City of Springfield

Agenda

Planning and Zoning Commission

Natalie Broekhoven, Chair

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

March 14, 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. February 15, 2024

3. COMMUNICATIONS.

3.1. February 2024

4. CONSENT ITEMS.

5. UNFINISHED BUSINESS.

5.1. Vacation 832
300 blk of Chestnut Street (Applicant: City of Springfield)

6. PUBLIC HEARINGS.

6.1. Z-6-2024 COD 250
2200 blk North Belcrest Avenue (Applicant: 3G Investment Group, LLC)

6.2. Z-8-2024
1501 & 1505 West College Street and 201 North Nettleton Avenue (Applicant: Lorisa Kirkpatrick, LLC)

6.3. Z-9-2024 COD 251
2646 West Walnut Street (Applicant: Seth Holdings, LLC)

7. OTHER BUSINESS.

7.1. Planned Development 303 Final Development Plan
1735 East Valley Water Mill Road (Applicant: Triple S Properties, Inc.)

7.2. Retail Liquor Sales Text Amendment
Citywide (Applicant: City of Springfield)

8. ADJOURN.

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

City of Springfield
Minutes
Planning and Zoning Commission

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

February 15, 2024	**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 Gunther, Commissioner Pauly, and Commissioner Lebeck. Absent: Dan Scott.

Staff in attendance: Steve Childers, Planning Director, Bob Hosmer, Planning Manager, Laura Vales, Assistant City Attorney, Daniel Neal, Michael Sparlin, and Andrew Menke, Senior Planners.

APPROVAL OF MINUTES.
The minutes of January 11, 2024, were approved.

COMMUNICATIONS.
City Council summary for January 2024.

CONSENT ITEMS.

Change of Use 537
1300 blk of South Grant Avenue
Applicant: City of Springfield

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Consent Item, Change of Use 537, Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

UNFINISHED BUSINESS.

Z-1-2024 COD 246
1330 South Kansas Avenue
Applicant: Eoff Land Trust

Mr. Sparlin stated that this is a request to rezone approximately 3.3 acres of property from R-SF, Residential Single-family to R-LD, Low-density Multifamily Residential district with Conditional Overlay District No. 246. He also noted the update in the staff report within 72 hours of posting the agenda, clarifying that the buffering and landscaping language had changed from “six-foot solid wooden fence along the south and east property line” to “six foot sold screen along the east property line.”

Mr. Daniel Richards, 1200 E. Woodhurst Drive noting that they have accepted all the recommendations provided by the City's Comprehensive Plan and amended the zoning boundary and worked with the neighborhood and noted their concerns regarding traffic and there will be a 20% increase in overall traffic, but the AM and PM traffic peak hours noted no additional traffic.

Mr. Cameron Eoff, 618 N. Maplewood Hills, Nixa noted that he is the owner of the property and has family that still lives on the property. He noted that everything will be new, clean, working, and safe in perpetuity and went over the benefits of the project.

Mr. Pauly asked about the mature trees currently on the property and what are the plans to keep them.

Mr. Eoff noted that the perimeter trees will be kept and easy to maintain, but there is one large tree centered on the property and they will see what can be done to preserve it.

Mr. Denis Levangie, 1371 S. Newton, noted that he lives in an old home and stated it was built on a civil war campsite and believes the development will not fit on the acreage and noted his concerns regarding traffic.

Ms. Dulcy Stewart, 1507 S. Newton, is in favor of the project and gave a brief background of working with the Eoff family on past projects, etc., noting that he is a neighborhood guy.

Ms. Lynna Alumbaugh, 1237 S. Kansas Avenue noted that she has townhouses directly behind her and has several problems with people trespassing into her yard, yelling, etc., and has concerns regarding adding more people into the area and increased traffic.

Mr. Robert Leazer, 1232 S. Kansas Avenue is not opposed to him building on his land but would like him to reconsider building ranch style homes instead of apartments.

Ms. Collen Alexander, 1419 W. Bennett Street and are in favor of the development and has worked with well with the Eoff family as good neighbors.

Mr. Gary Alexander, 1419 W. Bennett Street and are in favor, but would not like to see "great big, tall apartments." Believes it will raise property values and will clean up some of the fence rows but did voice his concern regarding traffic.

Mr. David Lane, 1644 W. Catalpa and is opposed to the rezoning stating that there is already a lot of apartments in that location and how the Kensington Park townhomes tower over his six-foot privacy fence into his backyard and people allowing their pets to potty along the fence and causing smells.

Ms. Emily Logan, 1622 W. Catalpa voiced her concerns regarding traffic, and if there is wheelchair access for the project and would like to have a sidewalk, stating that it is hard to go walking or dog walking and would like to see plans of what they are proposing.

Ms. Kim Eoff, 618 N. Maplewood Hills, Nixa stated that they have lived on the property for 19 years and have raised their children there and understands people's concerns and noted that traffic is a nuisance, but they see this as an opportunity to develop a neighborhood.

Mr. Brad King, 5453 E. Farm Road 192 stated that he is a builder and developer and has worked with Cameron on several developments and is in favor of the project and here to answer any questions.

Ms. Broekhoven closed the public hearing.

Ms. Broekhoven asked about a traffic study.

Mr. Zickefoose, Traffic Engineering explained that the applicant did provide traffic generation numbers for the proposed development, and we also ran our own numbers and there were very small differences. He summarized that the development on an hourly would potentially increase of seven trips a day and they are supporting the rezoning.

Mr. Colony noted that this is an attractive location, and the owner could easily sell the property and believes the owner will do a nice high-quality development.

Mr. Lebeck asked about traffic and went over his numbers that he has calculated and believes the increase is roughly 35% between as it is currently zoned versus rezoned. Discussion on sidewalks and the developer will have to build a sidewalk on the property that fronts Meadowmere.

Mr. Lebeck noted that his neighborhood is going through possible changes and that the Commission will act on the rezoning based on eight factors. Fits with the Springfield Comprehensive Plan, appropriate sewer, and water, and whether the change of conditions could affect neighborhood properties and one of them is about traffic and what impact it will have on the area and hopes that the City hears the concerns regarding traffic and notes the developer is going to do everything he can to make this a nice development and will recommend rezoning.

Ms. Broekhoven noted about the 17 conditions on top of the zoning request and whether it will have to come back to the Commission once they submit their designs for additional oversight.

Mr. Sparlin noted that if approved by City Council then the next step would be for them to submit building plans and they will be looked at in the review process by Planning staff and would review the Conditional Overlay District provisions.

Mr. Childers noted that this is one of the better Conditional Overlay District packets presented and does cover a lot of the items mentioned tonight and noting that the developer is preserving much of the vegetation that currently exists.

Mr. Knuckles believes that the developer has looked at the zoning change and traffic concerns and have concerns for the way the land will be developed and is putting an effort into making this fit in the community.

Mr. Colony believes this scale of housing will easily integrate into the neighborhood with little impact and will support this rezoning.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Colony moved to approve Z-1-2024 COD 246, Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Vacation 831
2900 blk of West Division Street
Applicant: Assembly of God Church Spfd Faith, Inc.

Mr. Sparlin stated that this is a request to vacate a portion of public alley right-of-way in the 2900 block of West Division Street, between Drury Lane and Hilcrest Avenue. The applicant intends to develop the adjacent property at 2901 West Division Street.

Mr. Colony asked if this is vacated will a portion of the property go to the church?

Mr. Sparlin noted that a portion would be part of the church's property.

Mr. Lebeck asked about the other property owners adjacent to the vacated property.

Mr. Sparlin noted that the applicant is available to answer that question.

Mr. Mario Gonalez, 2901 W. Division Street noted that he has maintained they alley since 2012 and that a building was torn down as it was unsafe and they started to rebuild another building in 2020. He also noted that people turned the alley into a dumping ground, but the church keeps up the maintenance.

Ms. Gunther asked if there was an actual alley there.

Mr. Gonalez noted that it has never been used for traffic but as a dump site.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Vacation 831, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Vacation 832
300 blk of Chestnut Street
Applicant: City of Springfield

Request to postpone to the March 14, 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 832, Commissioner Lebeck seconded the motion. It was **postponed** to March 14, 2024 with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

PUBLIC HEARINGS.

Vacation 827
1000 blk of North Hampton Avenue
Applicant: Ozarks Technical Community College

Mr. Neal stated that this is a request to vacate a public alley right-of-way.

Mr. Pauly asked about the two properties that OTC does not own.

Mr. Neal noted that they have talked with the owners after they submitted their application.

Mr. Dane Seiler, 5051 S. National noted that they spoke with the two property owners and that they are good with the vacation of the alleyway, and he also stated that there is a sanitary sewer line, and they will be dedicating an easement.

Mr. Colony asked if they were putting in parking lots.

Mr. Seiler noted that at this time they are putting in surface parking and will possibly figure out some adaptive use for the building (church) and OTC has potential for more building on the campus, so they are anticipating future parking needs.

Mr. Colony suggest the school to start looking into a parking garage.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Vacation 827, Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Z-25-2023 COD 235
1001, 1004, 1013, 1017 & 1033 North Hampton Avenue and 1117 & 1125 East Pythian Street and 1118, 1140 & 1146 East Scott Street
Applicant: Ozarks Technical Community College

Mr. Neal stated that this is a request to rezone approximately 4.2 acres of property from R-TH, Residential Townhouse District to GI, Government and Institutional Use District and establishing Conditional Overlay District No. 235.

Mr. Dane Seiler, 5051 S. National and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Z-25-2023 COD 235, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Z-7-2024 COD 249
3333 West Battlefield Road
Applicant: South Creek Development Corp.

Mr. Sparlin stated that this is a request to rezone approximately 4.3 acres of property from R-SF, Residential Single-family to GR, General Retail with Conditional Overlay District No. 249.

Mr. Knuckles asked about the access to the two tracks.

Mr. Sparlin noted that it is viewed as one property and whenever the subdivision comes along then it will be split into two lots and access to the development will come off the access road, not Battlefield Road.

Mr. Tim Guillot, 1736 E. Sunshine, stated that their goal is to develop a small building on the west side of Carver Road.

Mr. Knuckles asked there are plans to divide the east portion into a lot.

Mr. Guillot could not commit as the owner was not available.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Z-7-2024 COD 249, Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

OTHER BUSINESS.

Preliminary Plat of Valley Water Mill Estates
1735 East Valley Water Mill Road
Applicant: Triple S Properties, Inc.

Mr. Menke stated that this is a request to approve a preliminary plat for a 1-lot subdivision.

Mr. Colony asked about the private road/dead ends/hammerhead.

Mr. Zickefoose noted that it will be a public street and will be built to city standards and the City will take over maintenance once it is constructed.

Mr. Ethan Dahl, 831 S. Kimbrough here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Preliminary Plat of Valley Water Mill Estates, Commissioner Pauly seconded the motion. It was **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Preliminary Plat of MHC Kenworth Addition
5500 East Farm Road 104
Applicant: M-H Property Enterprises, LLC

Mr. Menke stated that this is a request to approve a preliminary plat for a 2-lot subdivision.

Mr. Knuckles asked about the signs for no trucks and then the sale of trucks at the end of the road.

Mr. Zickefoose noted that Buc-ee's does not control or have jurisdiction over Beaver Road/Buc-ee's Blvd. Access will be off Buc-ee's Boulevard but no direct access to Farm Road 104. There was a traffic impact study and they have accepted the primary service for the tractors and improvement will made to the corner for tractor trailers to turn right.

Further discussion about Beaver Road and Farm Road 104. The intersection of these streets and the full length of Farm Road 104 are under the jurisdiction of Greene County.

Mr. Tyler Wysong, 5210 Meadowsweet Lane, St. Louis noting that they have worked closely with staff and agree with the recommendations.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Preliminary Plat of MHC Kenworth Addition, Commissioner Pauly seconded the motion. It was **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Subdivision Variance 357
3246, 3248, 3250 & 3256 West Division Street
Applicant: Division St. Paving, LLC

Mr. Menke stated that this is a request to approve a variance from Section 36-251(4) of the Subdivision Regulations.

Mr. Knuckles asked about the cross-access agreement and the 200 feet from the west edge of the property.

Mr. Menke noted that the applicant's building is not part of the lots further east of the owner's building.

Mr. David Bodeen, 304 W. Erie Street noting that both properties are owned by the same entity but will be leased to two different entities and both are paving companies. He also noted that West Division is on a thoroughfare plan, and it is acknowledged as a primary arterial.

Ms. Broekhoven closed the public hearing.

Mr. Colony asked about the existing approach off Division Street and a possible share access agreement.

Further discussion regarding the share access agreement, traffic, and logistics of the building (not able to get the vehicles out of the building due to the drainage on the west) and can't physically get out of the building and make an S turn with a truck and trailer.

Mr. Hosmer noted that staff does not make recommendations on a variance, but if approved then conditions will be attached.

Mr. Zickefoose noted that Public Works is comfortable with the subdivision variance with the conditions due to questions for the future of West Division.

Questions and discussion on the five requirements if approved and placement on the plat to be recorded and its renewal.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Subdivision Variance 357, Commissioner Gunther seconded the motion. It was **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

Commercial-Pacific Redevelopment Area
Generally located along the south side of the 400-500 blks East Commercial Street, east side of the 1600-1700 blks North Jefferson Avenue, and west side of the 1600-1700 blks North Benton Avenue.
Applicant: Commercial-Pacific Street Redevelopment Corporation

Mr. Schaefer stated that this is a request for phased redevelopment over the next 18 months. Locations are Pacific South Project, 540 E. Commercial Street Project, Missouri Hotel Project, and the Pacific North Project.

Mr. Lebeck is asking for clarification on what the Commission is recommending.

Mr. Schaefer stated that it is under state statute that the Commission needs to participate in the redevelopment plan.

Discussion on Chapter 353, the city's adopted economic development incentives policies, and Tax Increment Finance District (TIF)

Mr. Schafer noted that if this is approved then the Pacific S project will be triggered.

Mr. Shelby Wood, 2144 E. Republic Road and have worked with the city and excited for the potential of this redevelopment area.

Mr. Polly noted that the developer has worked well with the neighborhood on some concerns and would like to see that happen here.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Knuckles moved to approve Commercial-Pacific Redevelopment Area, Commissioner Lebeck seconded the motion. It was **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott. Abstain: None.

ADJOURN.

