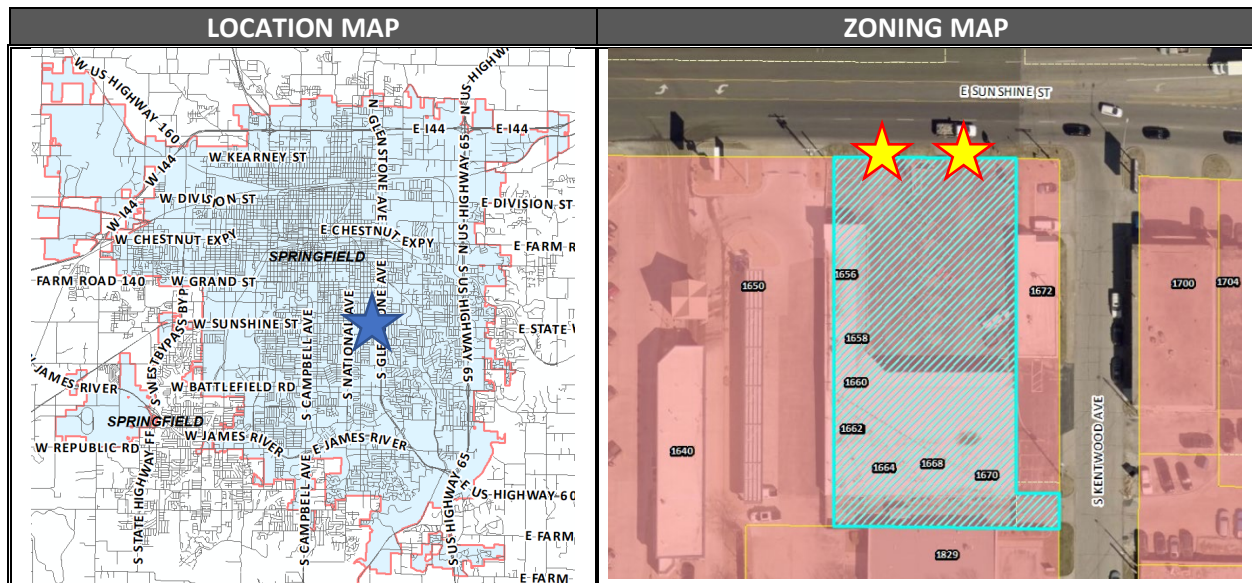
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Subdivision Variance 356
Location:	1656, 1658, 1660, 1662, 1664, 1668 & 1670 East Sunshine Street
Total Acres:	0.6 acres
Applicant:	Sunshine Suites, LLC
Existing Land Use:	Offices
Planning and Zoning Commission:	January 11, 2024
City Council:	N/A
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner – (417) 864-1613
Staff recommendation:	N/A
Proposed motion:	Move to approve Subdivision Variance 356 subject to the variance approval criteria listed in Attachment 2 of the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of five (5) voting members shall be required.

PROJECT SUMMARY:

The applicant is requesting a variance independent of Preliminary Plat to vary from Section 36-251(4) of the Subdivision Regulations. The requested variance is for retaining two access points for Sunshine Center Condominium, a proposed administrative condominium plat for property generally located at 1656 East Sunshine Street.

The two access points on Sunshine Street are approximately 50 feet and 100 feet from the nearest right-of-way line of the intersection of Kentwood Avenue and Sunshine Street. Section 36-251(4) of the Subdivision Regulations requires a minimum distance of 200 feet from the nearest right-of-way line of Kentwood Avenue to the edge of driveway, and from edge of driveway to edge of driveway.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



View from Kentwood Avenue

PROPERTY HISTORY:

The northern portion of the subject property was annexed into the city in 1926, while the remainder was annexed in 1950. The portion of the property fronting on Kentwood Avenue was platted as part of Beechwood Heights Third Addition in 1955. The current configuration of the property was certified by a Tract Certification in 2013. In the 1995 citywide remapping the property was rezoned to General Retail.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-206. - Variances.

