



City of Springfield

Agenda

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2

Brandon Jenson, Zone 3

Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A

Craig Hosmer, General B

Callie Carroll, General C

Derek Lee, General D

October 7, 2024

6:30 PM

Regional Police-Fire Training Center
2620 West Battlefield Road
Room 101, 102, and 103

[Rules and procedures.](#)

1. ROLL CALL.

2. APPROVAL OF MINUTES.

- 2.1. Approval of Minutes. September 23, 2024, City Council Meeting and September 30, 2024, Special City Council Meeting.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

4. CEREMONIAL MATTERS.

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

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-194 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

6.2. Council Bill 2024-195 (Hosmer)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

6.3. Council Bill 2024-196 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

6.4. Council Bill 2024-197 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

6.5. Council Bill 2024-198 (McGull)

A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

6.6. Council Bill 2024-199 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

6.7. Council Bill 2024-200 (Lee)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official

Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

6.8. Council Bill 2024-201 (Simpson, Carroll, McGull, Hardinger)

A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

6.9. Council Bill 2024-202 (Horton)

A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-204 (Simpson, McGull, Hardinger, Horton)

A resolution adopting a City Council standing committee referral form.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-205 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acres of property generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District; and adopting an updated Official Zoning Map. (By: Skyline Investment Company, LLC c/o Chris Nattinger; 1719 East Atlantic Street; Z-23-2024).

12.2. Council Bill 2024-206 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres of property generally located at 2533 North Fort Avenue from R-SF, Single-family Residential District to R-LD, Low-density Multi-family Residential District with Conditional Overlay District No. 252; and adopting an updated Official Zoning Map. (By: Suresh Chiluveru; 2533 North Fort Avenue; Z-12-2024).

12.3. Council Bill 2024-207 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development No. 389; and adopting an updated Official Zoning Map. (By: Drew Lewis Foundation; 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue; Planned Development No. 389).

12.4. Council Bill 2024-208 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres of property generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: Family Tax Service LLC; 1055 South Campbell Avenue; Z-16-2024).

12.5. Council Bill 2024-209 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well as the unaddressed property to the north at approximately 1428 North Beverly Avenue, from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: Amax Properties, LLC; 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue; Z-15-2024).

13. FIRST READING BILLS. Requiring One Reading.

14. FIRST READING BILLS. Requiring Two Readings.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Walter Masterson wishes to address City Council.

15.2. Jared Stevenson wishes to address City Council.

16. NEW BUSINESS.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

20. CONSENT AGENDA – ONE READING BILLS.

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

21.1. Confirm the following appointment to the Citizens' Tax Oversight Committee: Dan Tenney with term to expire May 1, 2027.

21.2. Confirm the following appointment to the Landmarks Board: Genevieve Henry with term to expire November 1, 2027.

21.3. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Barry Rowell with term to expire October 1, 2026.

21.4. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Louise Wienckowski with term to expire October 1, 2025.

21.5. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Roddy Rogers with term to expire October 1, 2027.

21.6. Confirm the following reappointment to the Springfield-Greene County Environmental Advisory Board: Kathleen Murnan with term to expire October 1, 2027.

21.7. Confirm the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Ron Schneider with term to expire January 1, 2027.

22. END OF CONSENT AGENDA.

23. ADJOURN.



City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A
Craig Hosmer, General B
Callie Carroll, General C
Derek Lee, General D

September 23, 2024

6:30 PM

Regional Police-Fire
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2620 West Battlefield Road
Room 101, 102, and 103

1. ROLL CALL.

Mayor McClure acknowledged the passing of St. Louis Police Officer David Lee, who was killed in the line of duty while responding to a vehicle accident.

Present: Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Carroll, Councilmember Hosmer, Councilmember Jenson, Councilmember Hardinger, Councilmember Lee, Councilmember Horton, and Mayor McClure. Absent: None.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. September 9, 2024, City Council Meeting.

Mayor Pro Tem Simpson moved to approve the September 9, 2024, City Council meeting minutes as presented. Councilmember Horton seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

The Consent Agenda was approved as presented by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

4. CEREMONIAL MATTERS.

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

Jason Gage, City Manager, noted Mayor Ken McClure was honored by the Missouri Municipal League with their Distinguished Service Award. He added the award honored current or former Missouri Municipal Officials who made significant contributions and impact to the Municipal League and to their City.

Mr. Gage noted the Police Department was nominated for the Lay Down the Law Award which recognizes law enforcement agencies that have substantially advanced highway safety in Missouri.

Mr. Gage noted Public Works Professional Engineer Julie Hawkins was named the 2024-2025 President of the Ozarks chapter of the Missouri Society of Professional Engineers.

Mr. Gage noted the economy in Springfield had experienced and was projected to have higher growth rate than what had been seen in the State or the United States as a whole. He added this was in terms of job growth, income growth, and real gross domestic product while also experiencing lower unemployment. He added the median household income had grown 34 percent, and the poverty rate was down from 24.8 percent in 2018 to 20.3 percent in 2022. Mr. Gage further noted the poverty rate in college towns could be affected up to five percent depending on the ratio of students to the population.

Mr. Gage noted the current retail presence had improved with the addition of Costco and Buc-ees, and the upcoming addition of the Target concept store would add to this.

Mr. Gage noted the City was meeting its service demands after the high inflation and COVID times. He added the City retained its double A bond rating.

Mr. Gage noted the next Neighborhood Advisory Council meeting was scheduled for November 13 at the Cox Health Room at the E Factory from 6:00 p.m. to 8:00 p.m.

Mr. Gage noted the annual Turkey Trot 5k run and walk on Thanksgiving Day would be downtown and details could be found at parkboard.org/turkeytrot.

Mr. Gage noted the Rutledge Wilson Farm Park Harvest Fest would have free admission and be held October 5, 6, 12, 13, 19, 20, 26, and 27.

Mr. Gage noted the new location for the Missouri Job Center at 1660 North Campbell would start on October 15.

Councilmember Hosmer asked the number of Missouri Department of Transportation (MoDOT) intersections in the City and how many have cameras. Mr. Gage responded he would provide the information.

Mayor McClure recognized Councilmember McGull for his induction into the 48th Annual Hall of Fame at theanship School of Mass Communication at Louisiana State University. He added the induction would take place in October and congratulated Councilmember McGull.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-180 (Hosmer)

A general ordinance amending the Springfield City Code, Section 2-92, known as the "Salary Ordinance," relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Non-Union Schedule by adding two new job titles and deleting one job title.

Ordinance 6869, Council Bill 2024-180 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.2. Council Bill 2024-181 (Lee)

A special ordinance approving the Third Amendment to the July 1, 2022, Collective Bargaining Agreement between the City of Springfield, Missouri and the International Brotherhood of Electrical Workers AFL-CIO Union Number 753, the Exclusive Representative of a certain Bargaining Unit within the Crafts, Trades, and Labor employee group; and authorizing the City Manager, or designee, to execute the Third Amendment.

Ordinance 28046. Council Bill 2024-181 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.3. Council Bill 2024-182 (Horton)

A special ordinance granting an exception to the Comprehensive Housing Assistance Program ("CHAP") boundary for the Maplewood Villas Phase II development located at 3905 West Maple Street; and authorizing the Department of Planning and Development to approve a \$525,000 loan for the Maplewood Villas Phase II development with a reduced interest rate from the rate established in the CHAP Rules.

Ordinance 28047. Council Bill 2024-182 (Horton) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.4. Council Bill 2024-183 (Carroll)

A special ordinance authorizing the City Manager, or designee, to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission, Greene County, and Ozarks Transportation Organization to share costs associated with various quality of place and other aesthetic improvements over and under Interstate 44 between Kansas Expressway and Glenstone Avenue and on New Melville Road over Interstate 44; and amending the Fiscal Year 2024-2025 budget for the Department of Public Works in the amount of \$2,250,000 to appropriate \$2,200,000 of federal Surface Transportation Block Grant – Urban funds and \$50,000 of 1/8-cent Transportation Sales Tax fund balance reserves for this project.

Ordinance 28048. Council Bill 2024-183 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.5. Council Bill 2024-184 (Lee)

A special ordinance approving the 2024-2028 1/4-cent Capital Improvement Sales Tax ("CIST") and the 2025-2029 1/8-cent Transportation Sales Tax ("TST") projects and programs; and amending the Fiscal Year 2024-2025 budget of the City of Springfield, Missouri, in the amount of \$11,000,000 to appropriate CIST and TST reserves for the same.

Ordinance 28049. Council Bill 2024-184 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.6. Council Bill 2024-185 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 budget for the Department of Environmental Services in the amount of \$1,600,000 to appropriate retained earnings from the Clean Water Fund for the Southwest Wastewater Treatment Plant Ozone Generator Restoration.

Ordinance 28050. Council Bill 2024-185 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.7. Council Bill 2024-186 (Carroll)

A general ordinance approving the City Utilities' Fiscal Year 2025 Operating Budget for its Fiscal Year ending September 30, 2025.

Ordinance 6870. Council Bill 2024-186 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.8. Council Bill 2024-187 (Hosmer)

A general ordinance approving revisions to natural gas rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

Ordinance 6871. Council Bill 2024-187 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.9. Council Bill 2024-188 (Hardinger)

A general ordinance authorizing revisions to transit rates charged by City Utilities of Springfield, Missouri, and related terms and conditions.

Ordinance 6872. Council Bill 2024-188 (Hardinger) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.10. Council Bill 2024-189 (Hardinger, Hosmer, Carroll, Lee)

A general ordinance repealing City of Springfield Code Chapter 74 – Nuisance and Housing Code, Article VI. – Rental Property Registration.

Council Bill 2024-189 (Hardinger, Hosmer, Carroll, Lee) was Passed by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.11. Council Bill 2024-190 (Hardinger, Hosmer, Carroll, Lee)

A general ordinance amending City of Springfield Code Chapter 26 – Buildings and Building Regulations, Article III. – Dangerous, Blighted and Nuisance Building Code, sections 26-62, 26-74, 26-77, 26-79, 26-80, 26-82, 26-83, and 26-84.

Councilmember McGull asked for clarification of the rationale basis in section 26.78 chronic nuisance penalty new language, in terms of distinguishing between resident and non-resident. Jordan Paul, City Attorney, responded his understanding was to fine absentee landlords. He added rationale basis in treatment of two different sets of people could exist if one was not a protected class.

Councilmember Jenson thanked staff and noted the recommendation came from the Nuisance Property Work Group. He expressed his appreciation for the Community Involvement Committee's work and expressed his belief the measure provided clarification to the language.

Ordinance 6874. Council Bill 2024-190 (Hardinger, Hosmer, Carroll, Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.12. Council Bill 2024-192 (Lee)

A special ordinance authorizing the City Manager, or designee, to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with quality of place and other aesthetic improvements on new lighting and signal poles located at the northbound and southbound US Highway 65 ramps at Evans Road.

Ordinance 28051. Council Bill 2024-192 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

7. RESOLUTIONS.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

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

10.1. Council Bill 2024-193 (Lee)

A general ordinance authorizing the City Manager, or designee, to accept a State Apprenticeship Expansion Formula ("SAEF") Grant from the State of Missouri Department of Higher Education and Workforce Development's Office of Apprenticeship and Work-Based Learning in the amount of \$117,256 to be utilized to fund the SAEF2 Program, and to enter into necessary agreements to carry out the grant; and amending the Economic Vitality and Workforce Development Department's budget for Fiscal Year 2024-2025 in the amount of \$117,256 to appropriate the grant funds.

Ericka Schmeeckle, Assistant Director of Workforce Development, provided a brief overview of the proposed. Ms. Schmeeckle noted the proposed would allow for acceptance of \$117,256 from the Department of Higher Education and Workforce Development. She further noted the funds would support a minimum of 77 individuals through pre-apprenticeship programs with an emphasis on increasing access for underrepresented and underserved populations within the construction and healthcare sectors.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Ordinance 6875. Council Bill 2024-193 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-194 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would rezone the property that had recently been annexed into the City, to construct a new commercial development along the corridor of West Sunshine just west of West Bypass.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

12.2. Council Bill 2024-195 (Hosmer)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

Alana Owen, Principal City Planner, provided a brief overview of the proposed. Ms. Owen noted the proposed would allow the City to move forward with annexation of several properties with existing irrevocable petition and consent to annex on file. She added there were seven properties located in four areas, and the current owner was the same that signed the Irrevocable Petition and Consent to Annexation Agreement for each property. Ms. Owen further noted the properties were non-residential or multifamily residential. The proposed annexation area contained 21.64 acres of private property and .7 acres of Green County right-of-way. Ms. Owen noted five properties were located within a Priority One area for annexation as identified in ForwardSGF. She further noted two properties were located along a major corridor and area for potential economic activity. Ms. Owen added the annexation was in conformance with the recommendations for ForwardSGF, was within the Urban Service Area, and was compact and contiguous to the city limits, and the City had the ability to furnish normal municipal services.

Councilmember Hosmer expressed his belief this was a good development, and annexation needed to be done in a smart way. He asked if properties contiguous to these were considered. Ms. Owen responded all surrounding areas were reviewed and they would look to broaden the surrounding areas in the future. Councilmember Hosmer expressed his belief annexation could benefit those living in the area as they would be eligible for City services and taxes could be slightly lower. He asked how many consent to annex there were in the City or in the City's outline area. Ms. Owen responded the information would be provided.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

12.3. Council Bill 2024-196 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed was a request to rezone to Highway Commercial to serve the public. He added the property was identified as Business Flex placetype.

Councilmember McGull asked if the zoning would allow for facilities such as a medical treatment facility. Mr. Sparlin responded affirmatively.

An opportunity was given for citizens to express their views.

Calvin Pike spoke in support of the proposed. Mr. Pike noted he was a representative and could answer any necessary questions. There were no questions.

With no further appearances, the public hearing was declared closed.

12.4. Council Bill 2024-197 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the applicant, Cox Health, requested to rezone the property to Government and Institutional Use District. Mr. Sparlin further noted the placetype listed government, healthcare, and institutional facilities as a primary use. He added the Conditional Overlay District (COD) required a traffic study at the time of development.

An opportunity was given for citizens to express their views.

Anthony Swanigan, a representative of the applicant, spoke in support of the proposed. Mr. Swanigan noted he was available to answer any questions. Councilmember Lee asked what development was being considered for the proposed. Mr. Swanigan responded that was undecided at that time.

With no further appearances, the public hearing was declared closed.

12.5. Council Bill 2024-198 (Hardinger)

A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

Anita Cotter, City Clerk, noted the sponsorship was inadvertently listed as Councilmember Hardinger and the record would be corrected to be reflected as Councilmember McGull.

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the applicant was Tie and Timber Beer Co. He added they were proposing a new building, and the current Urban Conservation District (UCD) limited a finished floor elevation to 6 inches above the sidewalk. Mr. Sparlin further noted the amendment would be a maximum of four feet if pedestrian amenity was provided. He added the Rountree Neighborhood Plan Goal 10 identified strategies to make the Cherry/Pickwick Commercial area safer and more pedestrian friendly. Mr. Sparlin noted the Rountree Neighborhood Association had no objections.

Councilmember McGull noted the expansion of economic development in the Cherry/Pickwick area and expressed he hoped traffic-calming devices would also be expanded in the area.

Councilmember Lee asked for verification that this was the first commercial development in the Rountree UCD. Steve Childers, Director of Planning and Development, responded he would provide the information. He added this was one of three text amendments to be evaluated. Councilmember Lee expressed his belief the area was overregulated.

An opportunity was given for citizens to express their views.

Curt Marshall spoke in support of the proposed. Mr. Marshall thanked Steve Childers and his team for their work and attentiveness.

Mayor Pro Tem Simpson complimented Mr. Marshall on the outdoor space that had already been completed in the area.

With no further appearances, the public hearing was declared closed.

12.6. Council Bill 2024-199 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

Daneil Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow for rezoning 1.6 acres of property to Residential Townhouse District to build duplexes on the property.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

12.7. Council Bill 2024-200 (Hosmer)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

Anita Cotter, City Clerk, noted a request was received from Councilmember Hosmer to withdraw his sponsorship from the proposed. A subsequent request was received from Councilmember Lee requesting he be added as the sponsor. The record would be corrected to be reflected Councilmember Lee as the sponsor.

Mayor Pro Tem Simpson recused himself from Council Bill 2024-200 and left the dais.

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the staff review of the case was based on the Forward SGF Comprehensive plan, which despite its comprehensive scope, was not regulatory. He further noted placetypes were not as rigid as zoning districts and allowed for ancillary uses which complemented and enhanced the sense of place. Mr. Neal added there was general retail and institutional placetype across the street from the proposed. He noted the comprehensive land use identified the proposed on the edge of a traditional neighborhood placetype and adjacent to the institutional employment placetype. Mr. Neal further noted the intersection of these two placetypes was a transition zone. He added the friction along the edges of neighborhoods could be mitigated by preservation of mature canopy and understory trees, burying and consolidating utilities, utilizing greater read and side-yard setbacks, and minimizing the height of exterior lighting, signage, and other building and site elements.

Mr. Neal noted the Conditional Overlay District requirements would prohibit many objectionable uses that could be incompatible with the neighborhood and limit business hours, have no outdoor storage, and minimize noise exposure to the adjoining residential properties. Mr. Neal further noted the General Retail District required a structure remain below a 30-degree bulk plane from any residential single-family district boundary. He added the applicant requested a height limitation of 45 feet.

Mr. Neal noted the design requirements were to orient buildings to the street or public/common open space and provide pedestrian access, street facing walls greater than 50 feet in length had to be articulated at least 25 feet with bays, projections, or recesses, all visible to public sided of the building had to display a similar level of quality and architectural finish and facade colors shall have low reflectance with no less than 60 percent brick, stone, stucco, or craftsman style cementitious board or wood.

Mr. Neal noted a 20-foot bufferyard adjacent to residential single family residential was required. He added a stone wall or privacy fence would be required for screening. Mr. Neal further noted a 15-foot-wide wall would be required adjacent to University Street. Mr. Neal added street improvements would be added at the applicant's cost.

Councilmember Hosmer asked the basis for the Planning and Zoning Commission's recommendation of denial. Mr. Childers responded each member made a statement and there was not one specific reason for the denial. Councilmember Hosmer asked if the limitations were proposed by the developer. Mr. Childers responded affirmatively. He added there were numerous meetings with the developer and a discussion regarding what a potential Planned Development would look like. He further noted there were discussions regarding what would be appropriate. Mr. Childers noted for a Planned Development it was clear what would be developed on the property, and a site plan was not required for a Conditional Overlay District. Councilmember Hosmer asked how many times staff met with the developer and how many times staff met with the neighborhood. Mr. Childers responded four or five times with the developer and Mr. Neal noted there were two or three meetings with neighborhood members. Councilmember Hosmer asked if a strip mall, convenience store, tattoo shop, or Dollar General could go in the development. Mr. Neal responded affirmatively but noted a convenience store could not have fuel pumps in the development. Councilmember Hosmer noted there was a requirement for a bufferyard and expressed his belief that bufferyards were not enforced. Mr. Childers noted enforcement was done by Building Development Services (BDS).

Councilmember Lee asked if the roof of the building would be sloped. Mr. Neal responded there was language that required the roof be sloped if in the public view. Councilmember Lee asked the height of the medical center across the street from the proposed. Mr. Neal responded they could provide the information.

Councilmember Jenson thanked Mr. Neal for the presentation. He asked if traffic-calming measures that were proposed had been referred to the Neighborhood Association for feedback. Brett Foster, Traffic Engineer, responded they had not, but these would be discussed at regular neighborhood meetings. Councilmember Jenson asked how traffic analysis was conducted when the use of the property was not known. Mr. Foster responded the scenario of traffic that would occur was reviewed and the worst-case scenario was considered. He added the information came from the Institute of Transportation Engineers. Mr. Foster noted the intersection carried approximately 60,000 cars per day through the intersection. Extensive traffic counts were taken, and the percentage of traffic that would be distributed through the neighborhoods was considered. He added if the development proposed generated traffic that was more impactful, the study could be readdressed.

Councilmember McGull asked if ingress and egress from Sunshine Street and University Street were recommended. Mr. Foster responded affirmatively. He added there would not be access to make a left out to National Avenue. Mr. Foster noted a three-quarter island and speed bumps on University Street were recommended.

Councilmember Lee asked if a right-turn lane would help overall compared to the additional traffic that would be generated. Mr. Foster responded the addition of the turn lane would drastically change the flow of traffic at the intersection. He added medians would reduce the crash rate at the intersection.

Councilmember Hosmer asked how an individual would be kept from turning left onto National Avenue. Mr. Foster responded there would be an island that would be signed, and the traffic measures would be paid for by the developer. Councilmember Hosmer asked if alcohol could be sold in the development. Mr. Childers responded the information would be provided. The proposed would allow for alcohol as long as that was not the primary use of the business.

An opportunity was given for citizens to express their views.

Anita Cotter, City Clerk, noted there were 31 speakers, and in accordance with City Council policy, each speaker would be allotted 3 minutes.

Chris Wynn, a representative of the developer, spoke in support of the proposed. Mr. Wynn noted the development was presented as a COD because there was not yet a user for the property, making it difficult to come forth with a Planned Development. Mr. Wynn further noted the site plan would have to be reviewed by City staff to ensure it met all the requirements of the Conditional Overlay District. He added the plan would also have to be submitted and approved by the Review Committee. Mr. Wynn noted the transition zones had design standards appropriate for the transition area, including the preservation of mature canopy trees. He added the plan was to place utilities underground. He added they had discussed utilizing greater side yards, re-reducing building heights, scaling down or minimizing the height of exterior lights and placing limitations on the lights. He added they were donating the right-turn lane to benefit Springfield as a whole.

Councilmember McGull asked Mr. Wynn to discuss the bufferyard. Mr. Wynn responded they had met with the neighborhood through the neighborhood meeting process. He noted they were discussing a continuous row of giant evergreen trees at a minimum height of 12 feet when planted. Mr. Wynn further noted another option would be an eight-foot stone wall on the north side, and a four-foot wall north of the parking lot.

Ralph Duda, president and founder of BK&M, spoke in support of the proposed. Mr. Duda noted he grew up in Springfield, and it was his dream to develop the corner. He added noticing its deterioration. Mr. Duda noted he had over forty meetings with the neighborhood and expressed his belief their primary concerns were traffic and quality of place. Mr. Duda noted a committee was formed regarding traffic which discussed five speed cushions and a landscaped island. Mr. Duda noted he was supportive of restricting any type of dollar store.

Councilmember Jenson expressed his belief general retail was probably the highest use for the property, but questioned if it was the best use. Mr. Duda responded they had considered boutique grocery, executive lofts on top of retail, and a food hall with pickleball courts. He noted a specific portion of the neighborhood was opposed to all these uses. He added the benefit to a COD was the flexibility it allowed if trends changed. Councilmember Jenson expressed his belief flexibility could be what concerned the neighborhood.

Councilmember McGull asked Mr. Duda what he would like to see at the location. Mr. Duda responded he had negotiated with Trader Joe's, and they backed out and expressed his belief this was due to neighborhood opposition. He expressed his belief the site would be good for an assisted living facility or a mixed-use multifamily area.

Councilmember Hosmer noted the passion the neighbors had due to the investment they made in their properties. He expressed his belief the uncertainty could cause more fear. Mr. Duda responded the COD could have amendments and restrictions added. He expressed his belief the corner had served as a buffer for the neighborhood for the past few years.

Brian Fisher, a representative of the applicant, spoke in support of the proposed. Mr. Fisher noted he was with Neil and Newman, the law firm that had represented the applicant. He expressed his belief the application presented two questions: whether the City was going to embrace progress or be a city that sacrificed progress to proposed neighborhood protection, and if the City was going to deal fairly with those who want to invest in the community. Mr. Fisher noted the traffic that flows through the intersection and expressed his belief it was untenable to believe the property could remain single family residential. He noted properties in the proposed rezoning had recently been used as a halfway home and others had been vacant for years.

Marty Duda, a representative of the applicant, spoke in support of the proposed. Mr. Duda expressed his belief the proposed had outgrown its use as single family residential and would better serve the City with a commercial rezoning. He noted the homes were deteriorating when they were purchased. Mr. Duda expressed his belief development of the proposed would benefit the City with additional tax revenue, safety enhancements, and employment opportunities. He further noted the proposed had acted as a buffer for the neighborhood and asked City Council to consider what was best for the City.

Lee Viorel, a representative of 21 lot owners, spoke in opposition to the proposed. Mr. Viorel noted the concerns of the neighbors in relation to their homes, which served as their most valuable asset. He expressed his belief City Council had to consider if the proposed basis for zoning was for uses arbitrary and unreasonable, it would be invalid and if the zoning was in accord and harmony with the comprehensive zoning plan, for the public good, it would be approved. Mr. Viorel expressed his belief the proposed was not consistent with the Comprehensive Plan and the area was a traditional neighborhood. Mr. Viorel urged City Council to treat the proposed as a traditional neighborhood.

Councilmember Hosmer asked Mr. Viorel to explain why 1138 East University was a breach. Mr. Viorel responded it was not contiguous to Sunshine Street and had nothing to do with the changes or the transitional area that was alluded to. He expressed his belief it should not have been part of the development.

Councilmember Carroll asked what the neighbors would be happy with as a development. Mr. Viorel responded the neighbors he represented would prefer to continue as a traditional neighborhood.

Evelyn Mangan spoke in opposition to the proposed. Ms. Mangan expressed her concern with the traffic and the traffic control measures. She expressed her belief it would not be possible to make a left turn which could cause more traffic in the neighborhood. Ms. Mangan noted University Heights was a walkable neighborhood and expressed her belief traffic from a development would destroy the neighborhood.

Brian Fogle spoke in opposition to the proposed. Mr. Fogle thanked City Council for their service. He came to speak as a resident of the neighborhood for forty years. Mr. Fogle noted the homeownership rate in the City was 42 percent. He added the median net worth for a homeowner was \$396,000 and the median net worth for a renter was \$10,400. Mr. Fogle expressed his opinion the proposed development sent at best mixed signals about the City's commitment to housing. He noted University Heights was a stable neighborhood that had anchored a part of the community. Mr. Fogel further noted increased homeownership could create more spending in the community.

Nancy Banasik spoke in opposition to the proposed. Ms. Banasik noted the neighborhood added character to the City. She further noted the neighborhood was walkable and expressed her belief the proposed would decrease the walkability.

Joseph Banasik spoke in opposition to the proposed. Mr. Banasik expressed his opposition due to the broad COD language and in his opinion, it did not support the integrity of the neighborhood's architectural uniqueness.

Councilmember Jenson asked if there would be a way to craft language to specifically target the architectural styles of the neighborhood. Mr. Childers responded affirmatively.

Donna Hemann spoke in opposition to the proposed. Ms. Hemann noted Vision 2020 and Forward SGF prescribed the same uses for University Heights that had been in place for a hundred years. She expressed her belief the proposed would have a massive impact to the neighborhood and surrounding streets.

Councilmember Jenson expressed his belief residential would not likely be viable in the long term for the properties and asked Ms. Hemann her thoughts on the highest and best use of the property. Ms. Hemann expressed her belief the homes could have been renovated for rental purposes. She further expressed her belief homes could be built and leased as residential properties. Ms. Hemann noted the location could be used for art installations.

Kevin Ausburn addressed City Council regarding the proposed. Mr. Ausburn noted his comments were from a longtime community member perspective. He urged City Council to consider the importance that all parties trust in the development process. He expressed his belief uncertainty could give a developer great pause from taking that risk in the City. Mr. Ausburn expressed his belief commercial use had become the future of the property.

Holly Acharya spoke in opposition to the proposed. Ms. Acharya noted she had never lived in a neighborhood with more of a sense of community than what she had experience in University Heights over the past six years. Ms. Acharya expressed her belief intrusive commercial zoning would negatively impact the neighborhood.

Glenn Green, an attorney representing his parents, spoke in opposition to the proposed. Mr. Green questioned if the City were going to have a City Code and Comprehensive Plan they follow and allow developers to develop where they would like or protect neighborhoods that were established and protect the citizens' investments.

Councilmember Jenson asked if there had been discussion among neighbors to establish a Community Improvement District. Mr. Green responded he believed there had been discussion over the years, but noted his parents' main investment was their home.

Jeff VanDenBurg spoke in opposition to the proposed. Mr. VanDenBurg expressed his belief the staff report noted the location was economically viable as residential. He expressed his belief it was preemptive to consider rezoning ahead of a comprehensive study of the Sunshine Corridor.

Sherry Byrne spoke in support of the proposed. Ms. Byrne questioned if the needs of the neighborhood should be placed above that of all other citizens of the city. She expressed her belief it could be a disservice to not take the opportunity to improve the intersection.

Maggie Castrey spoke in opposition to the proposed. Ms. Castrey asked City Council to consider their legacy in this regard. She expressed her belief the City had an opportunity to build a legacy in line with restorative efforts.

Ken Coleman noted the first property he sold was in University Heights. He noted he last sold the property at Sunshine and National. Mr. Coleman noted there were squatters in the property, and the intersection was the busiest in the City. Mr. Coleman expressed his belief the existing status of the property would decrease property values.

Barbara Sue Robinson spoke in opposition to the proposed. Ms. Robinson expressed her belief the size of the lot was not sufficient for general retail and relayed concerns that there was no specific plan for the proposed rezoning. She noted her concerns regarding traffic in the neighborhood.

Joe Jones spoke in support of the proposed. Mr. Jones, a doctor at Mercy Hospital, noted he would not want to live on the corner of Sunshine and National. He further noted Ralph Duda was his neighbor. He expressed his belief the development would be preferred and building a wall sounded great.

Jeff Carney spoke in opposition to the proposed. Mr. Carney noted he was the president of the Board of the University Heights Neighborhood Association. He noted his priority was the safety and well-being of his neighbors. Mr. Carney expressed his belief he would not be opposed to a retirement village or Trader Joes but would not be in favor of a strip mall. Mr. Carney expressed his concerns with traffic in the area.

Courtney Fletcher spoke in opposition to the proposed. Ms. Fletcher noted she recently moved from University Heights. She expressed her belief citizens' interests should be protected. Ms. Fletcher expressed her belief there were no neighbors there in favor of the development.

Amanda Rispoli spoke in support of the proposed. Ms. Rispoli noted she and her husband purchased a home close to Farmers' Park 15 years ago. It was open space at the time. Ms. Rispoli noted there were neighbors who wanted to fight the rezoning and would be disappointed at the loss of green space. Ms. Rispoli expressed her belief Farmer's Park was a success and property values had increased since the development.

Councilmember Jenson thanked Ms. Rispoli for speaking and for demonstrating how divides could be overcome. He expressed his belief staff act with integrity. Ms. Rispoli expressed her belief a compromise could be reached.

Rina Edge spoke in opposition to the proposed. Ms. Edge expressed her lack of support due to the lack of specificity of the plan. She expressed her belief University Heights was a traditional neighborhood and the residential placetype should remain.

Nancy Williams spoke in opposition to the proposed. Ms. Williams noted closed businesses on the adjacent corner of Sunshine and National. Ms. Williams expressed her belief the City needed housing and individuals who need housing would live on that corner.

Cameron Johnson expressed his belief there was no reason to halt progress and development. He expressed his opinion the proposed was one of the most collaborative City development projects.

Darron Hemann spoke in opposition to the proposed. Mr. Hemann expressed his belief he wanted to see Springfield grow, but in a measured way. He expressed his belief property values would decrease. He asked City Council to view the issue from a resident standpoint.

John Stinson spoke in opposition to the proposed. Mr. Stinson expressed his belief homeowners in University Heights brought hundreds of millions of dollars to the City and would continuously do so. He expressed his belief they were an established passive income for the City. He asked City Council to respect the vision and protect the boundaries of University Heights.

Ra'Vonda Sanon spoke in support of the proposed as a representative of Anthony Tolliver. Ms. Sanon read a statement from Mr. Tolliver which noted the decline of the homes at the corner of National and Sunshine. The statement expressed belief the best use for the proposed would-be commercial use.

Lisa Dixon spoke in opposition to the proposed. Ms. Dixon expressed her belief the proposed would make the neighborhood less walkable. She expressed her concern with the proposed causing increased traffic issues in the neighborhood.

Cameron Rose addressed City Council regarding the proposed. Mr. Rose expressed his belief the homes on the corner had not improved. He expressed he would love to see single family homes on the corner but also did not want them to remain as empty lots.

J.A. White spoke in support of the proposed. Ms. White, a realtor, expressed her opinion homes on the corner of Sunshine and National were dated and in need of many renovations. She noted road noise could be heard from inside the homes.

With no further appearances, the public hearing was declared closed.

Mayor McClure thanked each who attended for sharing their thoughts and views. Mayor McClure called for recess until 10:15 p.m.

City Council reconvened at 10:15 p.m.

Mayor Pro Tem Simpson returned to the dais.

13. FIRST READING BILLS. Requiring One Reading.

14. FIRST READING BILLS. Requiring Two Readings.

Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2024-201 (Carroll)

A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

Anita Cotter, City Clerk, noted the sponsorship was inadvertently listed as Councilmember Carroll. The sponsorship would be corrected and reflected in the record as the ARPA Committee consisting of Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Carroll, and Councilmember Hardinger.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would amend Ordinance 6863 to allocate the remaining \$83,662 American Rescue Plan Act (ARPA) funds to the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project. He added the funds represented the remaining unallocated balance of the City's direct allocation of over \$40.2 million. The City's ARPA Review Committee met and recommended this item for consideration.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

14.2. Council Bill 2024-202 (Horton)

A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would allow for acquisition of 817 North Boonville Avenue and amending the budget in the amount of \$130,000. He further noted the City had targeted properties on the west side of the 800 block of North Boonville for future expansion of Government Plaza.

Mr. Holtmann added the appraised value of the property was \$110,000.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Jared Stevenson wishes to address City Council.

Jared Stevenson did not appear to address City Council.

15.2. Megan Creson wishes to address City Council.

Megan Creson, the current vice-president and president elect of the Greater Springfield Apartment and Housing Association (SAHA), addressed City Council. Ms. Creson noted SAHA was an organization comprised of property owners and vendors who served property owners throughout the greater Springfield area. She added monthly meetings were held and education provided about relevant industry issues and updates. Ms. Creson noted members were held to certain standards. The 80 members represented approximately 20,000 single family and multifamily housing units. She further noted SAHA supported the findings from the Nuisance Property Study and a process for identifying and maintaining certain standards, and enforcement of these standards. Ms. Creson added SAHA also supported programs that would create additional subsidized affordable housing, resources, and education for tenants.

Councilmember Jenson thanked Ms. Creson and noted the Community Partnership of the Ozarks would be hosting a Landlord Solutions Summit in October. Ms. Creson responded SAHA would be in attendance.

Councilmember Lee thanked Ms. Creson and asked if SAHA would be a part of the meetings regarding the Rental Inspection Program. Ms. Creson responded they would be happy to join the discussion and expressed her concern for having resources for a program like that but offered inspections every five to seven years would be reasonable.

15.3. Tim Havens wishes to address City Council.

Tim Havens addressed City Council. Mr. Havens expressed his belief the issues at Jenny Lind apartments would be able to be overcome. He congratulated City Council on Resolution 10722 and for the emergency procedures to be followed to solve the problems of blighted properties. Mr. Havens expressed his belief the non-functional elevator at Jenny Lind apartments was a hazard. He expressed his belief the City should be proactive in its inspections and declaration of violations.

15.4. Abby Rowley wishes to address City Council.

Abby Rowley did not appear to address City Council.

16. NEW BUSINESS.

- 16.1. As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.
- 16.2. The Public Involvement Committee recommends the following appointment to the Citizens' Tax Oversight Committee: Dan Tenney with term to expire May 1, 2027.
- 16.3. The Public Involvement Committee recommends the following appointment to the Landmarks Board: Genevieve Henry with term to expire November 1, 2027.
- 16.4. The Public Involvement Committee recommends the following appointments to the Springfield-Greene County Environmental Advisory Board: Barry Rowell and Justin Sheppard* with terms to expire October 1, 2026.

- 16.5. The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Louise Wienckowski with term to expire October 1, 2025.
- 16.6. The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Roddy Rogers with term to expire October 1, 2027.
- 16.7. The Public Involvement Committee recommends the following reappointment to the Springfield-Greene County Environmental Advisory Board: Kathleen Murnan with term to expire October 1, 2027.
- 16.8. The Mayor recommends the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Ron Schneider with term to expire January 1, 2027.

*Clerk's Note: Justin Sheppard withdrew his name for consideration after the 9/23/2024 City Council Meeting.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

20. CONSENT AGENDA – ONE READING BILLS. See Item #3.

20.1. Council Bill 2024-203 (Hosmer)

A special ordinance authorizing the City Manager, or designee, to accept a Section 402 State and Community Highway Safety Grant in the amount of \$27,600 from the Missouri Department of Transportation to continue supporting the City's current pedestrian safety education program, known as 'SGF Yields,' and its shareable version, 'SafeAcross'; amending the budget of the Department of Public Works for Fiscal Year 2024-2025 in the amount of \$27,600 upon award of the grant; and declaring that this Ordinance qualifies as a one-reading bill pursuant to Section 2.16(25) of the City Charter.

Ordinance 28053. Council Bill 2024-203 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

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

21.1. Council Bill 2024-191 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept funds in the amount of \$36,500 from Mercy Hospital Springfield, through The Bobby Allison Fund, for use by the Springfield-Greene County Health Department's Family Connects Program; and amending the Fiscal Year 2024-2025 budget in the amount of \$36,500 to appropriate the grant funds.

Ordinance 28052. Council Bill 2024-191 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

21.2. Confirm the following appointment to the Springfield-Greene County Public Library Board: Mar'Ellen Felin with term to expire October 1, 2025.

21.3. Confirm the following appointment to the Art Museum Board: Christina Pike with term to expire June 1, 2026.

21.4. Confirm the following reappointments to the Art Museum Board: Amanda Stadler and Lindsey Kelsay with terms to expire June 1, 2027.

22. END OF CONSENT AGENDA.

23. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilmember Lee seconded the motion, and it was approved with the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: Councilmember Hosmer. Absent: None. Abstain: None.

**September 30, 2024
Springfield, Missouri**

The City Council met in special session on September 30, 2024, in the Councilman Denny Wayne Conference Room on the 4th Floor of the Busch Municipal Building. The meeting was called to order by Mayor McClure.

Roll Call

Present: Brandon Jenson, Monica Horton, Abe McGull, Matthew Simpson, Craig Hosmer, Heather Hardinger, Callie Carroll, Derek Lee, and Ken McClure. Absent: None.

Closed Session

Councilmember Hosmer moved City Council hold a closed meeting to discuss hiring, firing, disciplining, or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded pursuant to Section 610.021(3) RSMo.; and this meeting, record, and vote shall be closed, and the City Council shall stand adjourned at the end of the closed session.

Councilmember Carroll seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, and McClure. Abstain: None. Absent: None.

Prepared by
Michelle Kaasa

Anita J. Cotter, CMC/MRCC
City Clerk

EXPLANATION TO COUNCIL BILL 2024-194 (JENSON)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-13-2024

The applicant is requesting to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to approve, by a vote of 9 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.

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 provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations,

hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

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

4. There are few changing conditions in the area affected that make the proposed rezoning necessary. The subject area is currently zoned County C-2, and many other properties are currently zoned HC and being used commercially along the Sunshine Street corridor.

5. The range of uses in the proposed HC district is compatible with the existing uses on other properties in the immediate vicinity. The existing County C-2, General Commercial District allowed for many of the same Highway Commercial uses, which included retail sales of new and used automobiles.

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

7. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a similar zoning district to what exists.

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

9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property would be allowed to have County C-2 uses, but it will fit within the City's Zoning Ordinance if rezoned to HC.

STAFF RECOMMENDATION: 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.

Submitted By: Daniel Neal, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. Z-13-2024 - 3081 West Sunshine Street_Ord
2. Z-13-2024_exh A
3. Z-13-2024_exh B
4. Z-13-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 21
Filed: 09-17-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-194

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.7 acres of property generally located at 3801 West Sunshine
4 Street from County C-2, General Commercial District to HC,
5 Highway Commercial District; and adopting an updated Official
6 Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 3801 West Sunshine Street from County C-2, General Commercial
11 District to HC, Highway Commercial District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The property generally located at 3801 West Sunshine Street and
29 described in "Exhibit A," which is attached hereto and incorporated herein by this
30 reference, is hereby rezoned from County C-2, General Commercial District to HC,
31 Highway Commercial District. Springfield Land Development Code, Section 36-306,
32 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
33 modified consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OF LAND AS LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2023, PAGE 038009-23 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 SOUTH 89°02'39" EAST, 157.82 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY STREET, SAID POINT BEING THE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 89°02'39" EAST, 769.97 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF SUNSHINE STREET; THENCE LEAVING SAID NORTH LINE AND ALONG SAID RIGHT-OF-WAY 307.34 FEET ALONG A 4535.24 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 77°53'59" WEST FOR 307.29 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY 665.70 FEET ALONG A 5016.45 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 72°26'50" WEST FOR 665.21 FEET, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY OF MCCURRY AVENUE; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 31°31'49" WEST, 68.01 FEET; THENCE NORTH 00°44'51" EAST, 183.07 FEET; THENCE NORTH 45°44'51" EAST, 14.14 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY STREET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, SOUTH 89°15'09" EAST, 30.39 FEET; THENCE 160.79 FEET ALONG A 430.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 80°08'21" EAST FOR 159.85 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN GREENE COUNTY, MISSOURI. CONTAINING 2.76 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-13-2024
3801 West Sunshine Street
Applicant: McCurry Plaza, LLC

Mr. Neal stated that this is a request to rezone approximately 2.7 acres of property from County C-2, General Commercial District to HC, Highway Commercial District.