PNZ City Council Results

Meeting Dates From: 02/01/2024 **To:** 02/29/2024

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-25-2023 COD 235 1115 E PYTHIAN ST 1004 N HAMPTON AVE 1020 N HAMPTON AVE 1032 N HAMPTON AVE 1001 N NATIONAL AVE 1013 N NATIONAL AVE 1017 N NATIONAL AVE 1033 N NATIONAL AVE 1117 E PYTHIAN ST 1125 E PYTHIAN ST 1118 E SCOTT ST 1140 E SCOTT ST 1146 E SCOTT ST	2/15/2024 Approved		
Vacation 827 1115 E PYTHIAN ST	2/15/2024 Approved		
PPlat of Valley Water Mill Estates 1735 E VALLEY WATER MILL RD	2/15/2024 Approved		
Vacation 831 2901 W DIVISION ST	2/15/2024 Approved		
Vacation 832 300 blk of W Chestnut Street	2/15/2024 Tabled		
Z-1-2024 COD 246 1330 S KANSAS AVE	2/15/2024 Approved		
Change of Use 537 1300 blk of South Grant Avenue	2/15/2024 Approved		
PPlat of MHC Kenworth Addition 5500 E FARM ROAD 104	2/15/2024 Approved		
Subdivision Variance 357 3250 W DIVISION ST 3246 W DIVISION ST 3248 W DIVISION ST 3256 W DIVISION ST	2/15/2024 Approved		
Z-7-2024 COD 249 3333 W BATTLEFIELD RD	2/15/2024 Approved		
Vacation 835 425 E TRAFFICWAY ST	2/1/2024 Withdrawn		

PNZ City Council Results

Meeting Dates From: 02/01/2024 **To:** 02/29/2024

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Commercial-Pacific Street Redevelopment Area 536 E COMMERCIAL ST 1635 N BENTON AVE 1703 N BENTON AVE 1717 N BENTON AVE 420 E BLAINE ST 410 E COMMERCIAL ST 412 E COMMERCIAL ST 424 E COMMERCIAL ST 434 E COMMERCIAL ST 438 E COMMERCIAL ST 1/2 500 E COMMERCIAL ST 530 E COMMERCIAL ST 540 E COMMERCIAL ST 1630 N JEFFERSON AVE 1706 N JEFFERSON AVE 1720 N JEFFERSON AVE 1727 N WASHINGTON AVE	2/15/2024 Approved		
Stand Alone Multi-Family in Commercial District Am Citywide	3/23/2023 Approved	2/12/2024 NA	2/12/2024 NA
Planned Development 387 1141 E DELMAR ST 1137 E DELMAR ST	1/11/2024 Approved	2/12/2024 Complete	2/26/2024 Approved
Z-3-2024 2730 E FARM ROAD 188	1/11/2024 Approved	2/12/2024 Complete	2/26/2024 Tabled
Vacation 833 1141 E DELMAR ST	1/11/2024 Approved	2/12/2024 Complete	2/26/2024 Approved
Z-4-2024 COD 248 3961 S CAMPBELL AVE	1/11/2024 Approved	2/12/2024 Complete	2/26/2024 Approved
Z-5-2024 701 W WALL ST	1/11/2024 Approved	2/12/2024 Complete	2/26/2024 Approved

PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM

DATE: March 4, 2024

TO: Planning and Zoning Commission

FROM: Andrew Menke
Senior Planner

SUBJECT: Vacation 832

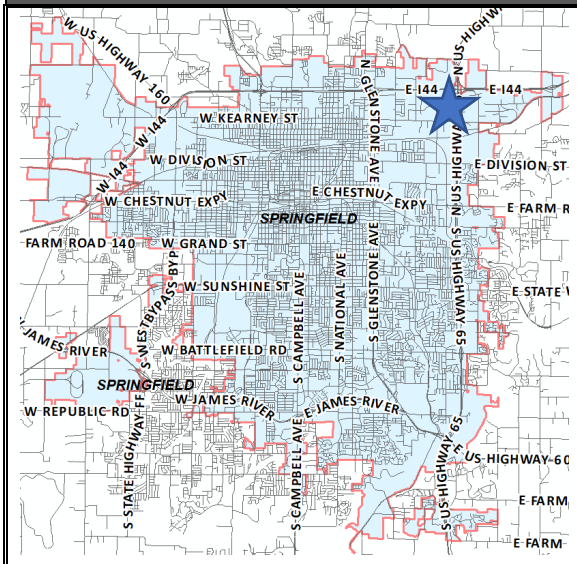
This case has been postponed to the Planning and Zoning Commission meeting on April 11, 2024.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-6-2024 with Conditional Overlay District No. 250
Location:	2200 blk N. Belcrest Avenue
Total Acres:	9.45 acres
Applicant:	3G Investment Group, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	February 13, 2024
Planning and Zoning Commission:	March 14, 2024
City Council:	April 8, 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-6-2024 with Conditional Overlay District No. 250 as set forth in Attachment 1 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

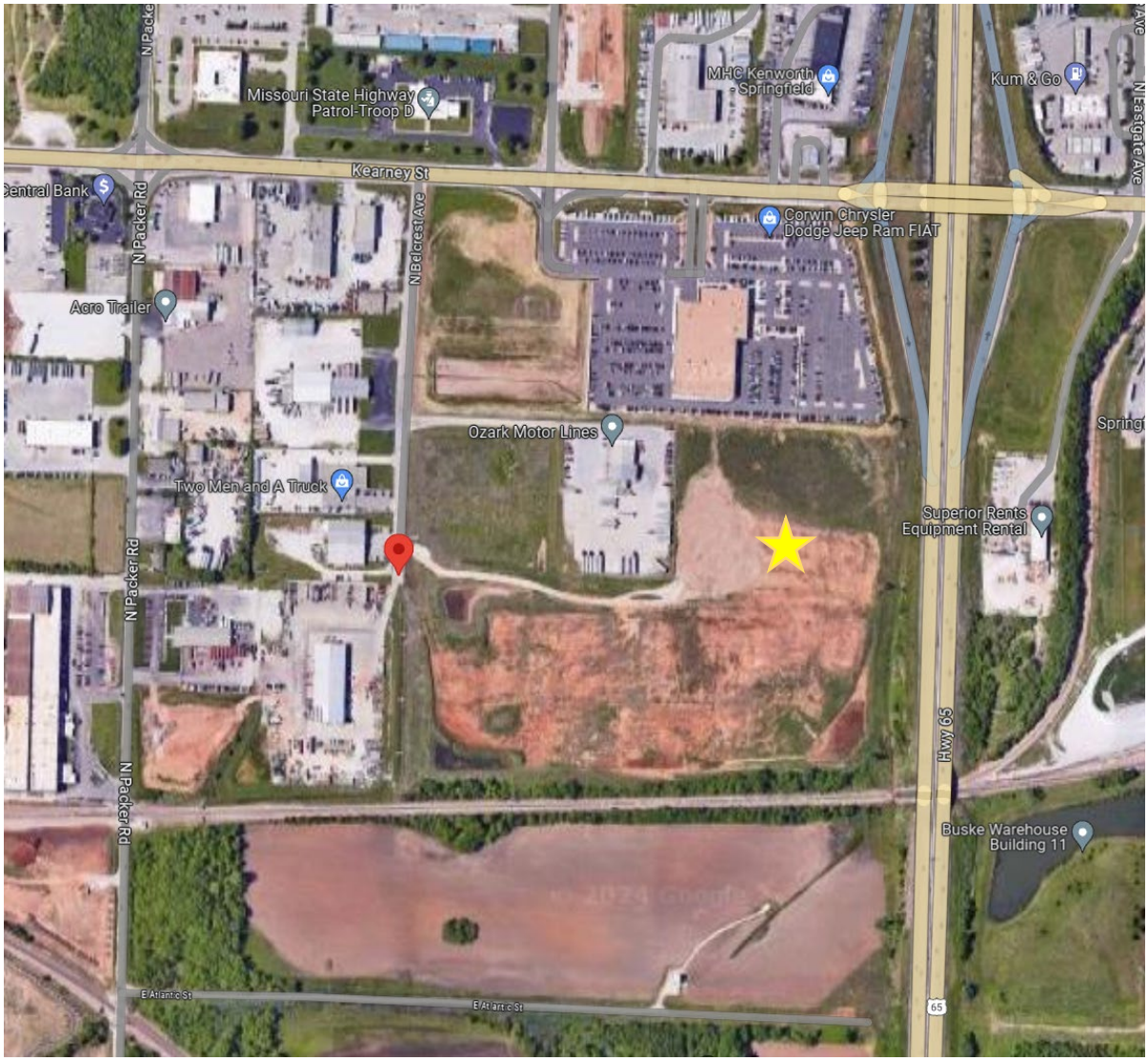
PROJECT SUMMARY:

Request to rezone approximately 9.45 acres of property generally located at 2200 block North Belcrest Avenue from HC, Highway Commercial District with Conditional Overlay District No. 226 to HM, Heavy Manufacturing District and establishing a new Conditional Overlay District No. 250.

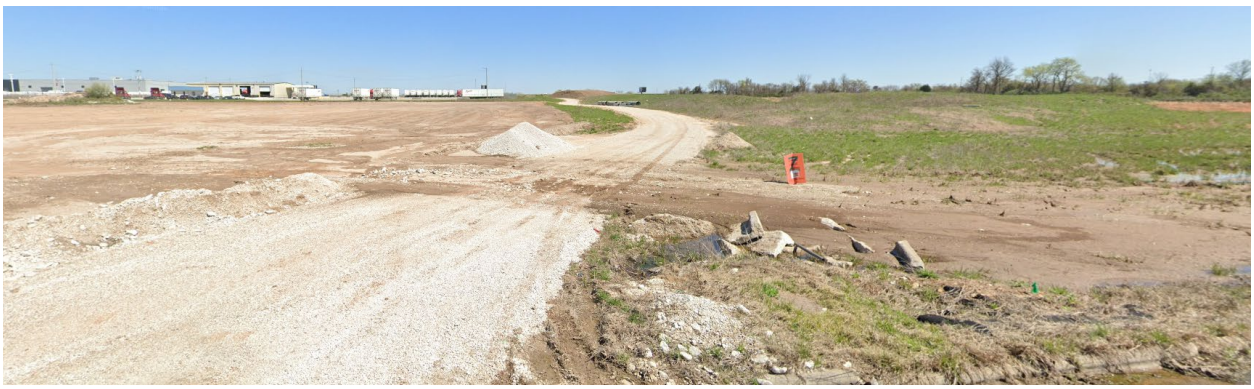
LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



PROPERTY HISTORY:

This subject property had been zoned HM, General Manufacturing District since the 1995 remapping; however, it was recently rezoned to HC, Highway Commercial District in 2023.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HM DISTRICT
Use Limitations	(a) No building shall be used for residential purposes, except that a guard, caretaker or other person employed on the premises, and their family, may reside on the premises in conformance with subsection 36-450(3)(b)6. Existing nonconforming residential uses may be expanded up to ten percent of the floor area existing at the time the district is mapped to provide enlarged cooking and sanitary facilities but not bedrooms or other living space. (b) No junk, scrap, salvage, or automobile wrecking yard shall be located within 500 feet of any residential district. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.

	(d) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Minimum Lot Size	Not applicable to the HM District
Maximum Height	Not applicable to the HM District
Bulk Plane	None.
Minimum Yard Requirements	1. *Front yard:* Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. *Side yards:* Ten (10) feet, except as required by section 36-453, supplemental open space, and yard regulations, and the bufferyard requirements in subsection (8). 3. *Rear yards:* Ten (10) feet, except as required by the bufferyard requirements in subsection (8)).
Minimum Open Space	Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities, and recording, television, and radio studios: Not less than 15 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved.

	(c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (f) Lighting shall be designed to reflect away from any adjacent or nearby residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	Whenever any development in an HM industrial commercial 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:

The project area is located within the Industry & Logistics placetype, (see the Future Placetype Map on page 4 for reference). Per the *Land Use & Development* chapter of the *Comprehensive Plan,* this placetype primarily consists of, "…heavy and moderately intense manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities." Based on these primary functions, this placetype also accommodates other activities typically associated with industry and manufacturing, including outdoor activity involving storage or parking of vehicles and equipment.

Placetypes are not as rigid as zoning districts and allow for supporting or ancillary uses which complement and enhance its sense of place; as an extension of this, a single placetype is not likely to be defined by a single zoning district or even a collection of closely related zoning districts (e.g. industrial districts), but rather a mix of tangentially related zoning districts which together form a cohesive sense of place when developed with similar character, scale, and form. The Industry & Logistics placetype allows for certain supporting uses which complement the placetype's primary industrial or manufacturing uses, including office, hospitality, retail sales and service uses, universities, colleges, and vocational schools, and government, healthcare, and institutional uses, to name a few. As a result, this placetype should include a mix of industrial zones complemented by office or commercial zones were deemed suitable. The HM, Heavy Manufacturing district, which allows for a variety of industrial uses, is a suitable match for the Industry & Logistics placetype.

PRIMARY USES

1. Personal and outdoor storage
2. Light industry
3. Warehousing and distribution facilities
4. Heavy industry and manufacturing
5. Airport, railroad, and freight facilities

SUPPORTING USES

1. Parks, greenways and open space
2. Urban agriculture
3. Office, hospitality, retail sales and service
4. Maker spaces, artisan, and innovation spaces
5. Universities, Colleges & Vocational Schools
6. Government, healthcare and institutional facilities

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

1. Direct new industrial and logistic dependent development to areas planned for more intense uses located near existing rail lines, major roadways, and Enterprise Zones.
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. Freight traffic is diverted away from quieter residential or commercial streets to designated truck routes that are designed for anticipated capacity and have clear access to major routes and roadways.
4. 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 integrated into development plans.

URBAN DESIGN – BUILDING AND SITE TYPOLOGY

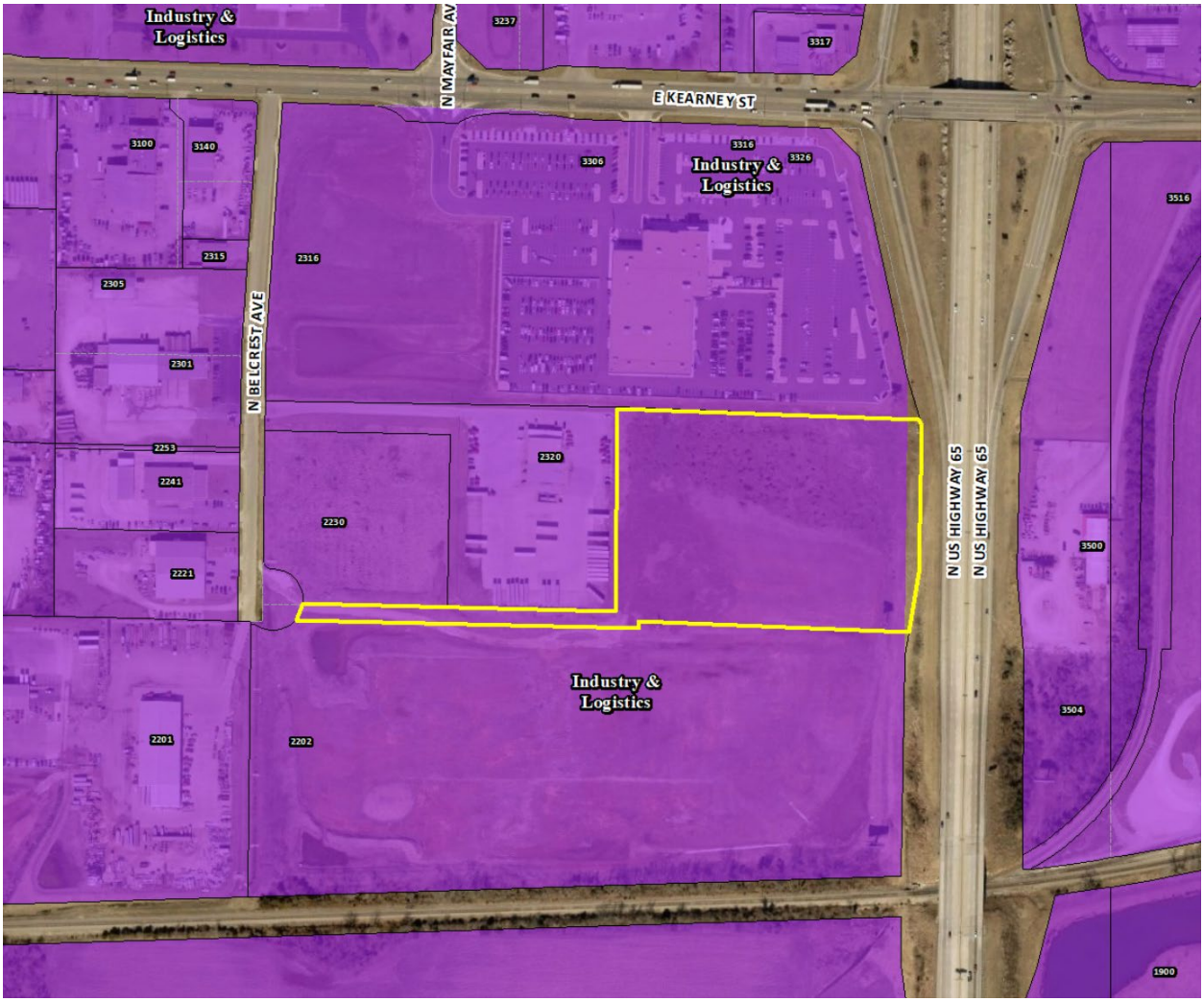
1. Industrial buildings exhibit quality façade designs and site layouts that enhance the character of the area and promote quality development and a sense of place.
2. Site design should discourage the placement or storage of materials and mechanical equipment along major roadways leading to the airport or along major routes into the city or should be completely screened, along with trash receptacles, and recycling bins.
3. Lighting, landscaping, signage, mail, and delivery accommodations are proactively incorporated into the site design.
4. Industrial parks contain integrated paths and outdoor recreation areas that are used as amenities by employees.
5. Entrances into industrial parks are clearly marked with monument signage and landscaping.
6. Public art, gateway signage, and landscaping are incorporated into the
7. streetscape leading to and from the airport and interstate interchanges to
8. create a lasting, positive image of the community.