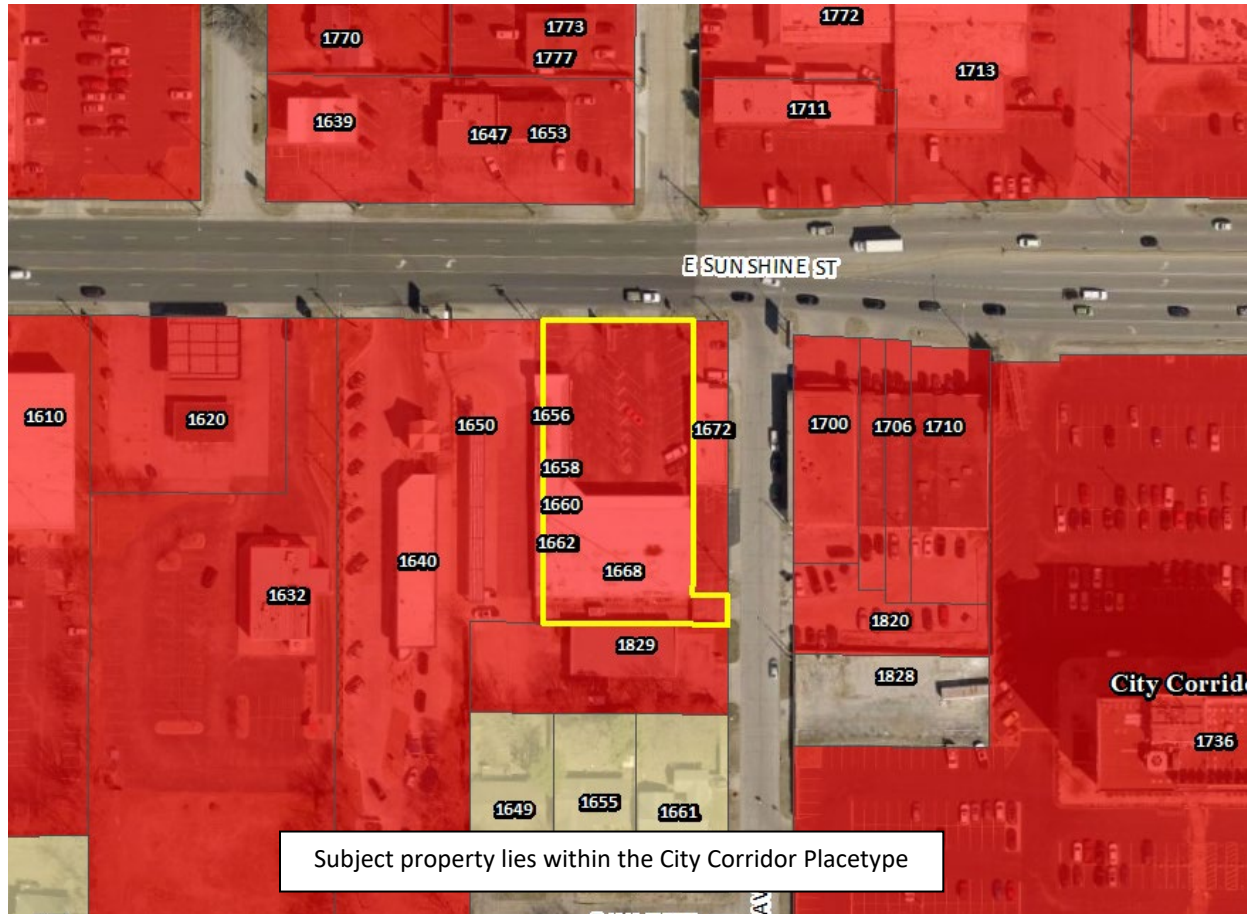
- (1) *General.* Deviations from and exceptions to the standards and procedures of this article may be granted by the city council, the planning commission or the director of planning and development, as set forth herein only if such deviations and exceptions conform to the following conditions and procedures. Such deviations and exceptions are referred to, for purposes of this article, as variances relative to zoning and other ordinances and codes effective in the City of Springfield. No application for preliminary plat which would create conditions requiring a variance or exception from zoning standards or other ordinances or codes by the board of adjustment, shall be submitted to the planning and zoning commission unless and until the applicant's request for variance or exception shall have been first submitted to and approved by the board of adjustment.
- (2) *Purpose and intent.* It is the purpose and intent of this variance procedure to provide relief from unusual hardship, inequitable construction procedures, design requirements which may be impractical and other conditions which occur with a specific parcel of land but do not occur in the normal subdivision process.
- (3) *Conditions of variance approval.* No variance shall be granted unless it is found that:
 - (a) There are special and unusual circumstances affecting said property such that the strict application of the provisions of this article would deprive the owner of the reasonable use of his land and is not the mere grant of a privilege; and