Mr. Caleb Freeland, 3213 S. West Bypass looking to rezone to Highway Commercial and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-13-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager



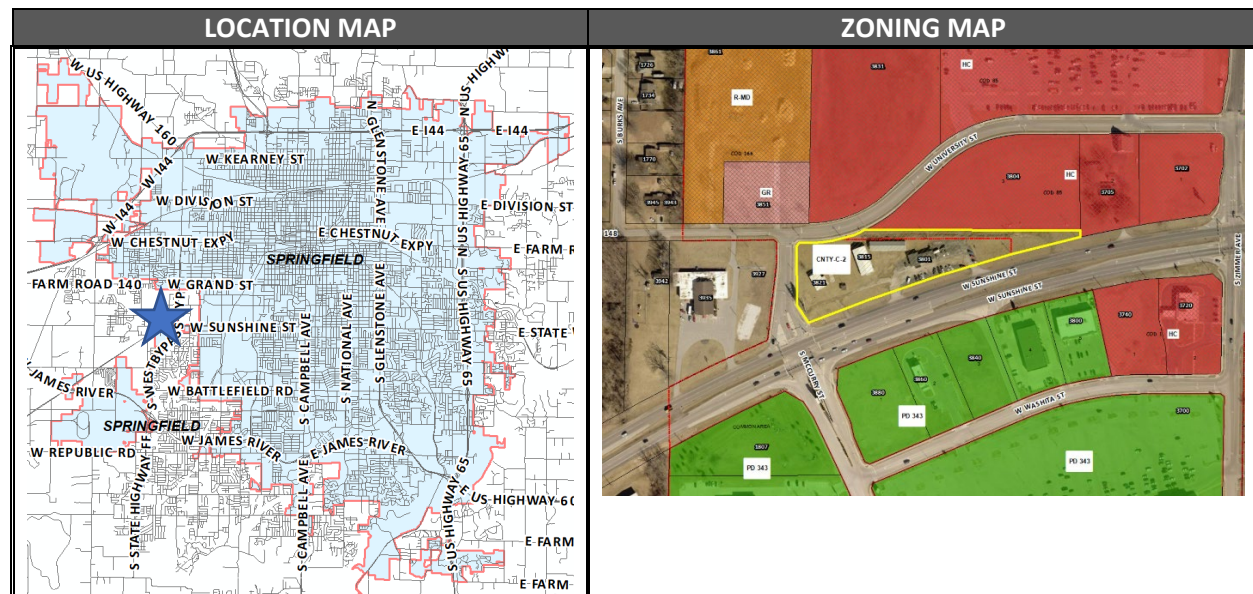
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-13-2024
Location:	3801 West Sunshine Street
Total Acres:	2.7 acres
Applicant:	McCurry Plaza, LLC
Existing Land Use:	Commercial, automotive sales use
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-13-2024 (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 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property is outside the City limits in unincorporated Greene County where it is currently zoned County C-2, General Commercial District. The property has recently been annexed by City Council.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC DISTRICT
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.

DEVELOPMENT REVIEW STAFF REPORT

	(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).
Minimum Lot Size	Not applicable to the HC District
Maximum Height	None.
Bulk Plane	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. <i>Front yard:</i> 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. <i>Side yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection (8). 3. <i>Rear yards:</i> None, except as required by the bufferyard requirements in subsection (8).
Minimum Open Space	Not less than 20 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.

DEVELOPMENT REVIEW STAFF REPORT

	(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 HC 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:

DEVELOPMENT REVIEW STAFF REPORT

- 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.

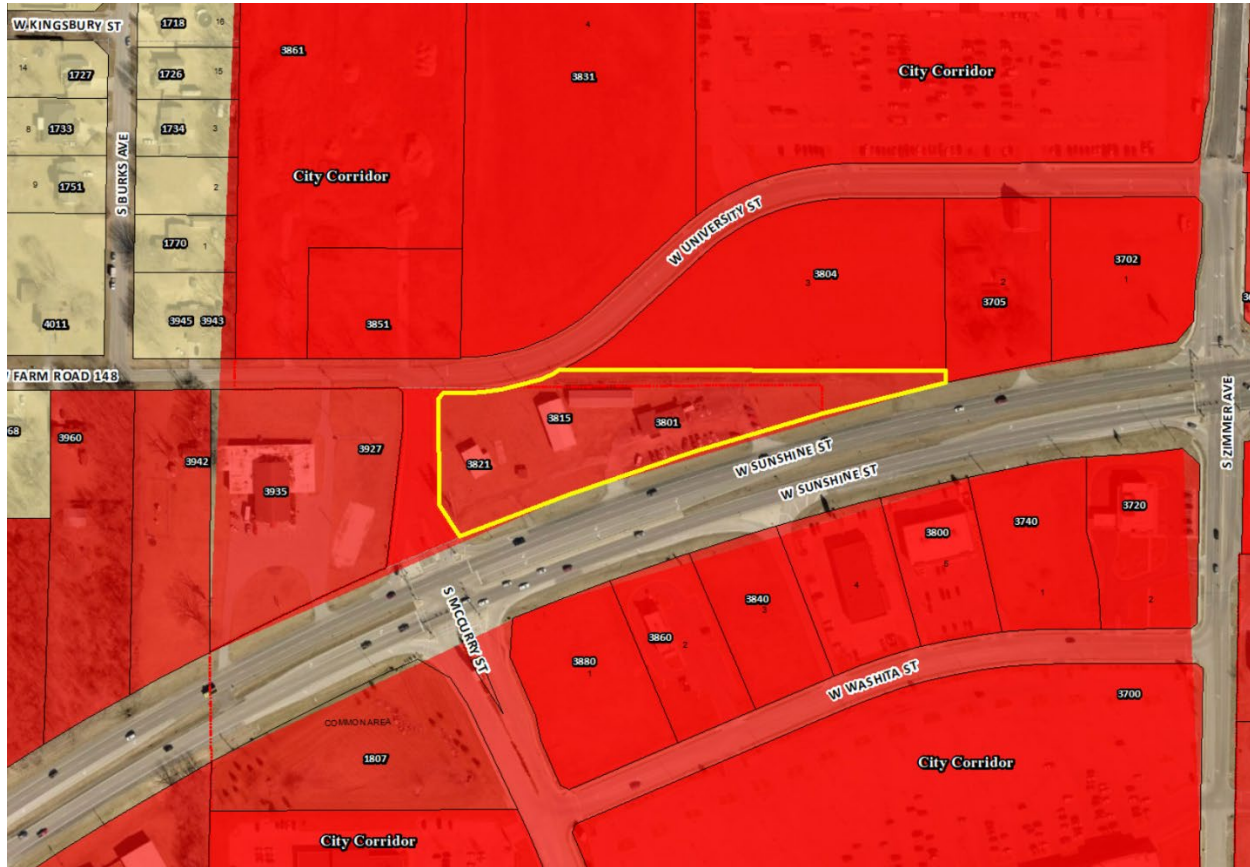
DEVELOPMENT REVIEW STAFF REPORT

TRANSITIONS:

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

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

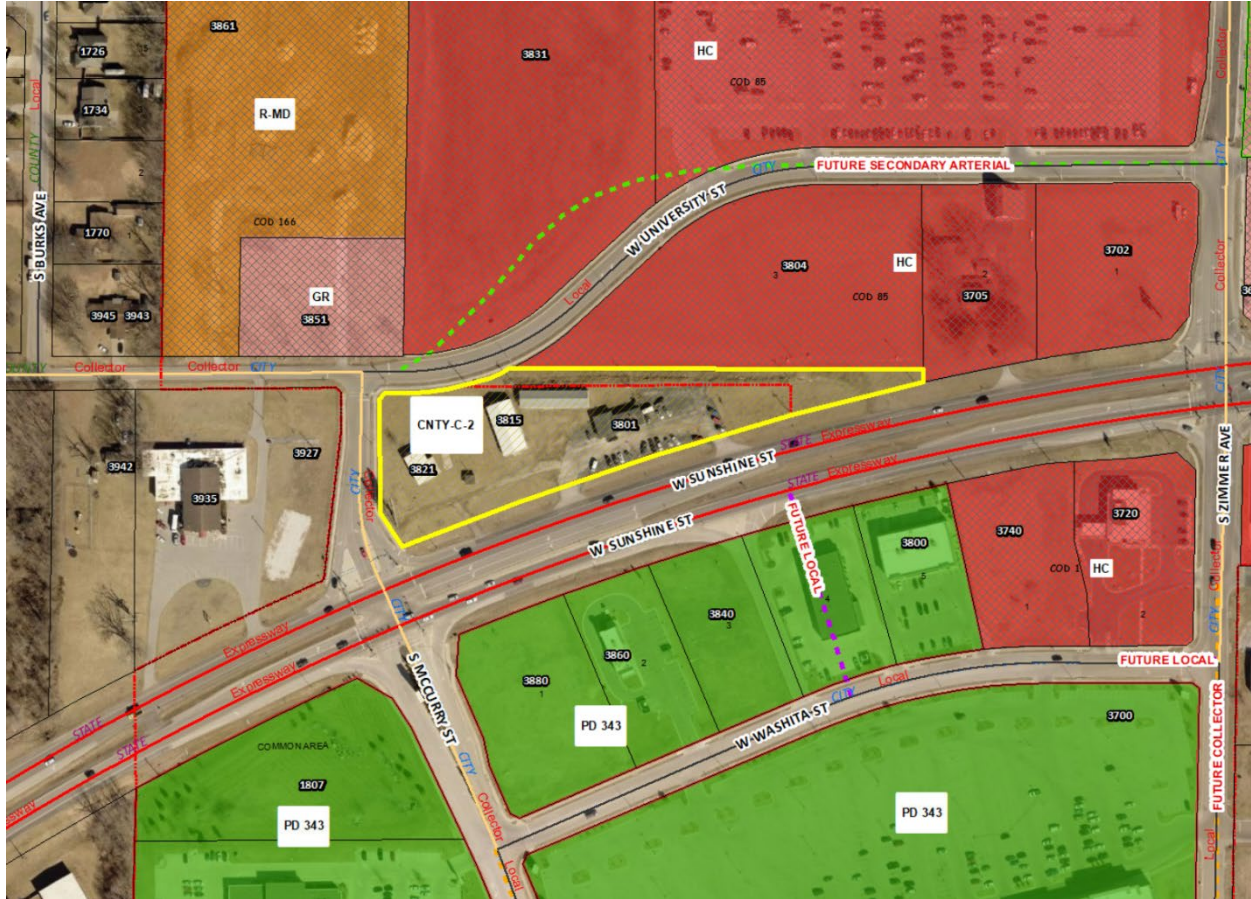
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	PD 343	HC & PD	County R-1
LAND USE	Vacant/undeveloped	Restaurant & retail uses	Restaurant and retail uses	Church
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

No issues with the rezoning however the tract is not served by public sewer. Requires public improvement plans designed and constructed according to city standards.

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. Sunshine Street	Expressway	State	65	80	29,680	No	No	No
Street 2	S. McCurry Avenue	Collector	City	30	30	NA	No	Yes	Yes
Street 3	W. University Street	Local	City	30	30	NA	No	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 no bus stops near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The 2.7 acre site drains primarily to the west. No existing detention or water quality Stormwater Control Measures are present. The property is in the **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 not be allowed and detention is required**.

PW Stormwater supports annexation. 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.

DEVELOPMENT REVIEW STAFF REPORT

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. Detention for flood control is required on site.

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.

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The applicant intends to construct a new commercial development.
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 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.

DEVELOPMENT REVIEW STAFF REPORT

3. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
4. There are few changing conditions in the area affected that make the proposed rezoning necessary. The subject area is currently zoned County C-2, and many other properties are currently zoned HC and being used commercially along the Sunshine Street corridor.
5. The range of uses in the proposed HC district is compatible with the existing uses on other properties in the immediate vicinity. The existing County C-2, General Commercial District allowed for many of the same Highway Commercial uses which included retail sales of new and used automobiles.
6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
7. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a similar zoning district to what is existing.
8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property would be allowed to have County C-2 uses, but it will fit within the City's Zoning Ordinance if rezoned to HC.
10. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
11. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
12. 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 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:

DEVELOPMENT REVIEW STAFF REPORT

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: County C-2 to Highway Commercial
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 07/02/24 3430 W. Farm Road 146,
3. Meeting Location: 1st Free Will Baptist Ozark, Heritage Campus Church Springfield, MO 65807
4. Number of invitations that were sent: 33
5. How the mailing list was generated: City
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

NA

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

NA

I, Caleb Freeland (print name), attest that the neighborhood meeting was held on 07/02/24 (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

Caleb Freeland
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-195 (HOSMER)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

PURPOSE: To adopt an ordinance to annex approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D and 3335 West Sunshine Street and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024. (Staff recommends approval.)

BACKGROUND INFORMATION: The owners of the private property included in this request signed Irrevocable Petition and Consent to Annexation Agreements in exchange for sanitary sewer services to their property. The City is moving forward on the annexation of these properties that are compact and contiguous into the city of Springfield. This request also includes approximately 0.7 acres of right-of-way for South Farm Road 135. The City will process a rezoning request to rezone the subject properties to the most closely related city zoning district to the existing Greene County District for each property. The subject properties are located within priority areas for annexation in Forward SGF and the annexation is consistent with the recommendation that the City should prioritize annexation of properties with an Irrevocable Petition and Consent to Annexation Agreement that are revenue-generating and located along major corridors and areas of potential economic activity.

City Council is required to hold a public hearing to determine whether the annexation is reasonable and necessary for the proper development of the city and whether the city can furnish normal city services within a reasonable period. If no written objection is filed within fourteen (14) days of the public hearing, the City may annex the property by ordinance without further action.

REMARKS: The area to be annexed is contiguous to the City of Springfield. See "Exhibit B" for the location of the private property to be annexed.

RECOMMENDATIONS:



1. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.
2. The area to be annexed is contiguous and compact to the City of Springfield.
3. The Forward SGF Comprehensive Plan supports this annexation request.
4. The property owner(s) have signed an Irrevocable Petition and Consent to Annexation Agreement for the property.
5. All City services can be provided to the property.
6. The City will receive property tax revenue upon annexation of the private property.

This request is consistent with the recommendations of Chapter 6, Growth Areas and Annexation, of the Forward SGF Comprehensive Plan that the City should prioritize annexation of properties with an Irrevocable Petition and Consent to Annexation Agreement that are revenue-generating and located along major corridors and areas of potential economic activity and staff supports this request.

Submitted By: Alana Owen, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

- Attachments:**
1. A-3-2024_Ord
 2. A-3-2024_Exh1
 3. A-3-2024_Exh2
 4. A-3-2024_Exh3

One-rdg. _____
P. Hrngs. X
Pgs. 55
Filed: 09-17-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-195

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1
2 of the Springfield City Code, 'Boundaries of wards, precincts and
3 council zones,' for the purpose of annexing approximately 21.64 acres
4 of private property generally located at 3000 and 3038 West Republic
5 Road, 4214 South Farm Road 135, 5539 South Campbell Avenue,
6 3833 and 3911 East State Highway D, and 3335 West Sunshine Street,
7 and approximately 0.7 acres of South Farm Road 135 right-of-way into
8 the City of Springfield as Annexation A-3-2024.
9 _____
10

11 WHEREAS, the owners of the private property generally located at 3000 and
12 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue,
13 3833 and 3911 East State Highway D, and 3335 West Sunshine Street signed
14 Irrevocable Petition and Consent to Annexation Agreements in exchange for sanitary
15 sewer service to each property, respectively, as shown in "Exhibit 1," attached hereto
16 and incorporated herein; and
17

18 WHEREAS, the subject properties are located within priority areas for annexation
19 in the City of Springfield's Comprehensive Plan, Forward SGF; and
20

21 WHEREAS, the subject properties are within the City of Springfield's Urban
22 Service Area and are compact and contiguous to the City, as shown in "Exhibit 2,"
23 attached hereto and incorporated herein by this reference; and
24

25 WHEREAS, proper notice was published at least seven (7) days prior to the
26 public hearing; and
27

28 WHEREAS, City Council does find and determine that: (1) said annexation is
29 reasonable and necessary to the proper development of the City; (2) the City either
30 already furnishes normal municipal services to the area annexed, or is able to furnish
31 such services within a reasonable time after annexation; and (3) the area annexed
32 herein is contiguous and compact to the existing corporate boundaries of the City.
33

34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – City Council, after holding a public hearing, hereby determines that annexation of the property described in "Exhibit 3," which is attached hereto and incorporated herein by this reference, is reasonable and necessary to the proper development of the City; the City either already furnishes normal municipal services to the area annexed, or is able to furnish such services within a reasonable time after annexation; and the area is contiguous and compact to the existing boundaries of the City as shown in "Exhibit 2."

Section 2 – Pursuant to the provisions of Section 71.012 RSMo., the property described in "Exhibit 3" is hereby annexed into the City of Springfield, Missouri.

Section 3 – Section 1-9 of the Springfield City Code, 'City Limits,' is hereby amended by adding thereto the land described in "Exhibit 3."

Section 4 – Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' is hereby amended by placing the property described in "Exhibit 3" into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

Section 5 – The City Clerk is directed to: (1) file certified copies of this Annexation Ordinance with the Clerk of Greene County; (2) file certified copies of this Annexation Ordinance with the Assessor of Greene County; and (3) forward to the Missouri Director of Revenue, by certified mail, certified copies of this Ordinance, and any other information that the Director of Revenue may require. The City Clerk is further authorized and empowered to perform any other administrative acts which are consistent with the intent of this Ordinance.

Section 6 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

Approved for Council action: Jason A. Hays, City Manager

MAPPED

BY PLANNING DEPARTMENT

SEE MICHAEL SPARLIN



056975-04

14 OCT 2004 04:03:44pm

Book: 2004
Page: 056975-04
3 pages

recslh

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION*Linda S. Montgomery*
RECORDER OF DEEDSLincoln-Evans Land Title Company
File No. 04-G05436**IRREVOCABLE PETITION AND CONSENT TO ANNEXATION**This Irrevocable Petition and Consent to Annexation, made this 29 day of September, 2004.

For and in consideration of the extension of Sanitary Sewer Services, know all persons by these presents that **FAMILY VIDEO MOVIE CLUBS, INC. (GRANTOR)**, (hereinafter "Owner") being owner(s) of all FEE INTEREST in the following described real property, does hereby Irrevocably PETITION AND CONSENT TO Annexation of said property into the **CITY OF SPRINGFIELD, Missouri (GRANTEE)**, P.O. BOX 8368, Springfield, MO. 65802, situated in the County of **GREENE** and State of **Missouri**, to wit:

SEE ATTACHED EXHIBIT "A" ON PAGE 3

At such time as the SPRINGFIELD CITY COUNCIL may by resolution or ordinance declare that ANNEXATION is in the interest of the CITY OF SPRINGFIELD, owner and owner's heirs, legal representatives, successors and assigns, shall cause this petition to be represented to the governing body of the CITY OF SPRINGFIELD, and do all things necessary to cause such property to be annexed into the CITY.

Any objection to such annexation filed by the owner, by any succeeding property owner, or by any occupant or resident of the property, shall relieve the CITY of any obligation to provide further sewer services to the property, and the CITY may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the CITY OF SPRINGFIELD sanitary sewer system.

Failure to consummate annexation at any time during the term of the IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall not cause this petition and consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

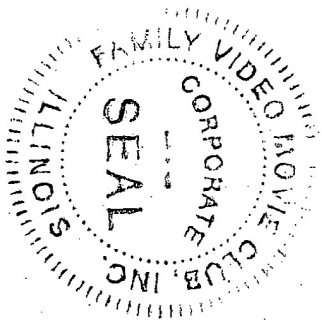
In event of any breach or default by the OWNER, this IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall be enforceable by specific performance and, if litigated, venue shall be proper only in the CIRCUIT COURT OF GREENE COUNTY, and the parties expressly waive any rights to venue inconsistent therewith.

This IRREVOCABLE PETITION AND CONSENT TO ANNEXATION shall be deemed to be a covenant running with the land to succeeding owners shall be deemed to be the petition and consent to

RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

APPROVED AS TO FORM:



[Signature]
ASST. CITY ATTORNEY GARY T. NELMS

FAMILY VIDEO MOVIE CLUBS, INC.

CE Hoagland
Vice President

STATE OF ILLINOIS)

COUNTY OF Sangamon)

SS

In The State of Missouri, County of Sangamon, on this 29 day of September, 2004, before me, appeared CE Hoagland, to me personally known, who being by me duly sworn, did say that he/she is the Vice President of **FAMILY VIDEO MOVIE CLUBS, INC.**, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said he acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

My Term Expires:

9/2/2007

Tracy Crowley
Notary Public



EXHIBIT "A"

A tract of Land situated in the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Sixteen (16), Township Twnty-eight (28) North, Range Twenty-two (22) West, Greene County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence S01°02'06"W, with the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, a distance of 534.07 feet; thence South 89°48'28"E, a distance of 33.74 feet to a point on the East right-of-way line of Golden Avenue; thence continuing South 88°48'28"E, a distance of 9.63 feet to a true point of beginning; thence continuing S88°48'28"E 287.45 feet to a point for corner; thence N01°05'41"E, a distance of 408.68 feet to a point for corner; thence N01°05'42"E, a distance of 64.26 feet to a point for corner; thence N90°00'00"W, a distance of 175.97 feet to a point for corner; thence S43°29'37"W, a distance of 156.12 feet to a point for corner; thence S03°07'25"W, a distance of 56.66 feet to a point for corner; thence S03°31'59"W, a distance of 133.57 feet to a point for corner; thence S00°35'41"W, a distance of 168.75 feet to the true point of beginning, being subject to all easements, rights-of-way and restrictions of record.



006761-05 09 FEB 2005 11:13:50am



Book: 2005
Page: 006761-05
3 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Linda L. Montgomery
RECORDER OF DEEDS

recsmb

Lincoln-Evans Land Title Company
File No. 04-G05746

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made this 14th day of December, 2004.

For and in consideration of the extension of Sanitary Sewer Services, know all persons by these presents that **O'REILLY INVESTMENT COMPANY, A MISSOURI GENERAL PARTNERSHIP GRANTOR**, (hereinafter "Owner") being owner(s) of all FEE INTEREST in the following described real property, does hereby Irrevocably PETITION AND CONSENT TO Annexation of said property into the **CITY OF SPRINGFIELD, Missouri (GRANTEE)**, P.O. BOX 8368, Springfield, MO. 65802, situated in the County of **GREENE** and State of **Missouri**, to wit:

SEE ATTACHED EXHIBIT "A"

At such time as the **SPRINGFIELD CITY COUNCIL** may by resolution or ordinance declare that **ANNEXATION** is in the interest of the **CITY OF SPRINGFIELD**, owner and owner's heirs, legal representatives, successors and assigns, shall cause this petition to be represented to the governing body of the **CITY OF SPRINGFIELD**, and do all things necessary to cause such property to be annexed into the **CITY**.

Any objection to such annexation filed by the owner, by any succeeding property owner, or by any occupant or resident of the property, shall relieve the **CITY** of any obligation to provide further sewer services to the property, and the **CITY** may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the **CITY OF SPRINGFIELD** sanitary sewer system.

Failure to consummate annexation at any time during the term of the **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall not cause this petition and consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In event of any breach or default by the **OWNER**, this **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall be enforceable by specific performance and, if litigated, venue shall be proper only in the **CIRCUIT COURT OF GREENE COUNTY**, and the parties expressly waive any rights to venue inconsistent therewith.

This **IRREVOCABLE PETITION AND CONSENT TO ANNEXATION** shall be deemed to be a covenant running with the land to succeeding owners shall be deemed to be the petition and consent to



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

APPROVED AS TO FORM:

[Signature]
ASST. CITY ATTORNEY GARY T. NELMS

[Signature]
MANAGING PARTNER

STATE OF MISSOURI)

COUNTY OF Christian)

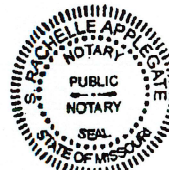
ss

On this 14th day of December, 2004, before me, appeared David O'Reilly, to me personally known, who being by me duly sworn, did say that he/she/they is/are the managing partner of O'REILLY INVESTMENT COMPANY, a Missouri General Partnership, and that said instrument was signed on behalf of said General Partnership, and said David O'Reilly acknowledged said instrument to be the free act and deed of said General Partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Springfield, Missouri, the day and year last above written.

My Term Expires: August 22, 2005

S. Rachelle Applegate
S. Rachelle Applegate Notary Public



S. Rachelle Applegate Notary Public
Christian County State of Missouri
My Commission Expires Aug. 22, 2005

EXHIBIT "A"

TRACT II:

All of the East Two Hundred Seventy (270) feet of the West Three Hundred Eighty (380) feet of the following described tract lying South of Missouri Highway "M", except the South 382.51 feet thereof.

All of the North One-half ($N\frac{1}{2}$) of the East One-half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) except the East 409.2 feet thereof; also, all the East One-half of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), all in Section Sixteen (16), Township Twenty-eight (28), Range Twenty-two (22), in Greene County, Missouri, except any part taken or used for road purposes.



030802-17 01 Aug 2017 10:23:58AM



Book:2017
Page:030802-17
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Christina Spaulding

RECORDER OF DEEDS

reclac

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 10th day of May, 2016, by and between **SOUTHERN BANK** hereinafter referred to as "Grantor(s)," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "Grantee." The mailing address of the Grantor(s) is 4803 S. NATIONAL AVE, STE 100, SPRINGFIELD, MO 65810,

The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65810.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as

3000 W. Republic Rd Springfield MO 65807
Greene County, Missouri, and more fully described as follows:

THE NORTH ONE-HALF (N½) OF THE EAST ONE-HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼), EXCEPT THE EAST 409.2 FEET THEREOF, GREENE COUNTY, MISSOURI, EXCEPT THAT PART TAKEN OR USED FOR HIGHWAY AND ANY PART USED FOR ROADS.

ALSO, THE EAST ONE-HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼), ALL IN SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-TWO (22), EXCEPT THAT PART DEEDED TO GREENE COUNTY, MISSOURI BY WARRANTY DEED FILED IN BOOK 2009, AT PAGE 033384-09, RECORDER OF DEEDS, GREENE COUNTY, MISSOURI, AND EXCEPT THAT PART TAKEN OR USED FOR HIGHWAY AND ANY PART USED FOR ROADS

AND

Exhibit B - Location Map

does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

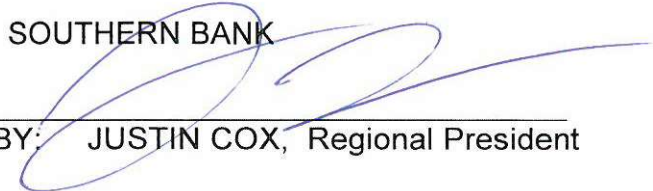
In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 10th day of May, 2016.

GRANTOR(S)

SOUTHERN BANK

BY:  JUSTIN COX, Regional President

Approved as to form for Grantee by:

Justin Cox
(Printed Name)

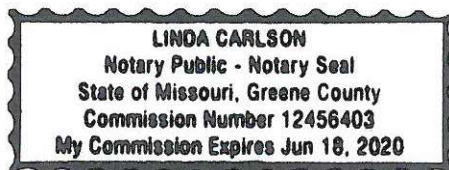
VERIFICATION AND ACKNOWLEDGMENT

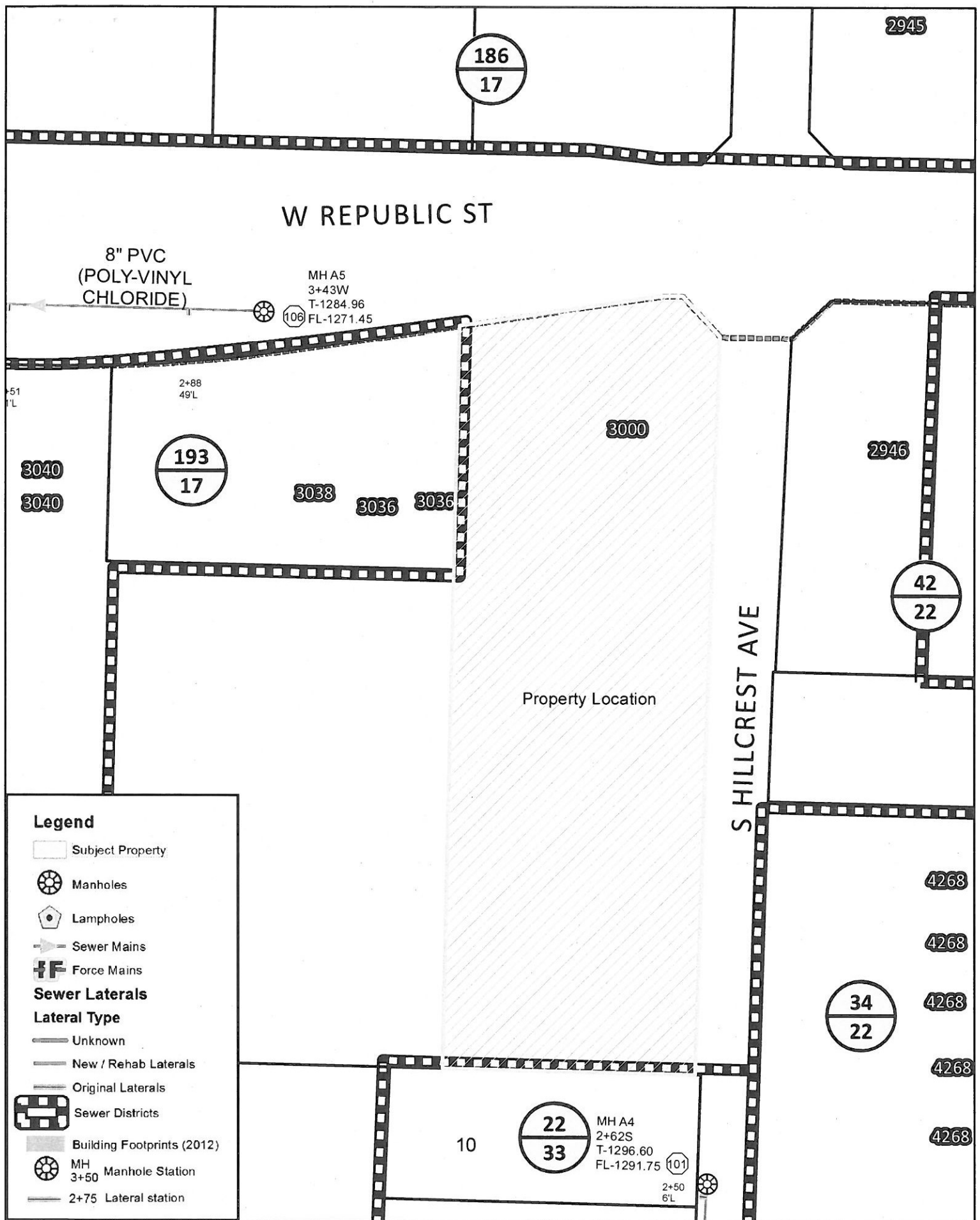
STATE OF MISSOURI)
COUNTY OF GREENE)

On this 25th day of July, 2017, before me personally appeared JUSTIN COX, to me known personally known, who being duly sworn, did say that HE is Regional President of SOUTHERN BANK and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his knowledge, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and JUSTIN COX acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me, a notary public, this 25th day of July, 2017.

Linda Carlson
Linda Carlson Notary Public





Environmental Services

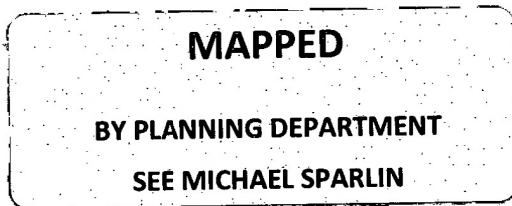
SEWER INFORMATION Date: 7/31/2017

0 20 40 60 80 Feet

1 inch = 94 feet

DISCLAIMER: All information included on this map or digital file is provided "as is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or timeliness of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.





018706-13 30 APR 2013 02:45:00pm



Book: 2013
Page: 018706-13
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Charles L. Dawson
RECORDER OF DEEDS

recvms

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 8th day of April, 2013, by and between SSI Holdings, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is 5539 S. Campbell Ave, Springfield, Missouri 65810. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 5539 S. Campbell Ave., Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable

RETURN TO ENV. SERVICES



RETURN TO CITY HALL
RIGHT-OF-WAY SECTION

COPY

consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

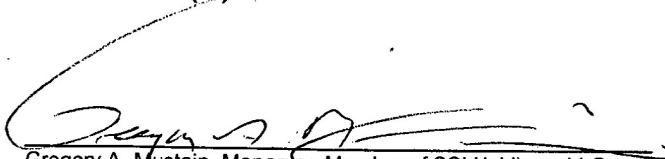
Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

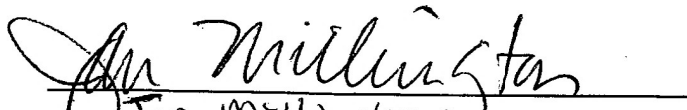
This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 8th day of April, 2013.

GRANTOR(S)


Gregory A. Mustain, Managing Member of SSL Holdings, LLC

Approved as to form for Grantee by:


Jan Millington

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF GREENE)

On this 8th day of April, 2013, before me personally appeared to me known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that Gregory A. Mustain is/are the Managing Member of SSI Holdings, LLC, the owner(s) in fee of the property described herein and has/have the authority to act and that the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed, or that he/she/they executed same as the free act and deed of said corporation and for the purposes therein stated, in his/her/their capacity as owner.

Subscribed and sworn to before me, a notary public, this 8th day of April, 2013.



BRADLEY L. WILLIAMS
My Commission Expires
August 27, 2015
Taney County
Commission #11455878

Bradley L. Williams
Notary Public Bradley L. Williams

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

All beginning 82½ feet North of the Southwest corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty-three (23), Township Twenty-eight (28), Range Twenty-two (22); thence East 1,338.5 feet to the West line of the highway; thence North along the West line of the highway, 165 feet; thence West 1,338.5 feet to the West line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Twenty-three (23); thence South 165 feet to the beginning, in Greene County, Missouri, except any part taken, deeded or used for road, street or highway purposes.



013302-16 12 Apr 2016 01:46:34PM



Book: 2016
Page: 013302-16
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Christina Spaulding

RECORDER OF DEEDS

reclac

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 31st day of March, 2016, by and between Royal Ventures, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, 663 S. Grandview, Springfield, MO 65802. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3833 E. State Highway D, in Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable



RETURN TO ENV. SERVICES, CLEAN WATER DIVISION

consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

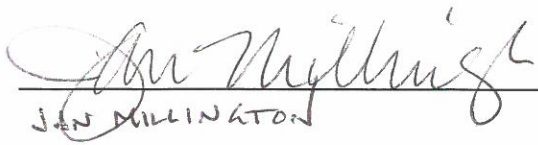
IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 31st day of March, 2016.

GRANTOR(S)



John Thomas Reinart, Member of Royal Ventures, LLC

Approved as to form for Grantee by:

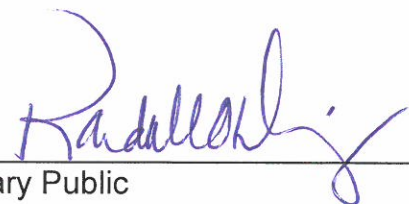

JAN MILLINGTON

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF GREENE)

On this 31ST day of March, 2016, before me personally appeared to me John Thomas Reinart, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that he is the Member of Royal Ventures, LLC, and the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 31ST day of March, 2016.


Notary Public



RANDALL O. DOENNIG
My Commission Expires
June 22, 2019
Greene County
Commission #15421700

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

ALL OF THE WEST ONE HALF (W1/2) OF THE EAST THREE HUNDRED NINETY-SIX (396) FEET OF THE WEST SIX HUNDRED TWENTY-FOUR (624) FEET OF THE SOUTH SIX HUNDRED SIXTY (660) FEET OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), EXCEPT A ROAD OFF THE SOUTH END THEREOF, ALL IN GREENE COUNTY, MISSOURI.



028863-16 22 Jul 2016 10:55:16AM



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REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Rebecca Ann Spaulding

RECORDER OF DEEDS

recomm

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 12 day of July, 2016, by and between 70-AL Senior Living, LLC, hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, c/o Miller Commerce, 431 S. Jefferson Ave., Suite 105, Springfield, MO 65806. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3851 E. State Highway D and 3911 E. Sunshine Street, in Springfield, Greene County, Missouri, and more fully described in the attached **Exhibit A**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect



RETURN TO ENVIRONMENTAL SERVICES

the property from the City of Springfield's sanitary sewer system. It is expressly stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 12 day of July, 2016.

GRANTOR(S)

A handwritten signature in black ink, appearing to read 'Matthew E. Miller', is written over a horizontal line. To the right of the signature is a small, handwritten mark resembling a stylized 'P' or a checkmark.

by Matthew E. Miller, Manager of Miller Commerce Assets, LLC,
Sole Member of 70-AL Senior Living, LLC

Approved as to form for Grantee by:


JAN MILLINGTON

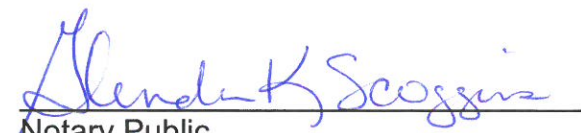
VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF Greene)

On this 12 day of July, 2016, before me personally appeared to me Matthew E. Miller, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that he is the Manager of Miller Commerce Assets, LLC, the sole Member of 70-AL Senior Living, LLC, and that it is the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 12 day of July, 2016.




Notary Public
Glenda K. Scoggins

After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802

EXHIBIT A

BEGINNING 624 FEET EAST OF THE SOUTH WEST CORNER OF THE COUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 27, TOWNSHIP 29, RANGE 21, THENCE EAST 198 FEET, THENCE NORTH 660 FEET, THENCE WEST 198 FEET, THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, EXCEPT THE ROADWAY OFF THE SOUTH END IN GREENE COUNTY, MISSOURI.

ALSO

EAST 198 FEET WEST 624 FEET SOUTH 660 FEET SOUTHWEST (1/4) SOUTHEAST (1/4) 27-29-21, (EXCEPT SOUTH 45 FEET FOR HIGHWAY), GREENE COUNTY, MISSOURI.

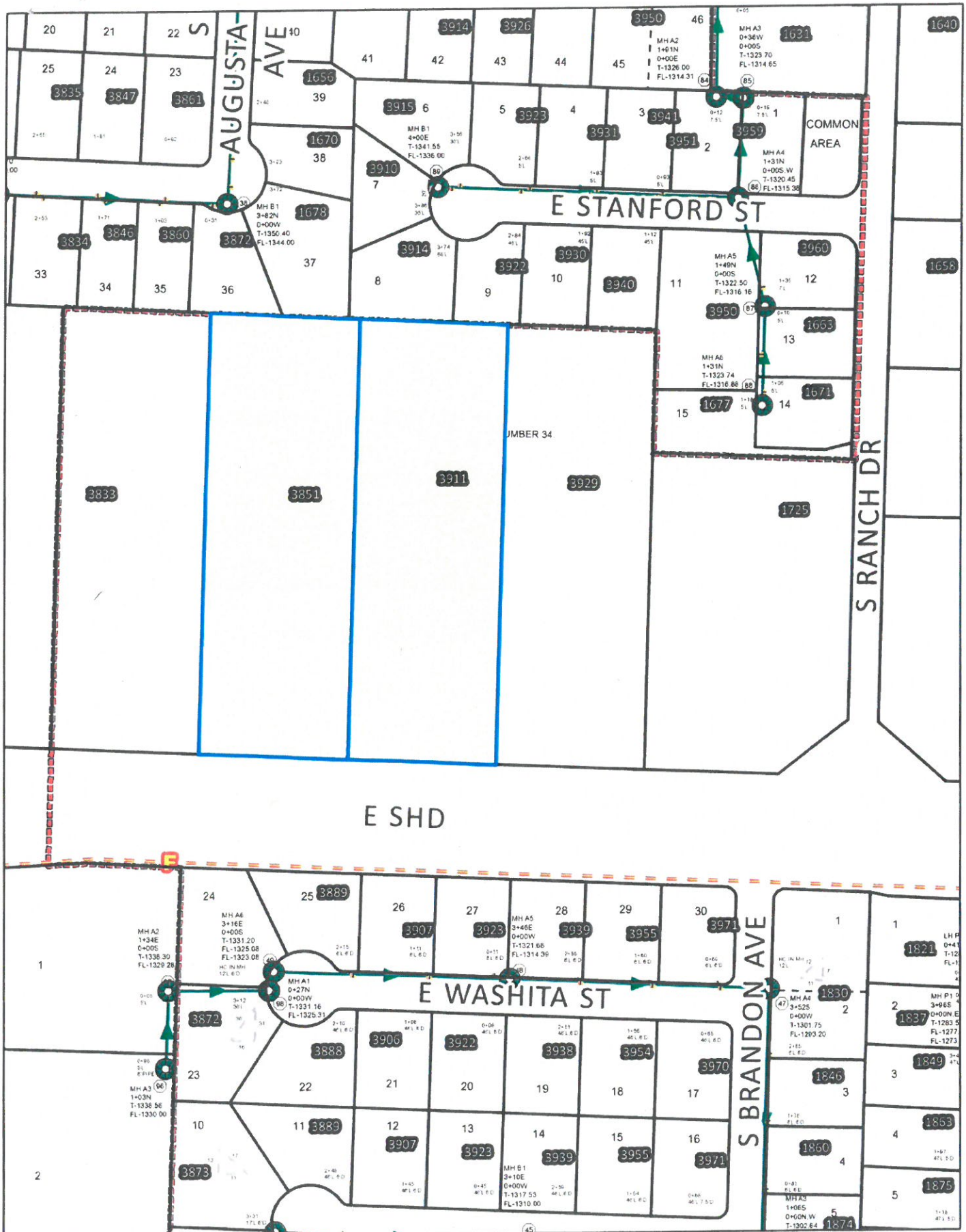
EXHIBIT A

TRACT I:

BEGINNING 624 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21); THENCE EAST 198 FEET; THENCE NORTH 660 FEET; THENCE WEST 198 FEET; THENCE SOUTH 660 FEET TO PLACE OF BEGINNING, ALL IN GREENE COUNTY, MISSOURI.

TRACT II:

ALL OF THE EAST 198 FEET OF THE WEST 624 FEET OF THE SOUTH 660 FEET OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29) RANGE TWENTY-ONE (21), EXCEPT THE SOUTH 45 FEET THEREOF FOR HIGHWAY, ALL IN GREENE COUNTY, MISSOURI.



Environmental Services
SEWER INFORMATION

Date: 7/12/2016

1 inch = 167 feet

DISCLAIMER: All information included on this map or digital file is provided "as is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranty, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.





001574-16 14 Jan 2016 09:45:25AM



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Page:001574-16
4 pages

REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Cheryl D. Spaulding

reclac

RECORDER OF DEEDS

IRREVOCABLE PETITION AND CONSENT TO ANNEXATION

This Irrevocable Petition and Consent to Annexation, made and entered into this 17th day of December, 2015, by and between Napier Properties, L.L.C., hereinafter referred to as "**Grantor(s)**," and **The City of Springfield, Missouri**, a Municipal Corporation and duly organized Constitutional Charter City, of the County of Greene, State of Missouri, hereinafter referred to as "**Grantee**." The mailing address of the Grantor(s) is, P O Box 776., Springfield, MO 65801. The mailing address of the Grantee is City of Springfield, Department of Public Works, 840 Boonville Ave., Springfield, MO 65802.

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Grantor(s), for and in consideration of the provision of sanitary sewer services, being the owner of all of the fee interest in the real property commonly known as 3335 W. Sunshine Street, in Springfield, Greene County, Missouri, and more fully described in the **Legal Description Attached as Page 4**, which is incorporated herein as if copied verbatim, does hereby irrevocably petition and consent to the future annexation of said property in the corporate limits of the City of Springfield, Missouri, Grantee herein.