TRANSITIONS

1. Industrial uses are well screened and buffered when located near lower.
2. intensity commercial or residential areas to reduce potential negative visual and noise impacts.

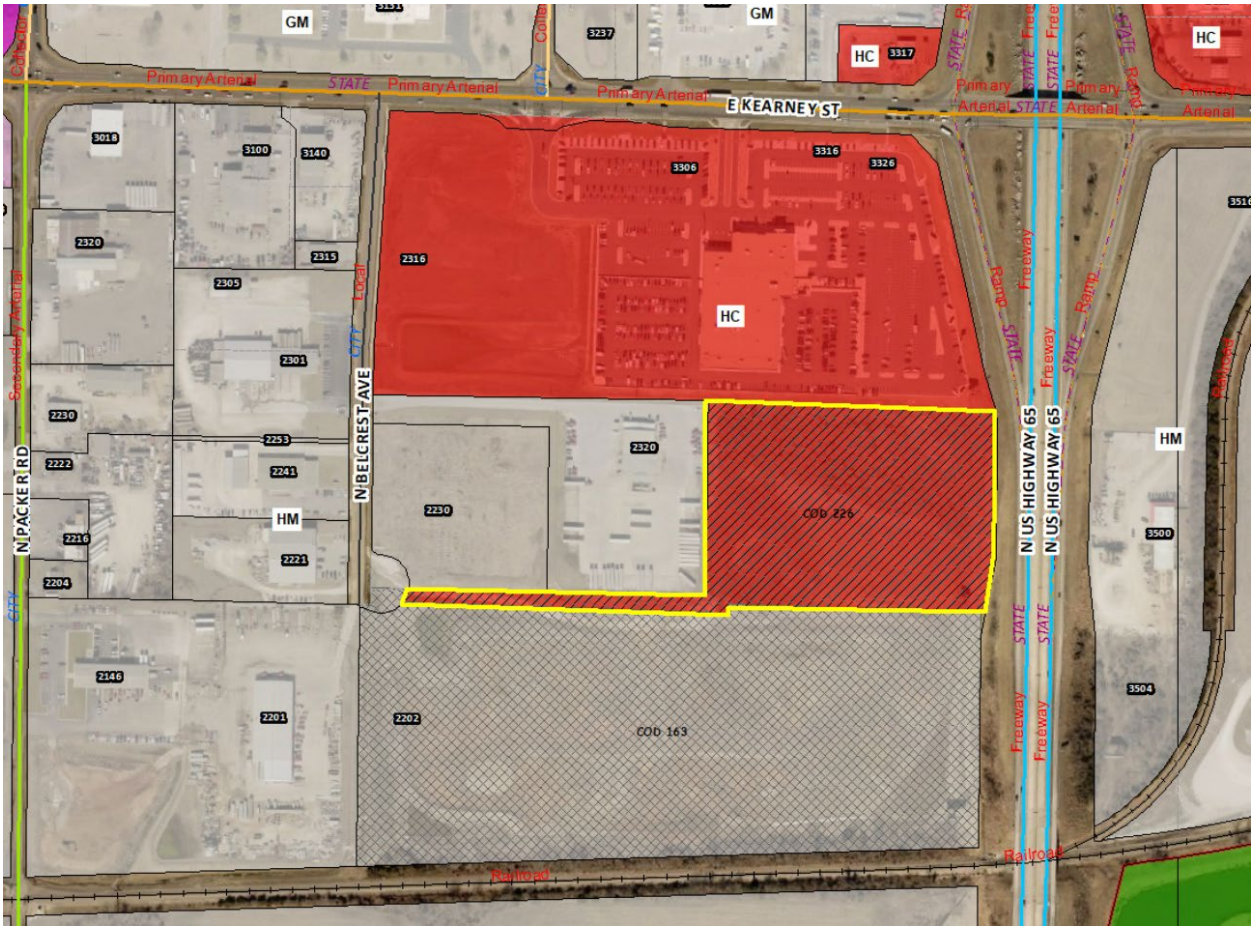
3. Less intense support sales, service, and supply of goods related to heavier manufacturing operations, airport, and other logistical operations are integrated along secondary roadways and around the periphery.

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	HM	HM	HM
LAND USE	Automotive sales	Vacant/undeveloped	Manufacturing uses	Manufacturing uses

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
   No comments.

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

3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

a. No objection to the rezoning however sewer access to this property is limited to a 6" service lateral. Public sewer lines are west of the property but is west of a 48" Raw Water main that cannot be crossed with public sewer (due to depth of the sanitary sewer and water main). Any use that requires more than a 6" service lateral would need to extend public sewer from some other location.

4. FIRE DEPARTMENT:
No comments.

5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN
No existing detention or water quality Stormwater Control Measures are present. 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 **will not be allowed and detention is required.**

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

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

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

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

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

FLOODPLAIN
N/A

NATURAL CHANNEL & STREAM BUFFERS
N/A

SINKHOLES & KARST FEATURES
N/A

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

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Belcrest Avenue	Local: Non-Residential	City	30	30	NA	Yes	Yes	Yes

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 on Kearney Street near the property.

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 9.45 acres of property generally located at 2200 block North Belcrest Avenue from HC, Highway Commercial District with Conditional Overlay District No. 226 to HM, Heavy Manufacturing District and establishing a new Conditional Overlay District No. 250. The applicant intends to sell the property for industrial uses which the property was previously zoned HM District prior to 2023.

2. The Heavy Manufacturing District is intended for heavy industrial uses and other uses not otherwise provided for in the other industrial districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways.

3. The proposed Conditional Overlay District will require enhanced perimeter landscaping to be triggered when the site is developed. The landscape plantings along U.S. Highway 65 shall consist of at least one canopy tree, two understory or evergreen trees; and four shrubs per 100 linear feet of street frontage.

4. The subject property is located along U.S. Highway 65 which is classified as a freeway roadway and Belcrest Avenue which is a local roadway, respectively.

5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

6. There are no known changing conditions in the area affected that make the proposed rezoning necessary.

7. The range of uses in the proposed HM district and COD are compatible with the uses permitted on other property in the immediate vicinity.

8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

9. The impact of the proposed uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.

10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

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

13. The applicant held a neighborhood meeting on February 13, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).

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

STAFF RECOMMENDATION:

1. Staff recommends approval of the rezoning request based on its compatibility with the *Comprehensive Plan's* Industry & Logistics Placetype.

PLANNING AND ZONING OPTIONS:

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

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

ATTACHMENT 1
Conditional Overlay District No. 250

The requirements of Section 36-433, Heavy Manufacturing District of the Land Development Code shall be modified as set forth herein for development within this district:

1. Perimeter landscaping:
    a. Perimeter landscaping shall be provided along U.S. Highway 65 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, two understory or evergreen trees and four shrubs per 100 linear feet of highway frontage.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Highway Commercial (HC) to Heavy Manufacturing (HM)
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Tuesday, February 13
3. Meeting Location: Frisco Building Cafe Conference Room 3253 E. Chestnut Expy
4. Number of invitations that were sent: 37
5. How the mailing list was generated: By the City of Springfield Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

None

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

None

I, Bob Newell *(print name)*, attest that the neighborhood meeting was held on 2/15/24 *(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

Bob Newell

Printed name of person completing affidavit

Belcrest 9.5 AC Rezoning Neighborhood Meeting
Thursday, February 15th
Frisco Building Conference Room
Erlen Group - Bob Newell

Name/Company	Street Address	Zip Code	Phone Number	Email Address
WILLIAMS	2140 NORTH Dacker	75033	417 818-1700	TERRY@WILLIAMSCOMPANIES.COM

DEVELOPMENT REVIEW STAFF REPORT

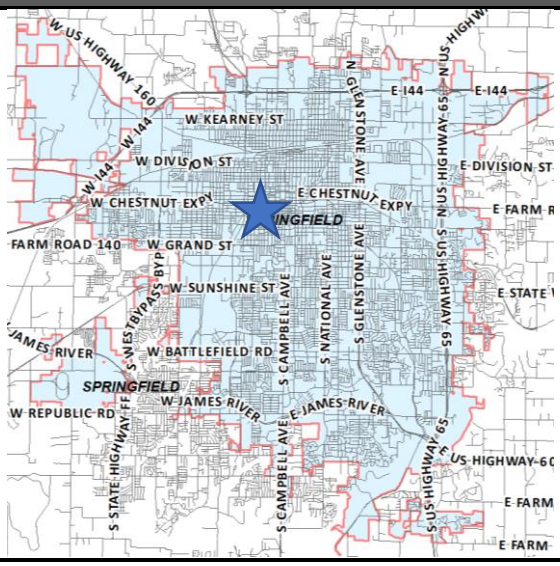
PROJECT INFORMATION

Case Number:	Z-8-2024
Location:	1501 and 1505 West College Street and 201 North Nettleton Avenue
Total Acres:	0.42 acres
Applicant:	Lorisa Kirkpatrick LLC
Existing Land Use:	Commercial use with residential lofts
Neighborhood Meeting:	February 25, 2024
Planning and Zoning Commission:	March 14, 2024
City Council:	April 8, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-8-2024 (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 0.42 acres of property generally located at 1501, 1505 West College Street and 201 North Nettleton Avenue from HC, Highway Commercial to IC, Industrial Commercial.

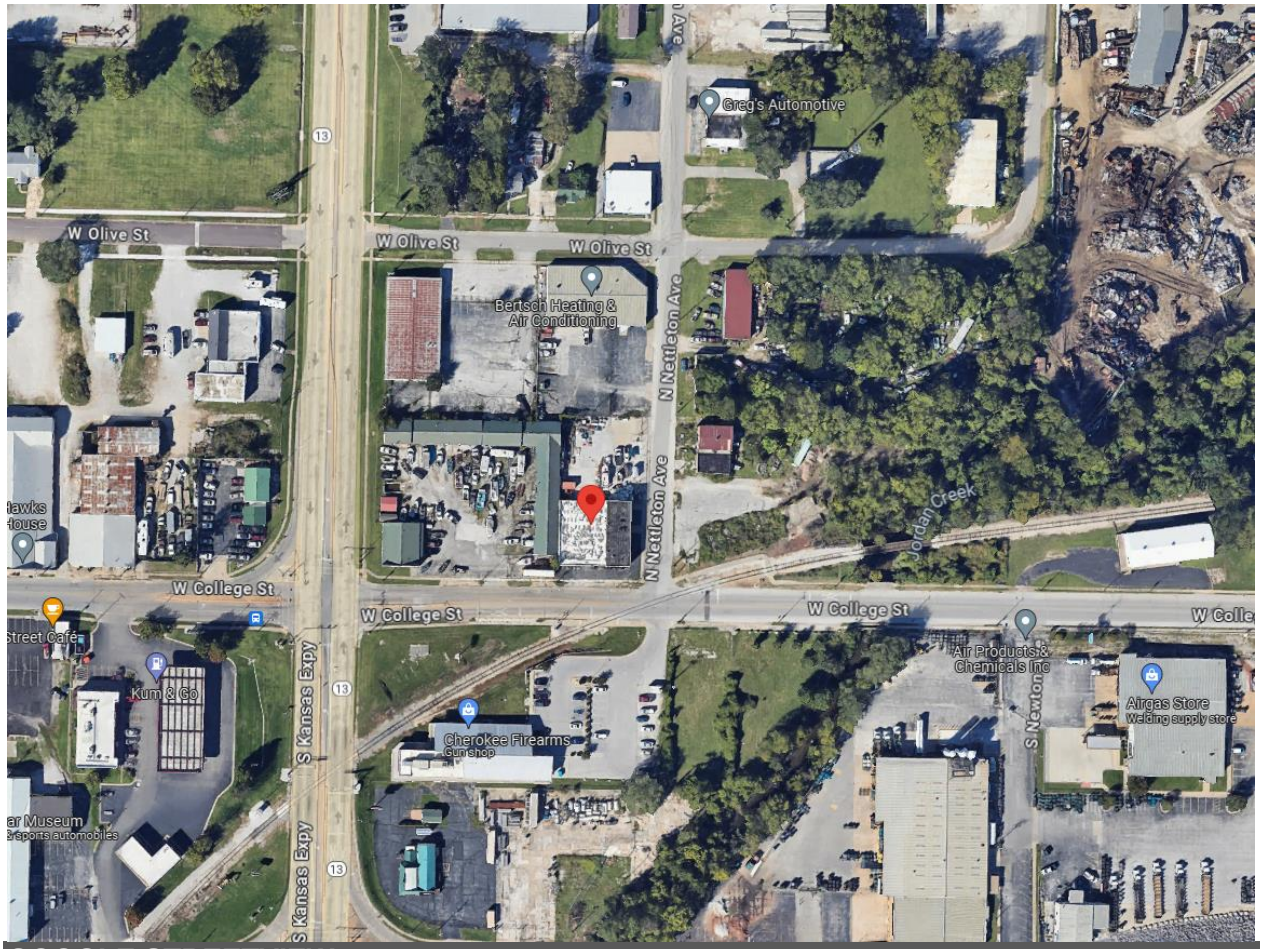
LOCATION MAP



ZONING MAP

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:

CITY OF Springfield

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned HC in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR IC DISTRICT
Use Limitations	(a) No dust, particulate matter, or noxious or toxic matter of any sort shall be emitted or discharged at any time. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) All industrial operations and activities, except off-street parking and loading facilities and storage, shall be conducted wholly inside a building, or buildings. (d) Storage may be maintained outside a building inside yards or rear yards if such storage area is screened from public streets, designated arterials, or greater street

	classifications, and from other property, except property located in an IC, LI, GM, or HM district. (e) All outdoor storage shall be at least 100 feet from any residential district boundary. (f) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (g) No building shall be used for residential purposes except that a watchman or custodian may reside on the premises. (h) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Minimum Lot Size	Not applicable to the IC District
Maximum Height	Not applicable to the IC District
Bulk Plane	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
Minimum Yard Requirements	1. *Front yard:* a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. *Side yards:* None, except as required by section 36-453, supplemental open space, and yard regulations, and the bufferyard requirements in subsection (8). 3. *Rear yards:* None, except as required by the bufferyard requirements in subsection (8)).
Minimum Open Space	Not less than 15 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-

	street parking and loading area design standards, shall be submitted, and approved. (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (f) Lighting shall be designed to reflect away from any adjacent or nearby residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	Whenever any development in an IC industrial commercial 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 within the City Corridor placetype.

The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

Primary Land Uses:

- Office, hospitality, retail sales and service
- Multi-family
- Sports complexes and recreation facilities
- Maker, artisan, and innovation spaces

Supporting Land Uses:

- Public and private schools and places of worship
- Parks, greenways, and open space
- Urban agriculture
- Universities, colleges, and vocational schools
- Personal and outdoor storage

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.

- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

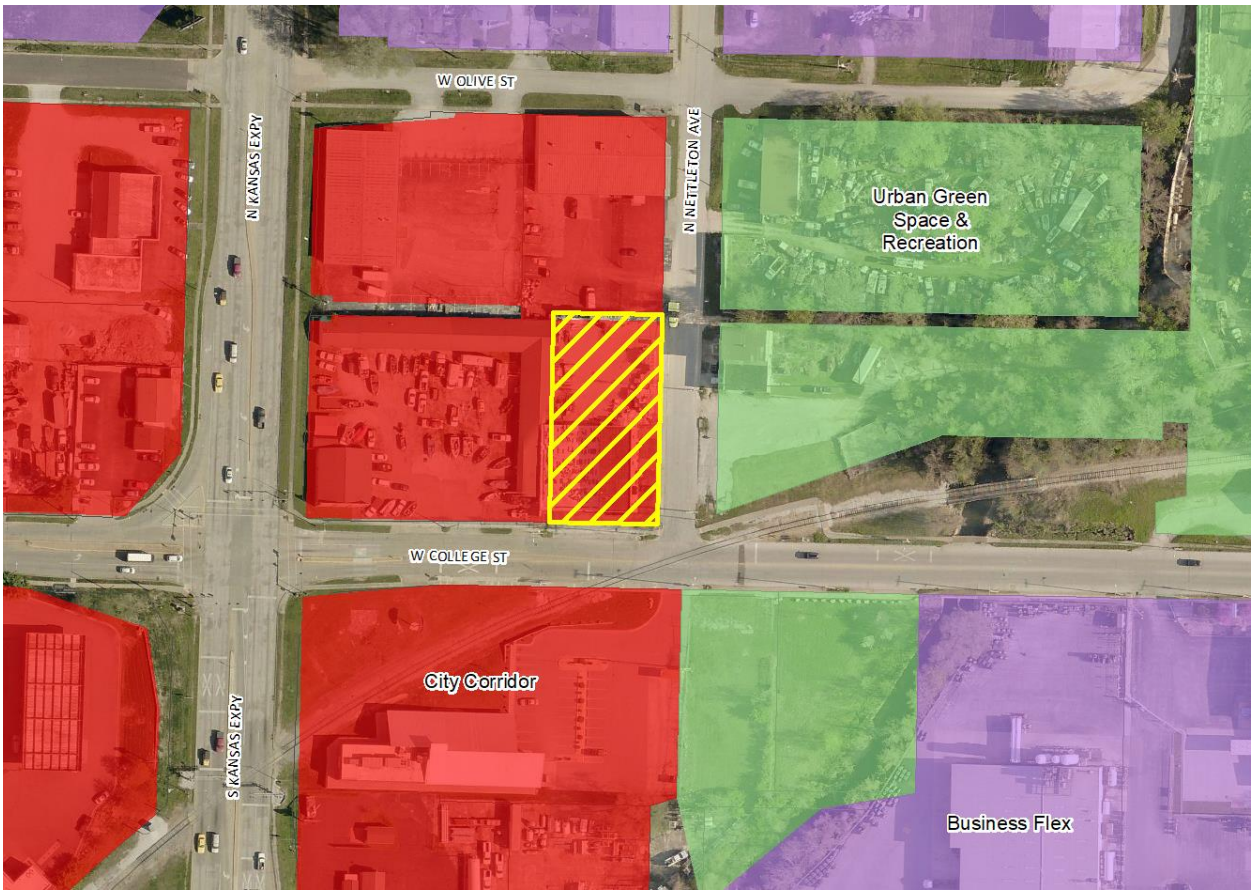
TRANSITIONS:

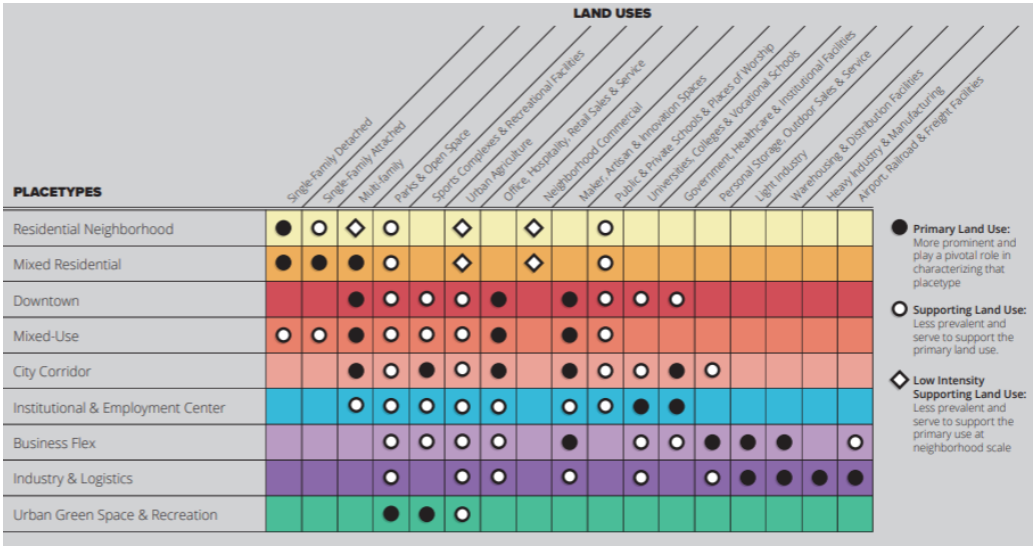
- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

The subject property is also within the College Street Corridor Plan (2012) which was adopted as a guiding document for the College Street corridor. The College Street zoning districts were created as a result of the Plan. It was determined that the HC district was adequate for the subject property. However, it was a goal of the Plan to increase flexibility in land use to provide opportunity for creativity and maximize economic activity.

DEVELOPMENT REVIEW STAFF REPORT

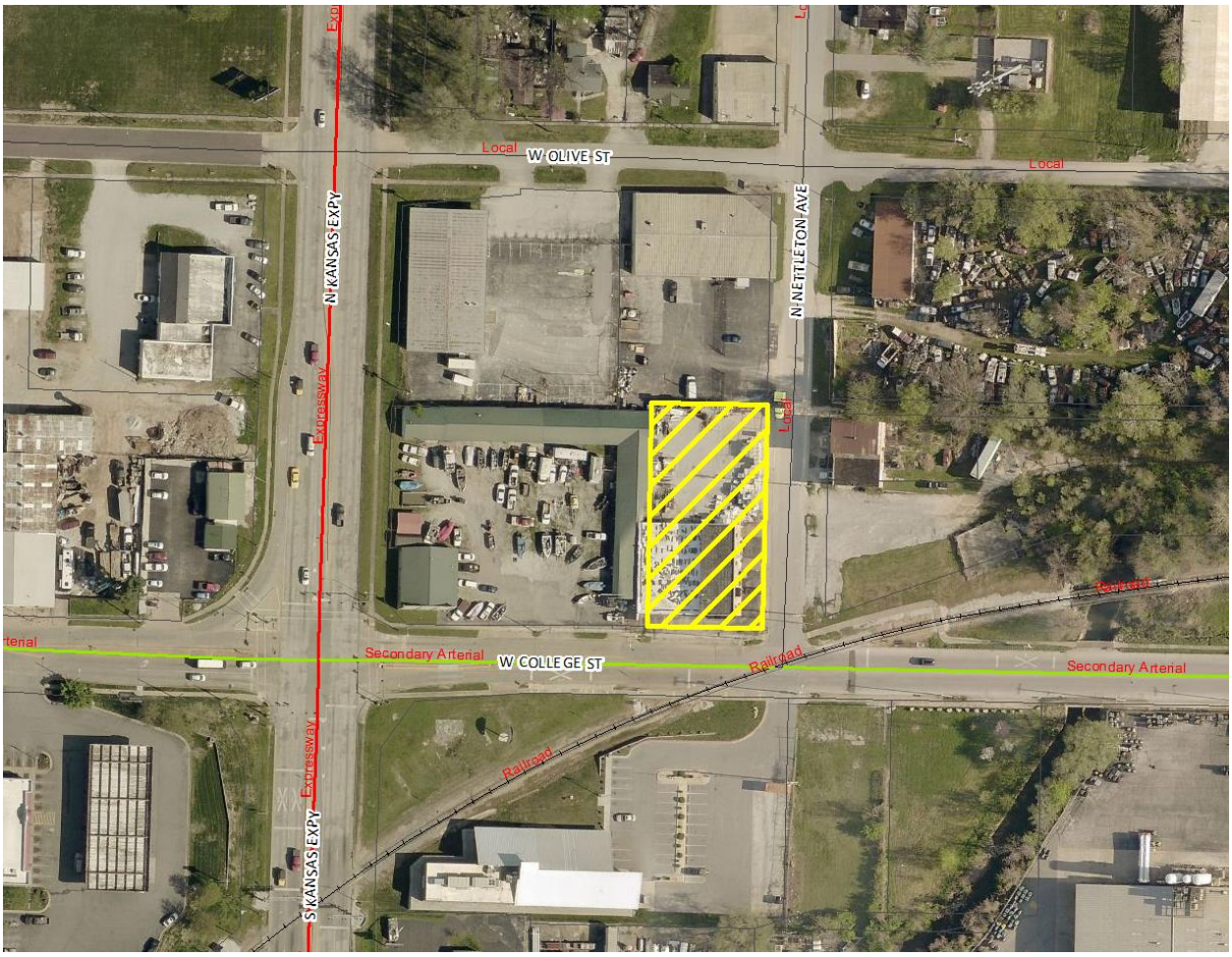
FUTURE PLACETYPE MAP:





DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	IC	HM	HC
LAND USE	Commercial, small machine shop	Railroad, Commercial use	Railroad, Commercial use, city-owned property	Commercial use
PLACETYPES	City Corridor	City Corridor	Urban Green space & recreation	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	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. College St	Secondary Arterial	City	35	30	NA	No	Yes	Yes
Street 2	N. Nettleton Avenue	Local	City	30	25	NA	Yes	Yes	Yes

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 **Jordan Creek Lower Branch** drainage basin. The property **is** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site.**
A fee in lieu of on-site stormwater detention **is not applicable because the site is built out.**

PW Stormwater has no concerns for the proposed rezone from HC to IC. 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. Site is already existing 100% impervious area. Any redevelopment would not trigger detention requirement.