DEVELOPMENT REVIEW STAFF REPORT

- (b) The variance is necessary for the preservation and enjoyment of a substantial property right of the owner; and
 - (c) The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.
- (4) *Recording required.* When a variance from these regulations has been approved, the details of such variance shall be recorded in the office of the Recorder of Deeds of Greene County. No such variance shall be recorded, however, until a 30-day period shall have passed during which time said variance may be challenged in a court of competent jurisdiction.
- (5) *Authority to grant variances.*
 - (a) The planning commission shall be empowered to grant variances with respect to the improvements and the design standards relative to lot dimensions and arrangements, street location, alignment, the location and alignment of easements, building lines and similar standards.
 - (b) City council shall review requests for variances only upon an appeal by an applicant from a denial of a request by the commission and only upon the written record made before the commission.
- (6) *Procedure.*
 - (a) Variances shall be reviewed in accordance with one of the two following procedures:
 - 1. Requests for variances may be submitted concurrently with the preliminary plat or final plat if it is a minor subdivision. The applications for variance shall be made on forms provided by the director and shall state precisely the provisions from which variance is requested along with the reasons therefor. Such variance application shall be reviewed and acted upon concurrently with the preliminary plat or final plat if a minor subdivision.
 - 2. Requests for variances independent of plat review shall be permitted if the applicant can show good cause why such request was not made at the time of the preliminary plat and shall be submitted on forms provided by the director along with a fee for administrative processing in the amount prescribed by ordinance. Such application shall be submitted to the commission.
 - 3. Within 30 days after commission has acted on a variance, the city council may, by vote of council, elect to conduct independent review of any variances considered by the commission and may grant, reverse, modify or affirm the decision of the commission based on the provisions of this article and procedures for granting variances.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	GR	GR	GR w/ CUP 447
LAND USE	Commercial	Commercial	Retail	Car wash
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 0.6 acres via an administrative condominium plat. The proposed seven-unit condominium is named “Sunshine Center Condominium”.
2. The applicant is requesting a variance independent of Preliminary Plat to vary from Section 36-251(4) of the Subdivision Regulations. The requested variance is for retaining two access points for the proposed administrative condominium plat:
 - a. The two access points on Sunshine Street are approximately 50 feet and 100 feet from the nearest right-of-way line of the intersection of Kentwood Avenue and Sunshine Street. Section 36-251(4) of the Subdivision Regulations requires a minimum distance of 200 feet from the nearest right-of-way line of Kentwood Avenue to the edge of driveway, and from edge of driveway to edge of driveway.
3. All lots meet the minimum dimension requirements of the City’s subdivision regulations and the General Retail district.
4. The planning commission shall be empowered to grant variances with respect to the improvements and the design standards relative to lot dimensions and arrangements, street location, alignment, the location and alignment of easements, building lines and similar standards.
5. If the commission approves the subdivision variance independent of the preliminary plat, the details of such variance shall be recorded in the office of the Recorder of Deeds of Greene County. No such variance shall be recorded, however, until a 30-day period shall have passed during which time said variance may be challenged in a court of competent jurisdiction.
6. The proposed subdivision variance was reviewed by City departments and comments are contained in **Attachment 1**. Variance approval criteria is provided in **Attachment 2**. The condominium plat drawing can be found in **Attachment 3**.
7. A letter submitted by the applicant is included as **Attachment 4**. Note that the provided letter incorrectly identifies the 1600 block of East Sunshine Street as MoDOT right-of-way, rather than City right-of-way. The right-of-way belongs to the City of Springfield. The letter mentions that a variance requires action by City Council; however, it only requires action by the Planning and Zoning Commission. Comments in the letter indicate the City is requesting that one driveway be closed. City code requires both driveways on Sunshine Street be closed unless access to Kentwood Avenue or a shared common access are not possible. In this instance then only one access would be allowed to Sunshine Street (not the current two).

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff does not provide a recommendation on variance requests. However, the Traffic Engineering Division of Public Works is not supportive of the request, per the provided department comments.

PLANNING AND ZONING COMMISSION OPTIONS:

The commission shall review the subdivision variance and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing.

1. The commission shall approve the subdivision variance.
2. The commission shall conditionally approve the subdivision variance.
3. The commission shall disapprove the subdivision variance.

PUBLIC NOTIFICATION AND COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing.

No comments were received by citizens for this case at the time of publication.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

1. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No issues with variance.
2. FIRE DEPARTMENT:
No comments.
3. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
No concerns from PW-Stormwater.
4. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:
PW-Traffic does not support the driveway variance request.

Access

There are currently two (2) driveway access points onto the property from E. Sunshine Street. All existing and new access to the development shall be per current City of Springfield standards for the street classification.

Sunshine Street - Per City Code Section 36-251 (4), a minimum distance of 200 feet is required from the near right-of-way line of Kentwood Avenue to edge of driveway, and from edge of driveway to edge of driveway. Tracts less than 250 feet wide must either share common access or take access from a local or collector street. Based on these requirements, no direct access would be allowed to Sunshine Street. If access to Kentwood Avenue is not possible and a shared common access is not possible, then only one (1) access would be allowed to Sunshine Street (not the current two(2)).

Trails, Bus Stops, And Additional Information

There are no Greenway Trails near the property. There is one bus stop in front of the property.