At such time as the City Council of the City of Springfield may by resolution or ordinance declare that annexation is in the interest of the City of Springfield, Grantor and Grantor's heirs, legal representatives, successors and assigns, shall cause this petition to be presented to the governing body of the City of Springfield, and do all things necessary to meet the requirements of the State Annexation Statutes to cause such property to be annexed into the City. Provided, however, that annexation of the property will not be effective until such time as sewer service is available to the property.

Any objection to such annexation filed by Grantor(s), by any succeeding property owner(s), or by any occupant or resident of the property, shall relieve the City of any obligation to provide sewer service to the property, and the City may thereafter, upon reasonable notice, terminate sewer service and disconnect the property from the City of Springfield's sanitary sewer system. It is expressly



RETURN TO ENVIRONMENTAL SERVICES.

stated and understood by Grantor(s) that but for the execution of this irrevocable consent to annexation and the commitment of Grantor(s) to do all things necessary to complete the annexation at such future date, the City would not extend sewer service to the real estate described in Exhibit A and any objection to annexation shall constitute complete and total failure of consideration for extending sewer service to property outside the City's limits in advance of annexation.

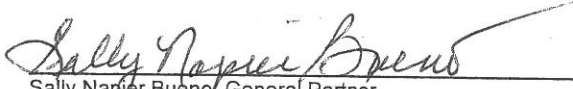
Failure to consummate annexation at any time during the term of this Irrevocable Petition and Consent to Annexation shall not cause this Petition and Consent to lapse and the same shall continue in full force and effect until such time as annexation is fully and lawfully consummated.

In the event of any breach or default by Grantor(s), this Irrevocable Petition and Consent to Annexation shall be enforceable by specific performance and, if litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri, and the parties expressly waive any rights to venue inconsistent therewith.

This Irrevocable Petition and Consent to Annexation shall be deemed to be a covenant running with the land to succeeding owners and shall be deemed to be the Petition and Consent to Annexation of succeeding owners, their heirs, legal representatives, successors, and assigns until annexation is fully lawfully consummated as in this instrument provided.

IN WITNESS WHEREOF, the said Grantor(s) has/have hereunto set his/her/their hand(s) 17th day of December, 2015.

GRANTOR(S)


Sally Napier Bueno, General Partner

Approved as to form for Grantee by:

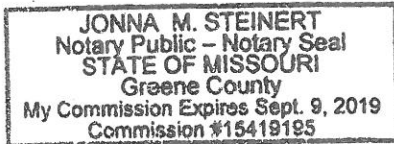

AMANDA CALLAWAY

VERIFICATION AND ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF Greene)

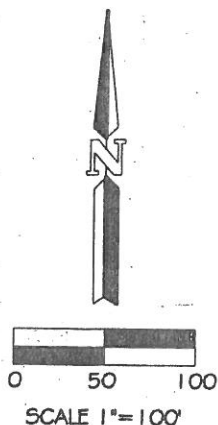
On this 17th day of December, 2015, before me personally appeared to me Sally Napier Bueno, known to be the person(s) described herein and who executed the Irrevocable Petition and Consent to Annexation, and being duly sworn according to law, deposes and states that Sally Napier Bueno is the General Partner of Napier Properties, L.L.C., and they are the owner(s) in fee of the property described herein and the facts set forth in this Irrevocable Petition and Consent to Annexation are true and correct to the best of his/her/their knowledge, information and belief, and acknowledged to me that he/she/they executed same, as his/her/their free act and deed.

Subscribed and sworn to before me, a notary public, this 17th day of December, 2015.




Notary Public Jonna M Steinert

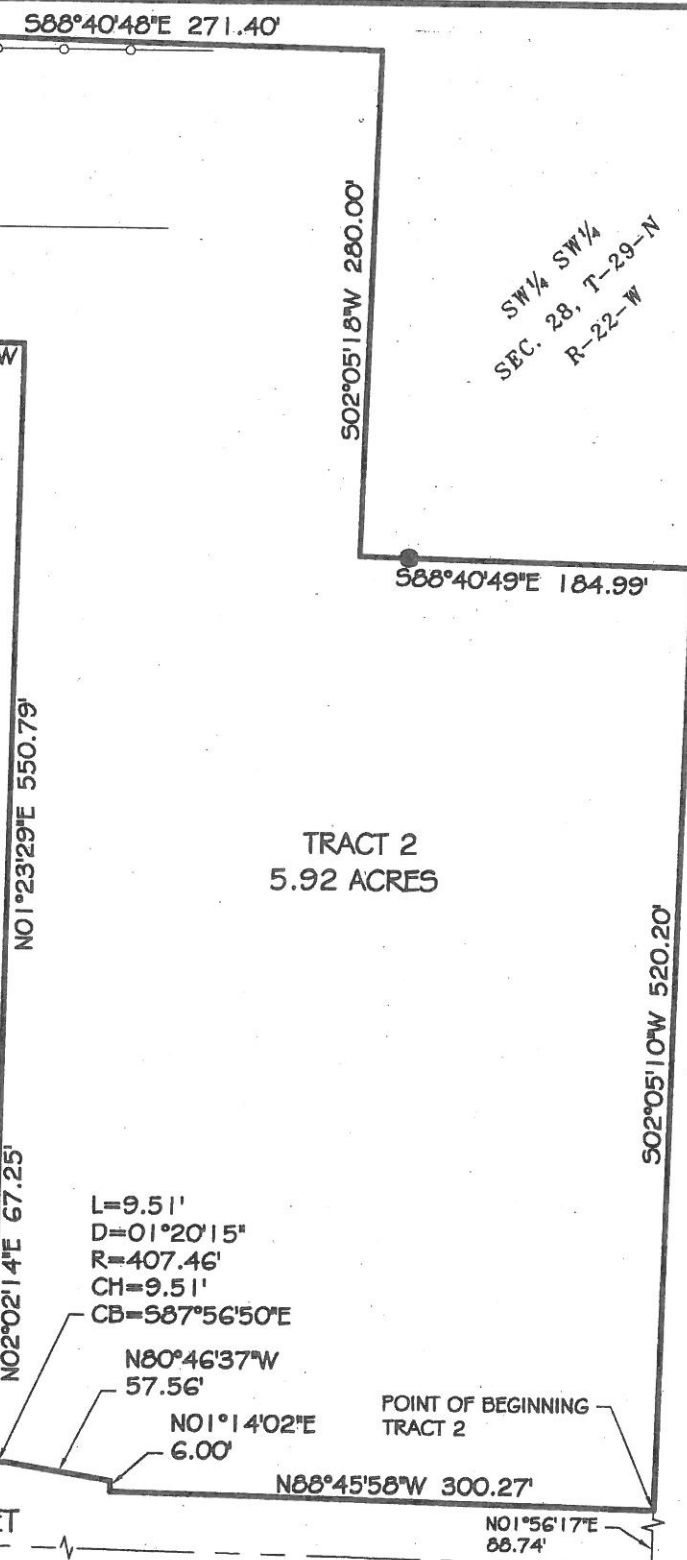
After recording, return to:
City of Springfield
Department of Public Works
Attn: Matt Taylor
840 Boonville Ave.
Springfield, MO 65802



DESCRIPTION:

A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI.

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE $S88^{\circ}50'56''E$ ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, 800.02 FEET; THENCE $N01^{\circ}56'17''E$ LEAVING SAID SOUTH LINE, 88.74 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SUNSHINE STREET FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) CALLS, THENCE $N88^{\circ}45'58''W$, 300.27 FEET; THENCE $N01^{\circ}14'02''E$, 6.00 FEET; THENCE $N80^{\circ}46'37''W$, 57.56 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 407.46 FEET, THROUGH A CENTRAL ANGLE OF $1^{\circ}20'15''$, AN ARC LENGTH OF 9.51 FEET, AND CHORD BEARING OF $S87^{\circ}56'50''E$; THENCE $N02^{\circ}02'14''E$ LEAVING SAID NORTH RIGHT-OF-WAY LINE, 67.25 FEET; THENCE $N01^{\circ}23'29''E$, 550.79 FEET; THENCE $N89^{\circ}10'05''W$, 77.93 FEET; THENCE $N00^{\circ}28'46''E$, 169.18 FEET; THENCE $S88^{\circ}40'48''E$, 271.40 FEET; THENCE $S02^{\circ}05'18''W$, 280.00 FEET; THENCE $S88^{\circ}40'49''E$, 184.99 FEET; THENCE $S02^{\circ}05'10''W$, 520.20 FEET TO THE POINT OF BEGINNING. CONTAINING 5.92 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



SOUTHWEST CORNER
SW 1/4, SW 1/4
SEC. 28-T29N, R22W

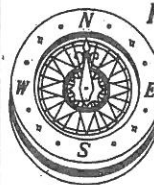
SUNSHINE STREET
 $S88^{\circ}50'56''E$ 800.02'

Prepared For:

**SALLY BUENO
SPRINGFIELD
GREENE COUNTY, Missouri**

DRAWN BY: DLB JOB No.: 150904
DATE: 11-6-2015 PROPERTY CLASS: URBAN

Stribling Surveying, LLC
Phone 417-742-0585



102 South Street
P.O. Box 26
Willard, MO 65781

MISSOURI STATE CERTIFICATE
OF AUTHORITY # LS-373-D

EXHIBIT 2

A-3-2024
LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF THE NORTH ONE-HALF (N1/2) OF THE EAST ONE-HALF (E1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) IN SECTION SIXTEEN (16), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-TWO (22) WEST, ALL IN GREENE COUNTY, MISSOURI. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF SAID NORTH ONE-HALF (N1/2) OF THE EAST ONE-HALF (E1/2), ALSO BEING THE NORTHWEST CORNER OF SYDNEY PLACE 1ST ADDITION, A SUBDIVISION IN GREENE COUNTY, MISSOURI; THENCE SOUTH 88°44'29" EAST A DISTANCE OF 39.77 FEET; THENCE NORTH 01°17'50" EAST A DISTANCE OF 389.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°17'50" EAST A DISTANCE OF 181.47 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF REPUBLIC ROAD AS NOW EXIST; THENCE NORTH 81°17'57" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 152.93 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH 88°57'43" EAST A DISTANCE OF 15.20 FEET; THENCE SOUTH 43°15'58" EAST A DISTANCE OF 41.92 FEET; THENCE SOUTH 88°57'43" EAST A DISTANCE OF 5.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF HILLCREST AVENUE AS NOW EXIST; THENCE SOUTH 01°28'47" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 178.11 FEET; THENCE NORTH 88°44'29" WEST A DISTANCE OF 199.66 FEET TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES, 39,001.27 SQUARE FEET MORE OR LESS.

And also the following;

TRACT II:

All of the East Two Hundred Seventy (270) feet of the West Three Hundred Eighty (380) feet of the following described tract lying South of Missouri Highway "M", except the South 382.51 feet thereof.

All of the North One-half (N½) of the East One-half (E½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) except the East 409.2 feet thereof; also, all the East One-half of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼), all in Section Sixteen (16), Township Twenty-eight (28), Range Twenty-two (22), in Greene County, Missouri, except any part taken or used for road purposes.

And also the following;

A tract of Land situated in the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section Sixteen (16), Township Twenty-eight (28) North, Range Twenty-two (22) West, Greene County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of said NW¼ of the NE¼; thence S01°02'06"W, with the West line of said NW¼ of the NE¼, a distance of 534.07 feet; thence South 89°48'28"E, a distance of 33.74 feet to a point on the East right-of-way line of Golden Avenue; thence continuing South 88°48'28"E, a distance of 9.63 feet to a true point of beginning; thence continuing S88°48'28"E 287.45 feet to a point for corner; thence N01°05'41"E, a distance of 408.68 feet to a point for corner; thence N01°05'42"E, a distance of 64.26 feet to a point for corner; thence N90°00'00"W, a distance of 175.97 feet to a point for corner; thence S43°29'37"W, a distance of 156.12 feet to a point for corner; thence S03°07'25"W, a distance of 56.66 feet to a point for corner; thence S03°31'59"W, a distance of 133.57 feet to a point for corner; thence S00°35'41"W, a distance of 168.75 feet to the true point of beginning, being subject to all easements, rights-of-way and restrictions of record. Except any part previously annexed by City of Springfield, Missouri General Ordinance No. 6314.

And also the following;

All beginning 82½ feet North of the Southwest corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty-three (23), Township Twenty-eight (28), Range Twenty-two (22); thence East 1,338.5 feet to the West line of the highway; thence North along the West line of the highway, 165 feet; thence West 1,338.5 feet to the West line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Twenty-three (23); thence South 165 feet to the beginning, in Greene County, Missouri, except any part taken, deeded or used for road, street or highway purposes.

And also the following;

BEGINNING 624 FEET EAST OF THE SOUTH WEST CORNER OF THE COUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 27, TOWNSHIP 29, RANGE 21, THENCE EAST 198 FEET, THENCE NORTH 660 FEET, THENCE WEST 198 FEET, THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING, EXCEPT THE ROADWAY OFF THE SOUTH END IN GREENE COUNTY, MISSOURI.

And also the following;

ALL OF THE WEST ONE HALF (W1/2) OF THE EAST THREE HUNDRED NINETY-SIX (396) FEET OF THE WEST SIX HUNDRED TWENTY-FOUR (624) FEET OF THE SOUTH SIX HUNDRED SIXTY (660) FEET OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), EXCEPT A ROAD OFF THE SOUTH END THEREOF, ALL IN GREENE COUNTY, MISSOURI.

And also the following;

All that part of the Southwest Quarter of the Southeast Quarter of Section 27, Township 29 North, Range 21 West of the Fifth Principal Meridian, Greene County, Missouri, being more particularly described as follows: Commencing at an existing iron pin at the intersection of the North right-of-way of State Route "D" (Sunshine Street) and the West line of the East 198 feet of the West 624 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter of said Section 27; said point lying 426 feet East and 74.5 feet North of the Southwest corner of the Southwest Quarter of the Southeast Quarter; thence, North 01°28'07" East, along and with the aforementioned West line, a distance of 225.00 feet to the POINT OF BEGINNING; thence, continue North 01°28'07" East, a distance of 359.37 feet to an existing iron pin; thence, South 87°12'33" East, a distance of 197.79 feet to an existing iron pin; thence, South 87°28'34" East, a distance of 198.01 feet to an existing iron pin; thence, South 01°26'14" West, a distance of 584.40 feet to the North right-of-way line of State Route "D"; thence, North 87°20'20" West, along and with said North line, a distance of 211.12 feet; thence, North 01°28'07" East, leaving said North line, a distance of 225.00 feet; thence, North 87°20'20" West, a distance of 185.00 feet to the POINT OF BEGINNING, containing 4.35 acres and being subject to easements, restrictions or rights-of-way, if any.

And also the following;

A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI.

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE S88°50'56"E ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, 800.02 FEET; THENCE N01°56'17"E LEAVING SAID SOUTH LINE, 88.74 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SUNSHINE STREET FOR THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) CALLS, THENCE N88°45'58"W, 300.27 FEET; THENCE N01°14'02"E, 6.00 FEET; THENCE N80°46'37"W, 57.56 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 407.46 FEET, THROUGH A CENTRAL ANGLE OF 1°20'15", AN ARC LENGTH OF 9.51 FEET, AND CHORD BEARING OF S87°56'50"E; THENCE N02°02'14"E LEAVING SAID NORTH RIGHT-OF-WAY LINE, 67.25 FEET; THENCE N01°23'29"E, 550.79 FEET; THENCE N89°10'05"W, 77.93 FEET; THENCE N00°28'46"E, 169.18 FEET; THENCE S88°40'48"E, 271.40 FEET; THENCE S02°05'18"W, 280.00 FEET; THENCE S88°40'49"E, 184.99 FEET; THENCE S02°05'10"W, 520.20 FEET TO THE POINT OF BEGINNING. CONTAINING 5.92 ACRES SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

And the following right-of-way for South Farm Road 135:

A PART OF THE GREENE COUNTY FARM ROAD 135 RIGHT-OF-WAY IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 28 NORTH RANGE 22 WEST, IN GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

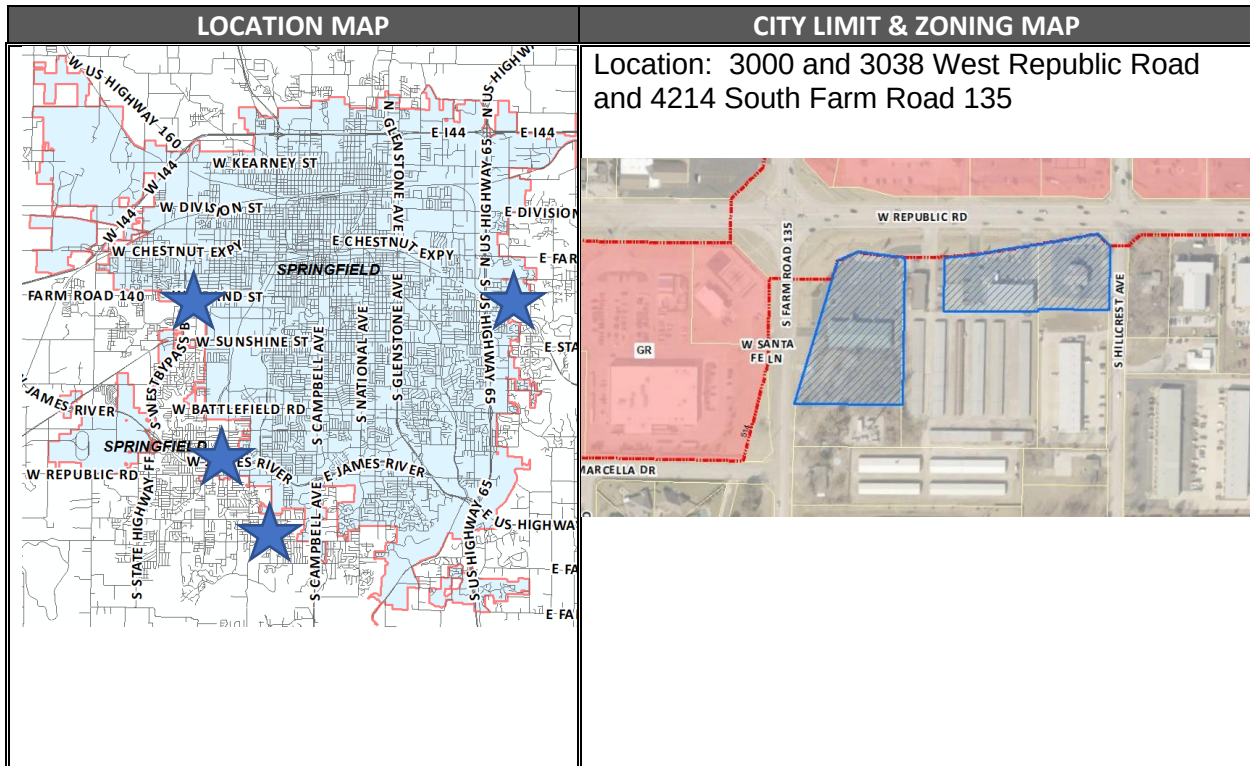
BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF FRISCO CROSSING SUBDIVISION, A RECORDED SUBDIVISION IN GREENE COUNTY, MISSOURI, SAID CORNER LYING 181.40 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 1, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF FARM ROAD 135; THENCE EAST, A DISTANCE OF 95.56 FEET TO THE EAST RIGHT-OF-WAY LINE OF FARM ROAD 135, AT A POINT 13.89 FEET SOUTH OF THE NORTHWEST CORNER OF A TRACT OF LAND DESIGNATED AS "TRACT A" ON A GREENE COUNTY MINOR SUBDIVISION PLAT RECORDED IN SURVEY RECORD BOOK 54-90 AT PAGE 1494 OF THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE AS DEPICTED ON SAID PLAT, A DISTANCE OF 345.09 FEET TO THE SOUTHWEST CORNER OF SAID "TRACT A"; THENCE WEST TO THE WEST RIGHT-OF-WAY LINE OF FARM ROAD 135; THENCE NORTH, ALONG SAID WEST RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING. CONTAINING 0.7 ACRES, MORE OR LESS, OF FARM ROAD 135 RIGHT-OF-WAY.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	A-3-2024
Location:	3000 and 3038 W Republic, 4214 S FR 135, 5539 S Campbell, 3833 and 3911 E State Highway D, 3335 W Sunshine
Total Acres:	Approximately 21.64 acres of private property and 0.7 acres of Farm Road 135 right-of-way
Applicant:	City of Springfield
Existing Land Use:	Office, retail, entertainment, and senior housing
City Council:	September 23, 2024
Public Notification:	Mail and legal in Daily Events
Staff:	Alana Owen, AICP, Principal Planner
Staff recommendation:	Staff recommends approval

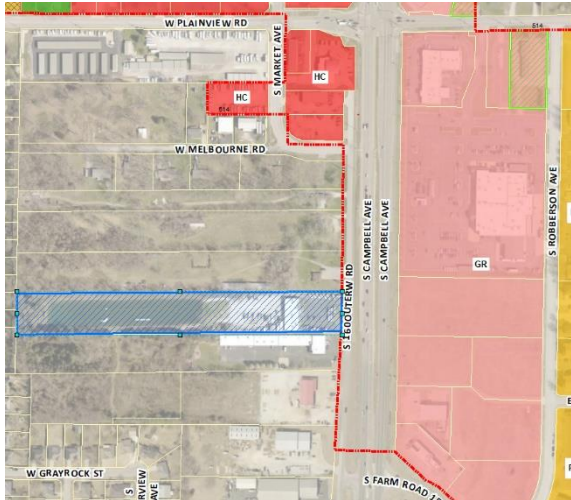
PROJECT SUMMARY:

Request to annex approximately 21.64 acres of private property generally located at 3000 and 3038 W Republic, 4214 S Farm Road 135, 5539 S Campbell, 3833 and 3911 E State Highway D and 3335 W Sunshine and 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield.

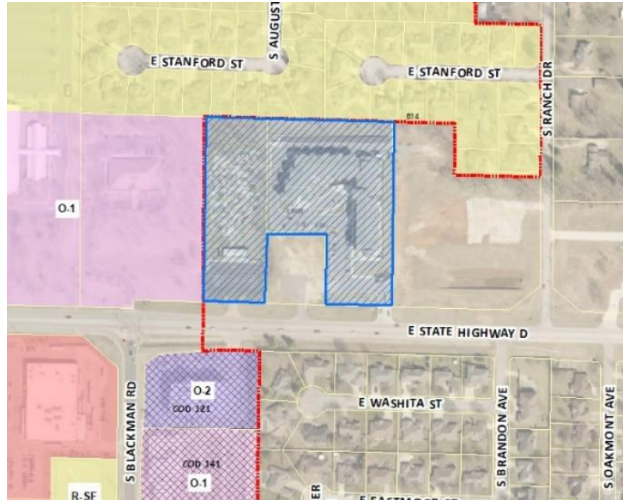


DEVELOPMENT REVIEW STAFF REPORT

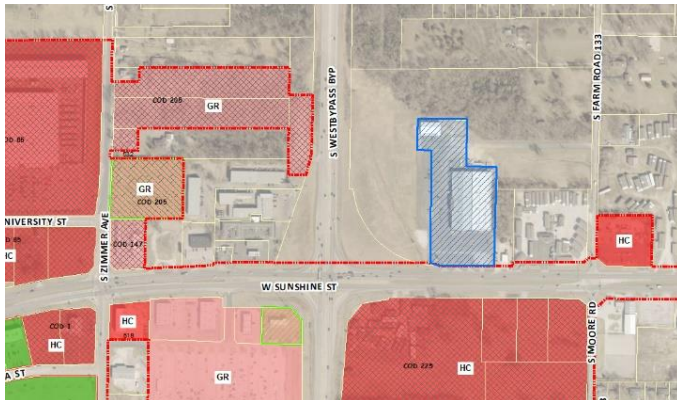
Location: 5539 South Campbell Avenue



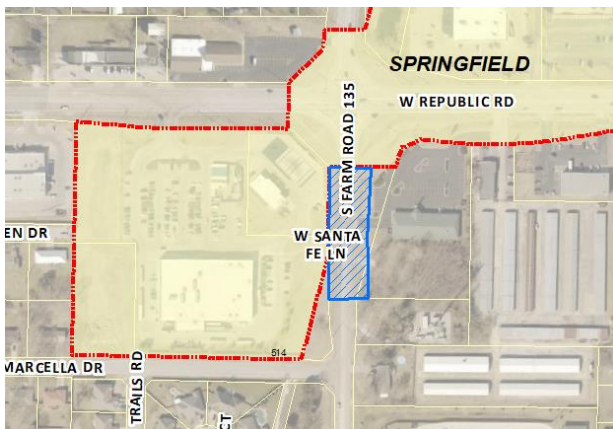
Location: 3833 and 3911 East State Highway D



Location: 3335 West Sunshine Street



Location: South Farm Road 135 right-of-way



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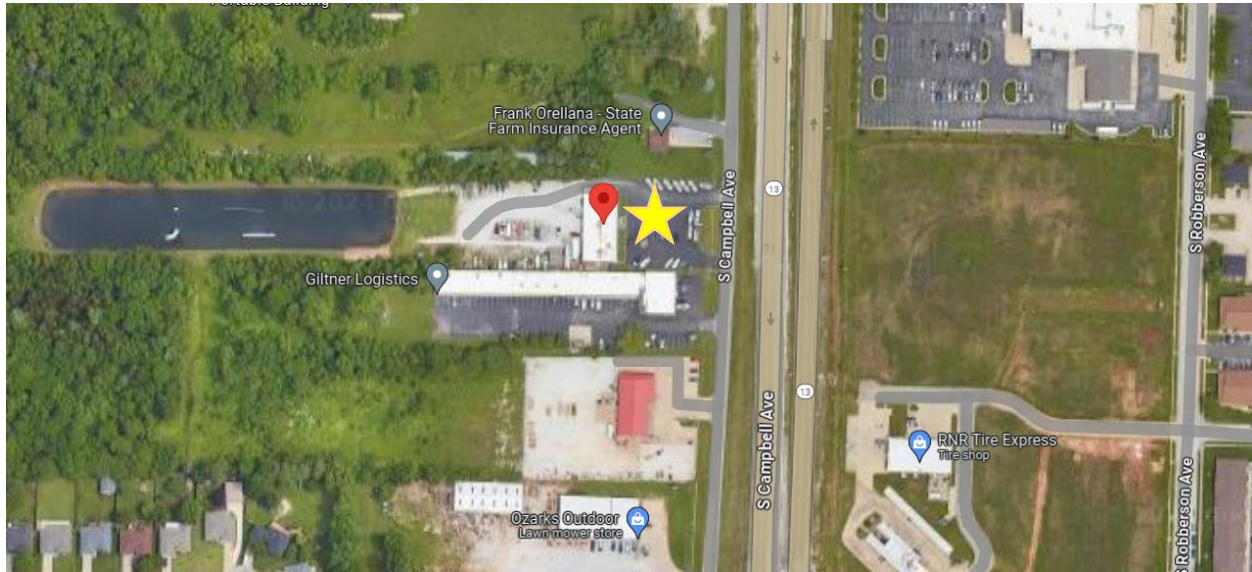
GOOGLE MAPS AND STREET VIEW:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135



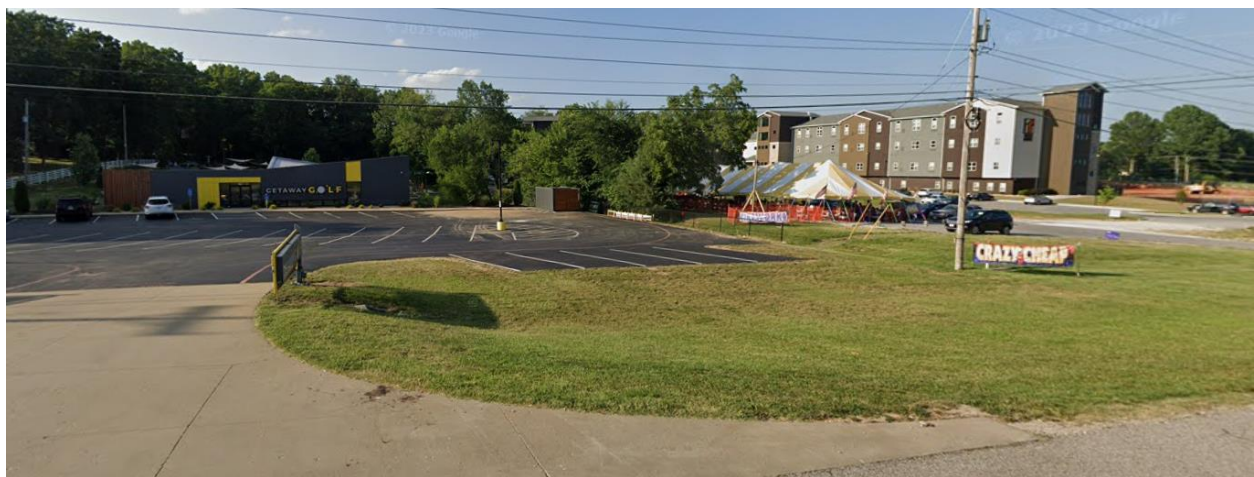
DEVELOPMENT REVIEW STAFF REPORT

Location: 5539 South Campbell Avenue



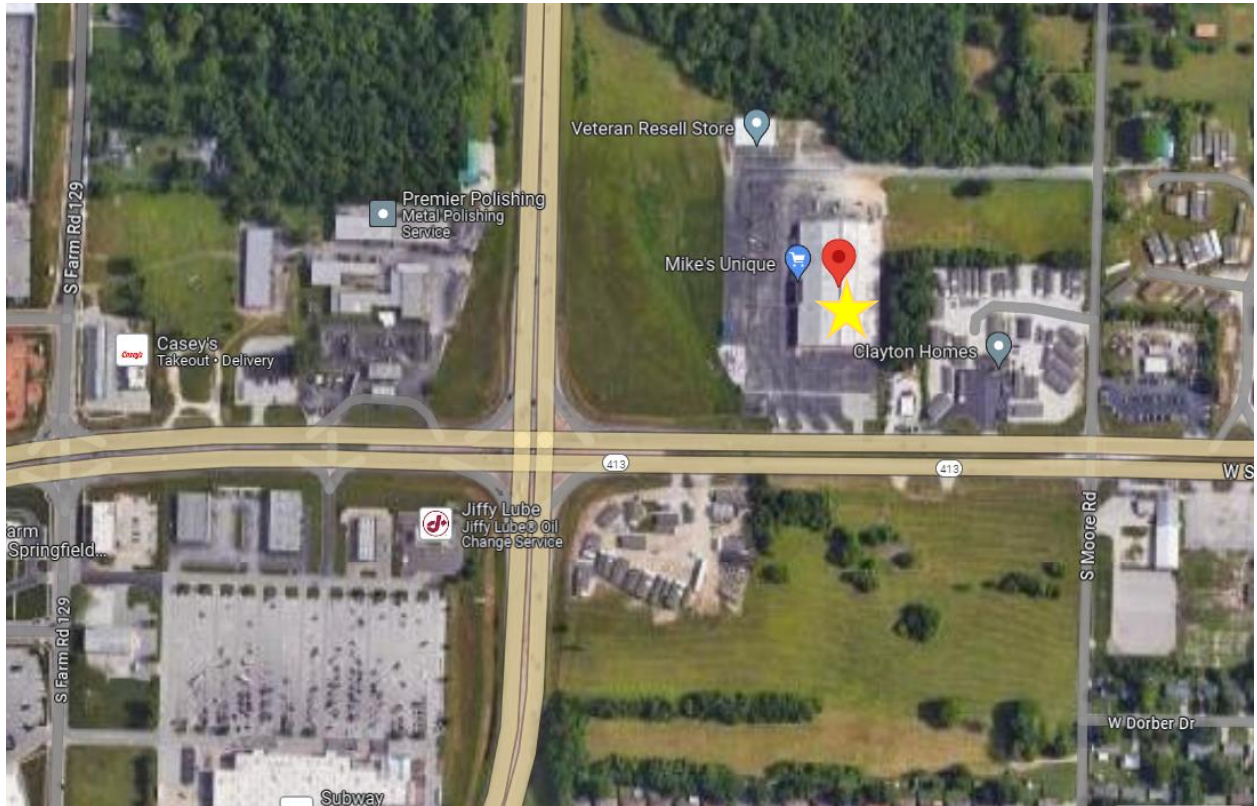
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Location: 3833 and 3911 East State Highway D



DEVELOPMENT REVIEW STAFF REPORT

Location: 3335 West Sunshine Street



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PROPERTY HISTORY:

The subject properties are outside the city limits in unincorporated Greene County. The properties have existing Irrevocable Petition and Consent to Annexation Agreements recorded. The subject properties are compact and contiguous to the existing city limits and the City is moving forward with the annexation of the properties into the city of Springfield. The subject properties will be rezoned to city zoning in a separate process following annexation.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject properties, except for one, are located within a Priority One strategic annexation area identified in Chapter 6, Growth Areas and Annexation, of the Forward SGF Comprehensive Plan. The Plan indicates that the City should prioritize short-term and long-term areas for future annexation. While not every property identified in Priority One and Two areas can or should be annexed immediately, each represent areas where opportunities for economic and job growth are promising due to varying combinations of available infrastructure, city services, proximity to major transportation corridors, and advantageous land patterns and As outlined above, some of these areas offer advantages over others, such as shorter response times for emergency services and lower utility costs and taxes. Short-term annexation areas target business development and job growth, while long-term annexation areas are primarily focused on residential growth. The property that is part of this annexation request that is not located within a Priority One area on East State Highway D is located along a major corridor and entryway into the city and is an area of additional economic growth opportunity.

All the properties included in this request are located within the City Corridor placetype as identified in Forward SGF. City Corridors contribute significantly to Springfield's economy and local tax base with a regional customer draw. City corridors are also locations of significant redevelopment opportunity.

Annexation Considerations

The following strategies help to further guide the prioritization of annexations:

1. The City should prioritize annexation of City, City Utilities, Park Board, and Ozark Greenways-owned properties.
2. The City should prioritize annexation of properties with an "Irrevocable Petition and Consent to Annexation Agreement" that are revenue-generating and located along major corridors and areas of potential economic activity.
3. The City should evaluate annexation proposals on a property-by-property or case-by-case basis but work to coordinate annexation of multiple properties simultaneously, when possible, to maximize the time and cost efficiency involved in processing.
4. The City should engage with area Fire Protection Districts in evaluation of potential impact resulting from annexation of property by the City.
5. The City should be conscious of impractical boundary configurations created when annexing properties on only one side of a street, skipping over properties, or creating islands of unincorporated properties.
6. The City should weigh the anticipated impact of annexation on the ability to provide timely and professional emergency services, including personnel requirements, capital

DEVELOPMENT REVIEW STAFF REPORT

requirements, necessary and available infrastructure, call volume, and standards of cover.

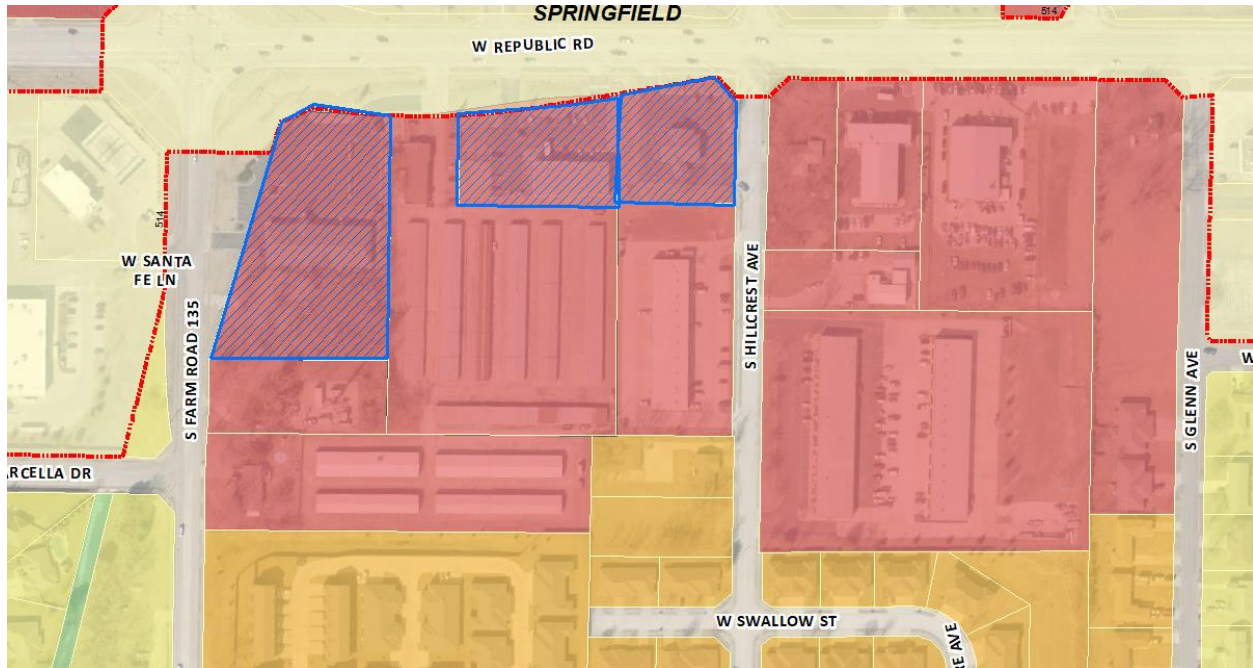
7. The City should evaluate the age and condition of existing infrastructure in areas desired for annexation, as well as future maintenance costs.
8. The City should weigh the comprehensive advantages of both long-term revenue growth and population growth, including a variety of demographic considerations associated with providing services to new residents and property owners.
9. The City should weigh the fiscal impacts of annexation against the opportunity to grow the population base, increase resident participation in city elections, tax referendums, and expand the reach of citizens to serve on city advisory boards and committees.
10. The City should weigh the strategic value of incorporating geographic areas that facilitate growth in new areas.

The properties involved in this annexation all have Irrevocable Petition and Consent to Annexation Agreements that were previously recorded in exchange for the provision of sanitary sewer services to their property. In addition, the owner that signed the Irrevocable Petition and Consent to Annexation Agreement is the same owner of the properties currently.

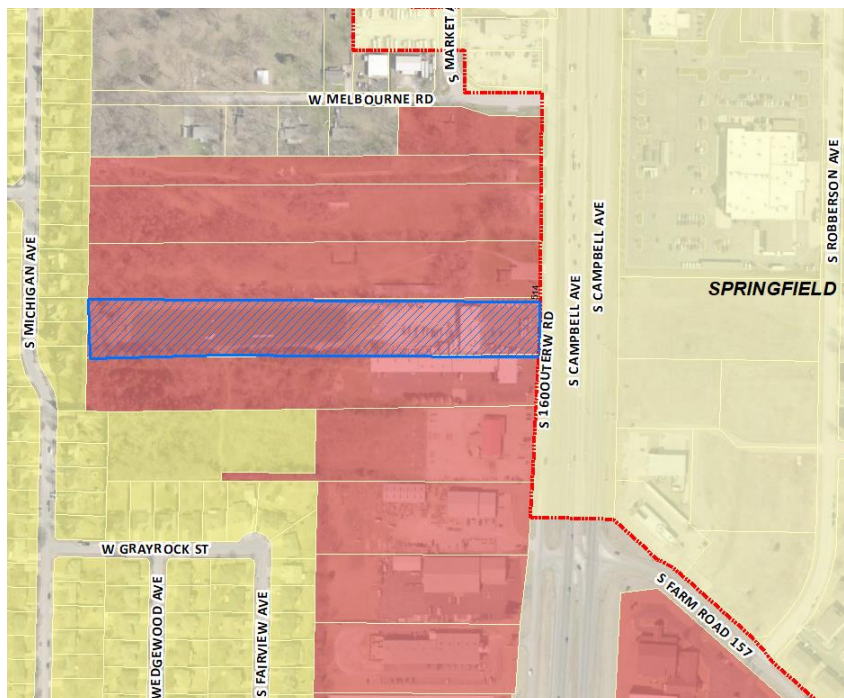
DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135

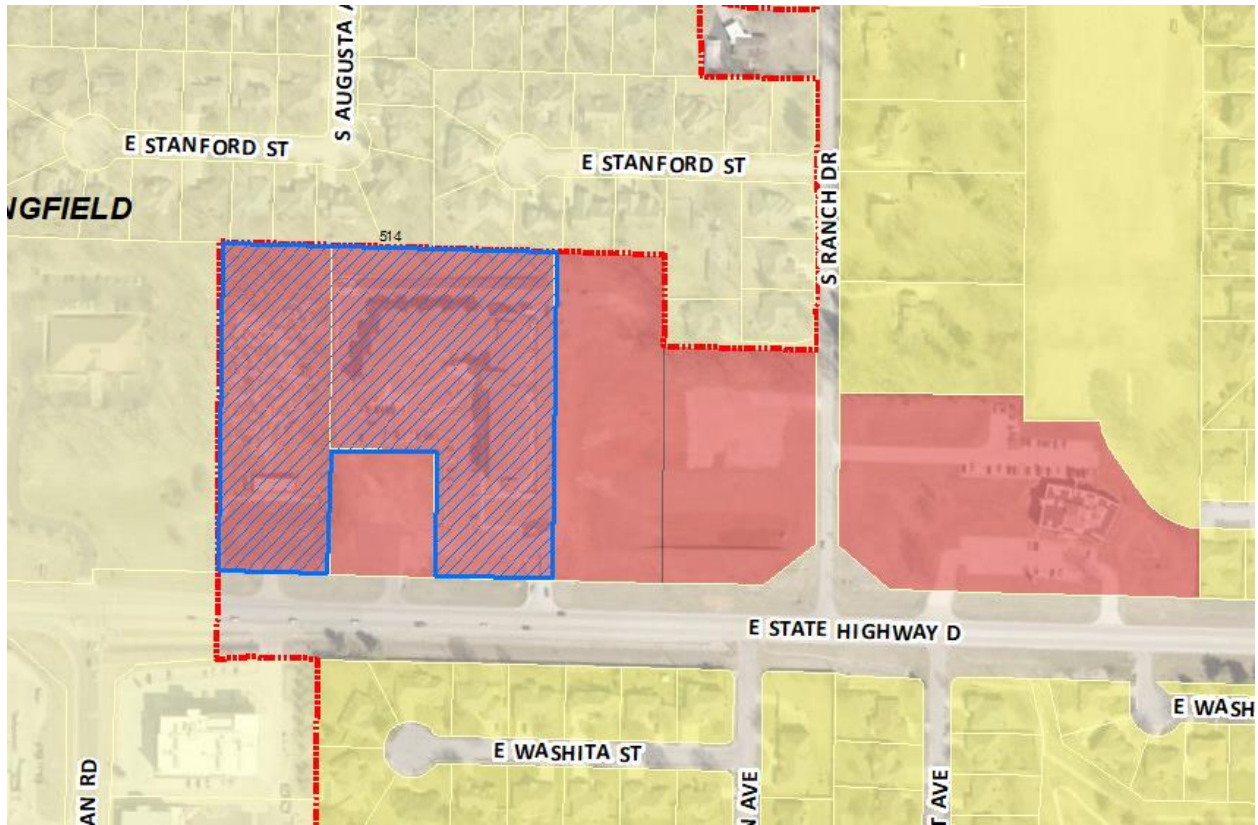


Location: 5539 South Campbell Avenue

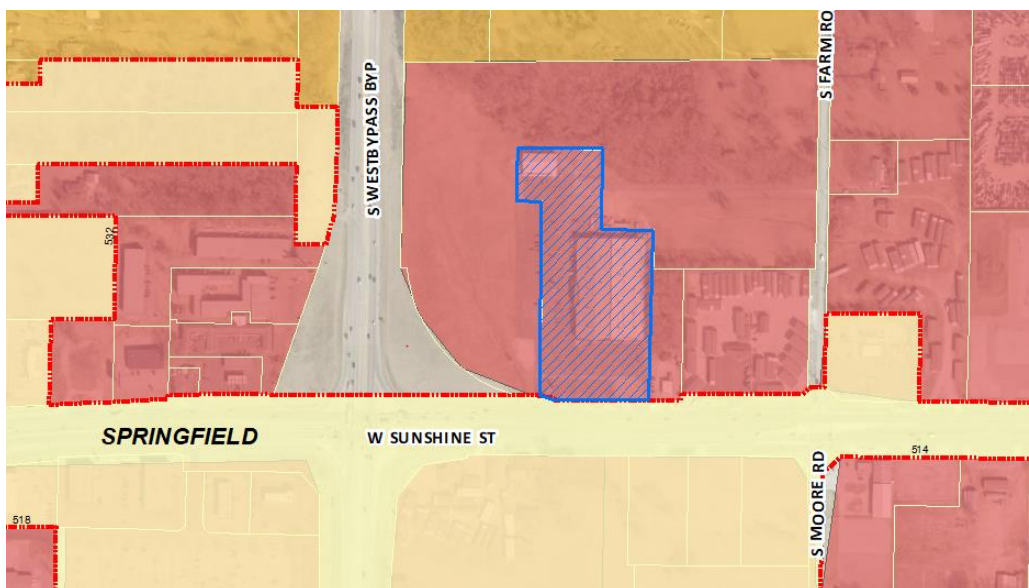


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Location: 3833 and 3911 East State Highway D



Location: 3335 West Sunshine



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DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No issues with the proposed annexation.
2. CITY UTILITIES:
No issues with the proposed annexation. Properties on South Campbell, East and West Sunshine have access to CU Electric, Gas and Water. Some of the buildings on West Republic Road are currently served by Ozark Electric. CU may be required to negotiate with Ozark to expand their electric service or the territory may remain with Ozark. CU electric is not currently available to 3038 W Republic.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to annexation. Each lot has access to public sewer and are in approved sewer districts.
4. EMERGENCY 911:
No issues with the proposed annexation.
5. GREENE COUNTY HIGHWAY DEPARTMENT:
No comments.
6. POLICE DEPARTMENT:
No issues with the proposed annexation.
7. FIRE DEPARTMENT:

Location: 3000 and 3038 West Republic Road and 4214 South Farm Road 135

Service – The primary Fire Station responding to this area would be Station #6 located at 2620 W Battlefield, which is approximately 2.1 miles from Hillcrest and Republic Road. Fire Station #8 located at 1405 S Scenic is the secondary station responding to this location, which is 3.8 miles from Hillcrest and Republic Road.