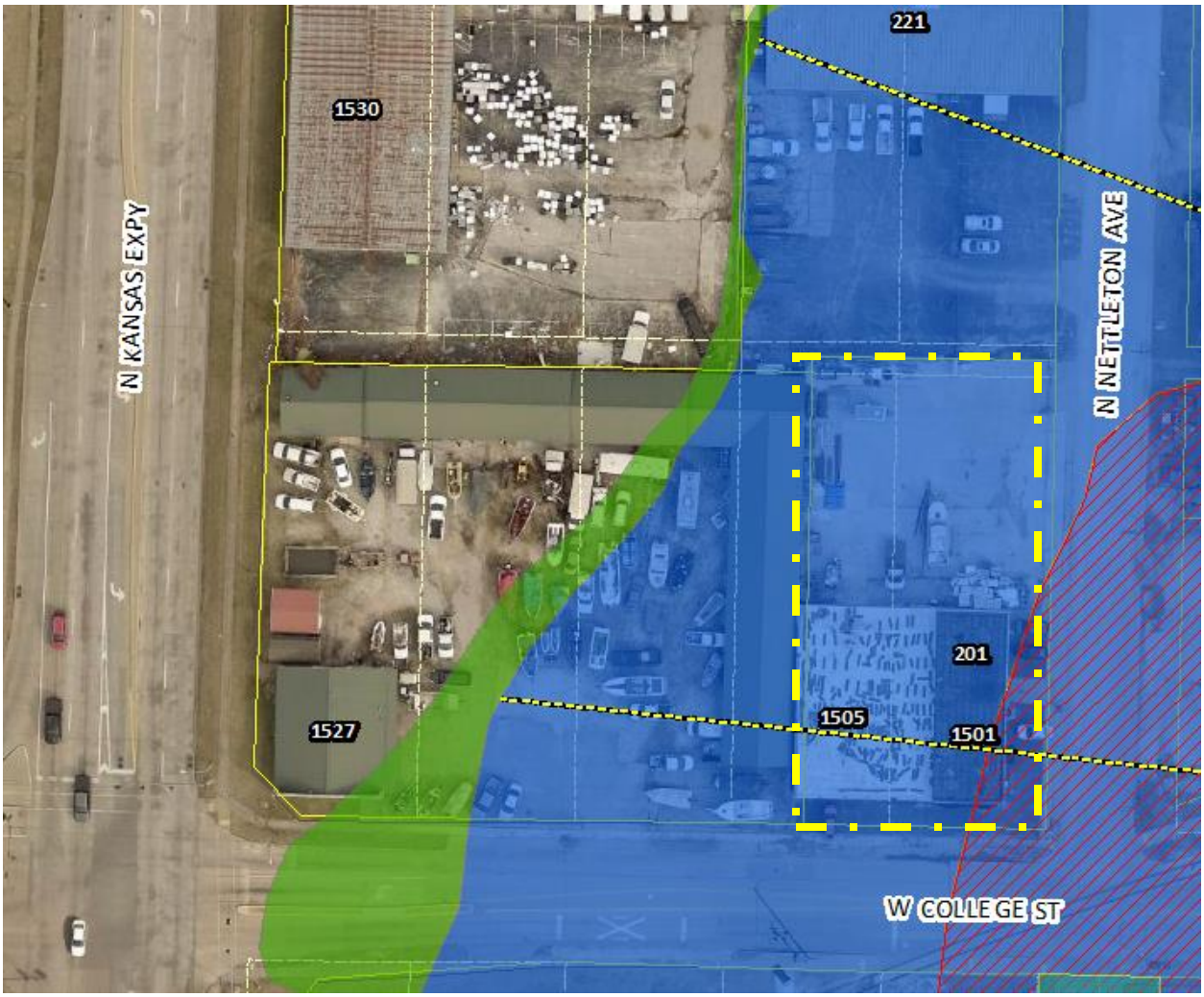
WATER QUALITY REQUIREMENTS

N/A

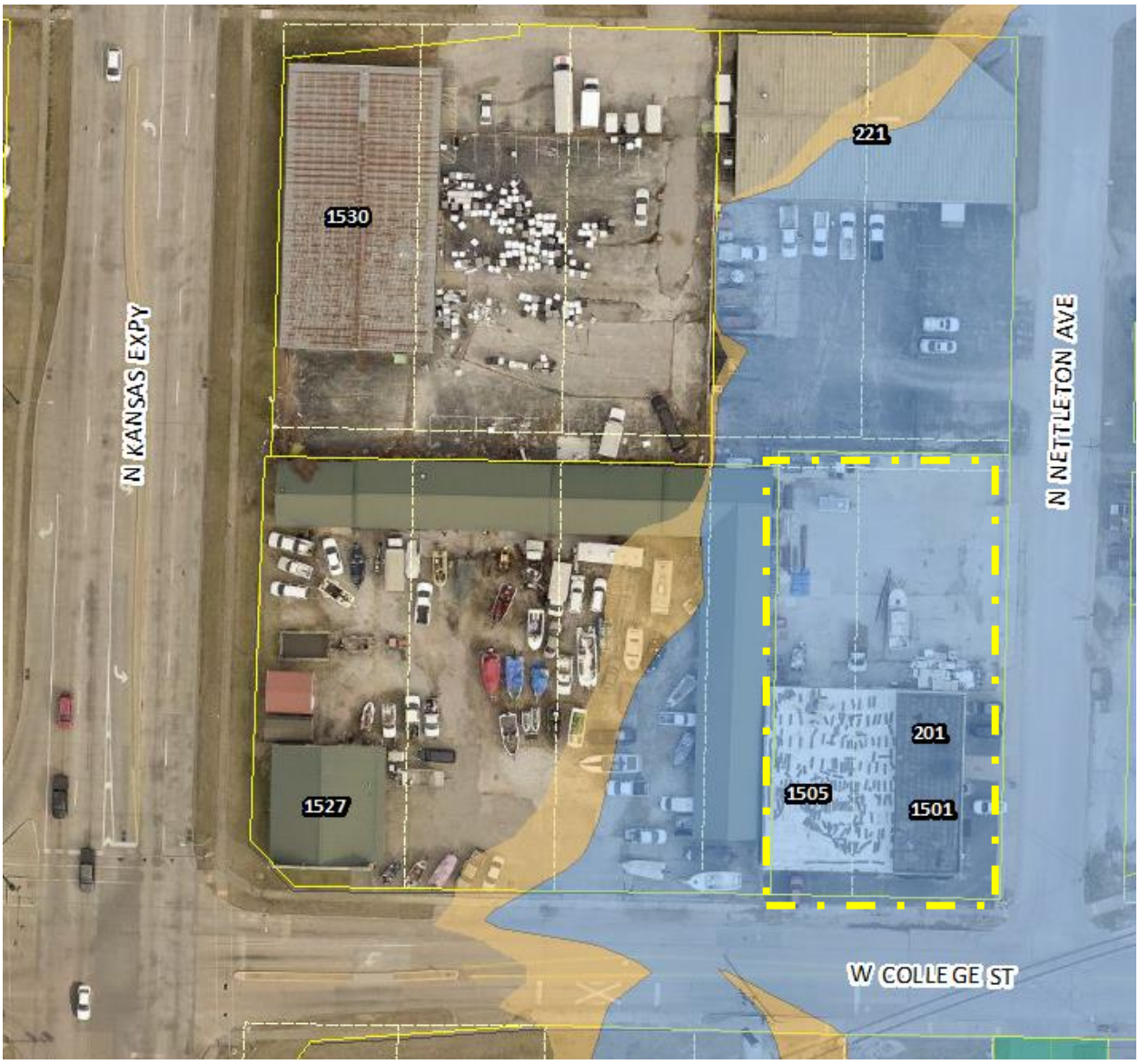
FLOODPLAIN

1. The proposed development is within the Floodplain of the Jordan Creek Lower Branch stream. All new construction or redevelopment will require a Floodplain Permit submitted through Building Development Services for review.
a. The property contains a portion of the Floodway for Jordan Creek Lower Branch. No new construction or redevelopment would be allowed in the Floodway.
b. The Floodplain and Floodway shrink from the FEMA 2010 to the FEMA 2019 Flood Maps. The 2019 FEMA Flood Map completely removes the Floodway from the property but maintains the Floodplain.
c. The FEMA 2019 Flood Maps are not yet approved. Expected approval date is end of 2024. Rezoning does not affect the Floodplain or Floodway.

FEMA 2010 Flood Map



FEMA 2019 Flood Map (Proposed)



NATURAL CHANNEL & STREAM BUFFERS
1. No Stream Buffer on the Property.

SINKHOLES & KARST FEATURES
N/A

ADDITIONAL STORMWATER REQUIREMENTS
1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to

operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.42 acres of property generally located at 1501, 1505 West College Street and 201 North Nettleton Avenue from HC, Highway Commercial to IC, Industrial Commercial. The applicant intends to establish a distillery business which the HC district would not allow.

2. This application is consistent with the City Corridor placetype which predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit.

3. “Maker, artisan, and innovation spaces” is listed as a primary land use in the City Corridor placetype. The IC district is consistent with this placetype which would allow commercial, retail and manufacturing uses that are intended to allow the distillery use.

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities’ extension policy, though new easements may be necessary to accommodate this.

5. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.

6. The range of uses in the proposed IC district is compatible with the uses permitted on other property in the immediate vicinity. There is IC zoning to the south of the subject property. It is also located in an area of industrial and manufacturing uses.

7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

8. The impact 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.

9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Highway Commercial to Industrial Commercial
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: February 22, 2024 5:00 to 6:30
3. Meeting Location: 1501 W. College St.
4. Number of invitations that were sent: 55
5. How the mailing list was generated: Planning and Development Dept
6. Number of neighbors in attendance (attach a sign-in sheet): _____
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).

Will it effect any tax rates for neighboring buildings. Rezone whole area or only our buiding → Boffs Auto Repair ? They are HM. junkyard

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

I, LORISA Kirkpatrick *(print name)*, attest that the neighborhood meeting was held on 2/22/24 *(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

LORISA KIRKPATRICK

Printed name of person completing affidavit

REZONING APPLICATION REGARDING 1501 W. COLLEGE STREET

Neighborhood Meeting
February 22, 2024
4:00 pm – 6:30 pm

	Name	Address	Phone Number
1.	Orcn Redus	939 S. Weaver Ave	417-280-0749
2.	Eric Cherry	310 N Nettleton	417-299-5768
3.	DAVID J. ESLick	West Central	417-350 5708
4.	Claudia Boff	220 N. Nettleton	417-894-1089
5.	[illegible]	1330 W. Mt Vernon	417-864-5245
6.	[illegible]	1315 W. College	417-294-0[illegible]
7.			
8.			
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2/22/2024 7:41 AM

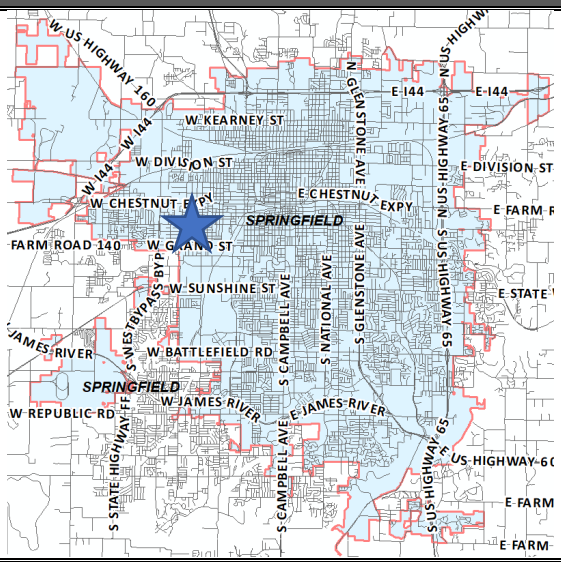
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-9-2024 with Conditional Overlay District No. 251
Location:	2646 W. Walnut Street
Total Acres:	0.09 acre
Applicant:	Seth Holdings, LLC
Existing Land Use:	Single-family residence
Neighborhood Meeting:	February 20, 2024
Planning and Zoning Commission:	March 14, 2024
City Council:	April 8, 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-9-2024 with Conditional Overlay District No. 251 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).

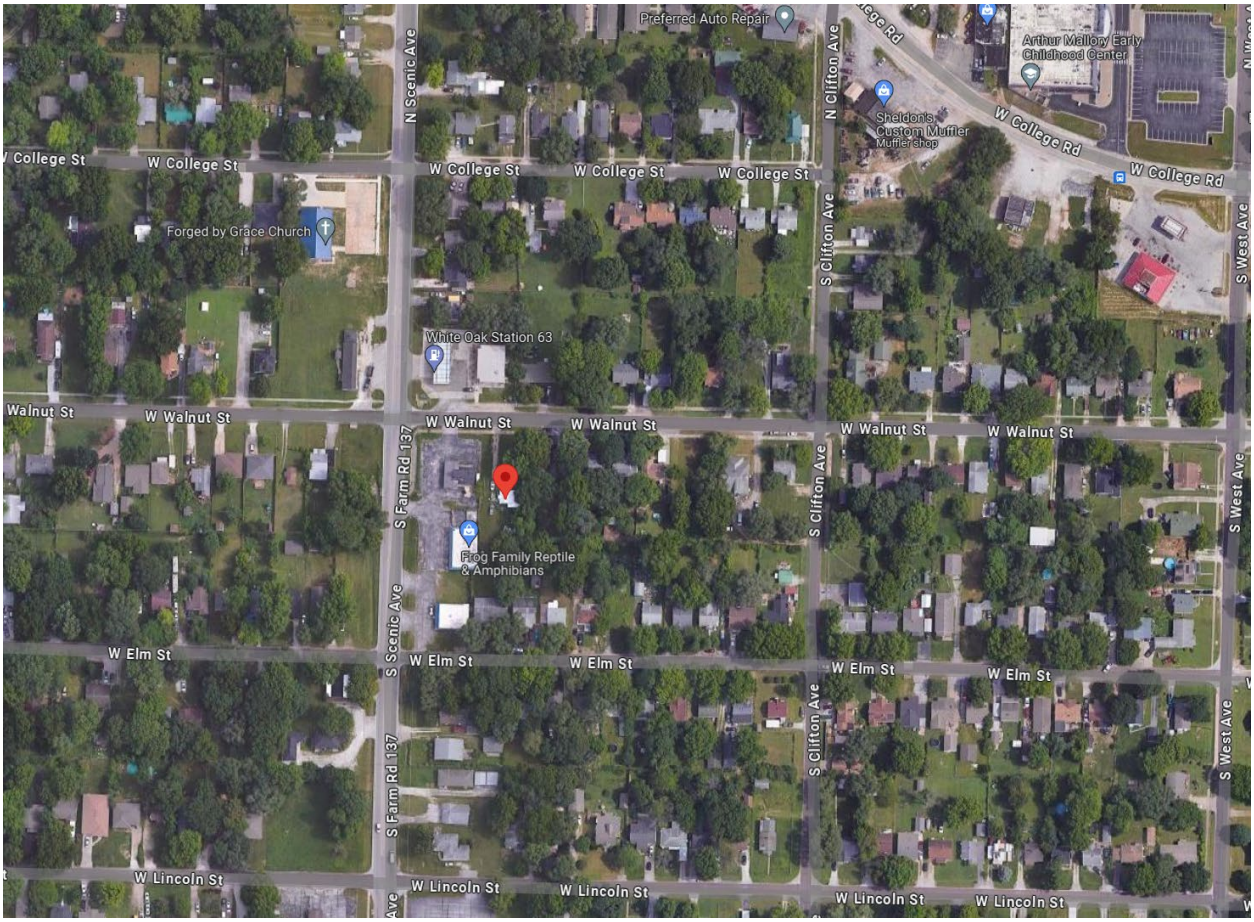
PROJECT SUMMARY:

Request to rezone approximately 0.09 acre of property generally located at 2646 West Walnut Street from R-SF, Single-Family Residential District to HC, Highway Commercial District and establishing Conditional Overlay District No. 251.

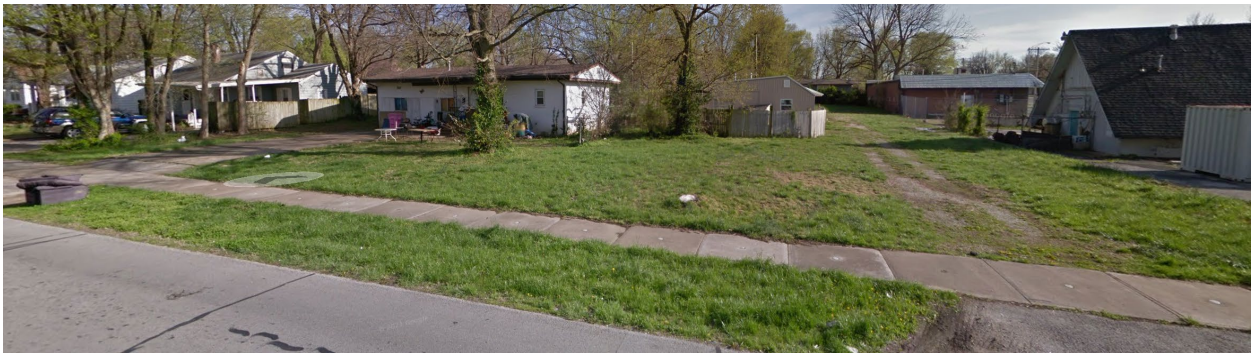
LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR 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.

	(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 as the Traditional neighborhood 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.

Redevelopment of traditional single-family residential housing for higher-density housing or commercial should be limited to areas adjacent to identified activity centers, where circulation and access will not negatively affect the adjoining neighborhood.

LAND USES PRIMARY USES

- Single-family detached

SUPPORTING USES

- Single-family attached
- Low-intensity multifamily

- Low-intensity, neighborhood commercial
- Parks, greenways, and open space
- Public and private schools and places of worship
- Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

- Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses are located within the neighborhood and around the perimeter.
- Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses. • Sense of place and identity is enhanced through neighborhood organization efforts, preservation and planting trees, neighborhood identification signs, and traffic calming improvements that double as streetscape elements.
- As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Major entrances into neighborhoods are marked by identification signs and landscaping.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- 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

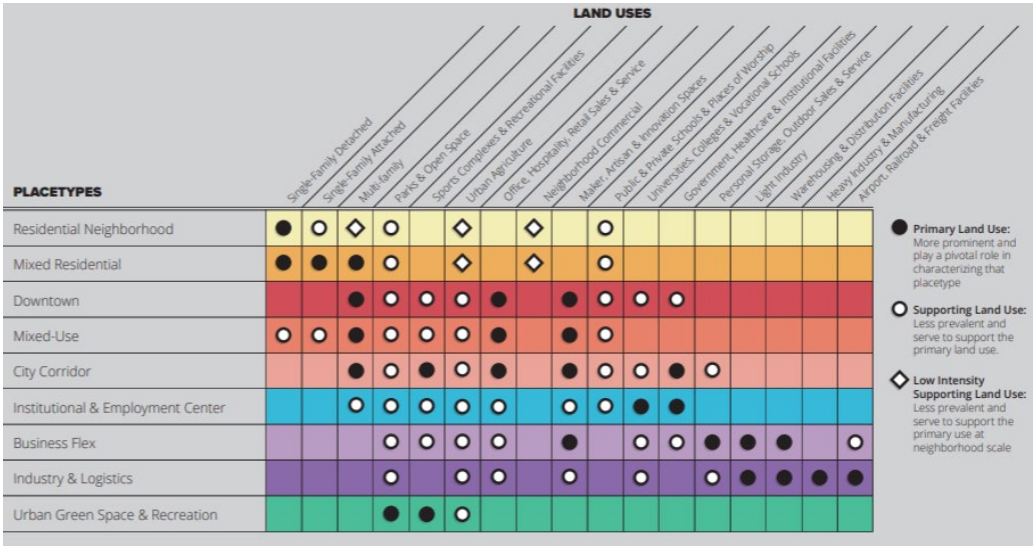
- Residential subdivisions are designed and platted with curvilinear streets in structured layouts that maximize use of land.
- Lots have uniform widths, depths, and setbacks that align with home sizes and densities.
- Attached garages are a standard element, typically integrated into the design of the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