Improvements

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

	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	45	33,205	No	Yes	No

DEVELOPMENT REVIEW STAFF REPORT

VARIANCE APPROVAL CRITERIA:

ATTACHMENT 2

Section 36-206(3) of the Subdivision regulations states in part: No variance shall be granted unless it is found that;	Applicant's Response
There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere granting of a privilege;	The undersigned, Sunshine Suites LLC, is the owner of the property located at 1658 - 1670 E Sunshine St. It is hereby asserted that there are special and unusual circumstances affecting said property. The strict application of the provision of Subdivision Regulations would result in the deprivation of the reasonable use of the land and is not a mere grant of privilege. Description of Special and Unusual Circumstances: The intended use of the land is for commercial purposes, serving as a crucial space where various businesses operate and contribute to the local economy. Below are concerns that create negative impact on the reasonable use of the land if a variance were to be denied: • Closing the driveway would impose a substantial financial burden on property owners as the construction process to close and reconfigure access points can be costly and time-consuming. • The closure of the driveway would inevitably limit access during the construction phase, disrupting the normal flow of business operations. • The closure of the driveway would directly affect the operations of current businesses on the property, hindering their ability to receive deliveries, serve customers, and manage day-to-day activities. Presently, four businesses are operating from the Sunshine Suites property. The success of each business is closely tied to customer accessibility and the availability of on-site parking. • The closure of the driveway may lead to parking constraints, exacerbating the challenges faced by businesses and inhibiting the land's reasonable use. Having to reconfigure the parking lot to accommodate only one access and entry point will decrease the amount of parking available. There are presently 29 parking spaces that remain full

DEVELOPMENT REVIEW STAFF REPORT

	throughout business hours. If customers are unable to park near the businesses in the shopping center, the businesses are likely to lose revenue which both decreases the value of the property and harms local businesses. Limited access and parking availability impact the overall functionality of the property.
The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and;	The variance requested is deemed necessary for the preservation and enjoyment of a substantial property right of the owner, Sunshine Suites LLC. Description of Substantial Property Right: The preservation and enjoyment of this property are closely linked to both the current on-site business operations and the potential future property values. Below are the concerns that, if a variance were to be denied, would pose a negative impact on the preservation and enjoyment of the property: • Closing one driveway may impede the property owner's access rights, limiting their ability to utilize the property fully and diminishing the inherent value associated with convenient and efficient access. • Maintaining the driveway is crucial for preserving the property's value, as accessibility is a key factor influencing property valuations, especially in commercial settings where ease of access is often integral to business operations and property desirability. • The variance is essential to safeguard the continuous and efficient operation of businesses on the property, protecting the property owner's substantial right to derive income and economic benefits from their investment. • Preserving the driveway ensures uninterrupted customer accessibility, allowing businesses to attract and retain customers without disruptions that could negatively impact the property owner's revenue streams.
The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.	It is contended that the granting of the variance would not be detrimental to public safety, convenience, or welfare, nor would it be injurious to other property in the vicinity. Description of Safety Concerns Should Driveway be Closed:

DEVELOPMENT REVIEW STAFF REPORT

The current access and exit configuration facilitates a one-way entry and exit system, with clearly marked arrows guiding the flow of traffic throughout the parking lot. The existing entry and exit points are designed as one-way routes, incorporating clear guidance for both entering and exiting. This setup enhances safety by ensuring a well-defined traffic pattern and minimizing the risk of confusion or accidents within the premises. Closing an access point to the subject property would disrupt this pattern, heightening safety risks. The following concerns outline potential negative impacts on public safety if the variance request is rejected:

- Closing the driveway during construction introduces safety hazards for both workers and pedestrians, such as increased construction traffic, machinery movement, and temporary detours that may pose risks to those navigating the area.
- There is no area for displaced parking. Employees will be forced to utilize street parking and walk to the property should parking be removed for the reconfiguration. This creates fewer safe routes, potentially increasing the risk of accidents, especially if there are no designated pedestrian pathways or if they need to cross busy roads.
- Limiting access to a single entrance could lead to traffic congestion, creating a higher risk of accidents at the remaining access point due to increased vehicle volume and potential delays.
- Closing the driveway may hinder emergency response vehicles' access to the property, increasing response times and potentially compromising the safety of both employees and the surrounding community in case of emergencies.
- Closure of the driveway may impede the accessibility for delivery trucks. The single access point does not provide enough space for truck turnaround. This could result in truck deliveries parking on Sunshine, leading to unloading activities occurring in non-designated areas, contributing to traffic congestion and potential safety hazards.

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- Closing the driveway may redirect traffic through adjacent areas, impacting other businesses in the vicinity and potentially creating safety concerns for these establishments and their patrons.
- Increased traffic congestion, safety hazards, and limited accessibility could negatively affect the property's overall appeal, potentially leading to a devaluation of the property and impacting the economic well-being of the property owner.
- The driveways for the property have been in the current configuration for the entirety of ownership by Sunshine Suites. In the 2 years of ownership, they have not resulted in safety concerns. Allowing the driveways to remain in their current configuration does not pose a new or higher safety risk.