ISO area – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by .5 miles for the 1st due unit. *This could have a minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 5 minutes, 8 seconds. The 2nd due company has an estimated total response time of 7 minutes, 24 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which

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requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation.*

		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 6	5-6 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 13,11,9,8,6,1	7-8 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8” to 12” diameter in the area and should supply sufficient fire flow. *The Fire Department does not have any concerns with the water supply for this proposed annexation. Future development may require additional water supply for specific projects.*

Impact – The existing businesses do not appear to have increased levels of call volume associated with their use groups. *The Fire Department is not concerned about additional call volume for this area.*

Fire Department Recommendation: *Based upon all of the relevant factors, the Fire Department is supportive of this annexation.*

Location: 5539 South Campbell Avenue

Service – The primary Fire Station responding to this area would be Station #11 located at 4940 S Fremont, which is approximately 2.1 miles from the intersection of S Campbell and FR 157. Fire Station #9 located at 450 Walnut Lawn is the secondary station responding to this location, which is 2.9 miles from the intersection of S Campbell and FR 157.

ISO area – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by .7 miles for the 1st due unit. *This could have minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 5 minutes, 8 seconds. The 2nd due company has an estimated total response time of 6 minutes, 12 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 11	5-6 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 11,10,9,7,6,1	10-11 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Currently there are 8” and 16” water mains in the area of S Campbell and FR 157 which will provide sufficient fire flow. *The Fire Department does not have any concerns with the water supply for this proposed annexation. Future development will likely require additional water supply for specific projects.*

Impact - The existing businesses do not appear to have increased levels of call volume associated with their use. *The Fire Department is not concerned about additional call volume from this area.*

Fire Department Recommendation: *Based upon all the relevant factors, the Fire Department is supportive of this annexation.*

Location: 3833 and 3911 East State Highway D

Service – The primary Fire Station responding to this area would be Station #12 located at 2455 S Blackman Road, which is approximately 1.2 miles from Ranch and Hwy D. Fire Station #7 located at 2129 E Sunshine is the secondary station responding to this location, which is 2.3 miles from Ranch and Hwy D.

ISO area – The proposed annexation falls within the recommended ISO 1.5 mile (ISO diamond) response distance for the 1st due unit. *This will not impact our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 3 minutes, 56 seconds. The 2nd due company has an estimated total response time of 5 minutes, 24 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will meet the initial unit and ERF benchmarks. This will not impact our accreditation. This area is also covered by an auto-aid agreement with Logan-Rogersville Fire Protection District.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 12	4-5 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 12,10,9,7,3,1	9-10 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8” to 24” in diameter are in the area and should supply sufficient fire flow. *The Fire Department does have any concerns with the water supply for this proposed annexation. Future development will necessitate specific fire code requirements are met for site specific structures.*

Impact – The area of annexation currently contains a large multi-story nursing/assisted living facility that has a history of higher-than-average emergency responses. *The Fire Department is not concerned about additional call volume for this specific occupancy.*

Fire Department Recommendation: *Based upon all the relevant factors, the Fire Department is supportive of this annexation.*

Location: 3335 West Sunshine

Service – The primary Fire Station responding to this area would be Station #8 located at 1405 S Scenic, which is approximately 1.6 miles from the southeast corner of the furthest west property. Fire Station #6 located at 2620 W Battlefield is the secondary station responding to this location, which is 3.0 miles from the southeast corner of the further west property.

ISO area – The proposed annexation locations are on either side of the recommended ISO 1.5 mile (ISO diamond) response distance line. *This could have a minor impact on our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 4 minutes, 28 seconds. The 2nd due company has an estimated total response time of 6 minutes, 20 seconds. It is likely the standard of coverage benchmark could be met for single company responses and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will be able to meet the initial unit baseline and benchmark, and probable it will meet the baseline and benchmark for the effective response force. This will not impact our accreditation.*

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		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 8	4-5 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 13,8,9,6,1	8-10 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing water supply consists of multiple mains from 8” to 16” in the area and should supply sufficient fire flow. *The Fire Department does have any concerns with the water supply for this proposed annexation. Future development will necessitate specific fire code requirements are met for site specific structures.*

Impact – A variety of existing businesses are within this area of proposed annexation. None of those businesses present an anticipated high volume of Fire Department responses. *The Fire Department is not concerned about impact from this area.*

Fire Department Recommendation: *Based upon all of the relevant factors, the Fire Department is supportive of this annexation.*

8. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

3000 and 3038 W Republic and 4214 South Farm Road 135

The are some stormwater control measures are present on the proposed properties. The property is in the 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 not be allowed, and detention is required.

5539 South Campbell

The Ski Shack at 5539 S Campbell Ave has a large artificial lake located on the west end of the property. The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature at this location. The property does not have a stream buffer on site. A fee in lieu of on-site stormwater detention will not be allowed, and detention is required.

3833 and 3911 E. State Highway D

Several existing stormwater control measures are present on the proposed properties. The property is in the Pierson Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole or other Karst feature

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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.

3335 West Sunshine

The existing properties does not contain a stormwater control measure. The site has a shared parking area that drains to the Wilsons Creek tributary on the west property. The property is in the 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 not be allowed, and detention is required.

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.
 - a. 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. Each of the identified properties drains to Right-Of-Way. New developments adding significant impervious area through one project, or multiple projects will require detention.

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. All the proposed properties would require an LDP if the entire lot is disturbed.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be

DEVELOPMENT REVIEW STAFF REPORT

used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

1. 3335 W Sunshine St property shares a parking area with 1645 S Farm Road 133. 1645 S Farm Road 133 is not a proposed annexation property but contains a tributary for the Wilsons Creek Stream. Future redevelopments of 3335 W Sunshine St that disturb 1 acre or potentially cause a sedimentation load discharge will require a water quality stormwater control measure to prevent sedimentation of the stream.

SINKHOLES & KARST FEATURES

1. There are no identified sinkholes or karst features on the proposed properties. The 3146-3250 W Battlefield Rd properties drain to the Sinkhole, S133, in the Westminster 5th Add Replat. The sinkhole is used as a partial flood control stormwater control measure. Further developments in the area will need to meet flood control or water quality standards before approval of building permits in the proposed annex area. This sinkhole drains to parcel 881227400370. At time of development the sinkhole boundary will require identification and a 25 feet wide sinkhole buffer would be designed.

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.

9. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

No issues with proposed annexation.

STAFF ANALYSIS AND RECOMMENDATION:

1. In conformance with the recommendations of Forward SGF, the City is moving forward on the annexation of properties that have an existing Irrevocable Petition and Consent to Annexation Agreement recorded. There are 7 properties identified for annexation at this time, all of which are owned by the same property owner that signed the Irrevocable Petition and Consent to Annexation Agreement for the property. The agreements were signed between 2004 and 2017 for the subject properties. All the properties are compact and contiguous to the existing city limits and are located within priority areas for annexation.

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2. The total area of annexation for the private property included in this annexation is approximately 21.64 acres. Staff will process a rezoning request to rezone the annexed property to City zoning which most closely resembles the existing Greene County zoning for each property. This request also includes approximately 0.7 acres of right-of-way for South Farm Road 135 adjacent to private property included in this request.
3. The *Growth Areas & Annexation* chapter of the *Comprehensive Plan* supports the annexation because it meets the objective to prioritize the annexation of properties with an “Irrevocable Petition and Consent to Annexation Agreement” that are revenue-generating and located along major corridors and areas of potential economic activity.
4. The *Comprehensive Plan’s Land Use & Development* chapter identifies the subject property as being located 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 contribute significantly to Springfield’s economy and local tax base with a regional customer draw.
5. The area to be annexed is within the City’s Urban Service Area and is consistent with its policies.
6. The area to be annexed is contiguous and compact to the City of Springfield.
7. The City will receive property tax revenue upon annexation of the private property and sales tax revenue.

STAFF RECOMMENDATION:

1. Staff recommends approval of the annexation request based on its compatibility with the *Comprehensive Plan’s* Annexation policies.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 Annexation Schedule

ANNEXATION:

City Council first reading and public hearingSeptember 23, 2024

City Council public hearing and vote October 7, 2024



EXPLANATION TO COUNCIL BILL 2024-196 (MCGULL)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-20-2024

The applicant is requesting to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 8 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.
2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers,

complemented by the occasional commercial sales and services. The property is proposed to allow HC uses, which would allow more commercial sales and services that are intended to complement the existing uses in the area.

3. This application is consistent with the Business Flex placetype that lists office, hospitality, retail sales and services as a supporting land use. Further, all other corners of the Chestnut Expressway and U.S. Highway 65 are zoning HC, Highway Commercial.

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.

6. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity.

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: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Business Flex placetype and on the finding of facts above

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. Z-20-2024 - _Ord
2. Z-20-2024_exh A
3. Z-20-2024_exh B
4. Z-20-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 19
Filed: 09-17-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-196

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 7.8 acres of property generally located at 3253 East Chestnut
4 Expressway from HM, Heavy Manufacturing District to HC,
5 Highway Commercial District; and adopting an updated Official
6 Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing
11 District to HC, Highway Commercial District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The property generally located at 3253 East Chestnut Expressway
29 and described in "Exhibit A," which is attached hereto and incorporated herein by this
30 reference, is hereby rezoned from HM, Heavy Manufacturing District to HC, Highway
31 Commercial District. Springfield Land Development Code, Section 36-306, 'Official
32 zoning map and rules for interpretation,' is hereby amended, changed, and modified
33 consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales
56 _____, Assistant City Attorney

57
58 Approved for Council action: Jason A. Hays
59 _____, City Manager

EXHIBIT A
LEGAL DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF THE. SOUTHEAST QUARTER OF SECTION SIXTEEN (16) TOWNSHIP TWENTY-NINE (29) NORTH. RANGE TWENTY-ONE (21) WEST: THENCE N 87°34'00" W. A DISTANCE OF 1060.7 FEET: THENCE N 02°26'00. E. A DISTANCE OF 63.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CHESTNUT EXPRESSWAY. AS IT NOW EXISTS; THENCE S 89°29'50" E AND ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.03 FEET FOR A POINT OF BEGINNING; THENCE N 02°49'51" E. A DISTANCE OF 364.12 FEET; THENCE S 87°23'45" E. A DISTANCE OF 21.84 FEET: THENCE N 02°31'07" E. A DISTANCE OF 238.71 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION SIXTEEN (16): THENCE S 87°40'16" E ALONG SAID NORTH LINE. A DISTANCE OF 588.23 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 65: THENCE S 06°55'47" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE. A DISTANCE OF 517.06 FEET: THENCE S 42°23'47" W. A DISTANCE OF 78.64 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF CHESTNUT EXPRESSWAY. AS IT NOW EXISTS; THENCE S 88°08'39" W AND ALONG SAID NORTH RIGHT-OF-WAY LINE. A DISTANCE OF 200.56 FEET: THENCE N 89°29'50" W AND CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE. A DISTANCE OF 322.08 FEET TO THE POINT OF BEGINNING. ALL BEING IN SPRINGFIELD. GREENE COUNTY, MISSOURI AND CONTAINING 7.84 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS OF RECORDS. SUBJECT, HOWEVER. TO ALL EXISTING INTERESTS, INCLUDING BUT NOT LIMITED TO ALL RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

EXHIBIT B
RECORD OF PROCEEDING

Planning and Zoning Commission – August 22, 2024

Z-20-2024

3253 East Chestnut Expressway

Applicant: Frisco Building, LLC

Eric Pauly recused himself.

Mr. Sparlin stated that this is a request to rezone approximately 7.8 acres from HM, Heavy Manufacturing to HC, Highway Commercial.

Mr. Bob Newell, 3253 E. Chestnut Expressway and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-20-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None. Eric Pauly recused himself.



Bob Hosmer, AICP
Planning Manager



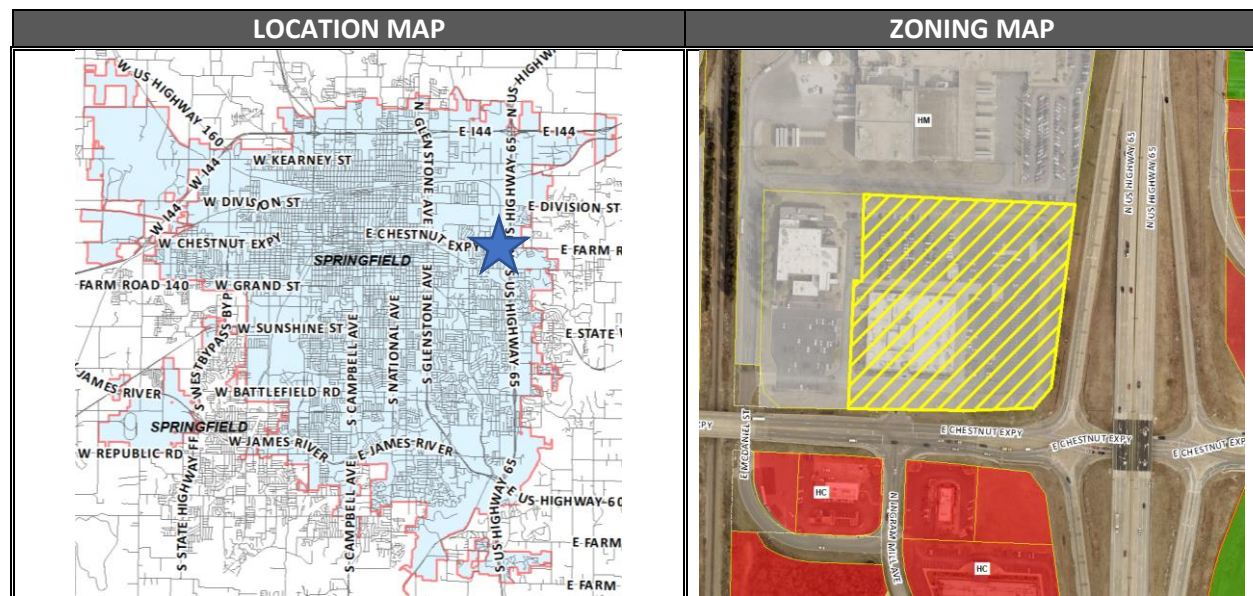
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-20-2024
Location:	3253 East Chestnut Expressway
Total Acres:	7.8 acres
Applicant:	Frisco Building LLC
Existing Land Use:	Office Use
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-20-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

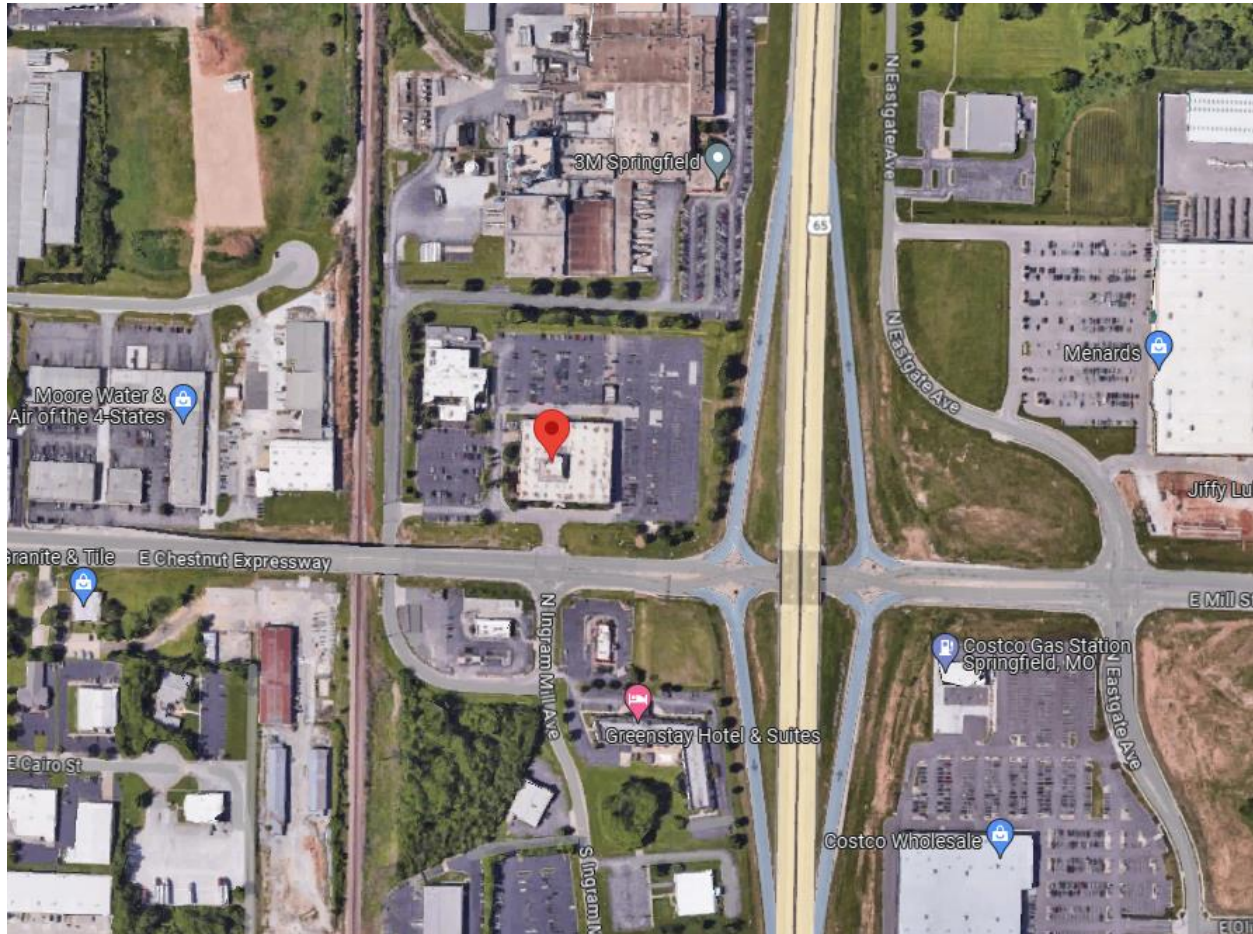
Request to rezone approximately 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial.





DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:





DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

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

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Use Limitations	(a) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors. (b) No motor vehicle repair or maintenance work shall take place outdoors within 150 feet of the boundary of any residential district. (c) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface. (d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.



DEVELOPMENT REVIEW STAFF REPORT

	(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 within the Business Flex placetype.

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

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.

Primary Land Uses:

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

Supporting Land Uses:

- Parks, greenways and open space
- Sports complexes and recreational facilities
- Urban agriculture
- Office, hospitality, retail sales and service



DEVELOPMENT REVIEW STAFF REPORT

- Universities, colleges, and vocational schools Government, healthcare and institutional facilities
- Airport, railroad, and freight facilities

Characteristics

Transportation and 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 are integrated and incentivized into 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.
- 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.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.

Urban Design- Building and Site Typology

- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- 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 discourage the placement of mechanical equipment along major roadways or should be completely screened, along with trash receptacles, and recycling bins.

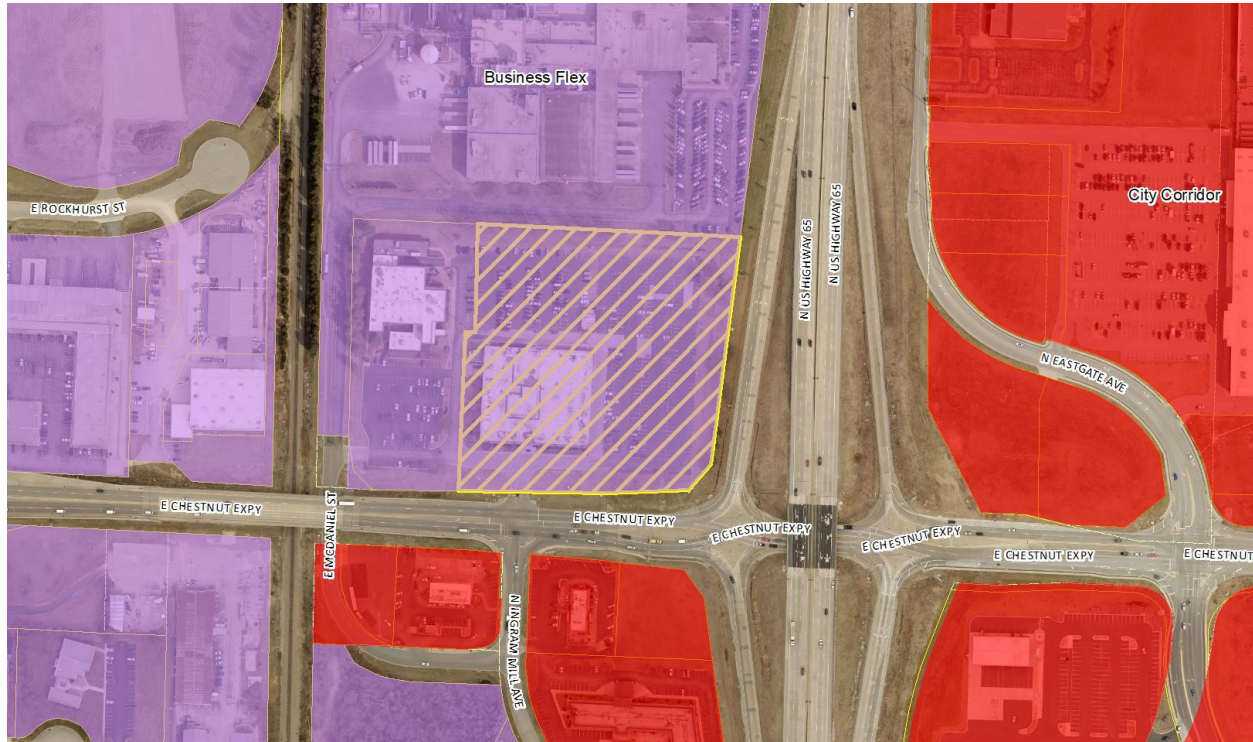
Transitions

- Appropriate site design, parking access, massing, building orientation, screening, buffering, and separation standards are adopted and used to mitigate adjacent incompatible uses.
- Commercial and smaller office uses within the placetype are directed to its perimeter to provide a gradual transition into surrounding placetypes.



DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



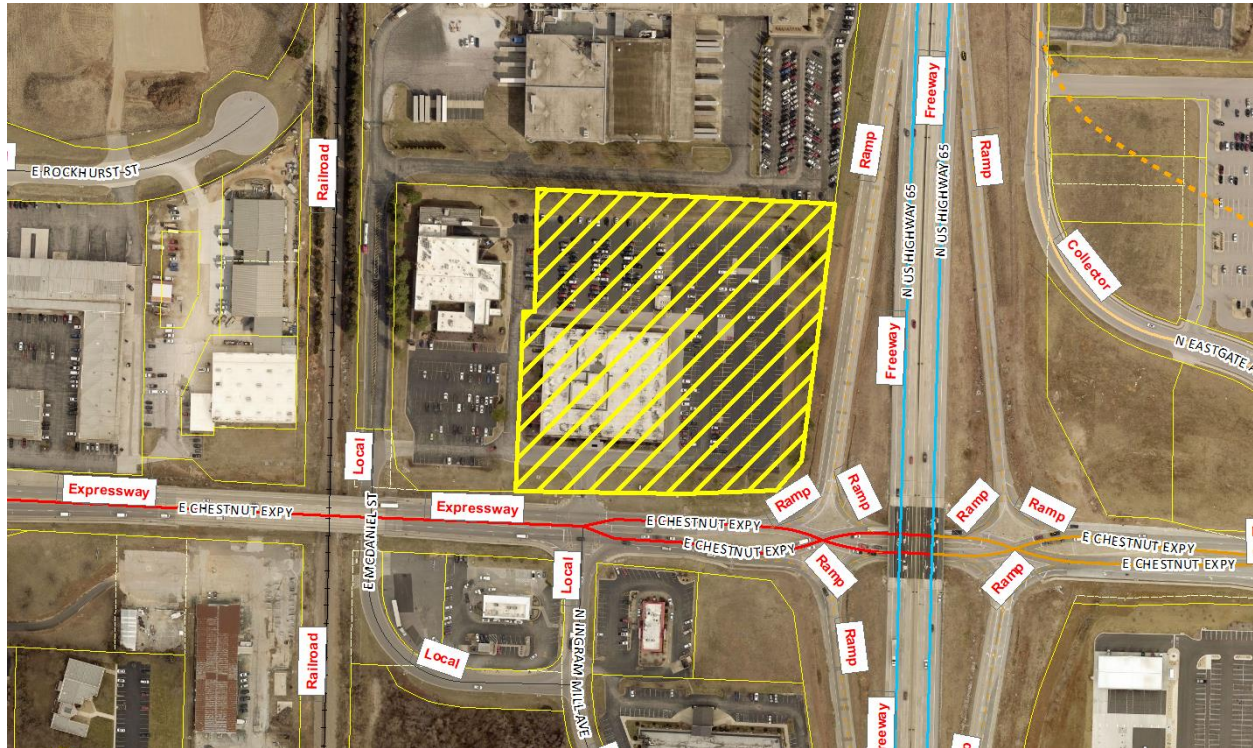
PLACETYPES	LAND USES															
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office Hospitality	Neighborhood Commercial	Major Retail	Public & Private Schools & Places of Worship	Government, Colleges & Vocational Schools	Personal Services & Institutional Facilities	Light Industry	Warehousing & Distribution Facilities	Heavy Industry & Manufacturing	Airport, Railroad & Freight Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	◇	○	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

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



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	HC	Highway 65, HC	HM
LAND USE	Manufacturing use	Restaurant	Highway, Commercial uses	Office use
PLACETYPES	Business Flex	City Corridor	City Corridor	Business Flex

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:



DEVELOPMENT REVIEW STAFF REPORT

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Chestnut Expressway	Expressway	MoDOT	65	65+	33,887	No	No	No
Street 2	N. US Highway 65	Freeway	MoDOT	Var.	Var.	34,880	No	No	No

ACCESS - All new or modified driveway approaches shall comply with current MoDOT and 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 - No improvements are required for this rezoning. A traffic study may be required at the time of development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Jordan Creek South 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 zoning change. 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 site is 90% existing impervious area with an existing detention basin. Any redevelopment needs to maintain the detention volume and increase it if the impervious area is increased.

WATER QUALITY REQUIREMENTS



DEVELOPMENT REVIEW STAFF REPORT

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.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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 7.8 acres generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing to HC, Highway Commercial. The applicant is requesting to the HC district to establish commercial uses such as a restaurant that serves the general public. There are no longer any uses utilizing the HM, Heavy Manufacturing zoning.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. The property is proposed to allow HC uses which would allow more commercial sales and services that is intended to complement the existing uses in the area.
3. This application is consistent with the Business Flex placetype that lists office, hospitality, retail sales and services as a supporting land use. Further, all other corners of the Chestnut Expressway and U.S. Highway 65 are zoning HC, Highway Commercial.



DEVELOPMENT REVIEW STAFF REPORT

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.
6. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity.
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 Business Flex 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

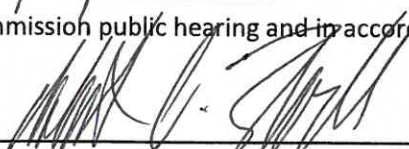
1. Request change to zoning from: Heavy Manufacturing (HM) to Highway Commercial (HC)
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, July 18th 4pm - 6:30pm
3. Meeting Location: 1st Floor Conference Room/Frsico Building
4. Number of invitations that were sent: 56
5. How the mailing list was generated: By City Staff
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).

N/A

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

N/A

I, Bob Newell (print name), attest that the neighborhood meeting was held on 7/18/24 (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

Frisco Building Rezoning Neighborhood Meeting					
Name	Company	Address	Email	Phone number	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					



EXPLANATION TO COUNCIL BILL 2024-197 (SIMPSON)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-21-2024/ CONDITIONAL OVERLAY DISTRICT NO. 259

The applicant is requesting to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox HealthHealth, is rezoning for future development of the subject property.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 9 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox HealthHealth, is rezoning for future development of the subject property.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Institutional and Employment Center placetype. This placetype contains

a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities.

3. This application is consistent with the recommended placetype which lists government, healthcare, and institutional facilities as a primary use.
4. The subject property is located near one of Springfield's major intersections of Battlefield Road and U.S. Highway 65, classified as a primary arterial and freeway, respectively.
5. The proposed COD requires a traffic study at the time of development.
6. The GI district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings.
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 few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity. The property to the north is zoned GI and is owned by City Utilities.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.



STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment Center placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

- Attachments:**
1. Z-21-2024 COD 259 _Ord
 2. Z-21-2024 COD 259_exh A
 3. Z-21-2024 COD 259_exh B
 4. Z-21-2024 COD 259_exh C
 5. Z-21-2024 COD 259_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 20
Filed: 09-17-24

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-197

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 11.5 acres of property generally located at 3525 East Battlefield
4 Road from GR, General Retail with Conditional Overlay District No.
5 180 to GI, Government and Institutional Use District with
6 Conditional Overlay District No. 259; and adopting an updated
7 Official Zoning Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 3525 East Battlefield Road from GR, General Retail with
12 Conditional Overlay District No. 180 to GI, Government and Institutional Use District
13 with Conditional Overlay District No. 259; and
14

15 WHEREAS, Conditional Overlay District No. 259 shall modify the requirements of
16 the Springfield Land Development Code Section 36-401, GI, Government and
17 Institutional Use District, by requiring that the property described in "Exhibit B" comply
18 with the requirements described in "Exhibit A," both attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
23 public hearing being attached hereto and incorporated herein by this reference as
24 "Exhibit C," and said Commission made its unanimous recommendation for approval;
25 and
26

27 WHEREAS, the City has reviewed the applicant's request and prepared a staff
28 report concerning the application, which is attached hereto and incorporated herein by
29 this reference as "Exhibit D"; and
30

31 WHEREAS, proper notice was given of a public hearing before City Council, and
32 said hearing was held in accordance with the law.
33

34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
35 SPRINGFIELD, MISSOURI, as follows, that:

36
37 Section 1 – The property described in "Exhibit B" is hereby rezoned from GR,
38 General Retail with Conditional Overlay District No. 180 to GI, Government and
39 Institutional Use District with Conditional Overlay District No. 259. Springfield Land
40 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
41 hereby amended, changed, and modified consistent with this Ordinance.

42
43 Section 2 – City Council hereby establishes Conditional Overlay District No. 259,
44 which shall contain the requirements and standards provided in "Exhibit A." The
45 requirements of Conditional Overlay District No. 259 shall modify the requirements of
46 the Springfield Land Development Code Section 36-401, GI, Government and
47 Institutional Use District, by requiring the property described in "Exhibit B" to comply
48 with the requirements contained in "Exhibit A."

49
50 Section 3 – City Council hereby directs the City Manager, or designee, to update
51 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
52 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
53 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
54 rules of interpretation.'

55
56 Section 4 – The Official Zoning Map herein adopted shall be maintained and
57 archived in the same digital form in which this Council has approved its adoption.

58
59 Section 5 – This Ordinance shall be in full force and effect from and after
60 passage.

61
62 Passed at meeting: _____

63
64
65 _____
66 Mayor

67 Attest: _____, City Clerk

68
69 Filed as Ordinance: _____

70
71 Approved as to form: Laura Vales, Assistant City Attorney

72
73 Approved for Council action: Jason A. Hage, City Manager
74
75

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 259

The requirements of Section 36-401 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

EXHIBIT B
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE WEST HALF OF LOT ONE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 21 WEST, SPRINGFIELD, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;
THENCE SOUTH 87°05'08" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1340.47 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF LOT ONE;
THENCE NORTH 01°12'33" EAST, ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 564.70 FEET FOR THE POINT OF BEGINNING;
THENCE NORTH 88°47'59" WEST, A DISTANCE OF 164.12 FEET;
THENCE SOUTH 79°03'33" WEST, A DISTANCE OF 401.85 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HIGHWAY 65;
THENCE ALONG SAID EAST RIGHT OF WAY THE FOLLOWING SIX COURSES;
THENCE NORTH 10°56'23" WEST A DISTANCE OF 447.82 FEET;
THENCE NORTH 18°24'28" EAST A DISTANCE OF 66.59 FEET;
THENCE NORTH 00°55'50" EAST A DISTANCE OF 20.00 FEET;
THENCE NORTH 24°07'19" WEST A DISTANCE OF 23.73 FEET;
THENCE NORTH 03°17'07" WEST A DISTANCE OF 135.37 FEET;
THENCE NORTH 00°55'50" EAST A DISTANCE OF 186.39 FEET TO A POINT ON THE NORTH LINE OF SAID WEST HALF OF LOT ONE;
THENCE SOUTH 87°10'36" EAST, ALONG THE NORTH LINE OF SAID WEST HALF OF LOT ONE, A DISTANCE OF 653.55 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF OF LOT ONE;
THENCE SOUTH 01°12'33" WEST, ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 761.16 FEET TO THE POINT OF BEGINNING.
CONTAINING 504,079 SQ FT OR 11.57 ACRES

EXHIBIT C
RECORD OF PROCEEDING

Planning and Zoning Commission – August 22, 2024

Z-21-2024 COD 259

3525 East Battlefield Road

Applicant: Lester E Cox Medical Centers

Mr. Sparlin stated that this is a request to to rezone approximately 11.5 acres from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259.

Mr. Anthony Swanigan, 5051 S. National here as the applicant's representative and received great feedback from the neighborhood meeting and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-21-2024 COD 259, 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, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager



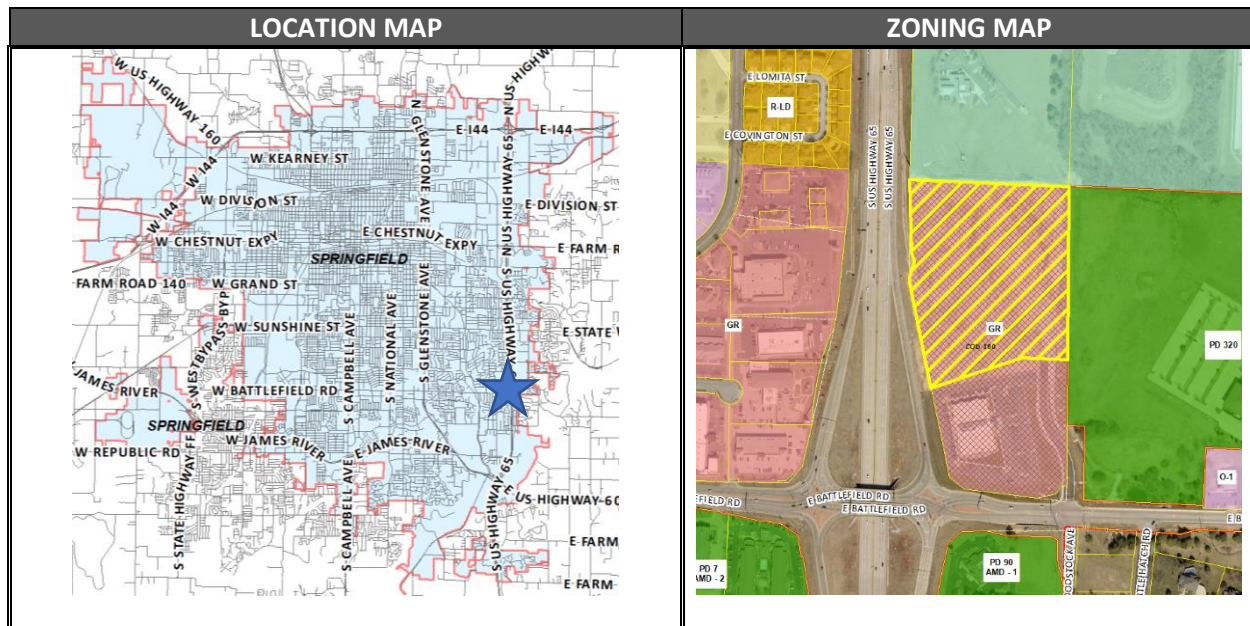
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-21-2024 with Conditional Overlay District No. 259
Location:	3525 East Battlefield Road
Total Acres:	11.5 acres
Applicant:	Lester E. Cox Medical Centers
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	July 16, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-21-2024 with Conditional Overlay District No. 259 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 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned to R-SF in a community-wide rezoning to the current Zoning Ordinance regulations in March 1995 and was later rezoned to Planned Development No. 226 in March 1999 (G.O. 4874).

The subject property was zoned to its current GR zoning in January 2020.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

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

DEVELOPMENT REVIEW STAFF REPORT

Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the Institutional and Employment Center placetype.

The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Student housing is also a common component. In the case of universities or colleges, along with mixed housing types located along the fringes and transitional areas, providing housing near major employers is important. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center. Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

Primary Land Uses:

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

Supporting Land Uses:

- Single-family detached
- Single-family attached
- Multi-family
- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Office, hospitality, retail sales and service
- Maker, artisan, and innovations spaces
- Public and private schools and places of worship

Characteristics

DEVELOPMENT REVIEW STAFF REPORT

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.
- The pedestrian environment is enhanced with expanded sidewalks and pedestrian infrastructure, such as benches, pedestrian-scaled lighting, and street trees.
- 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.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

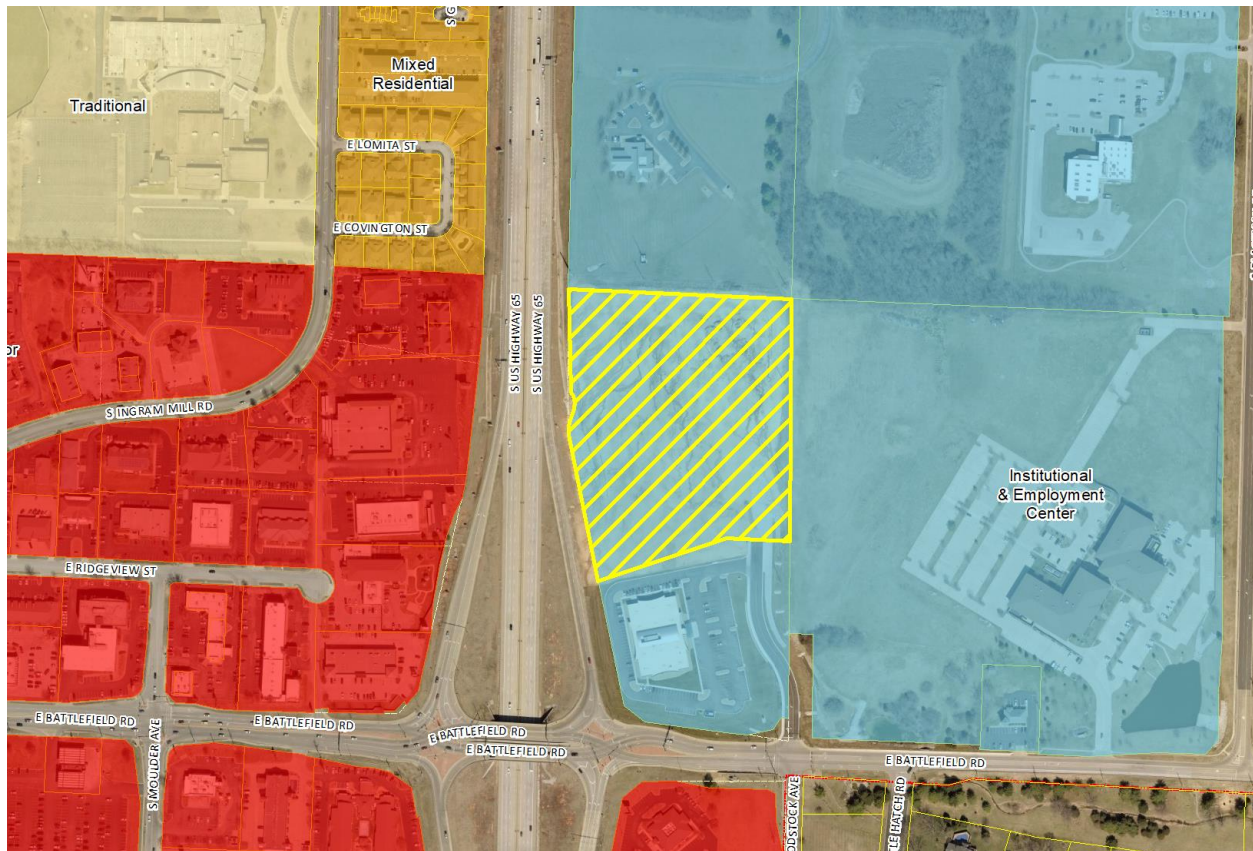
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- Character is enhanced by gateway features, landscaping, and branding elements, particularly within university, health care campuses, and innovation districts, to identify entry into campus areas.
- 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.
- Lighting, signage, landscaping, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting with a high degree of transparency using clear glass windows and doors 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.
- 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.