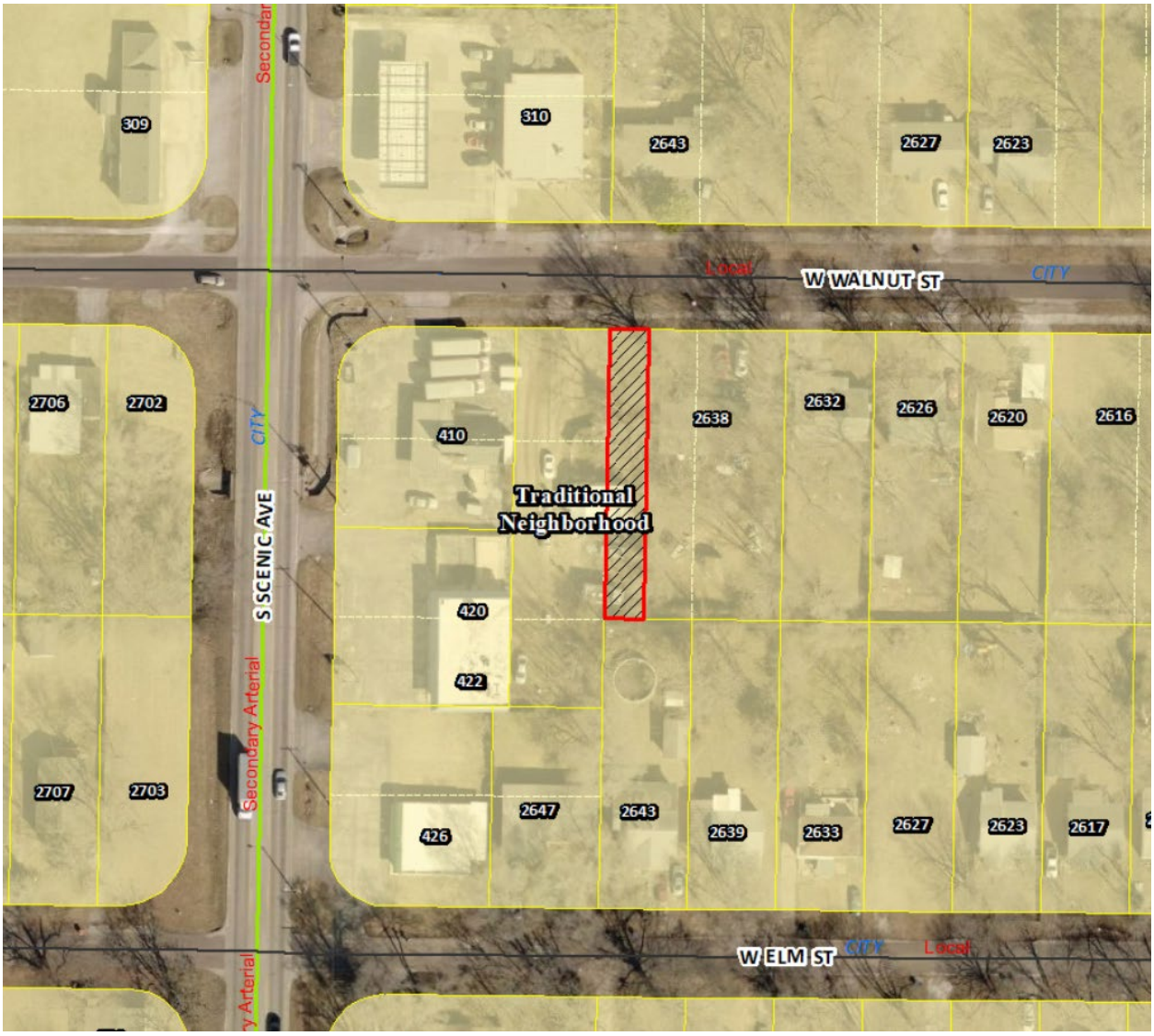
DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	HC
LAND USE	Single-family residence	Single-family residence	Single-family residence	Retail/office uses
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood

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 objection to the rezoning. Both existing properties have access to public sewer and are in a sewer district.

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. Walnut St	Local	City	30	30	NA	Yes	Yes	Yes
Street 2	S. Scenic Avenue	Secondary Arterial	City	35	40	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 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 **Upper WIlsons 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 dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts.**

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

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

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

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 rezone approximately 0.09 acre of property generally located at 2646 West Walnut Street from R-SF, Single-Family Residential District to HC, Highway Commercial District and establishing Conditional Overlay District No. 251. The applicant is proposing to combine HC zoned lots to allow for commercial expansion along Scenic Avenue.

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhood placetype. This placetype includes areas that 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 yard. The property is proposed to allow HC, Highway Commercial District uses so this would allow for expansion of a low-intensity neighborhood commercial use which is a supporting use in this placetype.

3. The Traditional Neighborhood place type supports low-intensity, neighborhood commercial. This application is attempting to expand the commercial uses that will primarily be located off Scenic Avenue. This property is on the edge of the placetype and is adjacent to properties that have frontage along Scenic Avenue which is a secondary arterial roadway.

4. The Highway Commercial District is consistent with the goals and objectives of the Traditional Neighborhood placetype in this location.

5. The applicant is proposing a Conditional Overlay District to provide full bufferyard along the east and south bordering properties and require a combination of lots along Scenic and Walnut which are all owned by the same property owner.

6. The subject property is in an area that has other retail and office uses that take advantage of access to Scenic Avenue which is an arterial roadway.

7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

8. There are changing conditions in the area affected that make the proposed rezoning necessary.

9. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity;

10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned;

11. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application will not require a traffic study.

12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property will be half HC and half R-SF so only uses that are allowed in both would be permitted. This could create significant development issues.

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
CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 251

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

1. The use of the narrow or shallow lot exemption provisions of Section 36- 482(16) for the required bufferyards of the proposed rezoning district shall not be allowed.

2. The subject property will need to be combined with the property at 2646 W. Walnut Street and 410 S. Scenic Avenue following the Subdivision Regulations.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Residential Single Family (SF) to Highway Commercial District (HC)
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Tuesday, February 20, 2014 @ 4:00 PM to 6:30 PM
3. Meeting Location: The Library Station, 3535 N. Kansas, Springfield, MO
4. Number of invitations that were sent: 151
5. How the mailing list was generated: From City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 9
7. List the verbal comments and how you plan to address any issues:
   (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

Neighbors requested and received information about the buffer zone around the business. Assurances that privacy fencing and landscaping will be included in the buffer zone.
Natural Space: Neighbors requested the natural space behind the rezone lot be preserved, trees not cut down but trimmed back instead. The developer intends to keep as many existing trees as possible.
Parking: the proposed business will have enough parking on site and not rely upon parking on Elm Street.
Citizens expressed concerns with criminal elements currently associated with the A Frame building and neighboring businesses including noise, assaults, etc. The parking area will be maintained for safety and security of its patrons and the neighbors. Property Tax and Home Insurance values should be not increased due to this project/rezone.

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

We have not received written comments.

I, Rick Wilson *(print name)*, attest that the neighborhood meeting was held on 2/20/24 *(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."

Rick Wilson
Signature of person completing affidavit

Rick Wilson
Printed name of person completing affidavit

2.20.24 Neighborhood Meeting

2646 W. Walnut

Sign in

	Name	Address
1	Susan Semple	1150 S Main Ave (2650 W College)
2	Sandy Trautman	2643 W. Elm St.
3	Adam Lawrence	2647 W Elm St
4	OCTAVIAN STARGEOPLAN	
5	Patrick Feehan	
6	LINDA MOORE - TOM TYLER	2626 W. Walnut St.
7	Sarah Tinajero	1717 E Dale
8	Rocket Anderson	516 S. Summit
9	JoAnna Ash	1106 E. Loren,

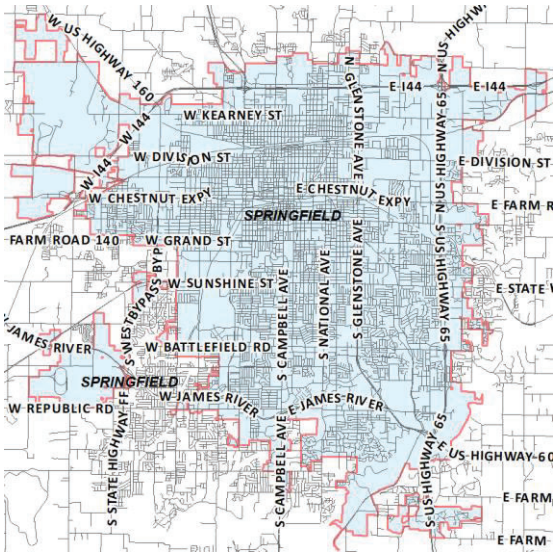
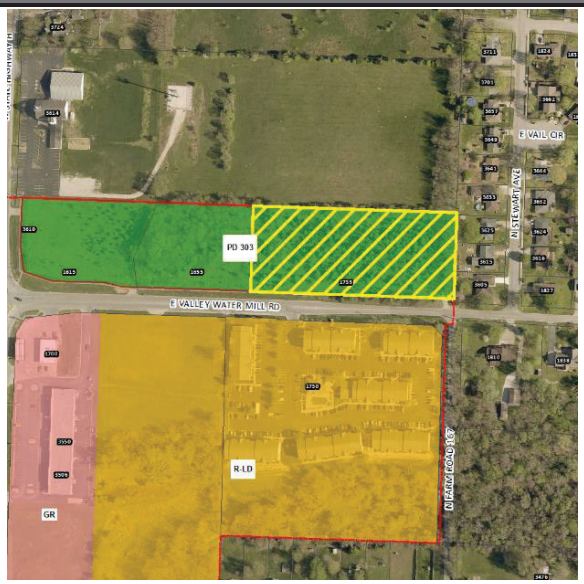
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Final Development Plan – Planned Development 303
Location:	1735 E Valley Water Mill Road
Total Acres:	3.48 acres
Applicant:	Triple S Properties Inc.
Existing Land Use:	Undeveloped Land
Planning and Zoning Commission:	March 14, 2024
City Council:	April 8, 2024
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

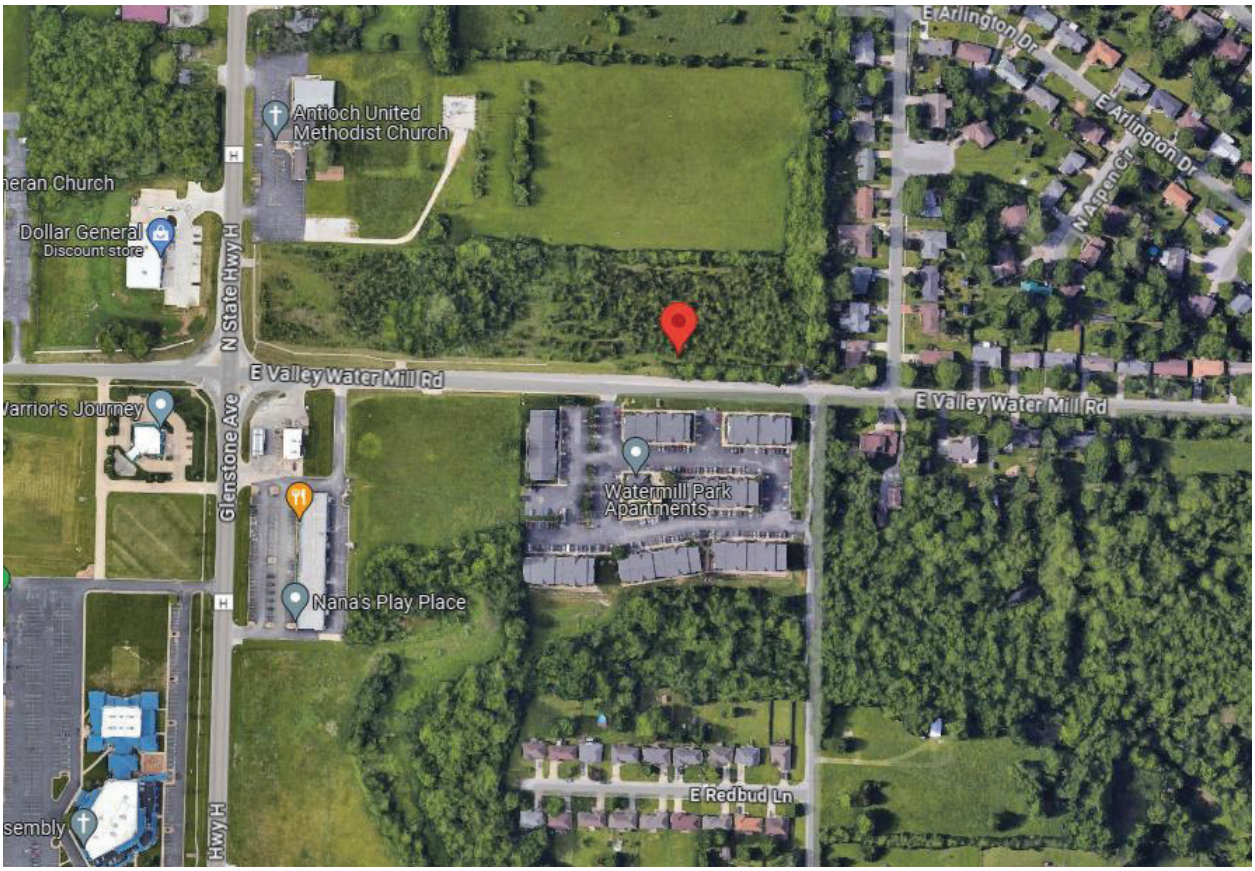
PROJECT SUMMARY:

Request to approve the final development plan of Planned Development No. 303, on approximately 3.48 acres of property generally located at 1735 East Valley Water Mill Road for a multi-family development.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned from Greene Co. R-1 to PD 303 in September 2006.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as 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.

ZONING ORDINANCE REQUIREMENTS:

Sec. 36-405 (9), states in part:

(e) *Action by planning and zoning commission.* Within 45 days following the submission by the applicant or referral from the administrative review committee of a complete application for the final development plan, or such longer period as may be agreed to by the applicant, the planning and zoning commission shall review the plan with respect to its conformity to the approved preliminary development plan; with respect to the merit or lack of merit of any departure of the final development plan from substantial conformity with the preliminary development plan; and with respect to compliance of the final development plan with any conditions imposed by approval of the preliminary development plan, and with the provisions of this article and all other applicable federal, state and city codes, ordinances and regulations.

If the planning and zoning commission finds that there is substantial conformity between such plans and shall further find the final development plan to be in all other respects complete and in compliance with any conditions imposed by approval of the preliminary development plan, and with the provisions of this article and all other applicable, federal, state and city codes, ordinances and regulations, it shall approve the final development plan. Planning and zoning commission action shall constitute final approval of the final development plan.

If the planning and zoning commission shall find that the final development plan lacks substantial conformity to the preliminary development plan but merits approval notwithstanding such lack of conformity, it shall transmit such plan to the city council together with its recommendation that the final development plan be approved.

In any case, where the planning and zoning commission finds that the final development plan lacks substantial conformity to the preliminary development plan and does not merit approval, it shall transmit such plan to the city council, together with its recommendation that the final development plan not be approved. The failure of the commission to act within the aforesaid time period shall be deemed a recommendation to the city council to deny the final development plan as submitted.

(f) *Action by city council.* Within 45 days, or such longer period as may be agreed to by the applicant, following the action of the planning and zoning commission, or its failure to act as provided, the city council shall either refuse to approve the final development plan, shall refer it back to the planning commission for further consideration of specified matters; or shall, by ordinance duly adopted, approve the final development plan, with or without modifications to be accepted by the applicant, as a condition of such approval. The failure of the city council to act within the aforesaid time period shall be deemed a final denial of final development plan approval.

(g) *Notice and recording of final development plan.* Within seven days following the final disposition of an application for final development plan approval, the secretary of the planning and zoning commission shall mail notice thereof to the applicant and to all city officials, departments, bureaus, boards and commissions whose duties might be affected by such disposition. When a final development plan is approved, the secretary shall, within ten days of its approval, file a copy of the entire final development plan in the permanent records of the planning and zoning commission.

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with Final Development Plan.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with FDP.

FIRE DEPARTMENT:

As agreed, a fire apparatus turn-around easement of 35 feet of the west end of the fire lane shall be granted and no bollards shall be installed in the east end of the fire lane.

DEVELOPMENT REVIEW STAFF REPORT

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. Valley Water Mill Road	Secondary Arterial	City	35	35	NA	No	Yes	No
Street 3	N. Waverly Avenue	Local	City	25	0	NA	No	Yes	No

ACCESS - All access to the development shall be per PD 303 and current City of Springfield standards for the street classification.