DEVELOPMENT REVIEW STAFF REPORT

LEGAL DESCRIPTION:

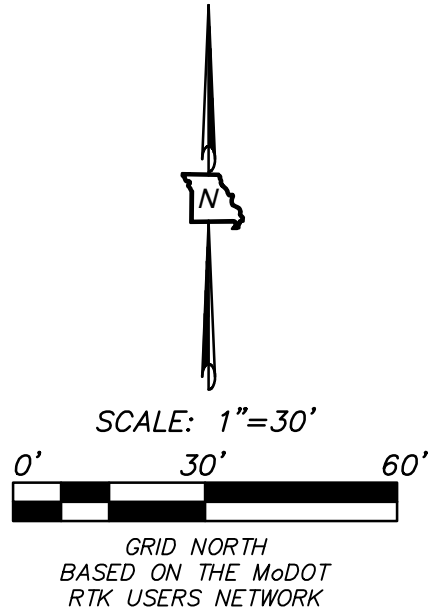
DESCRIPTION OF CONDOMINIUM AREA

THAT CERTAIN PARCEL OR TRACT OF LAND BEING LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 29 NORTH, RANGE 21 WEST, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31 (PER DEED);
THENCE, N89°05'23"W, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 900.00 FEET (PER DEED);
THENCE, S01°18'45"W, A DISTANCE OF 43.76 FEET TO AN EXISTING 5/8" IRON PIN ON THE APPARENT SOUTH RIGHT-OF-WAY LINE OF SUNSHINE STREET AND THE POINT OF BEGINNING;
THENCE, S87°17'22"E, ALONG SAID APPARENT SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 118.13 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "LS 124D";
THENCE, S00°59'55"W, A DISTANCE OF 207.66 FEET;
THENCE, S89°05'23"E, A DISTANCE OF 27.00 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "LS 124D", SAID POINT BEING ON THE APPARENT WEST RIGHT-OF-WAY LINE OF KENTWOOD AVENUE;
THENCE, S01°20'47"W, ALONG SAID APPARENT WEST RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO AN EXISTING 5/8" IRON PIN WITH AN ILLEGIBLE CAP;
THENCE, N89°05'23"W, A DISTANCE OF 146.23 FEET TO AN EXISTING COTTON SPINDLE;
THENCE, N01°18'45"E, A DISTANCE OF 231.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.6 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

ADMINISTRATIVE CONDOMINIUM PLAT
OF
SUNSHINE CENTER
CONDOMINIUM
PROJECT LOCATION: 1656 E. SUNSHINE STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI



- SYMBOL INDEX
- (C) CALCULATED BEARING or DISTANCE
 - (D) DEEDED BEARING or DISTANCE
 - (M) MEASURED BEARING or DISTANCE
 - EXISTING IRON PIN (AS NOTED)
 - ⊙ SET COTTON SPINDLE
 - ⊕ MANHOLE
 - ⊖ CLEAN OUT
 - ⊗ GAS VALVE
 - ⊘ A/C UNIT
 - ⊙ POLE or POST
 - ⊙ LIGHT POLE
 - ⊙ SIGN

DESCRIPTION OF CONDOMINIUM AREA

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CONTAINING 0.6 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES AS SHOWN HEREON HAVE BEEN MAPPED ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO, OR DISCOVERED BY THE SURVEYOR IN THE PREPARATION OF THIS DRAWING. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

TICKET NUMBER: 231900348

LINE	BEARING	DISTANCE
L1	S88°11'31"E(M)	25.62'(M)
L2	S01°19'22"W(M)	61.28'(M)
L3	S13°35'52"E(M)	12.58'(M)
L4	S03°02'16"W(M)	3.67'(M)
L5	N88°41'15"W(M)	28.74'(M)
L6	S03°02'16"W(M)	12.00'(M)
L7	S46°37'12"W(M)	11.26'(M)
L8	S01°04'42"W(M)	70.31'(M)
L9	N88°51'49"W(M)	20.66'(M)
L10	N88°51'49"W(M)	18.59'(M)
L11	S01°12'53"W(M)	78.19'(M)
L12	S88°46'47"E(M)	10.73'(M)
L13	S88°46'47"E(M)	19.93'(M)
L14	N01°09'33"E(M)	78.16'(M)
L15	N88°51'49"W(M)	20.00'(M)
L16	N88°51'49"W(M)	19.98'(M)
L17	S01°10'41"W(M)	78.13'(M)
L18	S88°46'47"E(M)	20.01'(M)
L19	S88°46'47"E(M)	20.01'(M)
L20	S01°07'26"W(M)	78.11'(M)
L21	N88°51'49"W(M)	20.08'(M)
L22	S88°46'47"E(M)	19.76'(M)
L23	N88°51'49"W(M)	19.93'(M)
L24	S00°59'55"W(M)	78.08'(M)
L25	N00°59'55"E(M)	0.48'(M)
L26	S87°17'22"E(M)	7.44'(M)
L27	S01°18'45"W(M)	20.02'(M)
L28	N87°17'22"W(M)	7.44'(M)
L29	N01°18'45"E(M)	20.02'(M)