TRANSITIONS:

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.
- More intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

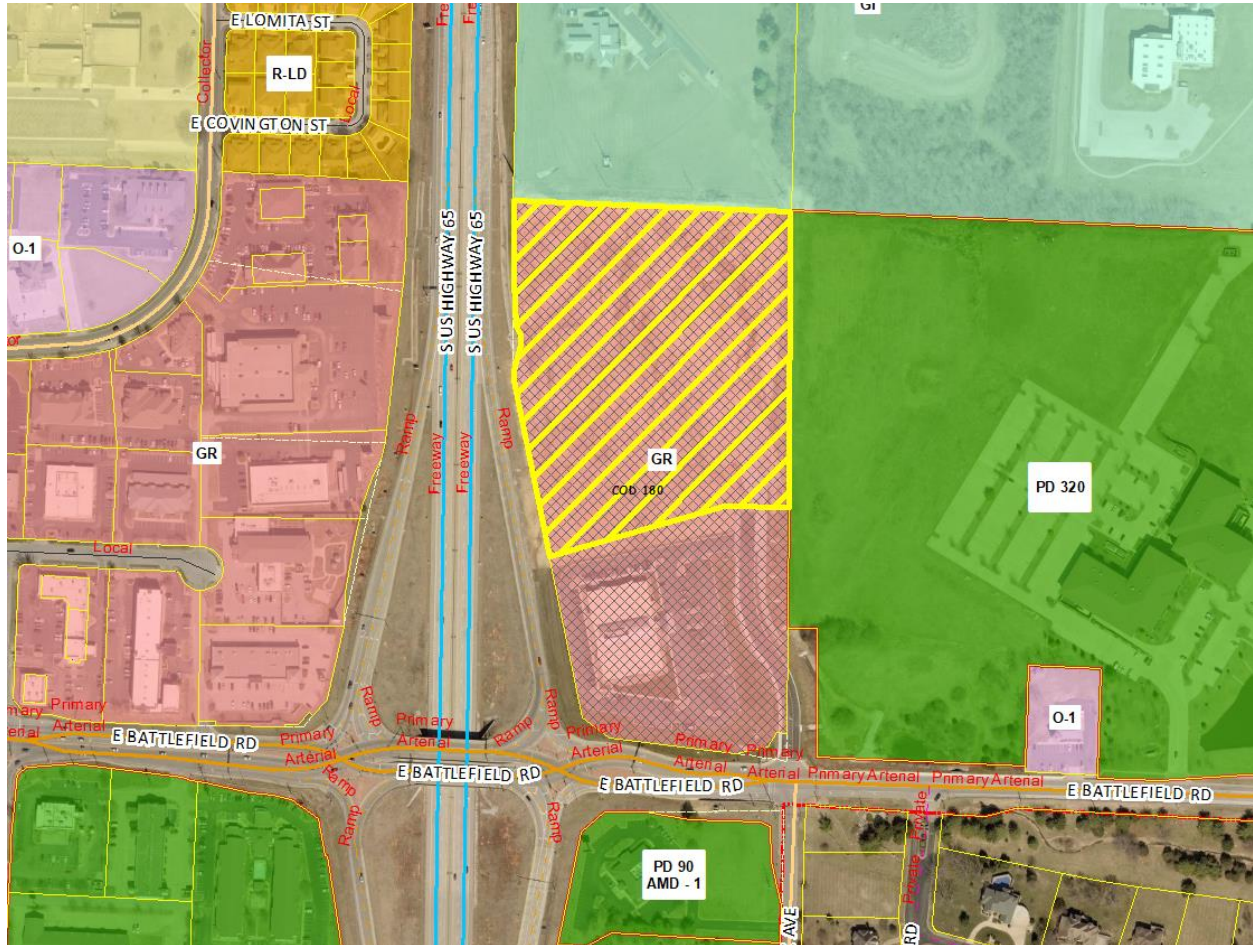
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GI	GR COD 180	PD 320	Hwy 65, GR
LAND USE	City Utilities office	Medical clinic	Office use	Highway 65, Commercial & office uses
PLACETYPES	Institutional & Employment	Institutional & Employment	Institutional & Employment	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

DEVELOPMENT REVIEW STAFF REPORT

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	E. Battlefield Road	Primary Arterial	City	50	50+	12,731	No	Yes	Yes
Street 2	S. Woodstock Avenue	Collector	Private	30	35	NA	No	Yes	Yes
Street 3	S. US Highway 65	Freeway	MoDOT	Var.	Var.	34,256	No	No	No

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. No additional driveways will be allowed along Battlefield Road.

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

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is required at the time of development. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable. All public improvements required for the development must be constructed or escrowed prior to approval of the building permit or plat.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **James River** 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**.

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

DEVELOPMENT REVIEW STAFF REPORT

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. No fee in lieu of detention application is allowed.
2. The site has an existing 20' wide drainage easement for a 60" diameter RCP culvert directing runoff from the US 65 Highway channel. No structures are allowed on top of this easement.

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.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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 11.5 acres generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259. The applicant, Cox Health, is rezoning for future development of the subject property.

DEVELOPMENT REVIEW STAFF REPORT

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Institutional and Employment Center placetype. This placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities.
3. This application is consistent with the recommended placetype which lists government, healthcare, and institutional facilities as a primary use.
4. The subject property is located near one of Springfield's major intersections of Battlefield Road and U.S. Highway 65, classified as a primary arterial and freeway, respectively.
5. The proposed COD requires a traffic study at the time of development.
6. The GI district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings.
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 few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity. The property to the north is zoned GI and is owned by City Utilities.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

DEVELOPMENT REVIEW STAFF REPORT

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment Center placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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

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

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 259

The requirements of Section 36-401 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

EXPLANATION TO COUNCIL BILL 2024-198 (MCGULL)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

PURPOSE: Amended the Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:

ROUNTREE UCD NO. 2 TEXT AMENDMENT: MODIFY FINISHED FLOOR ELEVATIONS

The applicant, the owners of Tie and Timber Beer Company, have requested to amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian-oriented space along the façade of the building.

FINDINGS FOR STAFF RECOMMENDATION:

1. The current language of Subarea C (Pickwick and Cherry Street area) only allows for a maximum finished floor elevation of a building to a height of 6 inches above the adjacent sidewalk. The applicant is proposing to modify the finished floor elevations by allow for an alternative that would still allow for the 6-inch maximum but also allow for a maximum of 4 feet maximum height if the building is setback a minimum of 4 feet and there is a pedestrian amenity provided within this space. The 6-inch above grade would still be retained but allow for an alternative of 4 feet maximum finished floor elevation height under those conditions.

2. Subarea C is located around the Cherry/Pickwick neighborhood center. This area is designed to provide for sensitive and respectful infill development within this dense, urban, mixed-use, vibrant gathering space within the neighborhood. This subarea is

characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

3. 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 city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features.

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.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended approval, by a vote of 9 to 0, of the proposed amendments. The Planning and Development staff recommends the text amendment be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION: Staff recommends approval of the text amendment based on its consistency with the Comprehensive Plan.

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. Rountree UCD Subarea C Text Amendment_ord (1)
2. Rountree UCD Subarea C Text Amd_Exh A
3. Rountree UCD Subarea C Text Amd_Exh B

One-rdg. _____
P. Hrngs. X
Pgs. 11
Filed: 09-17-24

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-198 GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING General Ordinance No. 3645, as amended, establishing Urban
2 Conservation District No. 2, generally referred to as the Rountree
3 Urban Conservation District, Section 4 - Subarea A through D
4 Regulations, C. Building and Lot Standards, 3. Subarea C, f.
5 Finished Ground Floor Level, to modify the finished ground floor
6 elevations to allow for a four (4) foot maximum height if developed
7 with a pedestrian-oriented frontage and a minimum building
8 setback of at least four (4) feet.
9 _____

10
11 WHEREAS, Urban Conservation District No. 2, generally referred to as the
12 Rountree Urban Conservation District, section 4 of Subarea A through D Regulations
13 currently allows for a maximum finished ground floor elevation of six (6) inches above
14 the adjacent sidewalk; and
15

16 WHEREAS, the owners of Tie and Timber Beer Company (“applicants”) have
17 requested to amend the Rountree Urban Conservation District, section 4 of Subarea A
18 through D Regulations to modify the finished ground floor elevations to allow for a four
19 (4) foot maximum height if developed with a pedestrian-oriented frontage and a
20 minimum building setback of at least four (4) feet; and
21

22 WHEREAS, following proper notice, the Planning and Zoning Commission held a
23 public hearing regarding the proposed amendment to the Rountree Urban Conservation
24 District, section 4 of Subarea A through D Regulations on August 22, 2024, a copy of
25 the Record of Proceedings from said public hearing being attached hereto and
26 incorporated herein by this reference as “Exhibit A,” and unanimously recommended
27 approval of the proposed changes; and
28

29 WHEREAS, proper notice was given of a public hearing before City Council, and
30 said hearing was held in accordance with the law.
31

32 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
33 SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – Urban Conservation District No. 2, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, is hereby amended as follows:

(Note: Language to be added is underlined, and language being removed is ~~stricken~~.)

f. Finished Ground Floor Level:

Maximum:

- Six (6) inches [L] or
- Four (4) feet with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian-oriented space along the façade of the building.
- Measured from elevation of back of sidewalk or adjacent lot level.

Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

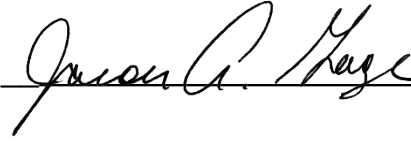
Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

80
81
82

Approved for Council action:

A handwritten signature in black ink, appearing to read "Jason R. Hays", written over a horizontal line.

, City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Rountree UCD Regulation Subarea C - Text Amendment

Applicant: Tie & Timber Beer Co.

Mr. Sparlin stated that this is a request to amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.

Mr. Knuckles questioned asked for clarification of what they are requesting.

Mr. Sparlin noted that they are adding a new building and during the design process they noted a problem with the requirement of the finished ground level (needed to be within 6' of adjacent sidewalk).

Staff and Commission discussion on what is required and topography challenges, exiting building, walkout, and the building to be removed. It was noted that the diagram looked confusing, but with further discussion it was explained and clarified.

Mr. Curt Marshall, 1459 E. Cherry noted the issues requiring the modifications into the first floor and was there to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Doennig moved to approve Rountree UCD Regulation Subarea C - Text Amendment; 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, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager

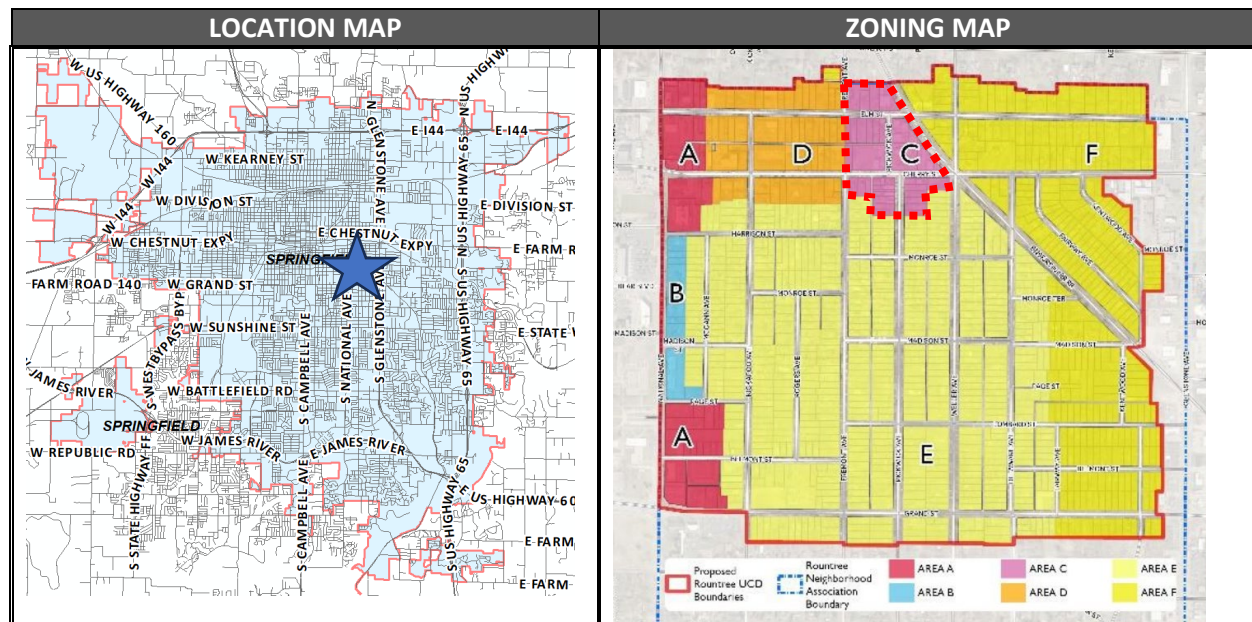
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION:

Case Number:	Urban Conservation District No 2. (Rountree UCD #2) text amendment
Location:	Subarea C: Generally located at Cherry and Pickwick
Total Acres:	NA
Applicant:	Tie and Timber Beer Company
Existing Land Use:	Commercial and Mixed Uses
Neighborhood Meeting:	NA
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 2024
Public Notification:	Legal in Daily Events
Staff:	Michael Sparlin, Senior City 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 amend the Rountree Urban Conservation District No 2 section 4 Subarea A through D Regulations to modify the finished floor elevations to allow for a four (4) feet maximum height if developed with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.



DEVELOPMENT REVIEW STAFF REPORT

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:

Under Development Regulations page 31 of Forward SGF it states that.. 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.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant, Tie and Timber Beer Co., is proposing to amend the Rountree Urban Conservation District No 2 maximum finished floor elevations to allow for an alternative height of 4 feet if the building is setback at least 4 feet and a pedestrian amenity is provided.
2. The current language of Subarea C (Pickwick and Cherry Street area) only allows for a maximum finished floor elevation of a building to a height of 6 inches above the adjacent sidewalk. The applicant is proposing to modify the finished floor elevations by allow for an alternative that would still allow for the 6-inch maximum but also allow for a maximum of 4 feet maximum height if the building is setback a minimum of 4 feet and there is a pedestrian amenity provided within this space. The 6-inch above grade would still be retained but allow for an alternative of 4 feet maximum finished floor elevation height under those conditions. See current language on page 52 d. Building Height in the attached pdf:
<https://www.springfieldmo.gov/DocumentCenter/View/65542/Rountree-UCD-2023-PDF>
3. Subarea C is located around the Cherry/Pickwick neighborhood center. This area is designed to provide for sensitive and respectful infill development within this dense, urban, mixed-use, vibrant gathering space within the neighborhood. This subarea is characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The

DEVELOPMENT REVIEW STAFF REPORT

intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea in order to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

4. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.
5. 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.
6. Staff believes the proposed text amendment is consistent with the Springfield Comprehensive Plan and Rountree Neighborhood Plan. The guiding principle of the Forward SGF Comprehensive Plan is Quality of Place. Quality of Place is defined by the built environment and the community's ability to provide amenity-rich neighborhoods and commercial districts. The Roundtree Neighborhood Plan Goal 10. Identify strategies to make the Cherry/Pickwick Commercial area safer and more pedestrian-friendly supported the text amendment intent to increase pedestrian activity along the street.
7. Staff believes the proposed text amendment is consistent with the intent and purpose of this article. The proposed amendment meets the intent of the Rountree UCD No 2 since subarea B has similar language as defined in the UCD No 2 Zoning Ordinance.
8. 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 will only be in subarea C of the Rountree UCD No 2. This proposed amendment will also promote the continued effort to highlight and preserve the Cherry/Pickwick neighborhood commercial node as well as to provide additional opportunities for mixed-use along Cherry and Elm Streets.
9. Staff believes that the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions. While the 6-inch maximum above sidewalk grade is ideal however allowing for a maximum of 4 feet alternative with a building setback of a minimum of 4 feet with a pedestrian amenity will increase the areas quality of place and allow for alternative building design in the Pickwick and Cherry Street area (Subarea C).

STAFF RECOMMENDATION:

1. Staff recommends approval of the text amendment based on its compatibility with the *Comprehensive Plan and findings of facts in the staff report.*

DEVELOPMENT REVIEW STAFF REPORT

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.

DEVELOPMENT REVIEW STAFF REPORT

PROPOSED AMENDMENT:

Attachment 1

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

C. Building and Lot Standards

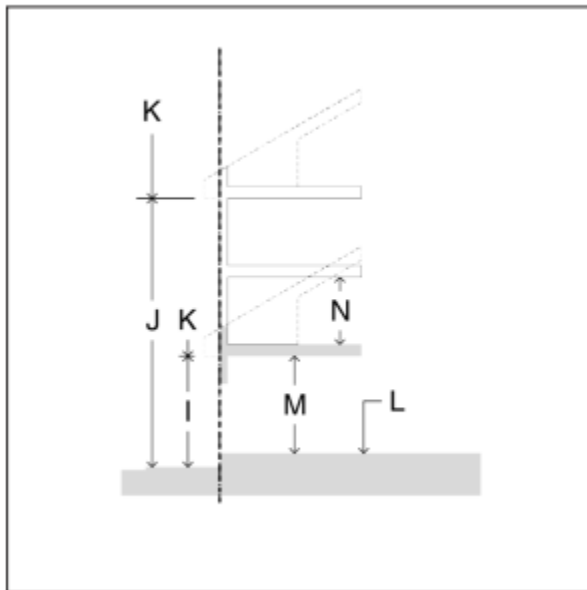
3. Subarea C: This subarea is characterized by a mix of low intensity non-residential, multifamily and some single-family residential development. The intent of the regulations for this subarea is to regulate the physical form of the neighborhood center subarea in order to preserve and enhance the integrity and quality of the Cherry Pickwick Business District and serve as a primary gathering place in the neighborhood. This subarea is designated to provide for sensitive and respectful infill development which allows for the dense, urban, mixed-use development appropriate for this vibrant neighborhood commercial center found in the neighborhood.

f. Finished Ground Floor Level:

Maximum:

- Six (6) inches [L] or
- Four (4) feet with a pedestrian oriented frontage with a minimum building setback of at least four (4) feet. The frontage shall be used as pedestrian oriented space along the façade of the building.
- Measured from elevation of back of sidewalk or adjacent lot level.

Subarea C Building Height - Figure 8





EXPLANATION TO COUNCIL BILL 2024-199 (MCGULL)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-11-2024

The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to approve, by a vote of 9 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots may occur after zoning.
2. While this area may have some consistencies with the Business Flex placetype of the Comprehensive Plan's Land Use & Development chapter, this area also has characteristics of the Center City Neighborhood placetype. The Land Use &

Development chapter states that typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another. Staff believes that the typology of the Center City Neighborhood placetype is as appropriate for these areas which have a mix of single-family residential and commercial/office uses. The Business Flex placetype would recommend uses like the contractor storage yards and buildings; however, the redevelopment of these areas are more likely to occur as residential uses. This would meet goals of the Comprehensive Plan to provide more housing options in the center city neighborhood areas.

3. This application is consistent with the Center City Neighborhood placetype which consists of a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersections, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric.

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. The proposed rezoning area has existing single-family residential and many other properties along Rogers and Florida Street are currently being used as single-family residential.

6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.

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. The applicant is proposing a less intense zoning district than what is existing.

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. Any existing single-family homes could remain as conforming uses, but new single-family homes or duplexes would not be allowed to be constructed in the general manufacturing district.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood placetype and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner



Authorized for inclusion on the agenda pursuant to City Code section 2-33:

- Attachments:**
1. Z-11-2024 - 1345, 1351, 1357, 1400, 1414, & 1418 East Florida Street_Ord
 2. Z-11-2024_exh A
 3. Z-11-2024_exh B
 4. Z-11-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 21
Filed: 09-17-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-199

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.6 acres of property generally located at 1345, 1351, 1357, 1400,
4 and 1418 East Florida Street from GM, General Manufacturing
5 District to R-TH, Residential Townhouse District; and adopting an
6 updated Official Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM,
11 General Manufacturing District to R-TH, Residential Townhouse District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application, which is attached hereto and incorporated herein by
20 this reference as "Exhibit C"; and
21

22 WHEREAS, proper notice was given of a public hearing before City Council, and
23 said hearing was held in accordance with the law.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The property generally located at 1345, 1351, 1357, 1400, and 1418
29 East Florida Street and described in "Exhibit A," which is attached hereto and
30 incorporated herein by this reference, is hereby rezoned from GM, General
31 Manufacturing District to R-TH, Residential Townhouse District. Springfield Land
32 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
33 hereby amended, changed, and modified consistent with this Ordinance.

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

All of lots seventy-one (71) through seventy-four (74) in Block "C", Pleasant Hill Addition in Springfield, Greene County, Missouri.

and

All of lots one (1) through six (6) Coomb's Excelsior Addition in Springfield, Greene County, Missouri

and

Part Of The North Half Of The Southwest Quarter Of Section 7, Township 29 North, Range 21 West In The City Of Springfield, Greene County, Missouri, Described As Follows: Beginning At The Southwest Corner Of Lot 6 In Coombs Excelsior Addition To The City Of Springfield; Thence N02 ° 08'14"W Along The East Right-Of-Way Line Of Rogers Avenue, 61.30 Feet To A 5/8-Inch Iron Pin (Capped "Lsc-334"); Thence Southwesterly Along A Curve To The Left Having A Central Angle Of 01 ° 23'55", A Radius Of 677.95 Feet And A Chord Bearing Of S73° 04'20"W, An Arc Distance Of 16.55 Feet To A 5/8-Inch Iron Pin (Capped "LSC-334"); Thence N02 ° 08'14"W, 33.35 Feet To A Point 48 Feet Perpendicularly Distant In A Southerly Direction From The Center Line Of The Main Track Of The Burlington-Northern And Santa Fe Railroad; Thence N81° 33'38"E, Parallel To The Center Line Of Said Main Track, 64.53 Feet To The East Line Of Lot 6 In Said Coombs Excelsior Addition; Thence S02° 08'14"E Along The East Line Of Said Lot 6, A Distance Of 97.56 Feet To The Southeast Corner Thereof; Thence S87° 55'38"W Along The North Right-Of-Way Line Of Florida Street, 48.14 Feet To The Point Of Beginning, All As Shown On The Plat Of Survey By Landmark Surveying & Consulting, Drawing No. 3877, On File At The Greene County Recorder's Office.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-11-2024

1345, 1351, 1357, 1400, 1414 & 1416 East Florida Street

Applicant: William Jr. and Anedra Mosley

Mr. Neal stated that this is a request to rezone approximately 1.6 acres of property from GM, General Manufacturing District to R-TH, Residential Townhouse District.

Anedra and Bill Mosley, 300 E. Sunshine Street stating that they want to make the neighborhood better, it has a lot of empty lots 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-11-2024, 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, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: None. Abstain: None.



Bob Hosmer, AICP
Planning Manager



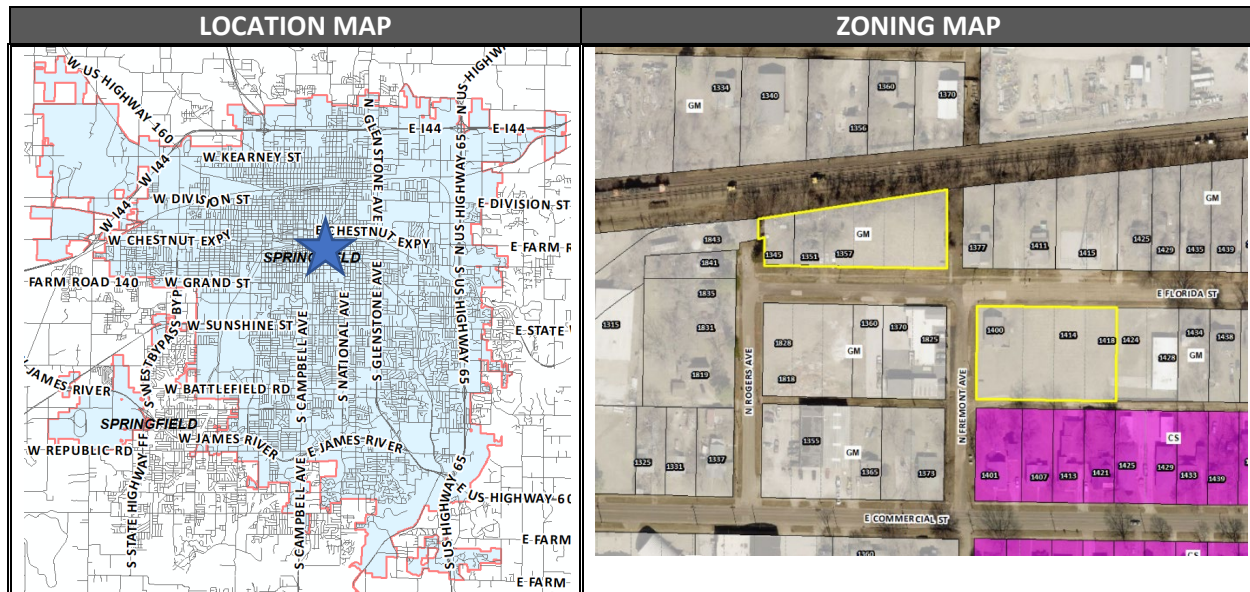
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-11-2024
Location:	1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street
Total Acres:	1.6 acres
Applicant:	William and Anedra Mosley
Existing Land Use:	Single-family and vacant/undeveloped
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-11-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

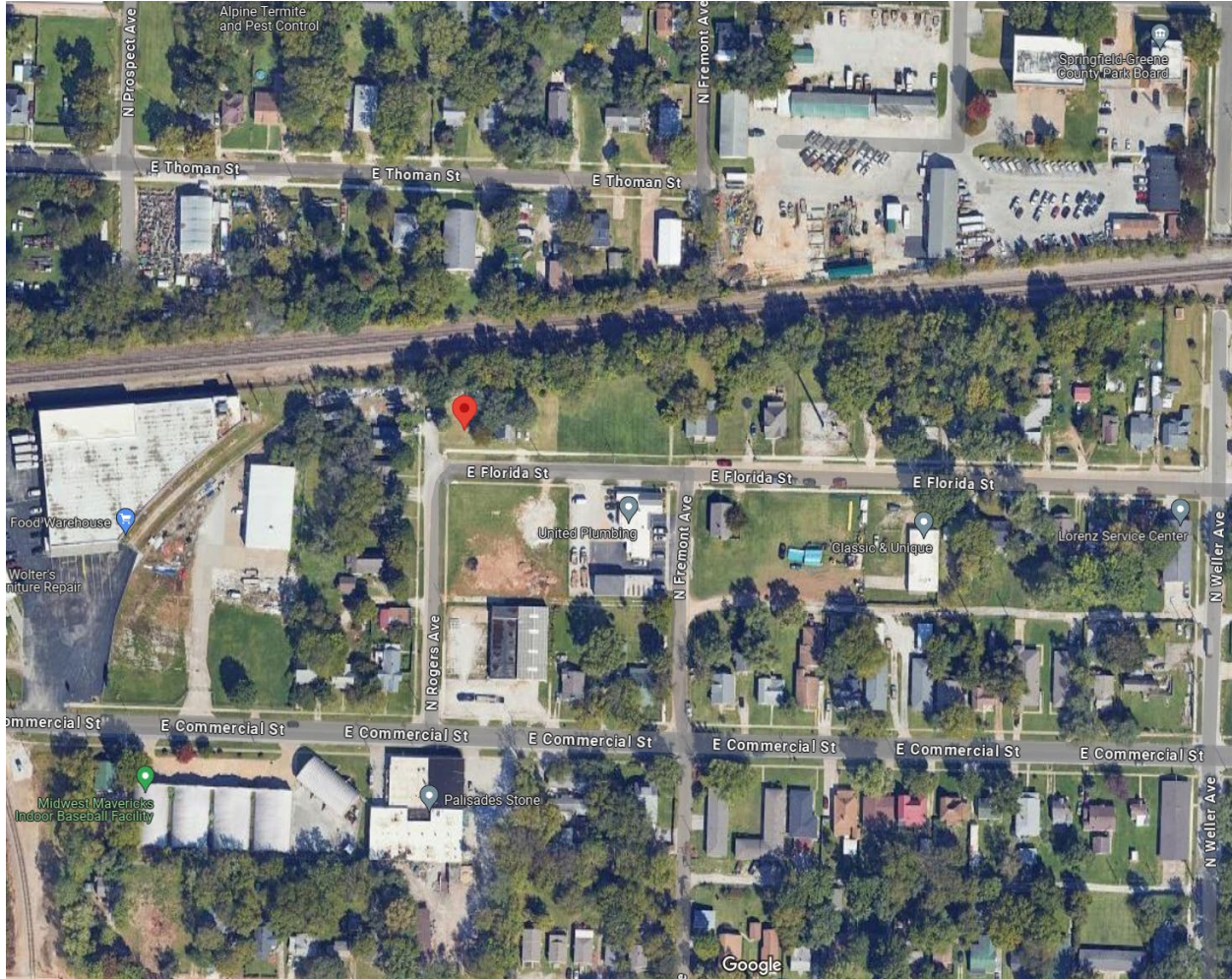
PROJECT SUMMARY:

Request to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT



PROPERTY HISTORY:

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

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-TH DISTRICT
Use Limitations	(a) There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling

DEVELOPMENT REVIEW STAFF REPORT

	(b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.
Minimum Lot Size	Single-family detached: 5,000 sq. ft. Duplexes: 7,500 sq. ft.
Maximum Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade.
Bulk Plane	None
Minimum Yard Requirements	1. <i>Front yard:</i> 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. <i>Side yards:</i> Six feet or as required by section 36-453, supplemental open space and yard regulations, provided that no side yard is required for a townhouse or attached single-family dwelling when a common wall is located on the lot line. 3. <i>Rear yards:</i> Ten percent of the lot depth, but may not be less than ten feet nor more than 20 feet be required.
Minimum Open Space	Not less than 20 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.

DEVELOPMENT REVIEW STAFF REPORT

	(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 R-TH district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening, and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

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

PRIMARY USES

DEVELOPMENT REVIEW STAFF REPORT

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

SUPPORTING USES

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

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 are integrated and incentivized into 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.
- 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.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- 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.

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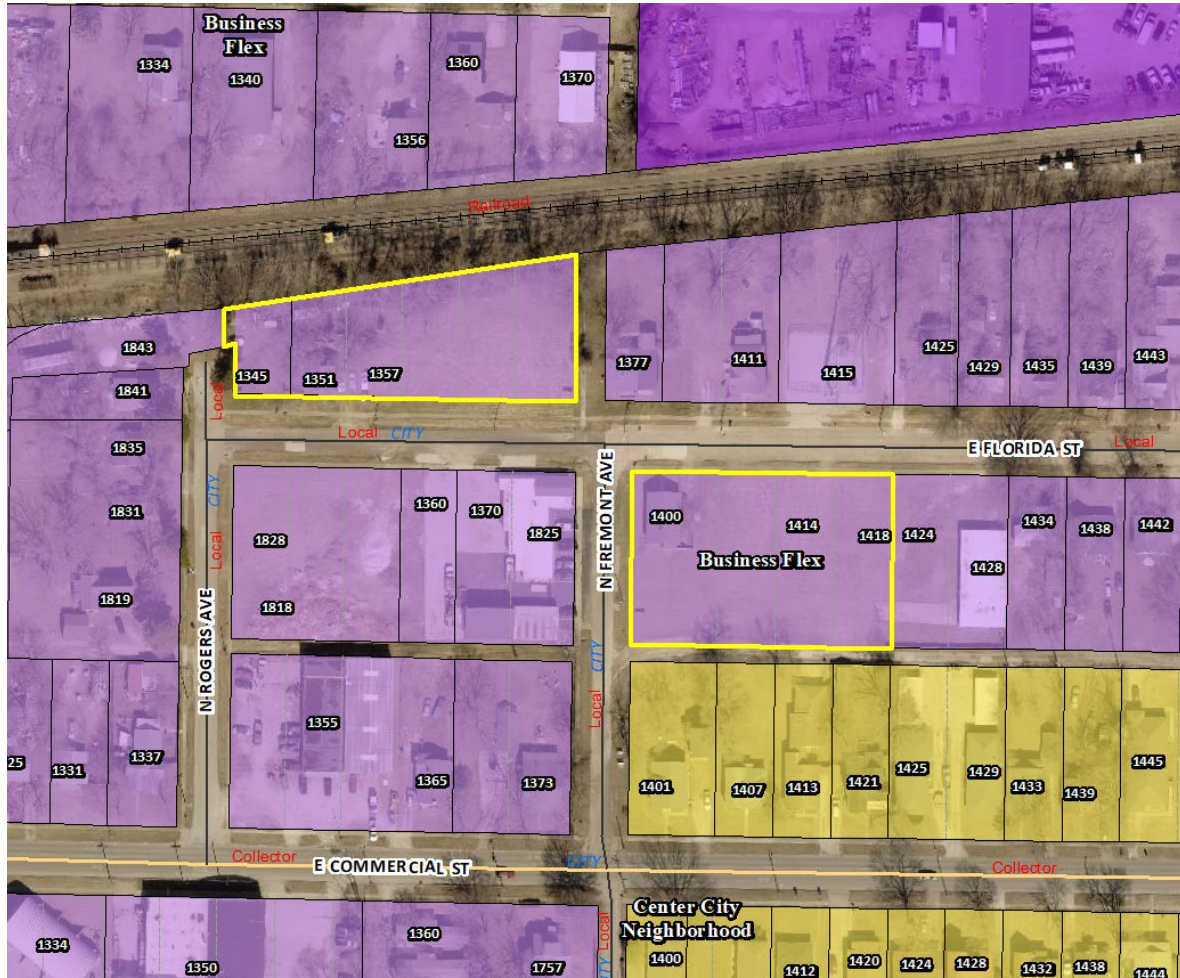
- Design should discourage the placement of mechanical equipment along major roadways or should be completely screened, along with trash receptacles, and recycling bins.

TRANSITIONS:

- Appropriate site design, parking access, massing, building orientation, screening, buffering, and separation standards are adopted and used to mitigate adjacent incompatible uses.
- Commercial and smaller office uses within the placetype are directed to its perimeter to provide a gradual transition into surrounding placetypes.

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FUTURE PLACETYPE MAP:



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

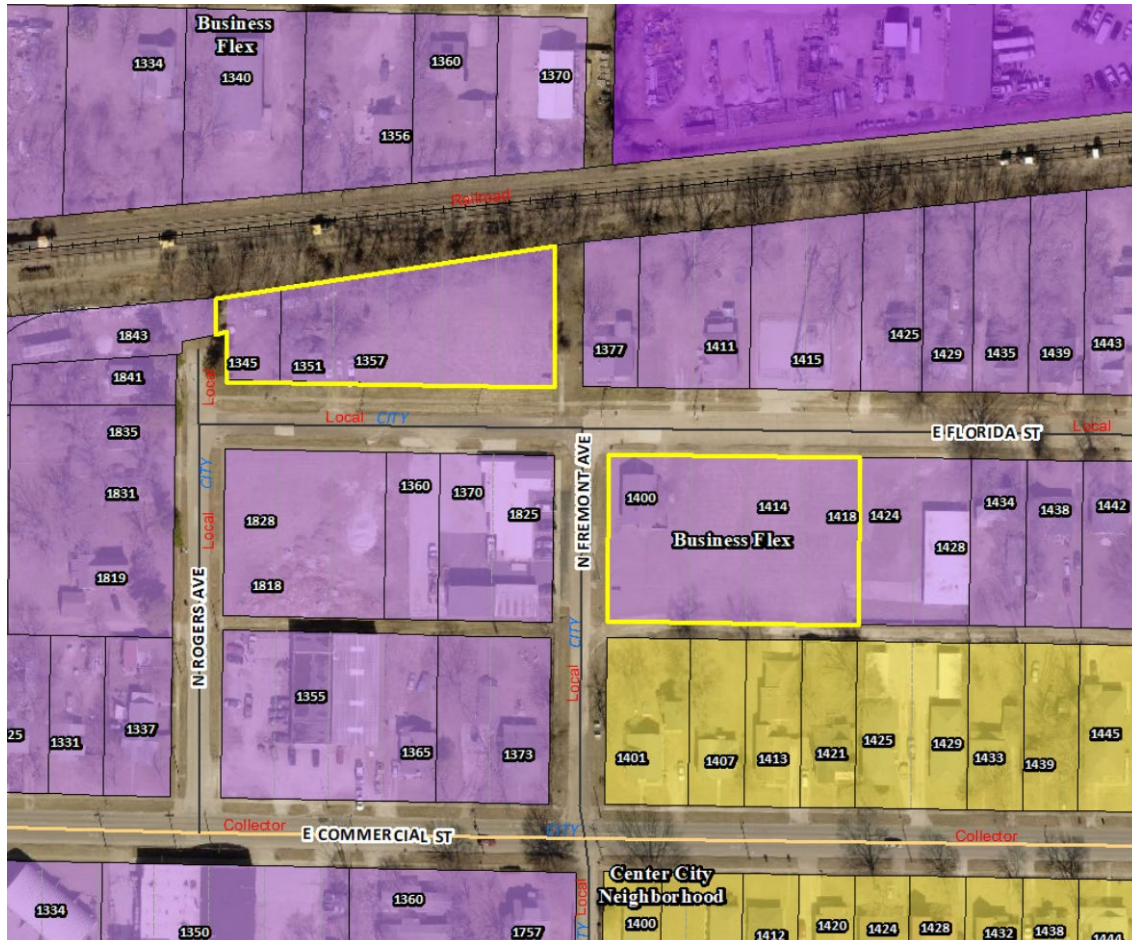
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	CS	GM	GM
LAND USE	Single-family residential & utilities	Single-family residential	Single-family residential & commercial	Single-family residential and industrial
PLACETYPES	Business Flex	Center City Neighborhood	Business Flex	Business Flex

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

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CITY UTILITIES:

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

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with the rezoning. Each area has access to public sewer and is in an approved 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	E. Florida Street	Local	City	25	25	NA	Yes	Yes	Yes
Street 2	N. Rogers Avenue	Local	City	25	25	NA	Yes	Yes	Yes
Street 3	N. Fremont Avenue	Local	City	25	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 are no bus stops near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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 be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**.

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

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.
2. The two separate property locations need to drain through ROW to the box culvert under N Fremont Ave.

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.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, 1414 and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots may occur after zoning.
2. While this area may have some consistencies with the Business Flex placetype of the *Comprehensive Plan's Land Use & Development* chapter, this area also has characteristics of the Center City Neighborhood placetype. The *Land Use & Development* chapter states that typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another. Staff believes that the typology of the Center City Neighborhood placetype is as appropriate for these areas which have a mix of single-family residential and commercial/office uses. The Business Flex placetype would recommend uses like the contractor storage yards and buildings; however, the redevelopment of these areas are more likely to occur as residential uses. This would meet goals of the Comprehensive Plan to provide more housing options in the center city neighborhood areas.
3. This application is consistent with the Center City Neighborhood placetype which consists of a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersections, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric.
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. The proposed rezoning area has existing single-family residential and many other properties along Rogers and Florida Street are currently being used as single-family residential.
6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.
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

DEVELOPMENT REVIEW STAFF REPORT

traffic safety in the vicinity. The applicant is proposing a less intense zoning district than what is existing.

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. Any existing single-family homes could remain as conforming uses, but new single-family homes or duplexes would not be allowed to be constructed in the general manufacturing district.
11. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
12. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
13. 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 based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GM to RTH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 18th 4-6:30
3. Meeting Location: Schweitzer Brentwood Branch Library
4. Number of invitations that were sent: 197
5. How the mailing list was generated: Planning & Zoning Office
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

N/A

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

D

I, Anedra Mosley (print name), attest that the neighborhood meeting was held on 07/18/2024 (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

Anedra Mosley
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-200 (LEE)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-22-2024/ CONDITIONAL OVERLAY DISTRICT NO. 258

The applicant is requesting to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. The applicant is proposing a new commercial development.

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February.

The PD application was withdrawn in July and the latest GR with COD rezoning application was submitted.

The Comprehensive Plan is a policy guide that outlines the necessary actions for the City of Springfield to achieve the community's vision for its future. It is designed to serve as a guide for decision-making for staff, elected and appointed officials, developers, residents, and other stakeholders. Despite the comprehensive scope of the Plan's vision, goals, objectives, and recommendations, it is not regulatory.

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

The friction that sometimes exists within and along the edges of neighborhoods, commercial areas, or roadways can be mitigated through a variety of planning strategies and regulatory tools. Design standards appropriate for transition areas should include the following:

- Preservation of mature canopy and understory trees
- Burying and consolidating utilities in areas that do not conflict with tree preservation, landscaping or other bufferyard elements
- Utilizing greater rear and side-yard setbacks and/or a reduction in structure height of more intense uses
- Scaling-down or minimizing the height of exterior lighting, signage, and other building and site elements
- Increasing the intensity or massing of tree plantings, landscaping, fences, and bufferyard features
- Placement of impactful site elements such as access drives, building entrances, windows, refuse, and grease bins
- Utilization of berms, preservation of natural elevation changes, or screening to block headlights, mechanical equipment, or trash receptacles
- Acquisition of additional right of way or easements to screen and separate uses from intense public infrastructure and improvements
- Designing building and site elements to be architecturally compatible with surrounding area

The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled

and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center. Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

Cities are dynamic places where commercial, manufacturing, and residential land uses converge, often creating friction. Residential neighborhoods are particularly sensitive to transitional areas where established homes are adjacent to neighborhood edges, major arterials, or commercial activity centers. While most neighborhoods have a pronounced edge where redevelopment has already occurred and are occasionally challenged by expansion further into the neighborhood, some have persevered and retained residential uses right up to the edge. Battlefield Street, Division Street, Kansas Expressway, National Avenue, and Sunshine Street are among the major thoroughfares where residential properties still exist right up to the edge of the roadway and placetype. More targeted planning and the use of planning tools such as Planned Developments and Conditional Overlay Districts will be made to help strike a balance between neighborhood preservation and the pressure to redevelop these areas for non-residential uses at these edges. In transitional areas, more intense institutional and employment uses and supporting uses are recommended to be sufficiently separated and buffered from lower intensity residential uses.