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

IMPROVEMENTS - The new street (Waverly Avenue) must be constructed to City of Springfield Local Street standards which includes sidewalk on one side. Public Improvement Plans are required to be submitted, approved and improvements constructed, or funds escrowed prior to approval of the final plat. A traffic study is not required.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **South Dry Sac** 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 **is not applicable because detention is already provided.**

The FDP meets Stormwater Requirements. 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. Detention Basin constructed as Regional Basin (7PW5979). Drains to Sinkhole 7054.

.

WATER QUALITY REQUIREMENTS

1. Water Quality provided by regional basin built as 7PW5979.

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. Sinkhole 7054 is mapped and boundary set. The detention basin is discharging to the sinkhole.

ADDITIONAL STORMWATER REQUIREMENTS
N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting approval of the final development plan of Planned Development No. 303 on approximately 3.48 acres of property generally located at 1735 E Valley Water Mill Road for a multi-family development.

2. The subject property is currently being platted with the Preliminary Plat of Valley Water Mill Estates.

3. The Administrative Review Committee (ARC) recommended approval of the Final Development Plan on date January 18, 2024.

4. The final development plan for developments in Planned Development 303 requires recommendation by Planning and Zoning Commission and approval by City Council.

STAFF RECOMMENDATION:

1. The final development plan is in substantial conformity to the Planned Development Ordinance approved by City Council and staff recommends approval.

FINAL DEVELOPMENT PLAN

OWNER/DEVELOPER
MORELOCK BUILDERS & ASSOCIATES
C/O CRYSTAL WEBSTER
722 W OLIVE STREET
SPRINGFIELD, MO 65806
CWEBSTER@MORELOCKBUILDERS.COM

DESCRIPTION
A TRACT OF LAND LYING IN PART OF LOT 5, COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 21 WEST OF THE 5TH P.M., CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ZONING REQUIREMENTS
ALL UTILITIES TO BE PROVIDED BY:
CITY UTILITIES OF SPRINGFIELD
301 E. CENTRAL
SPRINGFIELD, MO 65802
417-863-9000

SITE AREA: 3.26 AC.
ZONING: PLANNED DEVELOPMENT

MAXIMUM PARKING REQUIREMENTS

1 BEDROOMS (36 * 1.5SP/UNIT)	= 54
2 BEDROOMS (36 * 2SP/UNIT)	= 72
TOTAL PARKING REQUIRED	= 126
ACCESSIBLE SPACES	= 5
STANDARD SPACES	= 121
TOTAL PARKING PROVIDED	= 126
BICYCLE PARKING (5 SPACES FOR 101-200 VEHICLE SPACES)	= 5

MINIMUM OPEN SPACE REQUIRED	= 20%
EXISTING OPEN SPACE	= 99.86%
PROPOSED OPEN SPACE	= 45.74%
MAXIMUM IMPERVIOUS ALLOWED	= 80%

EXISTING IMPERVIOUS
IMPERVIOUS SURFACE = 197 SF
EFFECTIVE IMPERVIOUS (197.26/141,930.46) = 0.139%
PROPOSED IMPERVIOUS
IMPERVIOUS SURFACE = 76,999 SF
EFFECTIVE IMPERVIOUS (59,788.23/141,930.46) = 54.25%

INTERIOR LANDSCAPING FOR PROPOSED PARKING LOT:
LIVING INTERIOR LANDSCAPING AREA = 2,627 SF
PARKING AREA = 44,434 SF
MIN. % OF INTERIOR LANDSCAPING/ PARKING AREA = 5%
INTERIOR LANDSCAPING/ PARKING AREA PROVIDED = 5.91%

INTERIOR LANDSCAPING: THERE SHALL BE 2 UNDER-STORY TREES OR 1 CANOPY TREE PLANTED FOR EVERY 30 PARKING SPACES OR 12,000 SQUARE FEET OF PARKING OR VEHICULAR USE AREA.
9 UNDER-STORY, AND 4 CANOPY TREES ARE REQUIRED. TREES ON SITE CURRENTLY MAY BE UTILIZED IF THEY MEET CHARACTERISTICS.

STREET FRONTAGE LANDSCAPING: THERE SHALL BE ON CANOPY ONE CANOPY, ONE UNDER-STORY, ORNAMENTAL OR EVERGREEN TREE AND 4 SHRUBS PER 100 LINEAR FEET, IN AREAS WHERE CANOPY TREES ARE NOT ALLOWED, EACH REQUIRED CANOPY TREE MAY BE REPLACED BY 2 UNDER-STORY, ORNAMENTAL OR EVERGREEN TREES.
(FOUR (4) CANOPY TREES, FOUR (4) ORNAMENTAL/EVERGREEN TREES REQUIRED, AND SEVENTEEN (17) SHRUBS ARE REQUIRED AND ARE SHOWN ON EXHIBIT.)

BUFFERYARDS:
BUFFERYARD C (RMD TO RSF)

EAST PROPERTY LINE:
15' WIDE MINIMUM BUFFERYARD REQUIRED WITH (1) CANOPY TREES, (2) UNDER-STORY TREES, (2) EVERGREEN TREES, (10) SHRUBS PER 100 LINEAR FEET EXCEPT WHERE PAVEMENT CURRENTLY EXISTS.

20' WIDE BUFFERYARDS PROVIDED (0.8 PLANTING FACTOR USED)
REQUIRED PLANTINGS: LENGTH = 193', 2 CANOPY, 4 UNDER-STORY, 4) EVERGREEN, 16 SHRUBS.

NORTH PROPERTY LINE:
15' WIDE MINIMUM BUFFERYARD REQUIRED WITH (1) CANOPY TREES, (2) UNDER-STORY TREES, (2) EVERGREEN TREES, (10) SHRUBS PER 100 LINEAR FEET EXCEPT WHERE PAVEMENT CURRENTLY EXISTS.

*EXISTING TREES MAY BE USED IN BUFFERYARD REQUIREMENTS

20' BUFFERYARDS PROVIDED (0.8 PLANTING FACTOR USED)
REQUIRED PLANTING-LENGTH = 485', 4 CANOPY, 8 UNDER-STORY, 8 EVERGREEN, 39 SHRUBS.

WEST PROPERTY LINE: NOT REQUIRED

SOUTH PROPERTY LINE: NOT REQUIRED

LANDSCAPING NOTES
QUALITY: ALL TREES AND SHRUBS SHALL HAVE WELL-DEVELOPED LEADERS AND TOPS, AND ROOT CHARACTERISTIC OF THE SPECIES, CULTIVAR OR VARIETY AND SHALL SHOW EVIDENCE OF PROPER NURSERY PRUNING. ALL PLANT MATERIALS MUST BE FREE OF INSECTS, DISEASE, MECHANICAL INJURIES AND OTHER OBJECTIONABLE FEATURES AT THE TIME OF PLANTING.

COVERAGE: GRASS, GROUND COVER, SHRUBS AND OTHER LIVING LANDSCAPE MATERIALS SHALL BE USED TO COVER ALL OPEN GROUND.

TREES SHALL HAVE THE FOLLOWING CHARACTERISTICS:

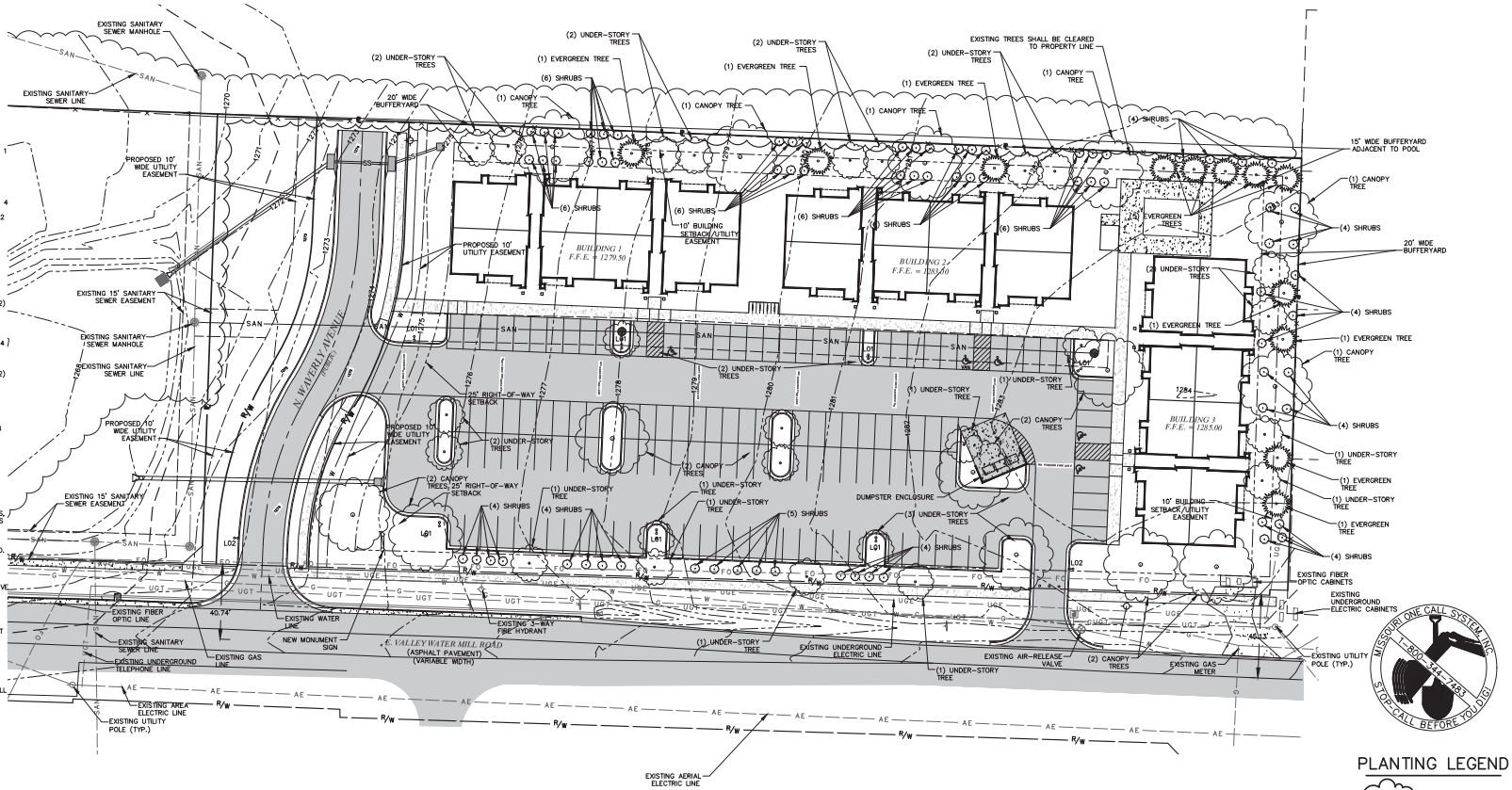
CANOPY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MINIMUM HEIGHT OF THIRTY FEET AT MATURITY. ALL CANOPY TREES SHALL HAVE A CALIPER WIDTH OF ONE AND ONE HALF INCH AT THE TIME OF PLANTING.

UNDER-STORY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MAXIMUM HEIGHT OF LESS THAT THIRTY FEET AT MATURITY. ALL UNDER-STORY TREES SHALL HAVE A CALIPER WIDTH OF ONE INCH AT TIME OF PLANTING.

ORNAMENTAL TREES SHALL BE FLOWERING DECIDUOUS TREES. ALL ORNAMENTAL TREES SHALL HAVE A CALIPER WIDTH OF ONE INCH AT THE TIME OF PLANTING.

EVERGREEN OR CONIFER TREES SHALL HAVE A MINIMUM HEIGHT OF TWENTY FEET AT MATURITY. ALL EVERGREEN OR CONIFER TREES SHALL BE AT LEAST SIX FEET HIGH AT TIME OF PLANTING

SHRUBS AND HEDGES: SHRUBS SHALL BE A MINIMUM OF 18" IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING. HEDGES, WHERE INSTALLED, SHALL BE PLANTED AND MAINTAINED SO AS TO FORM A CONTINUOUS, UNBROKEN, SOLID, VISUAL SCREEN WHICH WILL BE AT LEAST THREE FEET HIGH WITHIN ONE YEAR AFTER TIME OF PLANTING.



SCALE: 1"=30'
FEBRUARY, 2024

PLANTING LEGEND
CANOPY TREE
UNDER-STORY TREE
SHRUB
EVERGREEN TREE

MISSOURI ONE CALL SYSTEM, INC. 1-800-344-7483 STOP! CALL BEFORE YOU DIG!

417-595-4108 (tel.)
417-595-4109 (fax)
mail@ochanengineering.com
• Civil Engineering
• Surveying
• Architecture
• Site Development
• General Consulting
• Land Planning
2804 North Bingo Street
Ozark, Missouri 65721
OCHAN
Missouri State Certificate of Authority Numbers: Engineering : 2017032025

Three working days prior to the start of any excavation call 1-800-DIG-RITE for utility location information.

All OSHA rules & regulations established for the job site must be followed. Items shall be strictly followed by excavating, blasting, etc.

STATE OF MISSOURI
TIMOTHY SCHOW
NUMBER PE-2010000268
5-15-24
PROFESSIONAL ENGINEER

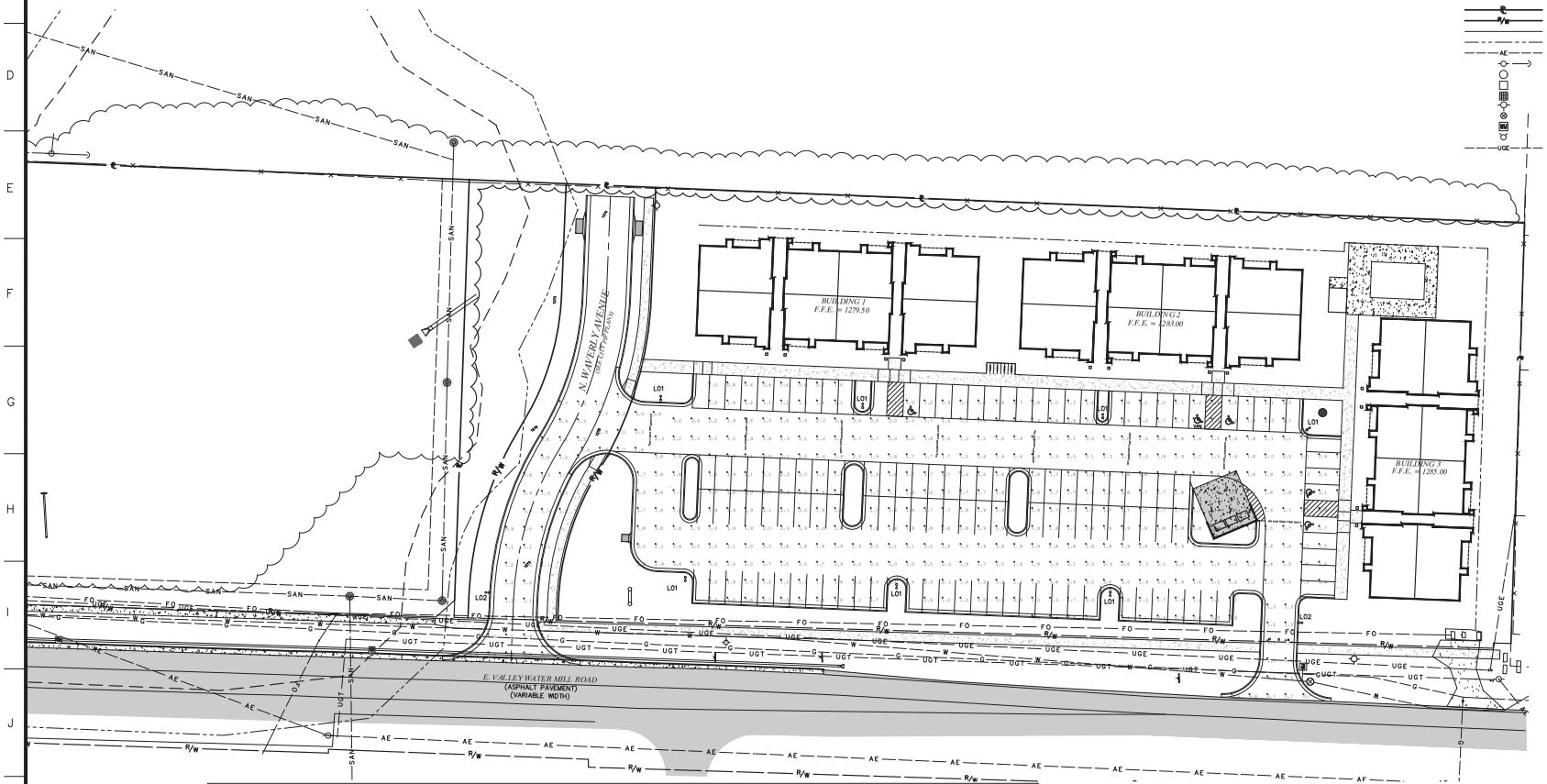
SITE IMPROVEMENT PLANS
E. VALLEY WATER MILL ROAD
SPRINGFIELD, MO

DRWN. BY	APPD. BY
EDD	TES
DATE:	FEB. 5, 2024
SCALE:	1" = 30'
PROJ. NO.	SW23-546
DWG. NO.	FDP

FINAL DEVELOPMENT PLAN

DWG NAME: N:\SW-Projects\SW23-546 - Seitz Valley Water Mill Rd Springfield\AutoCad Drawings\SW23-546 - Plan Sheets\EAST\SITE IMPROVEMENT PLANS\FINAL DEVELOPMENT PLAN.dwg LAYOUT TAB: Layout1 PLOTTED ON: Feb 05, 2024 - 1:49pm PLOTTED BY: edahl