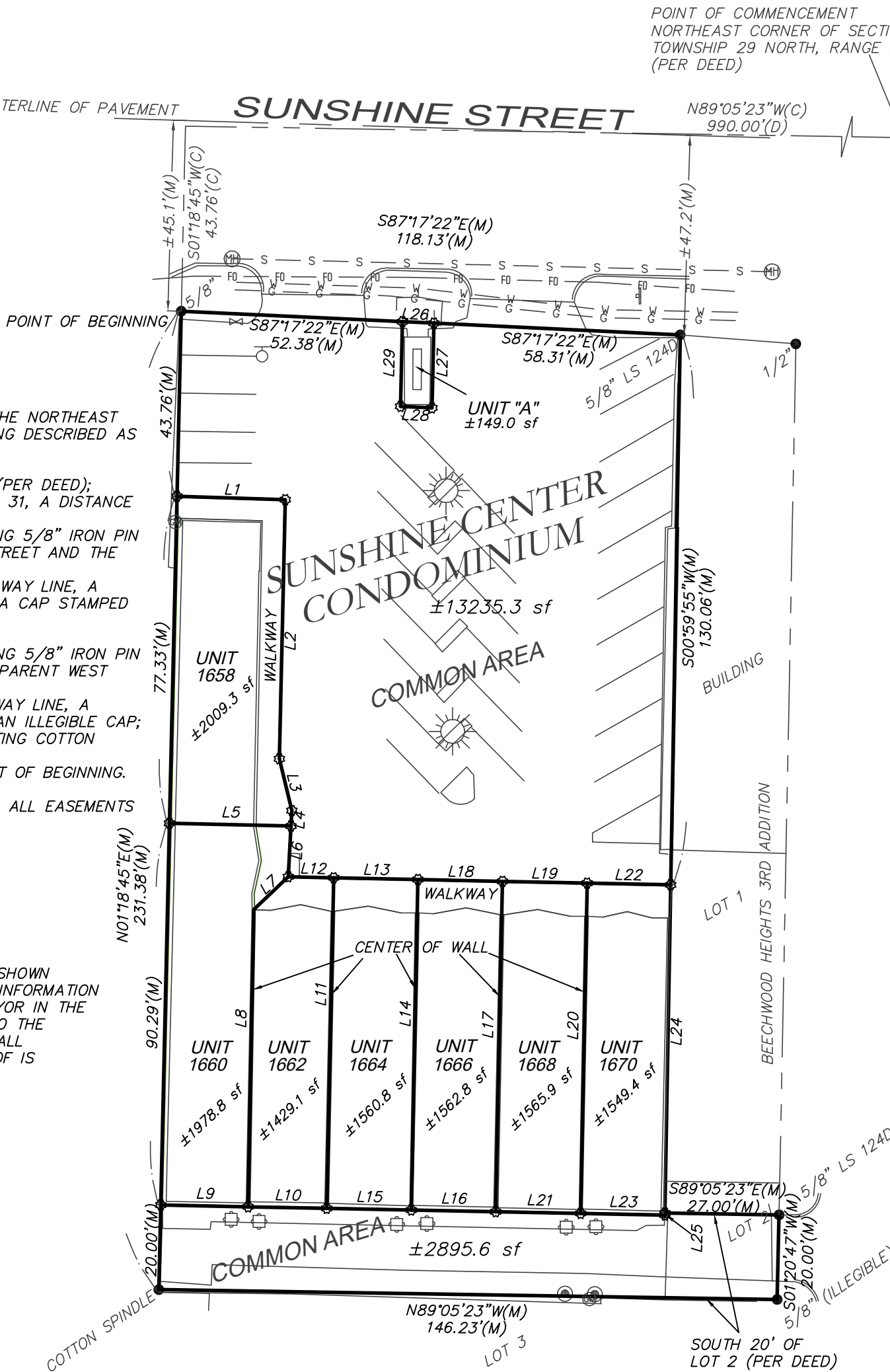
PLAT NOTES

- TOTAL NUMBER OF UNITS: 8
- PROPERTY IS ZONED: "GR"
- ALL BUILDINGS, UTILITIES, INFRASTRUCTURE, STREETS AND SIDEWALKS ARE ALL EXISTING AS OF THE DATE OF THIS PLAT. NO NEW STREET CONSTRUCTION, RIGHT-OF-WAY, OR EASEMENTS ARE BEING CONVEYED.
- MAINTENANCE AND ACCESS TO SEWER, UTILITY LINES, AND SERVICES TO INDIVIDUAL UNITS ARE PERMITTED TO CROSS ELEMENTS.
- ALL CONDOMINIUM PROPERTY IS SUBJECT TO CERTAIN DEVELOPMENT RIGHTS AS FURTHER DESCRIBED IN ARTICAL "X" OF THE DECLARATION

VERTICAL LIMITS

UNIT	FLOOR	CEILING
1658	±1341.9'	±1351.4'
1660	±1342.4'	±1351.4'
1662	"	"
1664	"	"
1666	"	"
1668	"	"
1670	"	"
"A"	N/A	N/A

ELEVATIONS BASED ON THE CITY OF SPRINGFIELD BENCHMARK #513, ELEVATION = 1341.34'



CERTIFICATE OF OWNERSHIP

WE, SUNSHINE SUITES, LLC, HEREBY CERTIFY THAT WE ARE THE SOLE OWNER(S) OF THE PROPERTY DESCRIBED HEREON, WHICH IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE COUNTY OF GREENE, AND THAT WE FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS EASEMENTS OR DEFICIENT RIGHT OF WAY, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT WE WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY.