The Residential Neighborhood and Mixed Residential placetypes include higher density housing, lower-intensity retail and services as supporting uses. Currently, the City's residential districts including the R-SF, R-TH, R-LD, R-MD, R-HD, and RMHC districts do not allow low-intensity neighborhood scale commercial, retail, or service uses. To better align the districts with the placetypes, the City should consider interim text amendments that allow compatible, lower-intensity commercial and higher-density housing conditionally, by requiring the submission of an application for a conditional overlay district or planned developments with a site plan.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to deny, by a vote of 6 to 2.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there

are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.

2. The Land Use & Development chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

3. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.

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

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

6. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday,

Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.

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

8. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

9. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.

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

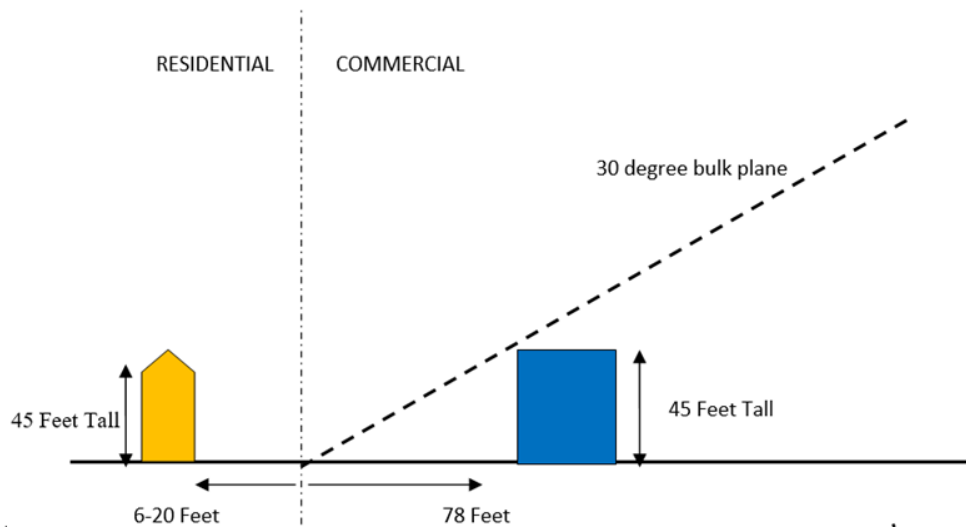
11. The applicant is voluntarily proposing to install more mature landscaping than is

currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.

12. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

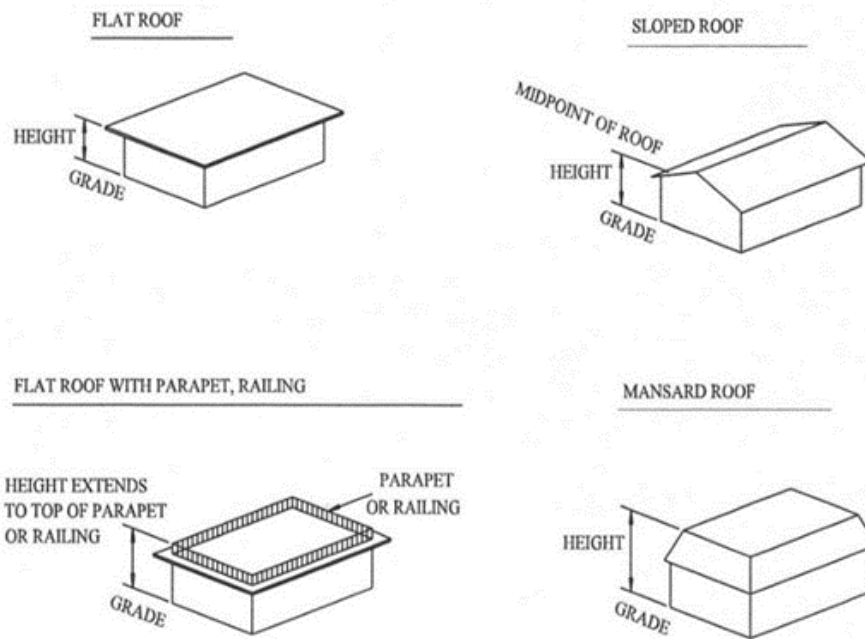
13. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district. The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal.

The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a 30-degree bulk plane for the height of structures in a GR District measured from the R-SF District boundary line. This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below). This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



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

Figure 2-5



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

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

15. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.

16. 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.

17. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.

18. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the

intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

19. 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. City Utilities state that all subject properties have access to CU Electric/Gas/Water.

20. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

21. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:

- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
- Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
- Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
- Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.

22. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue

signalized intersection.

23. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue.

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

24. 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. There is no error being corrected with this application.

25. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment placetype and on the finding of facts above.>

Submitted By: Daniel Neal, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. Z-22-2024 COD 258 - Ord
2. Z-22-2024 COD 258_exh A
3. Z-22-2024 COD 258_exh B
4. Z-22-2024 COD 258_exh C
5. Z-22-2024 COD 258_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 100
Filed: 09-17-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-200

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.6 acres of property generally located at 1739, 1745, and 1755
4 South National Avenue; 1138 East University Street; and 1111,
5 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-
6 Family Residential District to GR, General Retail District and
7 establishing Conditional Overlay District No. 258, and adopting an
8 updated Official Zoning Map.
9 _____

10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University
13 Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family
14 Residential District to GR, General Retail District with Conditional Overlay District No.
15 258; and
16

17 WHEREAS, Conditional Overlay District No. 258 shall modify the requirements of
18 the Springfield Land Development Code Section 36-421, GR, General Retail District, by
19 requiring that the property described in "Exhibit B" comply with the requirements
20 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
21 and
22

23 WHEREAS, following proper notice, the Planning and Zoning Commission held a
24 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
25 public hearing being attached hereto and incorporated herein by this reference as
26 "Exhibit C," and said Commission made a recommendation for denial by a vote of 6 to
27 2; and
28

29 WHEREAS, the City has reviewed the applicant's request and prepared a staff
30 report concerning the application, which is attached hereto and incorporated herein by
31 this reference as "Exhibit D"; and
32

33 WHEREAS, proper notice was given of a public hearing before City Council, and

34 said hearing was held in accordance with the law.

35
36 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
37 SPRINGFIELD, MISSOURI, as follows, that:

38
39 Section 1 – The property described in "Exhibit B" is hereby rezoned from R-SF,
40 Single-Family Residential District to GR, General Retail District with Conditional Overlay
41 District No. 258. Springfield Land Development Code, Section 36-306, 'Official zoning
42 map and rules for interpretation,' is hereby amended, changed, and modified consistent
43 with this Ordinance.

44
45 Section 2 – City Council hereby establishes Conditional Overlay District No. 258,
46 which shall contain the requirements and standards provided in "Exhibit A." The
47 requirements of Conditional Overlay District No. 258 shall modify the requirements of
48 the Springfield Land Development Code Section 36-421, GR, General Retail District, by
49 requiring the property described in "Exhibit B" to comply with the requirements
50 contained in "Exhibit A."

51
52 Section 3 – City Council hereby directs the City Manager, or designee, to update
53 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
54 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
55 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
56 rules of interpretation.'

57
58 Section 4 – The Official Zoning Map herein adopted shall be maintained and
59 archived in the same digital form in which this Council has approved its adoption.

60
61 Section 5 – This Ordinance shall be in full force and effect from and after
62 passage.

63
64 Passed at meeting: _____

65
66
67 _____
68 Mayor

69 Attest: _____, City Clerk

70
71 Filed as Ordinance: _____

72
73
74 Approved as to form: Laura Vales, Assistant City Attorney

75
76
77 Approved for Council action: Jason A. Hage, City Manager

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 258

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

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities.
16. Schools, business.

17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from any adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

B. USES PROHIBITED

1. Automotive washing businesses.
2. Bed and breakfast
3. Catering business
4. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor athletic courts.
5. Commercial off-street parking lots and structures.
6. Comprehensive marijuana-infused products manufacturing type-2 post extraction facility.
7. Convenience stores with gas pumps.
8. Day care centers in accordance with chapter 36
9. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities.
10. Flea Markets entirely within closed buildings.
11. Food trucks.
12. Funeral homes and mortuaries.
13. Household resource recovery collection centers, screened from all residential districts and

public rights-of-way in conformance with section 36-480, screening and fencing.

14. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions.
15. Medical, comprehensive or microbusiness marijuana dispensary facility and Medical Marijuana-infused products manufacturing type-2 post-extraction facility.
16. Pawn shops.
17. Payday loans or payday lending services or other activities related to credit intermediation.
18. Photo processing with drive-through facilities.
19. Police and fire stations.
20. Private clubs and lodges.
21. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges.
22. Public service and public utility uses.
23. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
24. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
25. Self-service laundromats.
26. Self-service storage facilities.
27. Recording studios.
28. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions.
29. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales.
30. Taverns or nightclubs.
31. Taxidermists.
32. Television and radio stations.
33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops (standalone).
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday
 - b. 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday.
 - c. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.

2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

b. Building materials and colors.

(1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.

(2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

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

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

- a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:
 - (1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or
 - (2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
- a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
- a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.

- (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
 - a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
 - b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature between 4,000- and 5,000-degrees Kelvin.
3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.

- f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
- 2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
- 3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

- 1. Signs located on any building façade are required to be compatible with the style of the building in terms of location, scale, color, and lettering.
- 2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.
- 3. All other signage requirements and standards will meet *Section 36-454 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

- 1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
- 2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or

- (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.
 - a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
 - b. Sanitary sewer facilities.
 - (1) It is recommended that public sewer be extended onto the site to better serve the development.
 - c. Storm water management facilities.
 - (1) On-site detention and water quality will be required for the site.
4. Improvement Standards.

Improvements shall conform to the following standards.

 - a. All utilities and utility connections shall be located underground, including, but not limited

to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

M. ADDITIONAL REQUIREMENTS

1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

EXHIBIT B
LEGAL DESCRIPTION

1111 E. Sunshine Street: ALL OF THE EAST FIFTY (50) FEET OF LOT TWENTY-NINE (29), IN UNIVERSITY HEIGHTS, AN ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

1119 E. Sunshine Street: ALL OF LOT TWENTY-EIGHT (28), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1133 E. Sunshine Street: ALL OF THE WEST ONE-HALF ($W\frac{1}{2}$) OF LOT THIRTEEN (13), IN UNIVERSITY HEIGHTS, AN ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1138 E. University Street: ALL OF THE EAST SEVENTY (70) FEET OF LOT FOURTEEN (14), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF -

1755 National Avenue and 1141 E. Sunshine Street: TRACT I - ALL OF LOT TWELVE (12), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. TRACT II - THE EAST ONE HALF ($E\frac{1}{2}$) OF LOT THIRTEEN (13), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1739 S. National Avenue: ALL OF LOT TEN (10), IN UNIVERSITY HEIGHTS, AN ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1745 National Avenue: ALL OF LOT ELEVEN (11), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-22-2024 COD 258

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

Applicant: BK&M, LLC

Christopher Lebeck recused himself with the following note: On the written advice and guidance of the legal department for the City of Springfield, I am recusing from this item as I'm a property owner in the University Heights neighborhood mere blocks from the proposed rezoning, and a putative plaintiff in the pending litigation, the city's legal department has advised that I need to read into the record under the city code of Ethics section 2161, that I have an implied conflict of interest because a decision on this rezoning directly affects the property value of my family's home.

Mr. Neal stated that this is a request to rezone approximately 2.6 acres of the subject property generally located from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

Mr. Scott asked about the traffic study and the measures taken for the two medians, landscape island, and the speed cushions as improvements.

Mr. Brett Foster stated that he believes it will substantially improve the traffic situation and with the development the city will be able to procure right-of-way (ROW) and build a southbound to westbound turn lane on National. With the speed cushions it will dramatically reduce people wanting to cut through and speeding in the neighborhood.

Mr. Colony asked about the traffic calming measures and if Public Works has discussed/consulted with the neighborhood and if there has any feedback on the measures and if they have received any complaints.

Mr. Foster stated that they have spoken with the Neighborhood Advisory Committee, fire department, and others about these specific devices in those specific locations but have not specifically gathered feedback from the neighborhood. He also noted that they do get complaints about speeding in all neighborhoods and this area is not as bad as other neighborhoods.

Mr. Colony asked if the taxpayers would pay for the traffic calming measures.

Mr. Foster noted that the developer has agreed to cover the costs based on the concerns of the neighborhood.

Ms. Ridge wanted to clarify about turning right from National Avenue onto University Street and noting that it will be blocked past the development.

Mr. Foster noted that based on the proposed infrastructure and of the neighborhoods concerns, you cannot proceed westbound on University Street past the development's entrance.

Mr. Chris Wynn, 5051 S. National representing the owner and noted that traffic was a major issue at the neighborhood meeting and stated that they are implementing traffic calming measures based on the neighborhood meeting (landscape island/speed cushions).

He also mentioned about general rezoning with a conditional overlay district versus a planned development and noted that they do not have a committed user for a planned development, so no site plan submitted, but will have to come forward for approval later.

Mr. Doennig asked about what part of the code would prevent a three-story hotel with a flat roof or a strip center.

Mr. Wynn noted that they have height limitations of 45 feet and stating that they are architectural standards that a strip center would have to follow (60% stone, brick, and stucco).

Mr. Knuckles asked about a planted median on University Street and if it only blocks one lane and the types of buffer yards.

Mr. Wynn noted that it would block the westbound lane, but still allows emergency vehicles to have access and they will be putting in an improved buffer yard (green giant trees or 8' tall stone wall).

Mr. Glenn Green, 901 E. Saint Louis representing my parents who has lived in University Heights for 50 years and questions whether the zoning is met in terms of the requirements of changing zoning from what the zoning is currently, and if they justified it and met their burden. He stated that when a developer is seeking spot rezoning that is arbitrary and unreasonable for the sole benefit of the private interest of the owner then it would be invalid. He noted that the applicant has not met the standards of being in harmony with the comprehensive plan and this is a traditional neighborhood and went over other issues and concerns.

Mr. Scott asked about this complying with the Comprehensive Plan and stated that they Comprehensive Plan shows an integration of residential to higher density residential and even fridge commercial and you also infer that it would only apply to development moving forward but wouldn't apply to this neighborhood.

Mr. Green noted that the staff report is trying to indicate that the designation is incorrect of being a traditional residential neighborhood and should not be changed to this institutional place-type and that chapter seven of Forward SFG prioritizes neighborhood identity and this neighborhood was originally developed in 1920 through 1940.

Mr. Don Donbar, 932 E. Kingsbury gave his background and believes he is having to defend his home repeatedly the last couple of years and the neighborhood has lost families (moved) due to the concerns of this development and if they continue knocking down more house, then inevitably it will bring more traffic, more problems, etc., and look to the notion of quality of place.

Mr. Scott thanked Mr. Donbar for his comments about quality of place and asked if this may enhance his quality of life by this development.

Mr. Donbar noted that they are looking exactly what University Heights offers as it stands.

Mr. Colony thanked Mr. Dunbar for this dedication to come back several times to speak on behalf of the neighborhood.

Ms. Dixie Sleight, 1124 E. University stated that is adjacent to her backyard and that her own 8' privacy fence does not block out any issues. She voiced her concern for the demolished homes and trees already gone and noted that Forward SFG states that they quality of place is the guiding principle for redirecting growth and planning for the next 20 years and the rezoning is not consistent with it and her hours of operation are not 6:00am to 11:00pm.

Ms. Barbara Robinson, 1010 E. University noted the neighborhood has been identified as Single Family Residential for 100 years and noted that the proposed rezoning does not allow for plans for traditional single family uses and voiced her concern for traffic issues stating that her neighborhood would have problems just getting out of their driveway. She also noted that there was a threat to sue if an appeal was pursued and said such behavior by the developer and their attorney is not best practices or civility.

Mr. Pauly asked if she was part of the Forward SGF list of volunteers and she stated that she was not.

Mr. John Walstrand, 1116 E. Portland stated that his parents bought the house in 1967 and voiced his concerns for traffic issues and that he is retired and was able to do an informal traffic count on Portland Avenue from 7:30am to 7:30pm with 1038 cars going up and down for 5 days. He also noted that some of the side streets are extremely narrow and hard to get through.

Mr. Kirk Banasik, 947 E. Portland stated that under Forward SGF that the proposed conditional overlay district language does not support the neighborhood's uniqueness and is considered a traditional neighborhood and stated that it has many Bismar homes that favor the traditional English Tudor cottage. He also expressed concerns about fire trucks and needing to navigate the turnarounds as a safety issue.

Ms. Maggie Castrey, 1006 E. Linwood stated that they are opposed to the rezoning by inflicting heavy damage on our neighborhood and property value and quality of life. She also noted that violate the homeowners trust in their 100 years of residential zoning and will greatly include traffic through the neighborhood and reduce its safety. She stated Forward SFG will be violated if rezoned and asked for the project to be rejected.

Ms. Cynthia Bylander, 1005 E. Kingsbury noted that she has two beautiful maples trees that were planted in 1948 and that it was a requirement to plant two maples trees at that time and this is why the neighborhood is so beautiful. She also voiced her concern for the traffic and the [potential of being a hazard to the people who walk every day and has had her house remodeled to meet the standards of the area and has invested a large amount of money and stated that there are a lot of Bismar Homes in University Heights.

Ms. Nancy Cooper, 635 E. University talked about the development of strip malls along Sunshine Street and how many of them are boarded up, noting that the large front yards with mature landscaping and trees and believes that any development will stick out like a sore thumb and cause more water runoff.

Ms. Nancy Williams, 953 E. Linwood talked that the development pattern along Sunshine and National where there is the hospital and clinic, and a strip mall that has been mostly empty since the beginning and asked how this development is going to be successful and does not want it and gave examples of areas that are blighted and empty and looks awful. She also stated that on pages 19 and 35 of Forward SGF it mentions the current and future place types as residential and not commercial.

Mr. Pauly noted his appreciation for Ms. Williams on being involved with the Forward SPF process and gave a small overview of what it entailed.

Mr. Doug Carroll, 815 E. Portland asking the commission not to approve this development and noted the entrances to the proposed development and has looked at other intersections throughout the city and noticed how close some retail stores has caused severe traffic congestion and does not want to see traffic flow through the neighborhood and believes people will just drive around the landscape island.

Mr. Jeff Carney, 920 E. Kingsbury has lived in University Heights for 34 years and how this development has allowed for property to be blighted and less attractive to single family homes and noted the Forward SGF has the area as a traditional family home and currently they are less than a 15 minutes' walk from anywhere in the neighborhood without being concerned about traffic and does not need more retail. He voiced his concerns regarding traffic, and it will be more dangerous with additional traffic and believes that people are selling and moving due to the despair of the proposed development.

Mr. Jeff VanDenBerg, 801 E. Kingsbury is here to speak against the rezoning specifically because of the negative environmental impacts that it will have and the incompatibility with Forward SGF. He asked the commission to consider the sights, sounds, and smells that would attract rodents and nuisance birds if restaurants are built as well as light pollution, increased traffic, increased storm water runoff, noting that a minimum of 1.23 acres will be impermeable if developed. He also noted that City Council voted to have a corridor study for Sunshine and believes this is premature to rezone.

Ms. Norma Capecci, 900 E. Kingsbury stated that she was planning on remodeling her 87-year-old Bismar home when the threat of rezoning the corner made her pause and has been told that the development could cause a decline in home values (20% to 25%). She went over the history of the neighborhood and stated that Forward SGF notes that there should be a one or two block transition between place types, but the developer is using a blank wall and a residential street to transition from commercial to residential.

Ms. Rina Edge, 1030 E. Stanford is against the proposed rezoning stating that it is a place for unique and historically significant single-family homes and not a place for general retail and that the neighborhood is coming up to its 100-year anniversary. She also noted that neighborhood exemplifies the goals placed in Forward SGF and that the proposed rezoning destroys the community and the development on the other corner of National/Sunshine is part empty and that there are areas that have vacancies and has heard suggestions to fill the gap of missing middle housing types by utilizing mixed use buildings.

Ms. Evelyn Mangan, 818 E. Portland opposes the general retail rezoning and stated that she had met with Mr. Duda and talked about the traffic flow and the how impact is going to be had on the neighborhood. Gave out examples of the traffic flow for the area and voiced her concern at the traffic engineer's remarks about traffic calming measures.

Mr. John Stinson, 1110 E. Stanford gave out information that University Heights offers to the city that a business development does not and quoted \$502M (yearly) that is spent by people living in the neighborhood and went over other examples and does not believe that a strip mall would ever generate for Springfield over \$500M a year and stated that the average lease on strip malls is one year. He also noted that upcoming 100-year anniversary and believes we are destroying history.

Ms. Judy Stanfill, 926 E. University asking the commission if they have ever been visited or walked in the neighborhood and that the development of University Heights was a dream and was very successful and Mr. Duda has not invested anything into the neighborhood, and no one will benefit from the development. She voiced her concern regarding traffic and even has problems now with getting through as well as people speeding.

Ms. Broekhoven closed the public hearing.

Mr. Scott noted that Forward SGF was an enormous undertaking and did take hundreds of hours of input and that ownership, neighborhoods, mixed uses, greenfield development, and quality of place were discussed tonight and that what might be a quality of place to one could be a quality of place would be different for someone else and trying to balance work, live and play scenario. He noted that that staff is trying to approach a brand-new Comprehensive Plan and that it is also new to the Commission.

Mr. Colony stated that if done harmoniously, in a manner that protect and even enhances the existing charm and character of the neighborhood, it could be redeveloped successfully and believes that the collaborative creativity to offer a high level of confidence in the finished development is not being proposed by the conditional overlay district language. He also stated that he believes the developer has made revisions and attempts for the neighborhood, but not heard important harmony and character that are in Forward SGF and will not be supporting the proposal.

Ms. Ridge stated that she wants the best of Springfield preserved and move forward and believes that because it is a busy intersection that it does not have to be commercial and gave out examples of other cities with similar areas (large houses that have reuses) and noted that she has no problems with the previous proposals but if they were at another location and will not be able to support it.

Ms. Gunther wanted clarification on what is being proposed on University Street.

Mr. Foster stated from University Street you will only be able to do a right turn on National Avenue and that westbound traffic will not be able to go past the proposed entrance to the development. Again, she noted that University Street is a problem which has held her back each time and it is not ideal.

Mr. Doennig went over what his thoughts were – developer speculatively purchased the properties, and that the applicant has failed to prove any changed conditions making the rezoning necessary and stated the new homes built on University and Sunshine Steet in the past 20 years. He also noted that the developer has not proven the conditional overlay district is compatible with the neighborhood and that the commercial development across the way was built on mostly vacant property and did not negatively impact the neighborhood along University Street due to lack of access requirement from that street and believes it is incompatible with Comprehensive Plan and the traffic plan is a disaster and will not be in support.

Mr. Pauly stated even though it has been brought forward previously there has not been the right or enough information to go ahead and yes and so will not be able to support it.

Ms. Ridge also stated that when people come to the intersection it is noted that it is a beautiful stretch of homes between Sunshine and Grand Street and like preserving quality neighborhoods that give a positive impression.

Ms. Broekhoven noted that she does drive through the neighborhood and sees that people have put in a lot of personal investment into their homes and believes that the Comprehensive Plan would want to protect and buffer against development that may damage it. She also noted that the traffic layout drive is the foundation of what is happening, and that developer could have proposed a more meaningful design and proposition and that this is an opportunity to have less intense buffer zone development and will not recommend approval.

Mr. Scott went over his history of historic restoration and stated that his viewpoints has evolved and likes the residential aspects of it as a transitional type of solution. He noted that there are other solutions and would like to see it as compatible to the neighborhood and believes that it follows Forward SGF. He noted that the constraints on the site and building development have been negotiated positively and provide good protections for the neighborhood as well as the traffic reducing and safety measure. He voiced his opinion on stand-alone vape shops and would add an additional limited use of land and buildings (definition of uses) and believes that Forward SFG is a correction of errors in the past and see a greater need to step forward in the commissions approach.

Mr. Knuckles stated that it is a tough intersection to work with, but believes that the island and limited turn lanes would work and that development of this corner is inevitable and the proposed development fits in the neighborhood, noting that the conditional overlay district does limit what the developer can do but would like to see that it is less intense than a three story building, but will support it, however he still has concerns.

COMMISSION ACTION:

Planning and Zoning Commissioner Colony moved to approve Z-22-2024 COD 258; Commissioner Doennig seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Knuckles and Commissioner Scott. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, and Commissioner Doennig. Absent: None. Abstain: None. Christopher Lebeck recused himself.



Bob Hosmer, AICP
Planning Manager



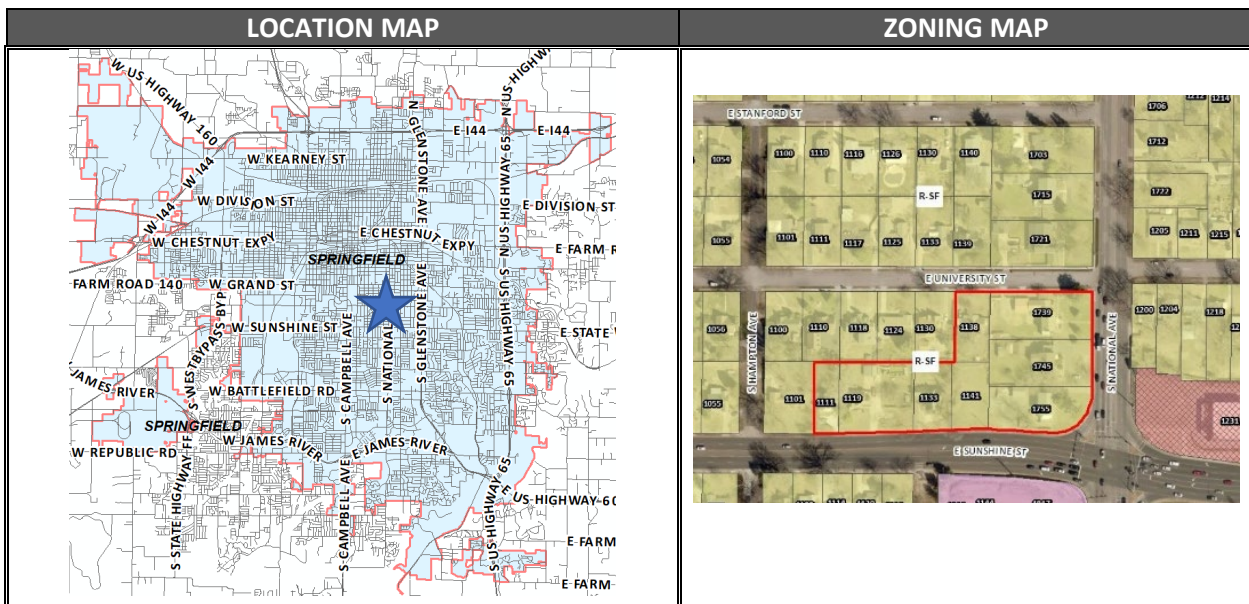
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PROJECT INFORMATION

Case Number:	Z-22-2024 with Conditional Overlay District No. 258
Location:	1739, 1745 and 1755 S. National Avenue and 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street
Total Acres:	2.6 acres
Applicant:	BK&M, LLC
Existing Land Use:	Single-family residential and vacant lots
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-22-2024 with Conditional Overlay District No. 258 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).

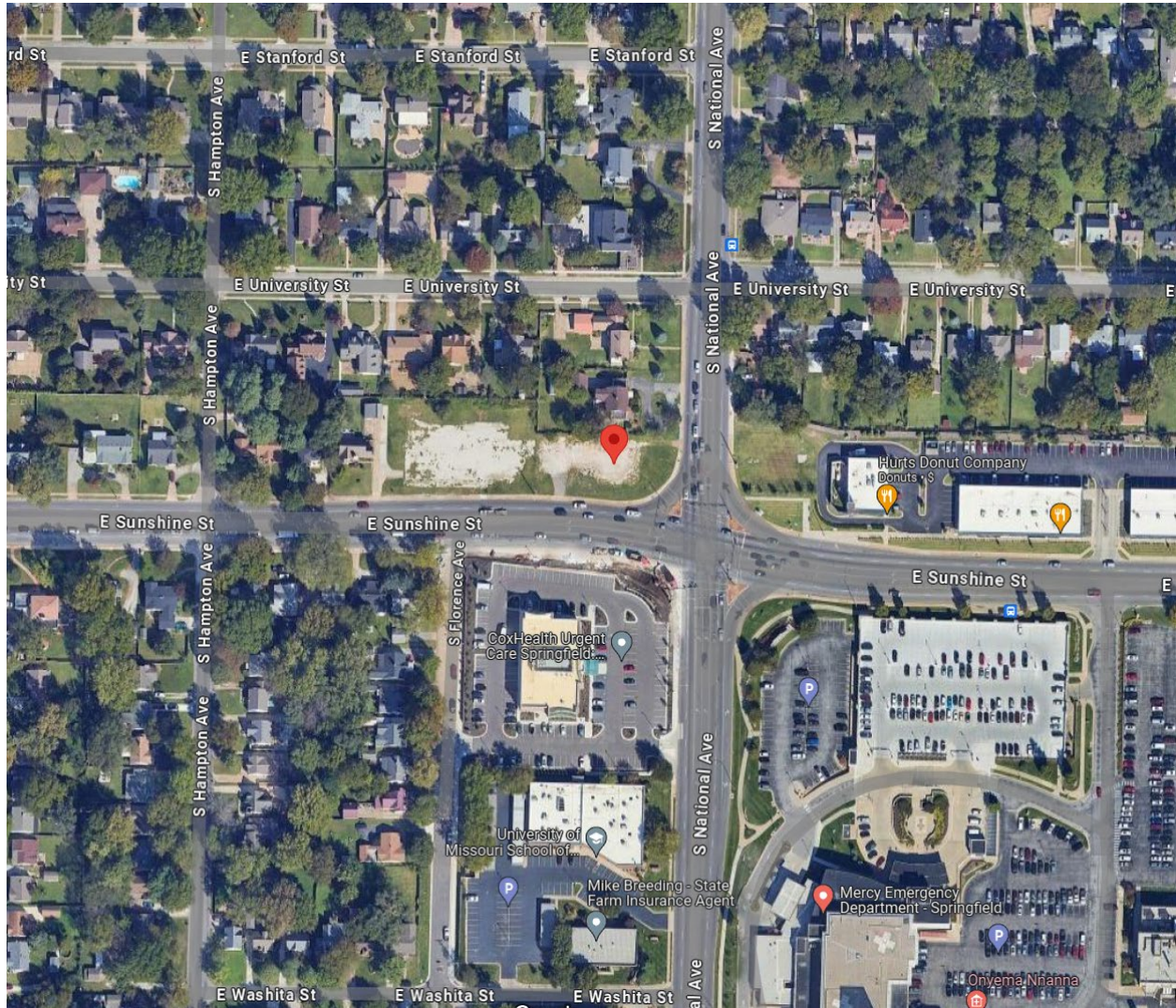
PROJECT SUMMARY:

Request to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

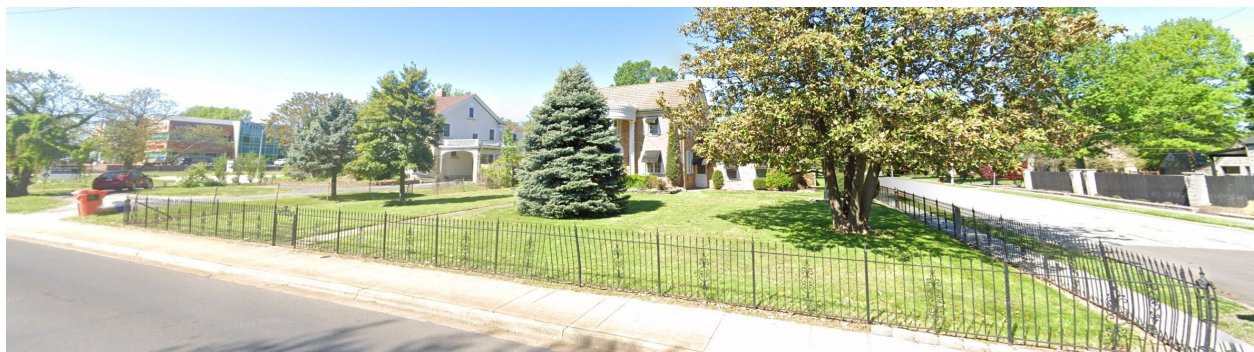


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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

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

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February. The PD application was withdrawn in July and the latest GR with COD application was submitted.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;

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5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f) Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.

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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 Yard Requirements	1. <i>Front yard:</i> 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. c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with section 36-363, conditional use permits, or an approved preliminary plat in accordance with the city's subdivision regulations. 2. <i>Side and rear yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection 36-421(8). However, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed below, except as permitted by subsection 36-303(17)(b) and subsection 36-303(17)(d).
Minimum Open Space	Not less than 20 percent of the gross site area

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject properties as the Traditional neighborhood placetype; however, this is considered a transition area that is better suited as an Institutional & Employment placetype (see Staff Analysis and Recommendations). The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Student housing is also a common component. In the case of universities or colleges, along with mixed housing types located along the fringes and transitional areas, providing housing near major employers is important. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

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Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

LAND USES PRIMARY USES

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

SUPPORTING USES

- Single-family detached
- Single-family attached
- Multi-family
- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Office, hospitality, retail sales and service
- Maker, artisan and innovations spaces
- Public and private schools and places of worship

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 integrated 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 prioritized at key employment centers, institutions, and along major corridors with bus stops enhanced with shelters and live timetables.
- The pedestrian environment is enhanced with expanded sidewalks and pedestrian infrastructure, such as benches, pedestrian-scaled lighting, and street trees.
- 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.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- 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.

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- Pedestrian pathways within large parking lots provide safe access to business entrances.
- Character is enhanced by gateway features, landscaping, and branding elements, particularly within university, health care campuses, and innovation districts, to identify entry into campus areas.
- 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.
- Lighting, signage, landscaping, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting with a high degree of transparency using clear glass windows and doors 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.
- Design should discourage the placement of mechanical equipment along the adjacent streets or should be completely screened, along with trash receptacles, and recycling bins.

TRANSITIONS

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.
- More intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses.

PLACETYPE ASSIGNMENTS AND TRANSITIONS

Assignments

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

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

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

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

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

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

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

Other Considerations –

- Decreasing or increasing market demand for commercial or housing in non-traditional districts or corridors
- Greater focus on integrating diverse uses at the edges and areas of transition.
- Community expectations
- More walkable, livable integrated neighborhoods and districts
- Documented increases in nuisances, code violations, disinvestment, and other related trends
- More diversity in housing types, affordability, and availability
- Increased beautification, aesthetics, and identity
- Greater focus on preservation, adaptation, and reuse of existing homes and structures

Transitions

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

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FUTURE PLACETYPE MAP:



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

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

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

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

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DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed rezoning or COD. All subject properties have access to CU Electric/Gas/Water. Note that the requirement for underground utilities may impact electric/telecom services to neighboring properties.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the rezoning.

FIRE DEPARTMENT:

No issues with zoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	S. National Avenue	Primary Arterial	City	50	40	31,910	No	Yes	Yes
Street 2	E. Sunshine Street	Primary Arterial	City	50	50	28,940	No	Yes	Yes
Street 3	E. University Street	Local	City	25	25	260	Yes	Yes	Yes
				Daily		AM Peak		PM Peak	
Existing Trips Generated (R-SF)				125		11		13	
*Proposed Trips Generated (GR w/COD)				1872		42		244	
Additional Trips Generated				1747		31		231	
*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Conditional Overlay District, and traffic impact analysis.									

ACCESS - All new and existing driveway approaches shall comply with the accepted traffic study and planned development.

- National Avenue: No direct access is allowed to S. National Avenue from the development.

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- Sunshine Street: Access P1 will serve as a Right-in/Right-out/Left-In only access driveway, providing ingress and egress to the development.
- University Street: Access P2 will serve as a full access driveway, providing ingress and egress to the development.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop near the property on S. National Avenue.

IMPROVEMENTS - A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
- a raised concrete median on Sunshine Street restricting access to the development to Right-in/Right-out/Left-in only.
- traffic calming measures on University Street and/or Hampton Avenue, as approved by the Director of Public Works.
- the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street right turn lane.
- any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA.
- The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater only concerns with the property is based on the large amount of new impervious surface area draining to R-SF properties and the National Ave right-of-way (Primary Arterial). The PW-Stormwater concerns are addressed through the Flood Control and Water Quality Protection manual standards for Stormwater Control Measures and would not prevent a rezoning to a higher usage zoning. Please note that development of the property will be subject to the following conditions at the time of development:

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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, must meet current detention requirements per Chapter 3 Sec. 2.3.3.

a. Detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed job description and future site plan has eight properties combining into one lot. The combined lot and future development will add 1.23 acres of impervious area (see table below).

Estimated Impervious Area from GIS

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

b. The current property has two drainage areas draining West and East/Northeast with the high point at 1119 E Sunshine St. The West drainage area is 0.3 acres and drains to 1111 E Sunshine St and 1110/1118 E University St. The East drainage area is 2.3 acres and drains to S National Ave along with part of E Sunshine St. The proposed site plan does not show elevations but is capable of being graded to change the drainage patterns to all 2.6 acres draining to the east.

c. PW-Stormwater would recommend the onsite detention connect to the 48"x30" Box Culvert running North along the East side of S National Ave. The development can possibly connect to the street curb inlet box on S National Ave by 1721 E University St. The area inlet is connected the Box Culvert through an 18-inch diameter RCP.

d. The Exhibit 2 Site Plan is describing an underground detention in the North section.

2. Any Stormwater infrastructure serving more than one property needs to be submitted on public improvement plans. City Code 98-14 requires all PIP work completed prior to issuance of the building permit or Final Plat. PIP must be approved and Completed or Escrowed through the Bond or Security.

WATER QUALITY REQUIREMENTS

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

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

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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.

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

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 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.
3. The *Land Use & Development* chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the

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intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

4. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.
5. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.
6. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the *Growth Management and Land Use Plan* of the *Comprehensive Plan* states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pickup window or drive-thru facilities which can be a high- volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor, and outdoor athletic courts are also prohibited amongst others as listed in the COD (Attachment 1). The compatibility with neighboring residential land uses is enhanced through the elimination of these land uses.
7. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
8. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional

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amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

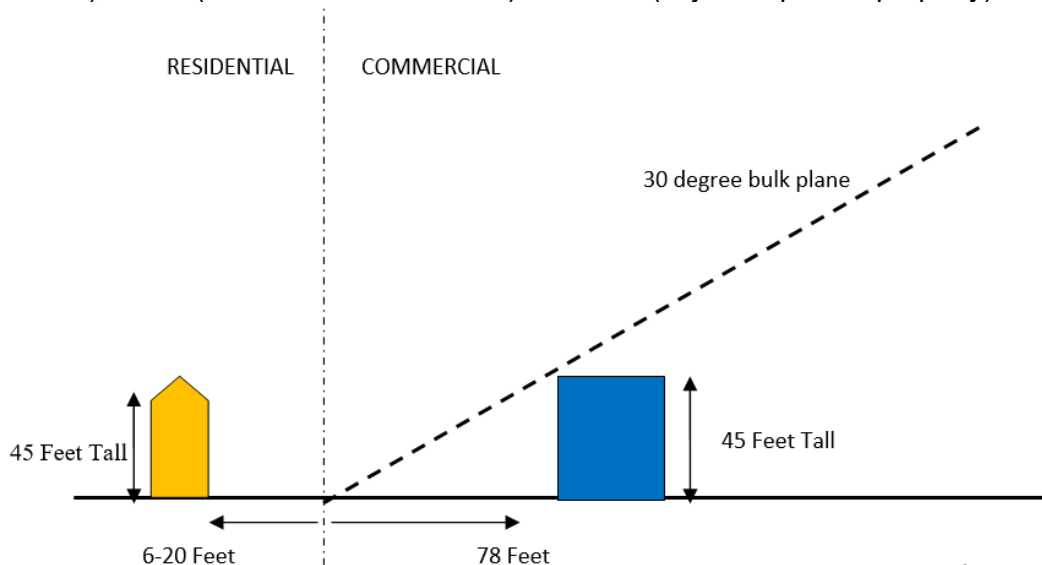
9. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.
10. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.
11. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.
12. The applicant is voluntarily proposing to install more mature landscaping than is currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.
13. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to

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the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

14. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district.

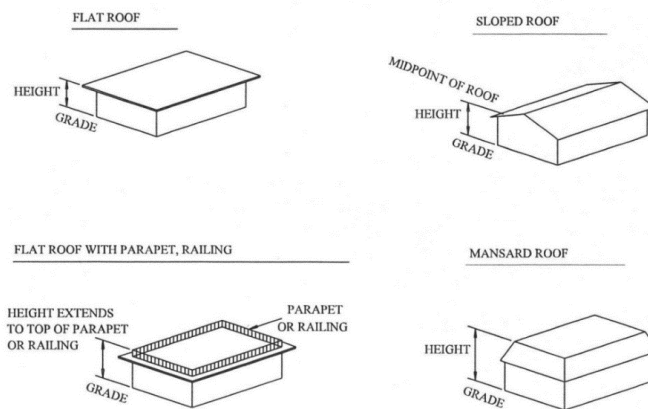
The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal. The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The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



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

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Figure 2-5



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

15. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover, and signage will be required to be compatible with the style of the building.
16. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.
17. 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.
18. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.
19. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

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20. 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. City Utilities state that all subject properties have access to CU Electric/Gas/Water.
21. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.
22. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:
- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
23. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue signalized intersection.
24. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue. There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this

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requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City Code.

25. 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. There is no error being corrected with this application.
26. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.
27. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
28. Water quality measures and detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed development has 8 properties combining into one lot. The combined lots and future development will add approximately 1.23 acres of impervious area.
29. Private covenants or restrictions on private property are a civil matter. The City does not consider or enforce such matters as their legal status must be determined by a court.
30. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
31. 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 based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment 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

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

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 1****CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 258**

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

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities
16. Schools, business.
17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from any adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

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B. USES PROHIBITED

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

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33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops (standalone).
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday
 - b. 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday.
 - c. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references

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within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.

2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.
 - b. Building materials and colors.
 - (1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.
 - (2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style

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cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

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

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:

(1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or

(2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall

DEVELOPMENT REVIEW STAFF REPORT

- not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
- a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
- a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.
 - (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
 - a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
 - b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature

DEVELOPMENT REVIEW STAFF REPORT

between 4,000- and 5,000-degrees Kelvin.