SITE PHOTOMETRICS PLAN



30 0 15 30 60

SCALE: 1"=30'
JANUARY, 2024

LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
R/W	RIGHT-OF-WAY	R/W
	LOT LINE	
	BUILDING SETBACK	
AE	AERIAL ELECTRIC	AE
	UTILITY POLE / GUY WIRE	
	SANITARY MANHOLE	
	INLET	
	GRATED INLET	
	FIRE HYDRANTS	
	WATER VALVE	
WM	WATER METER	WM
	LIGHT	
UGE	UNDERGROUND ELECTRIC	UGE

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Description	LLF	Arrangement Watts	BUG Rating
	2	L02	Single	1 RSX2 LED P2 40K R5 MVOLT SPA ON 25' POLE AND 3' CONCRETE BASE	0.900	114.07	B5-U0-G3
	7	L01	Single	1 RSX2 LED P2 40K R3 MVOLT SPA ON 25' POLE AND 3' CONCRETE BASE	0.900	114.07	B3-U0-G3

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
parking lot	Illuminance	Fc	1.79	3.8	0.5	3.58	7.60
south entrance	Illuminance	Fc	0.97	1.3	0.5	1.94	2.60
west drive	Illuminance	Fc	1.04	1.5	0.7	1.49	2.14
west entrance	Illuminance	Fc	2.08	3.6	1.6	1.30	2.25

PRELIMINARY DRAWING

FOR REVIEW PURPOSES ONLY
NOT TO BE USED FOR CONSTRUCTION

OCHAN
2804 North Bingo Street
Ozark, Missouri 65721
417-595-4108 (tel)
417-595-4109 (fax)
mail@ochanengineering.com
• Civil Engineering
• Land Surveying
• Architecture
• Site Development
• General Consulting
• Project Planning
Missouri State Certificate of Authority Numbers:
Engineering : 2017032025

Three working days prior to the start of any excavation the contractor shall call 1-800-DIG-RITE for utility location information.

All OSHA rules & regulations established for the type of construction involved shall be strictly followed [ie trenching, blasting, etc.]

SITE IMPROVEMENT PLANS
E. VALLEY WATER MILL ROAD
SPRINGFIELD, MO

SITE PHOTOMETRICS PLAN

DRWN. BY:	APP'D. BY:
JBS	TES
DATE:	
JAN. 8, 2024	
SCALE:	
1" = 30'	
PROJ. NO.	
SW23-546	
DWG. NO.	
C4	

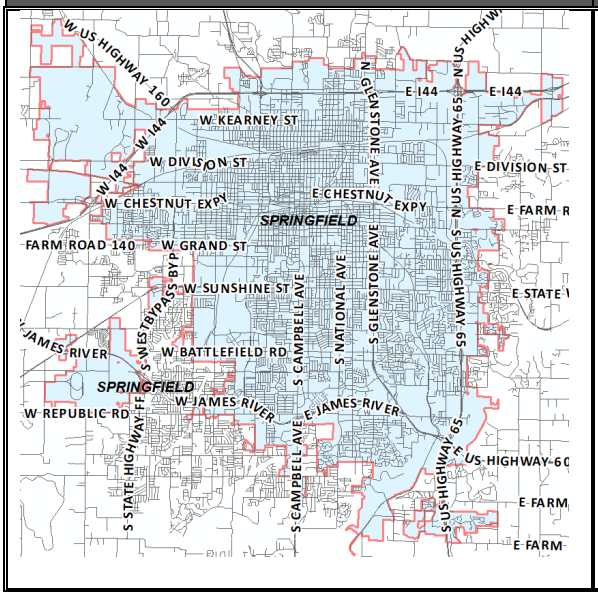
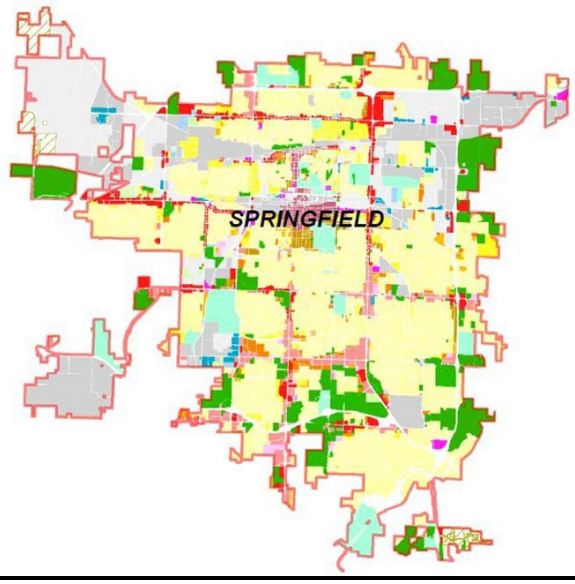
DWG NAME: N:\SW-Projects\SW23-546 - Seitz Valley Water Mill Rd Springfield\AutoCad Drawings\SW23-546 - Plan Sheets\EAST\SITE IMPROVEMENT PLANS\08.5 - LIGHTING PLAN.dwg LAYOUT TAB: Layout1 PLOTTED ON: Feb 05, 2024 - 3:34pm PLOTTED BY: eduhl

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION:	
Case Number:	Liquor License Notice & Protest Amendment
Location:	Citywide
Total Acres:	NA
Applicant:	City of Springfield
Existing Land Use:	NA
Neighborhood Meeting:	NA
Planning and Zoning Commission:	March 14, 2024
City Council:	April 8, 2024
Public Notification:	Legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of the text amendment to Section 36-459 as set forth in Attachment 1 to the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to amend Section 36-459, Special Regulations for Retail Liquor Sales, to require that all residential occupants and property owners in areas zoned R-SF, R-TH, R-MHC, or designated for single-family or two-family residential use in a PD district within 200 feet of an establishment applying for a liquor license to be given written notice via mail of such application. Said mailed notice will also include instructions on how to file a protest petition, as well as next steps depending on whether a protest petition is deemed sufficient or insufficient.

LOCATION MAP	ZONING MAP
	

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments
(7) Findings by the commission.

(a)*Text amendments.* If the request is for an amendment of the text of this article, the recommendation of the planning and zoning commission may consider:

1. Whether the proposed text amendment is consistent with the Springfield Comprehensive Plan;
2. Whether the proposed text amendment is consistent with the intent and purpose of this article;
3. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected;
4. Whether the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions;
5. Information submitted at the public hearing.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

1. The Comprehensive Plan establishes and assigns placetypes to all areas within the City and surrounding planning area. Each placetype assignment should be used to guide future land development and redevelopment, as well as more detailed or strategic planning at the district, corridor, or neighborhood level. Zoning and other related regulatory codes are used to implement the planning vision, at the parcel level. Multiple zoning districts can be present in the placetypes as long as they complement one another and support the general character of the placetype. The placetypes should serve as an essential tool in identifying needed updates to the City's zoning regulations and development standards. Chapter 15: Implementation, provides additional detailed guidance on how the city should use placetypes when updating development codes.

2. **Forward SGF** supports a Comprehensive City Code Update**.** This Plan calls for a full update to the City's Land Development Code and Ordinances to align regulations with the recommendations contained in each chapter. The Comprehensive Plan is a policy guide that should inform decision making for years to come, but it is not regulatory. The City needs to update its development regulations to support the Plan's vision.

3. Development Regulations. Increased use flexibility that promotes redevelopment and revitalization will need to be balanced by regulatory codes that promote and emphasize quality design and construction that is pedestrian focused and has a greater experience factor. The city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features. Future code changes will need to support the implementation of planning that promotes the development of places with a wide array of convenient services in proximity to amenity-rich, attractive, inviting, integrated corridors and districts that are within walking distance of neighborhood, trails, parks, and mixed-use centers with diverse housing options. Likewise, neighborhoods that can support low-intensity commercial hubs surrounded by diverse housing types will require codes to keep development intensity in-check at a neighborhood-scale. Plans and code

changes will also need to champion alignment of subsidies and other public investments and improvements with land planning to ensure housing and economic development projects are permitted and supported in places where they are best suited and equitably dispersed across the city.

STAFF ANALYSIS AND RECOMMENDATION:

1. City Council has directed City staff to prepare amendments to Section 36-459, Special Regulations for Retail Liquor Sales, that would require all residential occupants and property owners in areas zoned R-SF, R-TH, R-MHC, or designated for single-family or two-family residential use in a PD district within 200 feet of an establishment applying for a liquor license to be given written notice via mail of such application. Said mailed notice will also include instructions on how to file a protest petition, as well as next steps depending on whether a protest petition is deemed sufficient or insufficient and is to occur by first-class mail no later than three (3) days prior to the posting of public notice as currently required by Section 36-459(4).

2. The purpose of the amendments is to allow for occupants/renters/tenants to be informed if uses with the sale of retail liquor will be allowed within 200 feet of their property and enable them to protest the sale of retail liquor sales in the vicinity of where they reside. Currently, only property owners are notified and able to protest the sale of retail liquor.

3. Only one signature per land parcel, whether owner or occupant, shall be counted in determining whether the 50-percent threshold for protest has been satisfied. In the event of conflict between the owner and occupant, the owner shall prevail.

4. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless City Council elects to refer a matter back to the Planning and Zoning Commission for further review.

5. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of this amendment and public hearing dates for comment.

STAFF RECOMMENDATION:

1. Staff recommends approval of the text amendment based on its consistency with the *Comprehensive Plan*.

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 text amendment.
2. Recommend a change in the text amendment.
3. Recommend a change in the text amendment together with recommendations which, in the judgment of the planning and zoning commission, will ensure that the proposed amendment is consistent with the purpose and intent of this article.

PROPOSED AMENDMENT:

Attachment 1

Note: The existing language is in black. Language to be added is underlined and to be removed is ~~stricken~~.

Sec. 36-459. Special regulations for retail liquor sales.

(1) *Applicability.* No license shall be issued for the sale of intoxicating liquor at retail in any form notwithstanding that the proposed establishment is within the zone appropriate therefore under this article nor shall any such use be conducted in any zone of the city unless the following procedures shall be followed.

(2) *Location with regard to R-SF, R-TH, R-MHC, or PD districts.* Whenever any application shall be received by the city for the establishment of a place for the sale of intoxicating liquor at retail in any form, it shall be determined by the officer charged with the responsibility of issuing such licenses whether or not the proposed establishment is located within 200 feet of any property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district under this article. In the event there shall be no such property within 200 feet from the proposed location and the application shall otherwise be appropriate and authorized by the laws of the city, then the license may be issued.

(3) *Application fee.* If the proposed establishment is within 200 feet of property zoned R-SF, R-TH, R-MHC, or designated for single-family or two-family residential use in a PD district, then the person charged with the responsibility of accepting applications for such establishments on behalf of the city shall require to be filed therewith a fee of $107.00 plus the actual costs of publication and other ~~for~~ legal notices required by law for the processing of said application, which fee is in addition to the license fee required by ordinances of the city. The additional fee shall be for the costs of processing the application and providing the necessary notifications described herein.

(4) *Public notice.* Thereupon, the applicant shall cause to be posted in four places in the vicinity of the property which is so zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, and which is within 200 feet of the proposed establishment a notice setting forth the proposed application and advising that persons within said 200 feet owning or occupying property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, shall have the right within 21 days from the date that the notice shall first be posted in which to protest the granting of a license for the establishment and the use of the land therefore, including instructions for filing said protest. In addition, said notice shall be mailed to all persons within said 200 feet owning or occupying property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, said mailing to occur by first-class mail no later than three (3) days prior to the posting described herein. Deposit in the United States mail, with postage prepaid, shall constitute proof of compliance with the mailing notice

requirement. In addition, ~~the~~ said notice shall be advertised in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, said notice to be given for at least five straight consecutive issues, and the time to protest shall commence with the date of the first said publication and shall terminate on the twenty-first day thereafter.

(5) *Protest requirements.* If within the 21 days aforesaid there shall be filed with the officer of the city charged with receiving applications for liquor licenses a protest to granting the license for the proposed establishment signed by at least 50 percent of the owners and/or occupants of the land so zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, and located within 200 feet of the proposed establishment, then the application shall be forwarded to city council for its resolution in favor or against said application. If, however, no such protest shall be filed within 21 days or if the same shall be insufficient, thereupon the license may issue, all other requirements of the law of the City of Springfield having been met and complied with.

For the purpose of this section, only one signature per land parcel, whether owner or occupant, shall be counted in determining whether the 50 percent threshold for protest has been satisfied. In the event of conflict between the owner and occupant, the owner shall prevail.

The official of the City of Springfield charged with the responsibility of accepting applications for licenses for the sale of intoxicating liquor at retail shall have the authority from time to time to prepare forms to implement this section including protest forms, application forms, and forms for notice, forms for proof of ownership and/or occupancy, and other appropriate requirements. Forms of protest shall in any event be acknowledged by some person other than a protesting owner or occupant located within the 200 feet area acknowledging the signatures of the persons contained thereon to be the free act and deed of the persons so signing. In determining those persons entitled to be counted in such protest, only those persons who are owners or occupants of the land of record on the date that the application shall have been filed shall be entitled to protest.

Notwithstanding the provisions of this section, the director of finance may issue a license for the same location to any purchaser of a retail liquor establishment which was duly licensed at the time of the purchase providing the purchaser makes proper application and is qualified and eligible to hold a license and providing that the provisions of section 10-36 [of the] Springfield City Code shall have been complied with; nor shall the provisions of this section prohibit the reissuance of licenses for previously existing duly licensed establishments.

(6) *Exemption from notice.* The applicant shall be exempted from the notice and publication requirements herein, and only those requirements, if 100 percent of all owners and occupants of residential property as set forth herein, file a notarized waiver of protest setting forth the case or license number, address of establishment, and indicating they

have no opposition to the proposed use, and the license may issue providing the applicant has complied with all other applicable requirements.