SUNSHINE SUITES, LLC

ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____, 2023, BEFORE ME PERSONALLY _____, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES HEREIN STATED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL AT MY OFFICE IN _____, _____ COUNTY, MISSOURI, ON THE DAY AND DATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC

PRINTED NAME OF NOTARY PUBLIC

MY COMMISSION EXPIRES:

CERTIFICATE OF APPROVAL BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT

I, BOB HOSMER, PLANNING MANAGER, OF PLANNING AND DEVELOPMENT OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IN ACCORDANCE WITH THE AUTHORITY GRANTED TO ME BY SECTION 410.5 OF ARTICLE II OF THE LAND DEVELOPMENT CODE, CHAPTER 36, SPRINGFIELD CITY CODE, DO HEREBY APPROVE THIS ADMINISTRATIVE CONDOMINIUM PLAT OF SUNSHINE SUITES OF SAID CITY OF SPRINGFIELD ON THIS _____ DAY OF _____, 2023.

BOB HOSMER, ACIP
PLANNING MANAGER

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MICHAEL WHITE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36 OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THE STANDARDS FOR PROPERTY BOUNDARY SURVEYS PROMULGATED BY THE STATE OF MISSOURI DEPARTMENT OF AGRICULTURE, AND THAT THIS PLAT CONTAINS ALL INFORMATION REQUIRED BY RSMO SECTION 448.2-109 FOR CONDOMINIUM PLATS.

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

SURVEY DATE: 07.11.23

DWG DATE: 09.03.23

DRAWN BY: MW

S/T/R: 31/29/21

PROJECT No.: 2023-038

PREPARED FOR
SUNSHINE SUITES, LLC
PROJECT LOCATION: 1656-1670 E. SUNSHINE STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI

PREPARED BY:

MICHAEL WHITE- MISSOURI
PROFESSIONAL LAND
SURVEYOR #2488

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



09/03/2023



DECEMBER 11, 2023

MS. LYDIA CHAVEZ
SUNSHINE SUITES, LLC
1664 E. SUNSHINE
SPRINGFIELD, MO 65804

RE: SUNSHINE SUITES – 1658 - 1670 E. SUNSHINE

DEAR MS. CHAVEZ:

PER YOUR REQUEST, I AM PROVIDING YOU WITH MY OPINION ON THE CITY'S REQUIRED SITE MODIFICATIONS TO SUNSHINE SUITES, AS WELL AS A DESCRIPTION OF THE RAMIFICATIONS OF THE CITY'S REQUIREMENTS.

THE THREE ITEMS THAT WILL BE DISCUSSED ARE (1) RIGHT-OF-WAY, (2) DRIVEWAY APPROACHES, (3) AND SIDEWALKS.

RIGHT-OF-WAY: THE RIGHT-OF-WAY FOR SUNSHINE ST. IN FRONT OF YOUR FACILITY IS OWNED BY MODOT AND NOT THE CITY OF SPRINGFIELD. THE CITY IS REQUIRING AN ADDITIONAL 5' OF RIGHT-OF-WAY, WHICH INFRINGES INTO THE EXISTING PARKING LOT, AND ACROSS THE EXISTING SIGNAGE. IN THIS CASE, AS I UNDERSTAND, AS PART OF THIS ACQUISITION OF RIGHT-OF-WAY, THE CITY WILL ALLOW THE AFFECTED PARKING AND SIGN TO REMAIN IN PLACE UNTIL THE POINT IN THE FUTURE WHEN IT IS REQUIRED TO WIDEN OR IMPROVE SUNSHINE ST. IN THIS CASE, I CAN SUPPORT GIVING UP THE 5' OF RIGHT-OF-WAY, WITH THE UNDERSTANDING THAT AS PART OF GIVING THE ADDITIONAL RIGHT-OF-WAY, THAT YOU RECEIVE SOME CONSIDERATION FOR YOUR REQUESTS ON THE DRIVEWAY APPROACHES AND SIDEWALKS.