3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.
 - f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

1. Signs located on any building façade are required to be compatible with the style of the building in terms of location, scale, color, and lettering.
2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.

DEVELOPMENT REVIEW STAFF REPORT

3. All other signage requirements and standards will meet *Section 36-454* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.
 - a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the

DEVELOPMENT REVIEW STAFF REPORT

- development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
 - b. Sanitary sewer facilities.
 - (1) It is recommended that public sewer be extended onto the site to better serve the development.
 - c. Storm water management facilities.
 - (1) On-site detention and water quality will be required for the site.
4. Improvement Standards.
- Improvements shall conform to the following standards.
- a. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.
- M. ADDITIONAL REQUIREMENTS**
- 1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
 - 2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
 - 3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR w/ COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 18th 2024 - 4:00 to 6:30 PM
3. Meeting Location: Springfield Art Museum - 1111 E Brookside Dr Springfield MO 65807
4. Number of invitations that were sent: 156
5. How the mailing list was generated: City of Springfield provided
6. Number of neighbors in attendance (attach a sign-in sheet): 55
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).

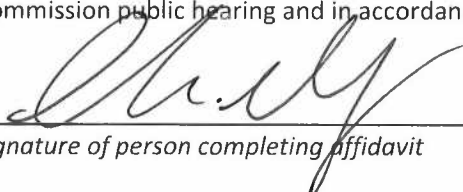
Traffic
Noise
Landscaping
Uses
Light
Architectural

See attached Summary list

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

No written comments

I, Chris Wynn (print name), attest that the neighborhood meeting was held on 7-18-24 (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

Chris Wynn
Printed name of person completing affidavit

Neighborhood Concerns summary / Response

Traffic Concerns – Major concern with new cut through traffic. Developers will install traffic calming measures including speed cushions and a landscape island preventing traffic from heading west on University. Also, as part of the development the City will get ROW for new southbound left turn lane on National which will help traffic on National and reduce existing cut through traffic.

Noise - Building to be orientated toward intersection of National and Sunshine. Additionally, trash pickup occurs during business hours.

Uses – Neighborhood requested that daycares and food trucks be added to the prohibited uses. This has been added. Additionally, they asked that multi-family be added to the prohibited list. However, the developer is not in favor of adding this.

Architectural (flat roofs) – It was requested that flat and/or low sloped roofs be prohibited. This language was not added to the COD. Previous renderings for the site did not include flat or low sloped roofs.

Landscaping – Some neighbors raised concerns with the proposed row of Green Giant trees. Others liked the idea. They stated they were susceptible to disease and drought. The COD calls out that the trees shall be maintained, and irrigation provided so we feel this concern is already addressed. Additionally, the developer met with the neighborhood and came up with an alternative which is a 8' tall stone wall. Both options are included in the COD and the decisions of which to use will be left to the developer.

Light – One neighbor asked to have the development meet dark sky requirements. This is already included in the COD language.

Please Sign-In

Welcome !



18-Jul-24
4:00 - 6:30 PM

National & Sunshine Neighborhood Meeting
Thank you for coming. Please leave your name and contact information.

	NAME	ADDRESS	EMAIL	PHONE
1	Jack McGee	media	jmcgee@sfgate.com	4177295229
2	Don Dunbar	932 E. Kingsbury	diver84@yahoo.com	4177555706
3	Cindy Helfer	1215 E. University	Cindy my friend@yahoo	417-209-3167
4	Tracy McKay	952 E. Kingsbury	TRZSARB@GMAIL.COM	
5	Trish McKay	1505 S. CLAY AVE	McKayt@verizon.net	
6	Barb Hughes	951 E PortHaul St.	cyclonegate@yahoo.com	417-861-1783
7	Annette West	1515 S. Kings Ave		417.830.4362
8	Jackie Moore	925 E. Stanford St	jackie@glmooretire.com	417 840 5193
9	Kathy Pulley	826 E Kingsbury	kathypulley@missouri-state.edu	
10	Kevin R. Evans	953 E. University Dr	stratigraphix@gmail.com	417-459-0691
11	Cynthia Bylander	1005 E. Kingsbury St	cbylander36@gmail.com	417-496-4042
12	Norma Capecci	900 E Kingsbury		417 883 3379
13	DARRON HEMANN	1039 E UNIVERSITY	DARRON.HEMANN@wellfargo.com	417-496-5167
14	Greg Lawson	1024 E. Stanford St.	Boo Zoo 4321@sbcglobal.net	417-899-5080
15	Wise Dixon	1118 E University		417 827 8208
16	Nicole Massey	1041 E. Stanford	n-massey415@yahoo.com	573-489-9338
17	Gabby & Michael Lampe	702 E. Stanford St	GabbyBodet@gmail.com	4174961212
18	ROWENA PAROBATZ	1127 E STANFORD ST		510 926 0078
19	Match Munkatun	959 E. Kingsbury		417-725-2691 x150
20	Lisa Munkatun	11	lisa.munkatun@yahoo.com	

21	Renee Fogle	1125 E Kingsbury	anfogle@aol.com	417-882-2622
22	Nancy Cooper	635 E University	nancyjcooper@outlook.com	417-459-8830
23	JEANETTE ROUSE	1125 E University		
24	Nancy Karasik	947 E Portland	Nancy.Karasik@gmail.com	
25	Kirk Karasik	" "	" "	" "
26	Karla Carroll	815 E Portland	Karla.gcarroll@google.com	417-368-8015
27	Doug Carroll	" "	doug.c@mst.edu	" "
28	Nancy Williams	953 E Linwood Dr	whimsicalwms@gmail.com	
29	Evelyn Mangen	818 E. Portland	emangen@culpmangen.com	818-811x
30	Maggie Castrey	1006 E Linwood Dr -07	maggie@maggiecastrey.com	
31	Anne Griffith	1512 S Kings	aggwta@gmail.com	
32	Sherry Wirth	1035 E PORTLAND	SWIRTH98@AOL.COM	
33	Peta Wirth	1043 E, PORTLAND		
34	Julia Fuller	945 E. University		
35	Geri Miller	1025 E. Linwood Gr.	gerimiller@gmail.com	417-839-7234
36	Mike Miller	" "	" "	" "
37	Peggy Wise.			
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46	Dane Carroll	1657 S. Kimbrough	DaneCarroll@MissouriState.edu	459-8362
47	SEAMUS MCKENZIE	1127 E. STANFORD ST	smckenzie@missouri-state.edu	417-426-5404
48	Jason Ray	1136 E. Kingsbury	jasonray@missouri-state.edu	
49	Lois Shufeldt	1008 E. Kingsbury	lmshufeldt@aol.com	417-619-7115
50	Gayla Gary	1653 S. National	gayla@wrcary.com	417-866-7484
51	Donna Carey	930 E. Kingsbury	donnecarey@gmail.com	417-881-1161
52	Dixie Sleight	1124 E. University		417-881-3518
53	Barbara S. Robinson	1010 E. University St	Barbara S. Robinson	417-225-2522
54	ASHTON LEWIS	1032 E. UNIVERSITY ST	Ashton LEWIS	417-830-2337
55	MIKE O'BRIEN	1031 E. UNIVERSITY ST.	Mike O'Brien	417-887-0373
56	RINA EDGE	1030 E STANFORD ST	rina@edgeimmigrationlaw.com	4175008472
57	Rick Walker	1124 E. Linwood Terrace		
58	Holly Acharya	972 E. Linwood Dr	har545s@gmail.com	
59	Sreekanth Acharya	972 E. Linwood Dr	sreekanth.ach@gmail.com	
60	Ray Green	1055 E Kingsburg	Ray - byars - green	417-881-5068
61	Walter Green	" " " " "	" " " " "	" " " " "
62	STEPHANIE SHADNICK	1101 E STANFORD ST	SSHADNICK@GMAIL.COM	417-343-9222
63	LISA Munkatchy	959 E. Kingsburg St.	Lmunkatchy@yahoo.com	417-429-7297
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Attachment 3

From: [Greg Lawson](#)
To: Zoning@springfieldmo.gov
Subject: B, K, & M's proposed development at Sunshine St. & National Ave. Springfield, MO 07-11-2024
Date: Thursday, July 11, 2024 11:56:25 AM

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07-11-2024

Planning and Zoning Commision
Springfield, MO

Good day,

My name is Gregory Lawson, I live at 1024 E. Stanford Street and my wife and I own our home.

I am completely against the rezoning of B,K, & M's property at Sunshine Street and National Ave.

I have attended all of the meetings concerning this issue and I am convinced that it is a wrong decision to rezone it.

My wife and I bought our property thinking that it wouldn't be harmed by an entity like BKM because of the zoning requirements of our neighborhood.

I have no faith in anything that BKM does or says, as I have found them to be unreliable, unfaithful, condescending, and dishonest.

I feel that anything that they would be allowed to build would be poorly built and poorly managed.

I remember at the meeting at the Double Tree Hotel, they told the 145 in attendance that the development that they were proposing was going to be what we all wanted, we just didn't know it.

I know what I want and I don't want anything to do with B,K, & M.

Sincerely,

Gregory Lawson
1024 E. Stanford St.
Springfield, MO 65807
417-849-5086

From: [Matthew Calihman](#)
To: Zoning@springfieldmo.gov; [Council](#)
Subject: resident opposed to rezoning the corner Sunshine and National
Date: Thursday, July 11, 2024 3:23:20 PM

Dear City Council and Planning and Zoning Commission:

I am a resident of University Heights, and I am writing to urge you to reject the proposal to rezone the corner of Sunshine and National.

That corner is part of a stable, safe, clean middle-class neighborhood of single-family historic residences. Almost without exception, these homes are very well maintained and add a lot of value to the city. And the residents of University Heights love it as it is. The neighborhood would be the envy of many other municipalities, and the Springfield city government ought to do everything in its power to preserve University Heights as it is. The city does not have many such neighborhoods.

A redevelopment project of the sort being proposed would do great harm to the University Heights.

Thank you for your consideration.

Sincerely,
Matthew Calihman
1533 S. Clay Ave., Springfield, MO 65807

From: boyer50@mediacombb.net
To: Zoning@springfieldmo.gov
Subject: Rezoning of 2.60 acres located at the northwest corner of Sunshine and National: Comment Card
Date: Friday, July 12, 2024 11:27:30 AM

Date: July 12, 2024

Telephone: (417) 887-4811

Your Name: Mark G. Boyer

Your Address: 1140 E. Stanford St., Springfield, MO 65807

Project Address: 1755 S. National Ave., Northwest Corner of Sunshine and National

Comments:

I wish to comment on the Christopher Wynn, PE--CJW Transportation Consultants, LLC proposal to change the zoning of 2.60 acres on the northwest corner of Sunshine and National in the University Heights Neighborhood.

Whatever is located there will add to the number of additional cars passing through the University Heights Neighborhood; already, there are many cars cutting through the neighborhood to avoid the light at Sunshine and National. And those who do that speed through the neighborhood streets with no police around to give tickets! Any business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business strip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

University Heights Neighborhood contains some of the oldest houses in Springfield. I live in one built in 1918 before the neighborhood was founded in 1925. While in principle I am not opposed to the development of businesses, I am opposed to the destruction of old neighborhoods. Once it begins, there is no end to how much will be lost block by block. Part of a city's grandeur is appreciating and preserving its heritage in old buildings. There is an integrity to an old building that needs to be preserved. In University Heights there are no cookie cutter houses; every home is different and needs to be preserved.

Property values throughout the neighborhood will drop if businesses begin to be added; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People who live in University Heights Neighborhood do not want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is the Planning and Zoning Commission going to listen to them? They have lived in the neighborhood long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes. Please do not grant any more requests to have homes demolished in the University Heights Neighborhood. Please keep the neighborhood intact.

From: [Jeff VanDenBerg](#)
To: Zoning@springfieldmo.gov
Subject: Opposition to BK&D rezoning request for University Heights
Date: Monday, July 15, 2024 7:18:03 PM

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Dear Planning and Zoning Committee,

I am writing to urge that P&Z deny the request to rezone residential properties in University Heights to commercial. I am a resident of University Heights, and my opposition to rezoning these properties is both out of concern for its impact on my neighborhood and for city-wide quality of place reasons.

Rezoning these homes does not follow the city's existing comprehensive plan or Forward SGF. In these plans, University Heights is designated as Single Family Residential and classified as a "Residential Neighborhood-Traditional." There are no changing conditions that make rezoning necessary. University Heights is a flourishing historic residential neighborhood, one of the few left in Springfield, and property values are among the highest in the city. It is essential that we protect this neighborhood from commercial encroachment.

The likely negative impacts of commercial development include increased traffic and safety hazards, especially on University Street, increased crime with commercial development, and declining property values for residences in the neighborhood.

Furthermore, City Council has recently authorized a comprehensive corridor study for Sunshine Street that would include this stretch near the intersection of National. It would be quite premature (and irreversible) to approve a rezoning request ahead of this study.

Thank you for your service to our community,

Jeff VanDenBerg
801 E. Kingsbury St.
Springfield 65807

From: [Lisa Dixon](#)
To: Zoning@springfieldmo.gov
Subject: 1755 S National Ave. Springfield, MO 65807
Date: Monday, July 22, 2024 7:27:50 PM

We are writing to comment on the proposed rezoning of the 2.60 acres at the corner of National and Sunshine Streets. We oppose the rezoning from (R-SF) to (GR). We do not think this will improve anything for our neighborhood and will be extremely detrimental. Traffic is already a problem and any increase in traffic around and directly in our neighborhood will result in loss of walk ability, biking, and beauty. The increased traffic will increase noise, lower property values, and destroy the historic homes that have been in this city for 100 years. We live on University Street behind the proposed development, so this directly affects us. When we talk to friends and acquaintances, they all want to know what is going on and they ALL agree with us that the development is wrong for the neighborhood and the city. They ALL are sad that the white house on the corner has already been torn down and that our neighborhood will be so negatively impacted by any future commercial development.

S Hampton, S Kings, S Dollison, and S Holland have NO homes facing them on either side and only S Holland has a sidewalk on one side. They are alleys in our neighborhood, not true streets. They cannot accommodate 2 large vehicles going opposite directions. They cannot be widened because they lead directly into homes' yards and driveways. Any increased traffic through the neighborhood would overwhelm these alleys and lead to frustration for drivers and neighbors and would ultimately lead to accidents. People from all over the city regularly walk through our neighborhood and use these alleys to walk on. Increased traffic from the development would make this impossible and impact the entire city.

Please consider the current homeowners of University Heights, who keep their homes and properties beautiful. It is not worth destroying our neighborhood so that one developer can build something the entire city doesn't want or need.

Rodney and Lisa Dixon
1118 E University Street
Springfield, MO 65807
417 827 8208

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417-839-1584
YOUR NAME:	ALAN DE BRUL		
YOUR ADDRESS:	1126 E. SUNSHINE ST. SPRINGFIELD, MO 65807		
PROJECT ADDRESS:	1755 S. NATIONAL SPRINGFIELD, MO 65807		
COMMENTS:	THIS PROJECT WILL INCREASE TRAFFIC - A PREVIOUS PROJECT TO CONVERT A LARGE HOUSE TO A 4-PLX, AT THIS SAME LOCATION WAS TURNED DOWN FOR TRAFFIC ISSUES. IT WILL EXAGGERATE THE FLOODING IN THIS AREA - THE CITY'S EXISTING PLANS CALL FOR THIS AREA TO BE RESIDENTIAL. THIS WILL ATTRACT A CRIMINAL ELEMENT AND DECREASE PROPERTY VALUES - IT WILL CAUSE EVENTUAL ELIMINATION OF THE RESIDENTIAL NEIGHBORHOOD -		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable

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5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417.839-1584
YOUR NAME:	ALAN DU BRUL		
YOUR ADDRESS:	1126 E. SUNSHINE ST. SPRINGFIELD, MO 65807		
PROJECT ADDRESS:	1755 S. NATIONAL SPRINGFIELD, MO 65807		
COMMENTS:	THIS PROJECT WILL INCREASE TRAFFIC - A PREVIOUS PROJECT TO CONVERT A LARGE HOUSE TO A 4-PLEX, AT THIS SAME LOCATION WAS TURNED DOWN FOR TRAFFIC ISSUES. IT WILL EXAGGERATE THE FLOODING IN THIS AREA - THE CITY'S EXISTING PLANS CALL FOR THIS AREA TO BE RESIDENTIAL. THIS WILL ATTRACT A CRIMINAL ELEMENT AND DECREASE PROPERTY VALUES - IT WILL CAUSE EVENTUAL ELIMINATION OF THE RESIDENTIAL NEIGHBORHOOD -		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

7/20/24

To

PLANNING & ZONING COMMISSION,

SPFLD, MO

DEAR SIRs:

My wife and I have lived at 1455 So CLAY AVE, JUST NORTH OF THE UNIVERSITY HEIGHTS AREA FOR THE PAST 42 YEARS.

IT IS OUR REQUEST THAT YOU LEAVE THE UNIVERSITY HEIGHTS ZONING AS IT NOW IS.

"RESIDENTIAL NEIGHBORHOOD (R-SF)".

NO CHANGES HAVE OCCURED THAT WOULD REQUIRE REZONING, PROPERTY VALUES ARE HIGH AND WILL STAY THAT WAY WITH THE ZONING REMAINING AS IT NOW IS.

INCREASED TRAFFIC, LOWER PROPERTY VALUES, CHANCES OF FLOODING, AND A HIGHER CRIME RATE COULD OCCUR AS A RESULT OF THE PROPOSED ZONING CHANGES. PLEASE LEAVE THE ZONING AS IS.

THANK YOU FOR YOUR CONSIDERATION

Sincerely

James D. Rehen
Wilma Rehen

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

We are writing in opposition to the rezoning of the properties at the northwest corner of National and Sunshine. Re-zoning this area does not follow Springfield's existing Comprehensive Plan or the now ratified Forward SGF. These plans designate all of University Heights as Single Family Residential. There are no changing conditions that make re-zoning necessary. The goal of Forward SGF is improving "quality of place". Currently the University Heights neighborhood has that "quality". We have a variety of well-maintained homes in a livable, walkable, center city neighborhood. The rezoning and commercial development of the National/Sunshine corner will change that for the worse. University Heights is enjoying the highest property values in its history and the vast majority of residents do not support commercial development. University Heights has always been residential and has never had commercial development within its borders.

The proposed entrance from University Street to the commercial development will greatly increase the traffic on University, which is a quiet, interior residential street. We oppose any commercial development in the University Heights neighborhood, but adding an entrance to a quiet neighborhood street is the most egregious concern. The developer (BK&M) has held several meetings and claims that the "City" will not allow him to put a property entrance on National and will only allow one entrance on Sunshine. The developer says that he is required to put an entrance on University Street. We do not believe that he is being truthful. There are similar commercial developments at similar intersections in the city that have multiple entrances in both directions. We oppose any commercial development in University Heights, but if there must be a commercial development on the property, please require that entrances be from National and Sunshine and do not allow an entrance on University Street.

In the following four pages we have compared the intersection at National and Sunshine to the three closest busy intersections in the city, including Sunshine and Campbell, Sunshine and Glenstone, and National and Battlefield. These are all busy intersections that carry approximately the same amount of traffic as the intersection in question (National and Sunshine). We have shown that for a development the size of the proposed (BK&M) development there is space for one entrance off National into the property and multiple entrances off Sunshine. There is no need to have an entrance from University Street into the proposed development, and there will be much less impact to the neighborhood if the entrances are from National and/or Sunshine. Please see pages 2-5 for the analysis.

In summary, we oppose the commercial development at National and Sunshine. The City's existing Comprehensive Plan and the now ratified Forward SGF show University Heights to be a residential neighborhood. The City should follow through with the planning and not allow commercial development in University Heights.

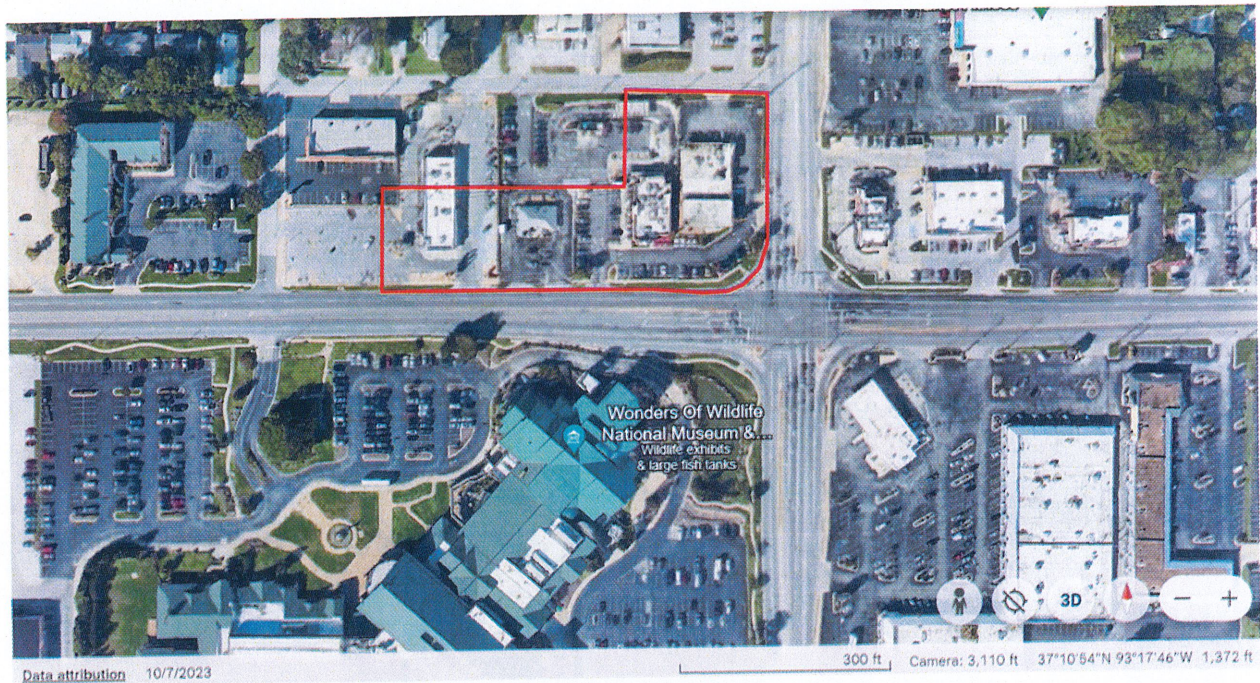
Sincerely,

Doug & Karla Carroll
815 E Portland



National and Sunshine

The figure above shows the intersection of National and Sunshine. The proposed development is outlined in red. The figure is from Google Earth and there is a scale at the bottom. The same scale was used for all figures in this document. Please notice that there is a commercial development on the southwest corner of the street that has an entrance from National located about 250 ft from the intersection. It would be possible to put an entrance into the proposed development from National that is about the same distance from the intersection. The business on the southwest corner also has an entrance from Sunshine Street about 300 ft from the intersection. There is plenty of space to put two entrances into the proposed development from Sunshine Street.



Campbell and Sunshine

The figure above shows the intersection of Campbell and Sunshine streets. The red outline is the size and shape of the BK&M proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street, and one business entrance from Campbell that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 5 business entrances at this intersection, then there should be plenty of space to have 5 business entrances to the proposed BK&M development for National and Sunshine.

Also please look at the northeast corner of the intersection. There are 4 business entrances from Sunshine and one from Campbell on this corner in a space the same size as the proposed BK&M development. If you examine the southeast corner, there are 3 business entrances from Sunshine and one from Campbell in a space the size of the BK&M development. The intersection of Campbell and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all of these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine. It is not necessary to put an entrance from University Street.



Glenstone and Sunshine

The figure above shows the intersection of Glenstone and Sunshine. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street that would fit into the proposed development. There is an entrance from Glenstone into the business that would partially fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 4 business entrances from Sunshine Street at this intersection, then there should be plenty of space to have 4 business entrances to the proposed BK&M development from Sunshine street. The entrance from Glenstone into the business is on the edge of the footprint for the proposed BK&M development, but it is close.

The intersection of Glenstone and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.



National and Battlefield

The figure above shows the intersection of National and Battlefield. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 3 business entrances from Battlefield, and 3 business entrances from National that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 6 business entrances at this intersection, then there should be plenty of space to have 6 business entrances to the proposed BK&M development for National and Sunshine.

Please notice that on the northeast corner there is one business entrance from National and 3 business entrances from Battlefield that would fit into the footprint of the proposed development. On the southeast corner there are 4 business entrances from Battlefield that would fit into the proposed development footprint. On the southwest corner there is one business entrance from National that would fit into the proposed development footprint. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.

From: [Kevin Ray Evans](#)
To: Zoning@springfieldmo.gov
Subject: Forward SGF guidelines and proposed rezoning of Sunshine and National
Date: Wednesday, July 31, 2024 8:30:54 AM
Importance: High

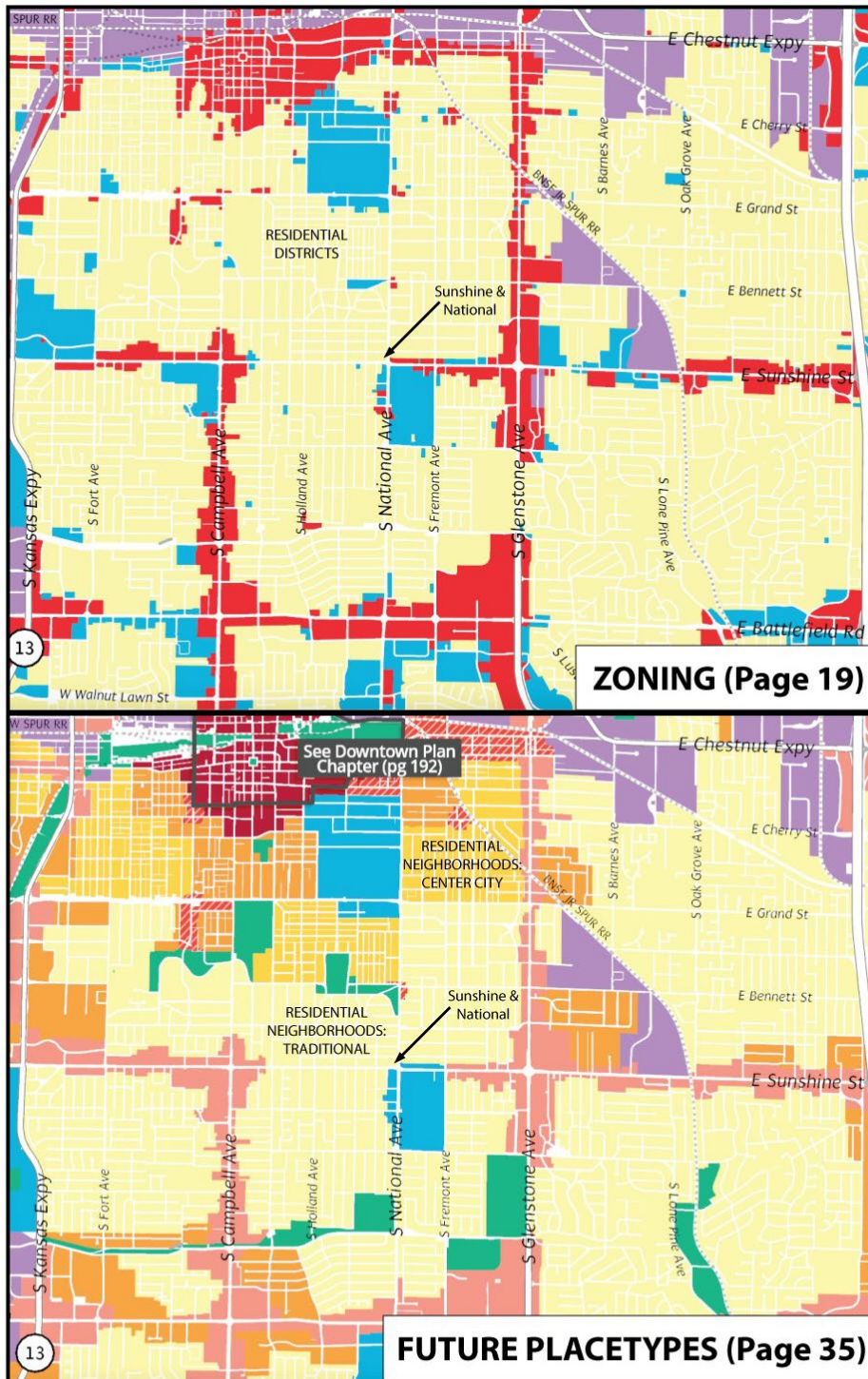
This is the first time you received an email from this sender (kevinrayevans@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Chair and Members of the Planning and Zoning Commission,

BK&M, developers, recently resubmitted an application to rezone the area at Sunshine Street and National Avenue as a conditional overlay district, changing zoning from single-family residential to general retail. Like all new proposals, BK&M are bound by the *current* Comprehensive Plan (Forward SGF), which was adopted 14 November 2022. On pages 19 and 35 of the Forward SGF document (see figure below), current and future placetypes for University Heights neighborhood are shown on maps. The former(current) regards the area at Sunshine and National as "Residential District" and future placetype map refers to it as "Residential Neighborhood: Traditional". These are the sentiments of nearly all of the residents of University Heights and the way we would like to see it remain, residential rather than general retail. Did the City waste taxpayer money on consultants and countless hours of citizens' and staff's time on a meaningless document, performing an exercise in futility? I don't think it should be so. The City needs to follow through with the plan as it was adopted. I view the document as a contract in which the Planning and Zone Commission and City Council *must* abide. This area is *only* suitable for residential re-development rather than General Retail zoning. Thank you for your consideration.

Best regards,
Kevin Ray Evans
953 E. Linwood Dr. (Zone 4)



From SPRINGFIELD, MISSOURI | FORWARD SGF
COMPREHENSIVE PLAN (adopted 14 November 2022)

From: [Chris Wynn](#)
To: doug@mst.edu; karlagcarroll@gmail.com
Cc: [Ralph Duda](#)
Subject: National and Sunshine Rezoning - Comment Card / Response
Date: Wednesday, July 31, 2024 5:01:59 PM

Good Afternoon Doug and Karla,

I received comment letters this afternoon that were submitted to the City of Springfield regarding the rezoning case at National and Sunshine. I wanted to follow up on some of the concerns that were presented.

At the neighborhood meeting and in your letter, you brought up the CoxHealth development located on the southwest corner of National and Sunshine and how they have a new access to S National Ave. I tried to explain this at the meeting but in the heat of the moment may not have gotten the information across properly or clearly. If we were to put an access onto S National approximately 200 feet north of the intersection right-of-way for National and Sunshine, it would put the proposed access less than 100 feet from the intersection of National and University St. Access spacing code does not allow for a new access that close to an existing intersection (I have attached a clip from the zoning code referencing access to primary arterials, this is just a portion of the requirements we have to follow). Additionally, the City plans to install a new southbound right turn lane on S National Ave with the right-of-way that is being dedicated as part of this redevelopment. A new access in the middle of a turn lane is not encouraged.

Looking at the CoxHealth development I would agree it is very similar to our development. They were allowed one limited access on S National Ave and no access to W Sunshine St, in part due to the spacing between the intersections of Sunshine and National and Sunshine and Florence as well as the existing eastbound right turn lane. The access to Sunshine you mention in your letter is actually S Florence Ave (a public street). CoxHealth ultimately took a second access to Florence since access to Sunshine was not allowable. CoxHealth has the same access as we are proposing just reversed between National and Sunshine.

At the end of the day if the City would support access on S National Ave we would do it without question. Developers always want access to a major thoroughfare when possible.

Looking at the other examples you provided of similar intersections, the overwhelming majority of these access are existing non-conforming accesses. If these properties were to be re-developed, submit a lot combination, replat, or any other formal development request to the City they would be required to update the access spacing to current standards. Many of the commercial access points along major streets in Springfield were constructed in the 1960s or earlier. The City and MoDOT have since updated their access standards to improve access management.

I would like to let you know that we met with the City of Springfield Traffic, Planning, and Fire Departments yesterday and they are agreeable to allowing us to place a landscape

island in the westbound lane of W University Street just west of our proposed development to prevent traffic from the development entering the neighborhood while still allowing traffic to exit on to National. Additionally, we are proposing the installation of speed cushions at approved locations along University, Hampton, and Stanford. I also feel that the installation of the southbound right turn lane on National will greatly reduce the amount of existing cut through traffic that the University Heights Subdivision currently receives due to the back up at the intersection.

If you have further questions regarding the access spacing and requirements, please contact the City of Springfield Traffic Engineers Brett Foster or Chad Zickafoose at 417-864-1980

Sincerely,
Chris

Christopher J. Wynn, P.E., LSI

President

CJW Transportation Consultants, LLC

cwynn@gocjw.com | www.GoCJW.com

5051 S. National, Suite 7A | Springfield, MO 65810

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Neal, Daniel

Subject: University Heights - Communication

From: Aimee Jackson <aimeemj76@gmail.com>

Sent: Thursday, August 1, 2024 8:55 AM

To: Gage, Jason <jgage@springfieldmo.gov>

Subject: University Heights.

Dear Jason, I'm asking you nicely to consider what I have to say. We don't need any more businesses put up in the area because eventually it will lead to entirely too much traffic. We don't need this. Please sir consider what I'm saying. I would invite anyone that is concerned with this to my home so they understand what having entirely too much traffic does to an area. You are more than welcome in my home so that you can understand what this means. Please don't just let people come into town and do whatever they want. Please consider this.

From: [Walstrand, Gwen](#)
To: [Council](#); Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Tuesday, August 13, 2024 12:07:43 PM
Attachments: [future-strip.pdf](#)

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St. Removing eight (or any) historic homes in good or easily maintainable condition should not be considered. Destruction of livable, beautiful, historic neighborhoods and inviting further blight and retail sprawl into areas that are well established residential areas with deed restrictions preventing such actions should not be allowed by the city and would have a long-term negative effect on the entire city and surrounding area.

Preservation, planning: Preservation and enhancement of residential architecture, livable green spaces, safe streets and neighborhoods, and integrity of history should be foremost considered. Already our city is known for strip malls, sprawl, poorly constructed chain stores and restaurants. If we allow those areas to further sprawl into irreplaceable historic areas, we trade away the character and desirability of our city and its residential areas for quick dollars and future blight issues. Arguably, nearly every strip center/retail/restaurant structure erected in this town in the last twenty or thirty years has been constructed for short-term use, eventual blight, demolition, then similar new construction/rebuild. The retail shops along National Ave across from the Missouri State University have lived this cycle, as have the East Sunshine areas east and west of Fremont Ave, nearly all of Glenstone Avenue, Campbell Ave near Sunshine Street, and pockets of Chestnut Expressway. These commercial strip centers have compromised each of our historic urban neighborhoods in some way by the noise and other unattractive qualities of cheap construction and devaluation of property. This is true of the Delaware neighborhood, Rountree neighborhood, Phelps Grove neighborhood, and Midtown neighborhood, and of University Heights. If left as single family residential homes, the structures will be beautiful, historic, well-built and designed homes that will last for centuries more. The life span of any retail, strip center, or 'mixed-used' new construction is on average about 15 years before it must be rehabbed or demolished.

Empty nearby retail spaces and deed restrictions: Destruction of historic residential homes in neighborhoods with deed restrictions and residential-only zoning is not necessary to build business! There are, throughout the streets named above, empty retail centers that the population of Springfield would LOVE to see renovated into more attractive, solidly constructed shops and restaurants. Very near the site where Mr Duda and Mr Tolliver hope to destroy homes to build general retail strip centers there are empty and near empty commercially zoned structures and parking lots. They would have the same access to the same customers if they were to build there instead.

It does not make sense for Springfield to allow re-zoning and destruction of historic residential areas when there is empty commercial and retail space throughout the city and near the proposed location. It's a direct hit on the character and integrity of our city. The minimally increased property tax revenue it may generate in the short term to have retail business there will be negated long-term and reversed when those new structures become the ubiquitous half-empty, poorly maintained, hideous strip centers Springfield is known for, and the historic homes that would have been welcome sights for all and quality homes for future centuries would be forever lost. The area will become blighted and property values and taxes will go down throughout the area. Please see the link below and the attached document regarding studies highlighting the very short life of retail centers such as what Mr. Duda proposes and the blight, under-utilized, and short-sightedness of such endeavors.

<http://www.urbanindy.com/2015/11/01/the-case-in-greenwood-why-america-deserves-its-retail-blight/>

Quality of life + noise/environmental impact: The University Heights neighborhood has spoken clearly and repeatedly that the re-zoning is not welcome. We have been joined by the neighborhood associations all around the city center. At each P&Z and City Council meeting, so many speakers strongly, lucidly oppose the destructive nature of Mr Duda's proposals. Only those who may financially benefit will speak on behalf of those proposals. It's very clear that through the two years of everchanging and ill-conceived rezoning requests concerning the corner of National Ave and Sunshine St., that the residents of this city do not want the neighborhood destroyed and rezoning approved. To truly hear and represent the residents of the city, particularly those who live in the beautiful urban neighborhoods most affected, you must deny these destructive requests. This is why we have zoning laws; to protect the character of the city and the residents of the city.

The footprint of our neighborhood is small and bound by busy streets. But within the bounds of Sunshine, National, Grand, and Jefferson, there are mature trees, streets with sidewalks, family homes, runners, walkers, children playing, neighbors talking, Fourth of July parades, a couple of quiet, small neighborhood restaurants neatly tucked into the architecture of the surrounding houses, a few churches, a park, an Art Museum, and two elementary schools. The traffic noise from the surrounding busy corridors is always heard. The trees do a bit to buffer the sound, but we continually hear motorcycles, sirens, loud vehicles, and we are right under the flight path of helicopters landing on the nearest corner of Mercy hospital. We hear construction projects at Mercy, football games at MSU, fireworks from Hammons' Field, and other sounds of being tucked into the middle of a busy city. Most of Springfield is not inviting to pedestrians or cyclists. We chose to live in University Heights partially because we are able to walk or cycle to work, reduce our carbon footprint, and live and enjoy a neighborhood that welcomes outdoor

activity. But the ever-increasing noise levels and traffic from the surrounding busy corridors have reduced the wildlife, birdlife, and safety is less assured when out walking the neighborhood. The limited green space we have due to road-widening and surrounding parking lots also causes flooding due to the lack of drainage areas. Removing more green spaces in favor of parking lots will cost the entire neighborhood and the city. There are simply no more ways for University Heights to compromise for business and still have a livable neighborhood. The activity, parking issues, and traffic already created by our elementary schools, churches, and Art museum results in commercial dumpsters being emptied multiple times per week between 4am and 6am and voices of crowds coming and going to school, church, and museum activities late into the evenings. This has a real impact on the surrounding neighbors, but does not compare to the extremely negative and potentially dangerous impact that retail and restaurant crowds, delivery trucks, trash collectors, increased parking, increased traffic, and increased traffic crashes at the busy intersections would cause. Inviting that into the interior of the neighborhood, via University Street and all the other streets affected by it would reduce the quality of life in all of Springfield and in University Heights. If you measure Hampton Ave at its narrowest point between Kingsbury and Portland, it is 15 feet wide, barely one lane wide and it has no sidewalks. Between University Street and Stanford, Hampton Ave is only narrows from 18 feet wide to 16 feet wide. It is an alley that cannot handle the flow of increased traffic.

Traffic: Portland St. is a thoroughfare for motorists wishing to avoid the intersection at Sunshine and National. Without stop signs or traffic calming features, motorists drive easily at speeds of 40 or 50 miles per hour with no need to stop between National and Kimbrough. If University St. is made an ingress of the proposed retail center, the entire neighborhood will have increased traffic. Entry from National or Sunshine would cause the blocks long traffic jams at rush hour to worsen. There are frequent auto crashes on National, at the intersections of all the east-west streets around the neighborhood. This will not be reduced by adding commercial structures *within* our neighborhood. A newer traffic count than what is available online (2004, 2011, etc) will show that the neighborhood and the intersection at National and Sunshine is overwhelmed with traffic. It's an area to be avoided, not an attractive retail spot. University and Hampton, and most of the nearby streets are not wide enough to handle a lot of two-way traffic plus parking. None of the neighborhood streets have that ability, and it would become quite dangerous for children and pedestrians.

Conclusion: I sincerely hope that the good of the city, the good of the neighborhood and its residents, and the quality of life in Springfield will be foremost in the decision making regarding this re-zoning proposal. The desire to live in Springfield at all is much reduced when we allow our neighborhoods and our history to be destroyed so easily. Even more than has already been the case, the destruction of beautiful neighborhoods will result in

the residents moving out of the city to join the sprawl on the edges. Forward-thinking city planning should not allow this. Destruction of history and character in favor of re-zoning for commercial would be horribly short-sighted and the kind of loss **forever** felt by this city. Please think of the future by regarding highly the **best** of our past.

Thank you for your consideration. The desirability and livability of the city is in your hands.

Gwen Walstrand
1116 East Portland
Springfield, MO 65807
417-234-0745

THE FUTURE OF STRIP MALLS

Merle Patchett and Rob Shields

In many neighbourhoods across North America, small, 5-8 store strip malls, once anchors of local retail activity, are increasingly being framed as today's suburban blight. Intended as community hubs of consumption and services, many of these places are being abandoned or becoming underutilized and dilapidated as the services move out of local neighbourhoods in favour of larger-scale malls and shopping districts serving greater catchment areas. At the CRSC, we believe it is time to rethink our relationship with the strip mall. This design competition and touring exhibit proceed from the thesis that the social vitality and community sustainability of mature suburban neighbourhoods can be improved by reviving and re-purposing under-utilized strip malls. It is our contention that small-scale strip malls can play a vital public role in the urbanization of the postwar suburbs. Strip malls can become as important to these communities as the old warehouse and market districts have been to the inner city.

The shopping mall reached its peak - in terms of its ubiquitous presence in the North American urban landscape and popular psyche, as well as the amount of scholarly attention paid to it - towards the end of the twentieth century.ⁱ Now into the second decade of the twenty first century, local malls, especially small-scale strip malls, are rarely of interest or attachment, undercut in cost by auto-orientated "big box" "power centres" and regional and super regional malls.ⁱⁱ Contemporary academic work continues to focus on spectacular, larger-scale, enclosed "mega-" and regional malls,ⁱⁱⁱ or on the "mall-ing" of formerly non-consumer spaces, such as airports, universities, office buildings, hospitals and other civic spaces.^{iv} There is very little academic literature about small-scale local malls or neighbourhood strip malls beyond urban designers' disparagement of the form.^v Similarly, policy focus has been on revitalizing heritage^{vi} and downtown shopping cores,^{vii}

or on creating "town square" versions of power centres (including "lifestyle centres") generally in newly erected suburbs^{viii} along with other novel retail spatial configurations.^{ix} By contrast, the local strip mall, with a convenience-oriented mission but often not a particularly locally-responsive retail provision, has been in decline: "many of them dying, bleak and waiting for reinvention."^x

We initiated our design competition - *Strip Appeal* - to "reinvent the strip mall," recognizing its potential to produce innovative solutions and design visions for the rejuvenation of strip mall retail. The specific focus of the competition was smaller scale, neighbourhood shopping plazas consisting of a few retail units, usually fronted by parking, and up to the scale of malls which combine indoor and outdoor sections but remain local in focus and generally do not exceed a single floor. In some cases, these malls have been redeveloped as sub-regional consumption and service destinations by enclosing their storefronts with galleria or glass arcades. However, those malls that have not succeeded in making the transition often stand partially or almost completely empty (see deadmalls.com for countless examples). This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. The Urban Land Institute details that from 1960-2000, there was almost a tenfold increase of retail space in the United States, from 4 to 38 sq. ft/ person - a rate 5-6 times faster than the increase in sales. This glut has led to 9-10% of retail facilities being derelict, with the most overbuilt category of retail space being the large single-storey discount stores. Following the first quarter of 2011, mall vacancies rose to 9.1 percent. The second quarter was no kinder, with the vacancy rate inching up to 9.3 percent. Strip malls, with a vacancy rate of 10.8 percent, have an even tougher time keeping tenants.