DRIVEWAY APPROACHES: THE SITE CURRENTLY AND FOR MANY FORMER DECADES IS SERVED BY TWO SEPARATE DRIVEWAY APPROACHES (ONE IN / ONE OUT). THE SITE IS SERVED WITH ANGLED PARKING DUE TO THE NARROW WIDTH OF THE OVERALL SITE (SEE THE ATTACHED SITE PLAN FOR REFERENCE). AS PART OF THE PERMITTING PROCESS, THE CITY IS REQUESTING THAT ONE OF THE DRIVES SERVING THE SITE BE CLOSED, AS THE DRIVEWAYS DO NOT MEET THE CITY'S DRIVEWAY SEPARATION REQUIREMENTS. NOTE THAT THIS CONDITION IS RARELY MET ALL UP AND DOWN SUNSHINE ST., AND SPECIFICALLY IS NOT MET TO THE EXISTING PROPERTY TO THE EAST, OR THE NEW CAR WASH SITE TO THE EAST. MORE IMPORTANTLY, REMOVING EITHER ONE OF THE DRIVES, DOES NOT MAKE THE SITE COMPLIANT WITH THE CITY'S DISTANCE RULE WITH A DRIVEWAY 30' WEST OF THE WEST DRIVEWAY, AND S. KENTWOOD AVE. 60' EAST OF THE EAST DRIVEWAY.

ADDITIONALLY, THE REMOVAL OF EITHER OF THE DRIVES WOULD REQUIRE THE ALTERATION OF THE ENTIRE PARKING LOT, INCLUDING STRIPING, AND THE REMOVAL OF THE EXISTING PERMANENT CURB BLOCKS, AND THE RELOCATION OF ALL SITE LIGHTING.

PLEASE NOTE THAT THE ALLOWANCE FOR BOTH OF THE DRIVEWAY APPROACHES WILL REQUIRE A VARIANCE THROUGH CITY COUNCIL. THIS IS A SOMEWHAT LENGTHY PROCESS THAT WILL REQUIRE AN APPLICATION. PLEASE COORDINATE WITH THE CITY ON THE REQUIREMENTS FOR THE VARIANCE.

SIDEWALK: THE CITY IS REQUIRING THAT YOU INSTALL SIDEWALK ALONG THE FRONT OF THE SITE, OR PAY A FEE-IN-LIEU SIDEWALK CONSTRUCTION. THE ISSUE WITH THE SIDEWALK CONSTRUCTION. THERE ARE MULTIPLE ISSUES WITH CONSTRUCTION OF THE SIDEWALK ACROSS THE FRONT OF THE SITE.

FIRST AND FOREMOST, SUNSHINE ST. IS MODOT RIGHT-OF-WAY, AND IN GENERAL, MODOT DOES NOT WANT SIDEWALKS IN THEIR RIGHT-OF-WAY.

THERE IS NO CURRENT ALLOWANCE FOR ACCESSIBILITY ACROSS THE EXISTING DRIVEWAY APPROACHES, AS THE CURRENT APPROACHES EXCEED THE ALLOWANCE FOR A 2% MAXIMUM CROSS SLOPE (AS IS THE CASE FOR THE NEW CAR WASH TO THE WEST). SO CURRENTLY THERE IS NOT AN ACCESSIBLE PATH ACROSS EITHER SITE TO THE EAST OR WEST, WHICH DIMINISHES THE NEED FOR AN ACCESSIBLE PATH ACROSS YOUR SITE.

THE REQUIRED CONSTRUCTION OF A SIDEWALK ACROSS THE SITE WOULD REQUIRE NEW APPROACHES THAT MEET ACCESSIBILITY STANDARDS, AND THIS CONSTRUCTION WOULD REQUIRE SOME DEMOLITION OF THE EXISTING PARKING LOT TO MAKE ELEVATIONS MATCH. IN ADDITION, THE HORIZONTAL LOCATION OF THE SIDEWALK WOULD NOT MATCH EXISTING STANDARDS, AS THE RIGHT-OF-WAY IS BEING RELOCATED INTO THE EXISTING PARKING LOT, AND THE SIDEWALK WOULD NEED TO BE LOCATED AT LEAST 5' FROM THE PROPOSED RIGHT-OF-WAY FOR THE PARKING LOT AND SIGN IN IT'S CURRENT CONDITION.

THE FINAL ISSUE IS THAT THERE ARE APPROX. SIX WATER METERS IN FRONT OF THE EXISTING SIGN THAT WOULD EITHER NEED TO BE ADJUSTED TO REMAIN IN THE SIDEWALK, OR BE RELOCATED OUTSIDE OF THE SIDEWALK.

I WOULD RECOMMEND THAT YOU APPLY FOR THE FEE-IN-LIEU OF SIDEWALK CONSTRUCTION THROUGH THE ADMINISTRATIVE REVIEW COMMITTEE (ARC). THIS IS AN APPROXIMATELY TWO WEEK PROCESS, AND A DECISION IS ADMINISTRATIVE THROUGH THE COMMITTEE.

SHOULD YOU HAVE ANY QUESTIONS OR REQUIRE ADDITIONAL INFORMATION, PLEASE LET ME KNOW.

SINCERELY,

PINNACLE DESIGN CONSULTANTS, L.L.C.

DDB

DAVID BODEEN, P.E.
PRINCIPAL