The Urban Land Institute suggests one solution would be to demolish 300 million square feet of retail space. Our research suggests that larger strip malls are more likely to be uneconomic. In general, we observe that the single-storey sections of strip malls have a limited life-span due to ageing roof-top heating and ventilating systems. Two-storey sections are more likely to be repurposed for community uses while the rest of the mall is taken down and the area redeveloped for other purposes. At the CRSC, we recognized this as an opportunity for intervention: how can small-scale strip malls be reinvented and redeveloped to local advantage? As outlined in the previous essay, in order to address the problems associated with strip mall retail, the design competition presented itself as a new model for engaging practitioners and interested publics with the question of how strip malls could be re-imagined to reflect the needs of 21st century suburban communities.

We are unlikely to immediately replace 55+ years of North American car-based suburbs (roughly 1945-2009).^{xi} To become more environmentally sustainable, the provision of walkable retail services and accessible centres of social interaction and community facilities has a role to play. Retail is understood as a site that fulfils certain needs at a variety of scales - the need for creating a sense of a vibrant local place, for developing a sustainable hub for community, for the provision of goods and services as local shopping experience and for creating a community retail destination, a “place to go.”^{xii} It was our hypothesis that the reorientation of the suburban strip mall to community use might contribute to community cohesion by enabling “face-to-face” encounters through the creation of a local “marketplace” or neighbourhood public sphere whilst also adding to a community’s economic resilience through informal networks of social interaction.

These facilities are often hampered by being intentionally located at the entrances of arterial roads to suburban housing developments. This makes them ideal automobile commuter stops as they are on the way between work

and home. However, it puts them at the edges of neighbourhoods rather than at their cores, and makes them potentially dangerous destinations for pedestrians and children unless bicycle and walking paths lead to these sites. As a result, many of the entrants include a transportation component in revitalizing the strip mall. Regardless, we see the usages and tenancies of these retail spaces changing from convenience-oriented commercial to educational, fast-food, medical, service, religious, ethnic and other niche services. The strip mall is dead - long live the strip mall!

Factors frustrating redevelopment of strip malls thus far include the accessibility of larger retail facilities, the anti-competitive practices of large retail operators who have acquired ownership of many of these malls (through, for example, increases in rent and restrictive covenants^{xiii}) and the decision of property owners to land bank, that is, to hold sites – often unoccupied – as investments to be sold for the value of the land.^{xiv} The recent economic climate has also discouraged redevelopment as developers are risk-averse, evidenced by the decrease in the number of applications to rezone these facilities for mixed-use developments. In Canada, municipalities impose re-zoning challenges or vacillate on the requirements for applications that delay and thus increase the cost of repurposing under-performing retail space to other commercial and institutional uses, for example, as office space, often making these projects uneconomic. Despite these trends, some strip malls continue to thrive by successfully servicing the needs of the neighbourhood or by catering to the specialized needs of an identifiable community. There has been little systematic study done to investigate how or why these strip malls have succeeded in their contextual communities.^{xv} For the most part, small, vibrant retail clusters such as successful strip malls are regarded as accidents, and any quantitative traffic or marker analyses done surrounding them remain corporate secrets.

A recent study by Linovski,^{xvi} although not expressly attempting to identify the reason why some strip malls

succeed and others fail, argues against a blanket push to redevelop strip malls. Recognizing the diversity of strip mall forms - from those characterized by front-loading parking along arterial strips to traditional retail strips that face directly onto the public sidewalk - she argues that design and redevelopment policies should not treat all strip malls as the same. She examines diverse strip mall types in Toronto's postwar suburban fringe facing high redevelopment pressure and identifies certain benefits in leaving some of these strips with fewer controls and barriers to access. Linovski argues that strip malls in these areas provide affordable retail space for small businesses not available elsewhere, enabling diversity in tenants and use. She advances that many of these strip malls have significant social and economic benefits in their current form that are not addressed in most design and planning policies, which tend to judge strip malls based solely on their aesthetic and visual character. She thus urges that future strip mall design policies support functional concerns and not simply respond to visual considerations.

Similarly, Shields' research shows that well-managed malls understand the importance of considering the social needs of communities rather than assuming that a standardized reliance on market projections will guarantee success.^{xvii} This means responding to local ethnic interests, holidays and demands. It also means understanding how to manage tensions that arise from different demands of clients, retailers and neighbours. This is why we asked our competition entrants to choose a strip mall local to them. By asking entrants to consider the "situated-ness" of their strip mall sites, we wanted their redesigns to consider the relationship between architectural and non-architectural elements of the site, and to respond to the needs of the surrounding community and built environment. In doing so, the responses demonstrate a wide diversity of approaches to the redesign of small-scale strip malls, from full-site overhauls to lighter-touch, intervention-based approaches only altering one aspect of the site.

This catalogue offers you a glimpse of the future. That is, not projects that are under construction now, but those that

are in the planning phase for 10 to 15 years; hence it will be in 2025, and their successors in 2040 to 2050, when new forms will replace these facilities that were built with a short life span in mind. In total, we received 122 submissions from design students and professionals, creatives and the general public. While the majority of sites were located in North America, selected sites were as far away as the Netherlands, Brazil, Hong Kong, China and Australia. The submissions proposed alternatives from community greenhouses to rooftop recreation spaces and all-weather shelters for food trucks and their patrons. They replace and reinvent what we now know as strip malls. The 20 shortlisted submissions reflect the diversity of responses, approaches and ideas our brief solicited, ranging from architectural responses to structural engineering and facade responses, from urban planning and construction responses to urban transport responses and social and architectural interventions. As argued in the previous essay, the shortlist, as presented in this catalogue and touring exhibition, provides many innovative and implementable "theories of action"^{xviii} for the reorientation of strip malls to community futures. As such, we hope the catalogue will follow the example of Tahchieva's Urban Sprawl Repair Kit^{xix} and function as a "strip mall repair kit," where the submissions offer implementable techniques for the renovation of existing strip malls to create denser, healthier, more walkable and cohesive communities.

In both the catalogue and the exhibit panels, the submissions have been grouped into five main categories: "Winners," "Green," "Park," "Up and Out" and "Connect." "And Ideas" selections from other entries closes each section. The "Winners" section outlines the Jury Winner and Runner-Up as well as the Public Vote Winner. The Jury Winner - Free Zoning by Stephanie Davidson and Georg Rafailidis - radically re-imagines a derelict strip mall in Buffalo, New York as a building quarry. Proclaiming the site free of zoning restrictions, Davidson and Rafailidis deconstruct and inventory all the building materials on site and demonstrate how these can be used to construct community housing. Using the existing foundation as a seedbed for construction, they show how the plot might develop over time with a wide variety of functions and building typologies, all primarily constructed using the

salvaged materials of the derelict strip mall.

The Jury Runner-Up - Parked Mall by Carole Levesque, Todd Ashton and Aumer Assaf - retains the commercial activity that vibrant neighbourhoods need whilst reducing dependence on passenger vehicles. To do so, it proposes replacing four static strip mall structures in an area of North Edmonton with docking stations where mobile shops can park and offer a range of services. Where previously the strip malls offered a duplication of shops, the mobile shops and service trailers can be arranged in a weekly schedule to offer a wider selection of local services. When not in use, the dock and its infrastructure will be made available to the community for impromptu or organized gatherings.

The Public Vote Winner - Unbox-Embrace-Cohere by Jasper Hilkhuijsen and Geraldine Li - presents 3 steps for turning a semi-vacant strip mall in Enschede, the Netherlands into a community youth centre: 1. Unbox the strip through the removal of non-structural walls to provide new routes through the building. This transforms the building from a single volume into an assembly of volumes. 2. Embrace the surrounding community by facilitating a participatory process from the outset where community members can communicate their ideas and hopes for the site. 3. Cohere spatially and socially. By including the community in the design process from the outset, the task is not only one of modifying a building, it is a collaborative design process whereby the community's needs are expressed in the building's new form.

In the "Green" section, shortlisted submissions show us how we can "green" the strip mall, from community and urban gardening to the introduction of green technologies and materials. For example, Strip Weave by Teal Architects integrates landscape urbanism with high density approaches and environmental design to transform commercial strips into convivial communities powered by wind, sun and geothermal energy. Ferndale Gardens by Paul Samulak proposes to turn a semi-vacant strip mall in Woodward, Detroit into a suburban farm and

restaurant. With the renewal of this site proposed to coincide with the planned Woodward light rail project, Samulak demonstrates how locally grown produce can be distributed to a wider customer base along the planned route.

Underused and unfriendly to the pedestrian, the strip mall parking lot is ripe for transformation. In the "Park" section, submissions redefine the strip mall lot not only as a place to park your car, but as a place that can be pedestrian-friendly and accommodate a variety of other public uses. For example, Pop-Up Food Truck Station by Daniel Orlando Martinez offers a shelter and cafeteria for food trucks and their patrons in a barely used Temple City strip mall parking lot. To encourage patrons from the surrounding area, online networking is employed to notify patrons when different food trucks will be parking. In a variation on this theme, Park-Aid by Ziola Newstudio converts an existing strip mall into a high-density parking garage designed to house all of the surrounding neighbourhood's cars. The pooling of neighbourhood traffic frees up the remainder of the neighbourhood automobile infrastructure – roadways and garages – for future residential densification and green space.

The strip mall building typology is based on principles of maximum efficiency and replicability. By extending this typology, submissions in the "Up and Out" category generate new spatial arrangements, uses and social situations. For example, in Stripscape, designers Dora Baker, Pablo Batista and Natalie Badenduck offer six proposals for retrofitting strip malls around Winnipeg, Manitoba. Rather than tearing down these malls, they propose Stripscaping as a strategy for building upon and around them, specifically the roof structure. In one example, the strip mall roof is fashioned into a year round recre-ational area. By comparison, Cultural Appropriation by Fern Nafziger provides a structural formula by which a strip mall can restructure and grow without imposing on the current businesses which might already be in place.

While many strip malls are located directly adjacent to neighbourhoods, they often remain detached and unrespon-

sive to the community surrounding them. The submissions in “Connect” show how it is possible to reorientate and reconnect the strip mall with its surrounding community and built environment. For example, Span the Strip by Toby Keeton proposes bio-bridges to be used as connective pathways to promote greater walkability and reduce the ecological impact of vehicular corridors. In Combat Concrete by Natalie Ross, a “Food and Art” program is devised through consultations with the community whereby strip mall parking lots are transformed into areas for food production, recreational park space and art and community activities. Fix the Strip by Loretta Foley and Kristin Smith presents a “deciding guide” for any community to find solutions for improving their local strip mall, using its own context and circumstances to shape the process.

Taken together, these designs offer a glimpse of the future of suburban retail experience - where an entire industry is going. More importantly, they suggest a need to change our approach: we must transform strip malls into places that people want to go for services and community events. These designs help eliminate our dependence on the car and contribute to the urbanization and densification of suburbs. Furthermore, rather than depend solely on the investment of risk-averse developers, the shortlisted submissions provide intervention-based strategies that can be implemented by community associations, local entrepreneurs or committed individuals. Collectively then, the submissions provide many innovative and implementable “theories of action” for the renovation and reinvention of existing strip malls to create denser, healthier and more cohesive suburban communities.

ⁱ M.L. Clausen, “Northgate Regional Shopping Centre - Paradigm for the provinces,” *Journal of the Society of Architectural Historians* 43(2), 1984, p. 145.

ⁱⁱ See for example: T. Hernandez and J. Simmons, “Evolving retail landscapes: power retail in Canada,” *Canadian Geographer* 50(4), 2006, pp. 465-486; D. Hayden, *A Field Guide to Sprawl*, NY & London: W. W. Norton & Co., 2004.

ⁱⁱⁱ See M. Abaza, “Shopping malls, consumer culture and the reshaping of public space in Egypt,” *Theory Culture Society*, 18(5), 2001, pp. 97-122; H. Schmid, “Economy of Fascination: Dubai and Las Vegas as examples of themed urban landscapes,” *Erkunde* 60(4), 2006, pp. 346-361; Hélén Klodawsky, *Malls R Us* [documentary film]. Produced

by Ina Fichman (Instinct Films) and Luc Martin-Gousset (Point du Jour), 2009, 78 mins.

^{iv} See for example: D. C. Sloan, “Scientific paragon to hospital mall: the evolving design of the hospital, 1885-1994,” *Journal of Architectural Education* 48(2), 1994, 82-98.

^v F. K. Benfield et al., 2001; J. Terris and N. Vorsanger, *Solving Sprawl: models of smart growth in communities across America*. Washington D.C.: Island Press, 2001; E. Dunham-Jones and J. Williamson *Retrofitting Suburbia: Urban Design Solutions for Redesigning Suburbs*. Hoboken: John Wiley & Sons, 2009; S. Zukin, “Reading the urban villager as a cultural document: ethnicity, modernity and capital,” *City and Community* 6, 2007, pp. 39-48; S. Zukin, V. Trujillo, P. Frase, D. Jackson, T. Recuber and A. Walker, “New retail capital and neighbourhood change: boutiques and gentrification in New York,” *City and Community* 8(1), 2009, pp. 47-64

^{vi} J. Goss, “Disquiet on the waterfront: reflections on nostalgia and Utopia in the urban archetypes of festival market places,” *Urban Geography* 17(3), 1996, 221.

^{vii} T. A. Gibson, “The trope of the organic city: discourses of decay and rebirth in downtown Seattle,” *Space and Culture* 6(4) 2003, pp 429-448.

^{viii} See for example: M. Southworth, “Reinventing Main Street: from mall to townscape mall,” *Journal of Urban Design*, 10(2), 2005, 151-170.

^{ix} G. Beck, “Signs of life: a new lesson from Las Vegas - A souped-up shopping centre on the strip uses technology to announce itself as a retail, cultural, and civic destination,” *Architectural Record* 191(6), 2003, 199-+.

^x Southworth, “Reinventing Main Street,” p. 153.

^{xi} However, we are certainly aware of the longer history of the suburb. See: Hayden, *A Field Guide to Sprawl*.

^{xii} R. Jackson and N. Thrift, “Geographies of Consumption,” in D. Miller (ed.), *Acknowledging Consumption: A Review of New Studies*. New York: Routledge, 1995, pp. 204-37.

^{xiii} Ziff, B. *Scorched earth: An empirical study of the use of restrictive covenants to stifle competition* [Abstract]. Planning, Law and Property Rights; Fifth International Conference. 2011. retrieved from: http://www.law.ualberta.ca/plpr/2011/PLPR_Abstracts.pdf.

^{xiv} Interboro Partners, *In the meantime, life with landbanking*. Design Competition entry. 2002. Accessed: <http://www.interboropartners.net/2012/in-the-meantime-life-with-landbanking/>.

^{xv} However, see Lo (2009), which shows that supermarkets are complementary consumption sites for Toronto’s immigrant Chinese residents but independent ones for non-Chinese; the role of ethnicity/culture is thus important with respect to the embeddedness of immigrant consumers and the cultural representations of certain retail spaces as “ethnic.” L. Lo, “The role of ethnicity in the geography of consumption,” *Urban Geography* 30(4), 2009, pp. 391-414.

^{xvi} O. Linovski, “Beyond Aesthetics: assessing the value of strip mall retail in Toronto,” *Journal of Urban Design* 17(1), 2012, pp. 81-99.

^{xvii} See, for example: R. Shields, *Life Style Shopping the Subject of Consumption*, London: Routledge, 1992.

^{xviii} Bruno Latour, “A Cautious Prometheus? A Few Steps Towards a Philosophy of Design (with Special Attention to Peter Sloterdijk),” *Networks of Design: Proceedings of the 2008 Design History Society*, Falmouth, Cornwall.

^{xix} G. Tahchieva, *Urban Sprawl Repair Kit*, Washington D.C.: Island Press, 2010.

From: [Castrey, Raymond F](#)
To: Zoning@springfieldmo.gov
Subject: Rezoning application Z-22-2024 COD 258
Date: Thursday, August 8, 2024 10:24:02 AM

I am writing to express my opposition to the zoning request made by BKM for the northwest corner of Sunshine and National. I am a resident of University Heights and am concerned that rezoning of this property will adversely impact the quality of life in our neighborhood and decrease property values.

In addition to not being aligned with the city's Comprehensive Plan nor Forward SGF, the adverse environmental effects of stormwater runoff, noise, and air pollution, I am particularly concerned about the increase of traffic not only on University, but throughout University Heights. I watch daily as traffic backs up from Sunshine on National during rush hour, and increasing numbers of drivers using not just Brookside and Portland streets but also Stanford, Kingsbury, Linwood and University as shortcuts to travel west on Sunshine.

I do not believe that BKM is acting in good faith to support our neighborhood or improve our quality of life as they have stated. They continue to push for a general rezoning rather than working with the neighborhood towards a planned development for this property that might better align with the traditional residential nature of University Heights.

I respectfully ask you to deny this zoning change. Thank you for your consideration.

Raymond Castrey

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From: [Anne Griffin](#)
To: Zoning@springfieldmo.gov; [McClure, Mayor](#); [Council](#)
Subject: rezoning application Z-22-2024 COD 258
Date: Monday, August 5, 2024 2:34:42 PM

The properties in question for rezoning at the corner of Sunshine and National streets, within the University Heights neighborhood, are not only zoned residential, but also deeded residential, historically contested to remain residential, and identified as residential in both the city's previous and current 20 year plans. It defies reason to believe BK&M made significant investments and initiated development without the blessing of certain city leaders. This misadventure has proven divisive and harmful to the community, delayed economic development in other more appropriate areas, and destroyed trust between all parties for the near future. It is time for the city and members of the community to hold accountable those city leaders who so recklessly greenlit BK&M's initiatives.

It is counterintuitive to encourage more traffic at this intersection which is already highly congested. Even though there is high visibility for businesses due to the traffic numbers, access and safety issues nullify any benefit. It is counterintuitive to encourage any kind of pedestrian traffic near the second busiest intersection in the city. Pedestrian traffic, especially across the intersection, should be avoided for obvious reasons. It is counterintuitive to suggest adding apartments when the site's unsuitability for residents is used as an excuse for rezoning. It is counterintuitive to hold the integrity of an entire neighborhood at risk for some random, non-essential, unproven development.

The public trusts city management with the responsibility to balance the complex set of equities involved in development across all stages, including conception. This project prioritized the abstract corridor development concept, promoted by outside consultants. City leaders are tasked not just with providing opportunities for developers and adding tax base revenues for the city. Equal consideration for the citizenry, their safety, security for their investment, preservation of culture and heritage, and appreciation for historical sites are also requirements of good government and a proven path for comprehensive and sustainable enrichment of a city.

Commercial development at this corner would be *wrong* on so many more levels than would be right. One only has to look at the many unnatural traffic mitigations put forth by the developer and the city as proof that increased congestion and traffic in and around the neighborhood will be the result. Access islands, restrictive medians, speed bumps, and even a proposed street closing, would all completely disrupt the character and flow of the neighborhood and have a huge impact on all people driving those roads. These are permanent inconveniences to all who live in the neighborhoods, and just the first example of negative consequences that will spin off this flawed project.

Cities, developers, and yes even neighbors make mistakes. And right now all are dug-in and bearing ever growing costs. In the city of Springfield, there are many redevelopment options, many intersections, but there is only one University Heights. The choice is clear. In the end, not only does the city bear some responsibility for this conflict, but the buck still stops at City Hall. It's time for the city to hold its personnel accountable and ante up. The only way out is out.

Anne Griffin

From: sbrooks31@gmail.com
To: Zoning@springfieldmo.gov
Subject: Proposed zoning change at the corner of National and Sunshine
Date: Monday, August 19, 2024 8:56:45 PM

Below is an email I sent in October of 2022, and most of the points are still valid today, as you hear the latest proposal this Thursday from BK&M. I would hope you could keep our residential neighborhood completely intact, and vote NO on their latest development proposal. Thanks.

Planning and zoning commissioners, I live in the University Heights neighborhood just a bit west of the proposed development. Our 2 children went to Sunshine Elementary, Jarrett Middle School, and Parkview High School throughout that era of their educational time, as we have lived here 39 years.

I will have more to say about this issue later, as we get closer to the hearing, but I had a few thoughts after the neighborhood meeting that was held yesterday evening, organized by the developers. We had heard that the meeting needed to be at the site, even though most who read the rules thought it could have been at a nearby church, such as at the National Avenue Church, just a few blocks to the north. Instead, the attendees dealt with a pouring downpour, a poor sound system that failed, windy conditions, no rest rooms, and little parking. There was no ADA accessibility. I decided not to attend, as at the time I could go, the rain was forceful, and the tent was overflowing with people, as I saw from a live feed on Facebook. Why did the developers pay for two armed guards? That seems ridiculous.

And, what was the purpose of the meeting? They had no new plans, to share. They have bought 3 more properties, and did not offer a plan when they had the prior meeting when they owned 5 properties. The purpose seemed to get area neighbors more upset, as the meeting was being held at the site of the house they have torn down.

Many of us wonder about the vacant retail property, zoned commercial, 1 block to the east, at Fremont and National. A strip center sits vacant, the prior pool company building is overgrown with weeds, and a former restaurant sits vacant. Why would this company want to fight the battle at National and Sunshine (with so much traffic), when so much property is available a block away. If they succeed in the rezoning, will we soon have more vacant retail on this corner of National and Sunshine?

Perhaps it is time to consider a moratorium on these proposed developments, near historical neighborhoods, until we can create appropriate plans with the neighborhoods, in keeping with the proposals in the Forward SGF plan.

Steve Brooks
417 840-4446

From: [Kathy Hutchison](#)
To: Zoning@springfieldmo.gov
Subject: S W Corner of Sunshine and National Ref Z-22-2024 COD 258.
Date: Tuesday, August 20, 2024 2:54:28 PM

I oppose the proposal by BK&M to Rezone the proposed section of property in University Heights.

The proposed zoning change was initiated in the summer of 2022 by BK&M. Both the City and home owners in University Heights have either opposed or not granted the proposed change.

Now BK&M seem to be wanting to rezone the are in order to get out from their investment.
The proposal of rezoning with a Conditional over lay is NOT ACCEPTABLE!

Without a firm designation of what the property will be used for is a Black Hole.
The property is logistically too close to National Ave and Sunshine to allow ingress to the property.
Leaving only the use of University and west Sunshine for ingress and egress.

Closure or limited access to University is also NOT ACCEPTABLE.

The estimated additional traffic in the University Heights Neighborhood, which BK&M claims is nothing more than fantasy. The traffic already is at times, so backed up many drivers use our area as a cut through.

Any additional traffic will increase a safety hazard which already exists.

Again I oppose Rezoning WITHOUT A PLANNED DEVELOPMENT Z-22-2024-COD 258.

Thank you
David Hutchison
1101 E Kingsbury
Springfield MO
417-830-5268

From: [Jan Peterson](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 with Conditional Overlay District No. 258
Date: Wednesday, August 21, 2024 1:56:27 PM

BK&M is once again asking for a blank check, and yet again it's left to the folks who call University Heights home to put up a fuss to show the folly of such a move.

Over the years, Ralph Duda III and Co. have suggested building a five-story multi-use structure, a food court with pickleball courts and, out of apparent desperation, a planned development. But after BK&M pulled out of the planned development idea, I finally came to realize BK&M never wanted to build any of those things. His intention was never to contribute to this city's growth or development. The only thing Duda appears to be interested in developing is his personal net worth. It seems he speculated on being able to easily flip a few residential lots at a high-traffic location to commercial zoning and cash out.

Galling as that is, it's not nearly as galling as the thought of this city essentially giving carte blanche to any developer who wants to build there. Based on the city's report, there is absolutely no way to determine whether what would be built at Sunshine and National would "weigh scale and impact" on our neighborhood, as Forward SGF emphasizes, nor could we be assured quality of place would be upheld. Absolutely no one in this city can argue the quality of the University Heights neighborhood. Even some homes lining its busy borders command prices well above the \$500,000 mark. The home directly north of the proposed rezoning recently sold for \$700,000.

If BK&D wins rezoning, it can sell the properties to whomever it chooses. The buyer might need to develop within the parameters of the COD, but the COD leaves an uncomfortable amount of wiggle room and is, in my opinion, intentionally hazy. And how on earth is General Retail "transitional zoning" from a traditional, single-family residential neighborhood? Where's the two or three blocks of transition between GR and R-SF?

What's really baffling for me is why city staff chose to recommend approving the rezoning when so little is known about its potential benefit to the city. If a massive sales-tax generator were going in, I might see it. But the range of suggested uses tells me this bit is unknown to the city. Even the city report says "a reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such."

For these and so many other reasons, I urge our honorable Planning and Zoning Commissioners to recommend against the proposed change.

Sincerely,

Jan Peterson
1024 E. Stanford St.
417.838.6216

From: [John Walstrand](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Wednesday, August 21, 2024 3:48:51 PM

This is the first time you received an email from this sender (walstrands@yahoo.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St.

I specifically wish to draw your attention to the traffic issue. Contrary to the would be developers contention that traffic impact would be negligible, my experience shows otherwise. Attached is a document supporting my argument.

Sincerely,

John Walstrand

1116 E Portland

Sent from my iPad

An Informal Traffic Survey of the 1100 Block of East Portland

By
John Walstrand, ORG

Overview

Portland is the sole east/west through-street between Sunshine Street on the south and Grand Street on the north. On it one can travel from Glenstone Avenue on the east to Fort Avenue on the west. As National Avenue runs north/south through the area, many drivers use Portland to avoid the busy Sunshine/National intersection. The 1100 block of East Portland is the first block west of National. It also includes the grounds of National Avenue Christian Church (NACC), which as we shall see contributes to the traffic in the area.

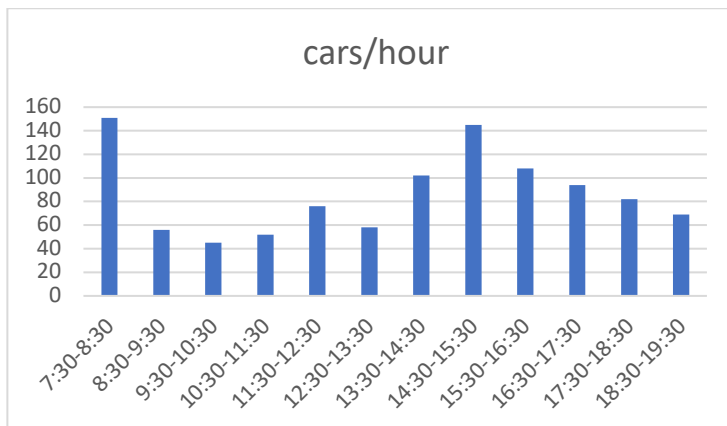
Methodology

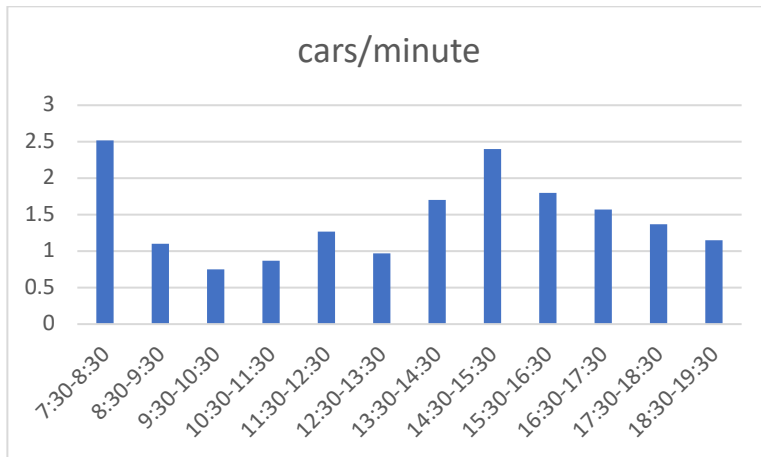
Traffic was counted the week of Monday, October 10 through Friday, October 14, between the hours of 7:30 a.m. and 7:30 p.m. Counts were taken in one-hour blocks of time from the vantage point of my home at 1116 E Portland. The intent was to create a “snapshot” of an average weekday’s traffic.

Data points include westbound versus eastbound traffic, total traffic flow for the block in question, along with hourly and minute averages. Traffic in and out of NACC parking lot was also tallied and its percentage of the total flow calculated.

Overall Traffic Flow

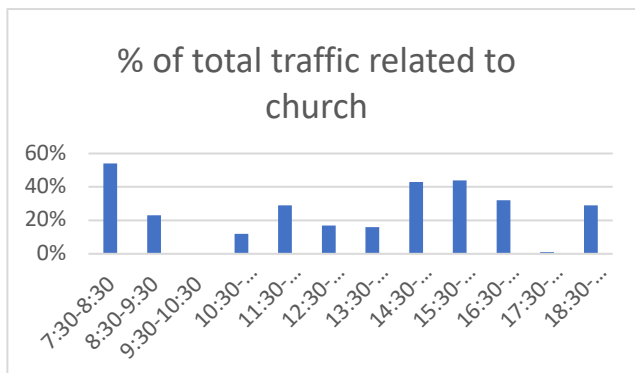
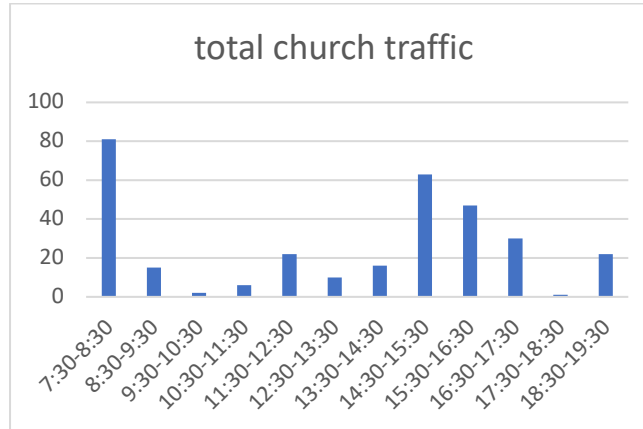
The total vehicle count for the period mentioned was 1,038. 530 were westbound and 508 eastbound. This equates to an average of 86.5 cars/hour, or 1.45 cars/minute. The early morning and mid-to-late afternoon peaks shown in the chart below are due largely to NACC traffic and will be discussed in a later section.





Impact of NACC on Traffic Load

If we compare the graphs below with the previous graphs the impact of NACC on neighborhood traffic is clear. The early morning peak is due to students being dropped at the Montessori school housed on church premises. The mid-to-late afternoon peaks are also partly due to the students being picked up. In addition to the Montessori school there appear to be various other activities at NACC, which seem to account for the sustained late afternoon numbers and the peak between 6:30 and 7:30. Overall, NACC creates 25% of the traffic along the 1100 block of East Portland.



Conclusion

Below is a chart with data from city-conducted traffic counts in the neighborhood. The first count is the exact stretch of Portland covered in my study.

Traffic Count Locations	Date	Count
Portland Street between Hampton and National avenues	4/13/2011	688
Hampton Avenue between Portland and Kingsbury streets	4/13/2011	42
University Street between Hampton and National avenues	1/08/2002	184
Hampton Avenue between Sunshine and University streets	1/08/2002	181

Let's assume the city's study covers a twenty-four hour period as opposed to the twelve hours reflected in my count. But for the sake of argument and comparison, let's call it twelve hours.

The city counted 688 cars versus my count of 1,038. This amounts to an increase of more than 50%. As the city's study pre-dates the establishment of the Montessori school, one can assume it is responsible for a large share of this increase. If a social institution has this large an effect on neighborhood traffic, imagine how much greater an impact a commercial development will have on traffic flow through the neighborhood, especially along streets closest to the proposed site.



EXPLANATION TO COUNCIL BILL 2024-201 (SIMPSON, CARROLL, MCGULL, H

FILED: 09/24/2024

ORIGINATING DEPARTMENT: Finance

TITLE: A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

PURPOSE: Amending Special Ordinance 6863, amending the budget for Fiscal Year 2024-2025, from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, for a project in the amount of \$83,662.43, as recommended by the City Council ARPA Review Committee.

BACKGROUND INFORMATION: The American Rescue Plan Act ("ARPA") of 2021 was passed by Congress on March 10, 2021, and signed into law on March 11, 2021. The Act provides \$1.9 trillion in aid for families, governments, businesses, schools, non-profits, and others impacted by COVID-19. The Act includes, among other things \$656 billion for direct financial assistance to individuals, businesses and non-profits; \$56 billion in assistance to individuals and families; \$211 billion for education and childcare programs, \$86 billion for health programs; \$40 billion for transportation, including airports and rail; \$61 billion for a variety of other programs and \$350 billion for state and local governments in a Fiscal Recovery Fund.

Of the \$350 billion in the state and local ARPA Fiscal Recovery Fund administered by the U.S. Department of the Treasury, the City of Springfield directly received an allocation of \$40,276,290. The City award of \$40,276,290 in ARPA Funds was accepted by City Council through Special Ordinance 27538 passed on July 26, 2021.

Special Ordinance 6863 was adopted by City Council on July 22, 2024 and reallocated remaining unspent ARPA funds except \$83,662.43.

The City ARPA committee met on August 16, 2024, and recommended the remaining ARPA funding, totaling \$83,662.43, be allocated to the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project.

With approval of this Ordinance, the remaining City ARPA funds will be allocated, and a budget adjustment will be approved for Fiscal Year 2024-2025 for the above-listed project.



Submitted By: David Holtmann, Director of Finance

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments:

1. ARPA Allocation to Springfield Greene County Library_Ord
2. Arpa Reallocation BA _ Exh A

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 09-17-24

Sponsored by: Simpson, Carroll, McGull, Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-201 GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Ordinance 6863 to allocate the remaining \$83,662.43 from the City's
2 Coronavirus State and Local Fiscal Recovery Funds, established by
3 the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of
4 entering into an agreement with the Springfield-Greene County
5 Library District for the Midtown Carnegie Branch Library Renovation
6 Project; authorizing the City Manager, or designee, to execute the
7 same; and amending the budget for Fiscal Year 2024-2025 in the
8 amount of \$83,662.43.
9 _____

10
11 WHEREAS, the City of Springfield received an award of \$40,276,290.00 in
12 American Rescue Plan Act ("ARPA") Funds in July 2021; and
13

14 WHEREAS, the City Council, through Ordinance 6863, reallocated unspent
15 ARPA funds except \$83,662.43; and
16

17 WHEREAS, the City Council ARPA Review Committee met on August 16, 2024,
18 and recommended the remaining ARPA funds, totaling \$83,662.43, be allocated to the
19 Springfield-Greene County Library District for the Midtown Carnegie Branch Library
20 Renovation Project; and
21

22 WHEREAS, with approval of this Ordinance, the remaining City ARPA funds will
23 be allocated, and a budget adjustment will be approved for Fiscal Year 2024-2025 for
24 the above-listed project.
25

26 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
27 SPRINGFIELD, MISSOURI, as follows, that:
28

29 Section 1 – The ARPA funds remaining unallocated in Ordinance 6863, in the
30 amount of \$83,662.43, are hereby allocated to the Springfield-Greene County Library
31 District for the Midtown Carnegie Branch Library Renovation Project.
32

33 Section 2 – The City Manager, or designee, is hereby authorized and directed to
34 execute an agreement, approved as to form by the City Attorney, for the Midtown
35 Carnegie Branch Library Renovation Project, by and on behalf of the City of Springfield.
36

37 Section 3 – The Fiscal Year 2024-2025 budget is hereby amended in the
38 accounts and in the amounts as shown on Budget Adjustment No. 024, a copy of which
39 is attached hereto and incorporated herein by reference as “Exhibit A.”
40

41 Section 4 – City Council finds that the budget adjustment made above has been
42 recommended by the City Manager.
43

44 Section 5 – The City Manager, or designee, is directed to cause the appropriate
45 accounting entries to be made in the books and records of the City.
46

47 Section 6 – This Ordinance shall be in full force and effect from and after
48 passage.
49

50
51 Passed at meeting: _____
52

53 _____
54 Mayor
55

56 Attest: _____, City Clerk
57

58 Filed as Ordinance: _____
59

60
61 Approved as to form: Laura Vales, Assistant City Attorney
62

63
64 Approved for Council action: Jason A. Hays, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
024

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

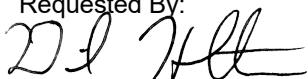
Fund	Dept	Org	Account	P&G	Location	Amount	Description
22520	09	18060	502490	000000	00000	\$ 83,662.43	Springfield-Greene County Library District (Midtown Carnegie Branch Renovation Project)
Net Expenditure Adjustment						\$ 83,662.43	

Fund Balance Appropriation:

Fund	Title	Amount
22520	US Dept of the Treasury Fund	\$ (83,662.43)

Explanation: To amend the FY2024-25 budget by reappropriating American Rescue Plan Act funds allocation from the Springfield-Greene County Health Department to Springfield-Greene County Library District (Midtown Carnegie Branch Renovation Project).

Requested By:

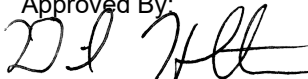


Department Head

9-17-2024

Date

Approved By:



Director of Finance

9-17-2024

Date

City Manager

Date

Authorization:

Council Bill No. 2024-201

Ordinance No. _____

1st Reading _____

2nd Reading _____

Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-202 (HORTON)

FILED: 09/24/2024

ORIGINATING DEPARTMENT: City Manager

TITLE: A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

PURPOSE: To authorize the City Manager, or designee, to enter into a contract to purchase the property generally described as 817 North Boonville Avenue and to execute all necessary documents in support thereof; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000.

BACKGROUND INFORMATION: The City has previously targeted the properties on the west side of the 800 block of North Boonville Avenue for future expansion of the Government Plaza. The City has been given an opportunity to acquire one of those properties, a one-story building generally located at 817 North Boonville Avenue and currently occupied by Conklin Bail Bonds. The immediate purpose of this acquisition will serve as either storage or office space for those in need of relocation during ongoing renovation projects of other City properties.

The property was recently appraised at a value of \$110,000, and the owner of the property is willing to sell the building at the appraised value. Additional costs to be budgeted include closing costs, environmental assessment, and appraisal services. The source of funds for this acquisition is the Risk Management Department's unrestricted reserve fund. The purchase of this property will in no way affect the cash balances of the General Fund or any of the City's sales tax funds. If approved, the property will be held as an asset in Risk Management. The closing date is currently scheduled for a date on or before October 18, 2024.

The Planning and Zoning Commission recommended approval of this acquisition at its meeting on September 12, 2024. The City Manager's Office recommends passage of this Council bill and budget adjustment, see Staff Report, attached hereto and incorporated herein as "Exhibit 4."

Submitted By: Collin Quigley, Deputy City Manager

Authorized for inclusion on the agenda pursuant to City Code section 2-33:



- Attachments:**
1. 817 N Boonville Ave Building Acquisition
 2. Exhibit 1 - ROP Planning and Zoning Commission
 3. Exhibit 2- Purchase Agreement 817 N Boonville Ave
 4. Exhibit 3 - Budget Adjustment
 5. Exhibit 4- Staff Report

One-rdg. _____
P. Hrngs. _____
Pgs. 23
Filed 09-17-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-202

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City of Springfield, Missouri, to enter into an Agreement with
2 Tyrone L. Conklin for the purpose of purchasing the real estate located
3 at 817 North Boonville Avenue for the not to exceed price of One
4 Hundred Ten Thousand Dollars (\$110,000); authorizing the City
5 Manager, or designee, to execute the same by and on behalf of the
6 City of Springfield; and amending the Fiscal Year 2024-2025 budget in
7 the amount of \$130,000, to include additional costs.
8 _____
9

10 WHEREAS, the City has previously targeted the properties on the west side of
11 the 800 block of North Boonville Avenue for future expansion of the Government Plaza;
12 and
13

14 WHEREAS, the City has been given the opportunity to acquire one of those
15 properties, a one-story building generally located at 817 North Boonville Avenue; and
16

17 WHEREAS, the property's recently appraised value is \$110,000.00, and the
18 owner of the property is willing to sell the building at the appraised value; and
19

20 WHEREAS, additional costs, including closing costs, environmental
21 assessments, and appraisal services, have been budgeted at approximately
22 \$20,000.00; and
23

24 WHEREAS, the purchase of this property will in no way affect the cash balances
25 of the General Fund or any of the City's sales tax funds; and
26

27 WHEREAS, the Planning and Zoning Commission unanimously recommended
28 approval of this acquisition at its September 12, 2024, meeting as shown in "Exhibit 1,"
29 attached hereto and incorporated herein; and
30

31 WHEREAS, the City Manager's Office recommends passage of this Ordinance
32 and budget adjustment.
33

34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
35 SPRINGFIELD, MISSOURI, as follows, that:

36
37 Section 1 – The Agreement by and between the City of Springfield, Missouri, and
38 Tyrone L. Conklin, for the purpose of purchasing the real estate located at 817 North
39 Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars
40 (\$110,000), a true and accurate copy of said Agreement being attached hereto and
41 incorporated fully herein as “Exhibit 2,” is hereby approved.

42
43 Section 2 – The City Manager, or designee, of the City of Springfield, Missouri, is
44 hereby authorized and directed to execute said Agreement by and on behalf of the City
45 of Springfield.

46
47 Section 3 – The Fiscal Year 2024-2025 budget is hereby amended in the account
48 and in the amount as shown on Budget Adjustment No. 023, attached hereto and
49 incorporated fully herein as “Exhibit 3.”

50
51 Section 4 – City Council finds that the budget adjustment made above has been
52 recommended by the City Manager.

53
54 Section 5 – The City Manager, or designee, is directed to cause the appropriate
55 accounting entries to be made in the books and records of the City.

56
57 Section 6 – The City Manager, or designee, is hereby authorized to take such
58 action and execute such other documents as may be necessary or desirable to carry
59 out and comply with the intent of this Ordinance, provided that any such documents are
60 approved as to form by the City Attorney.

61
62 Section 7 – This Ordinance shall be in full force and effect from and after its
63 passage.

64
65 Passed at meeting: _____

66
67
68 _____
69 Mayor

70 Attest: _____, City Clerk

71
72 Filed as Ordinance: _____

73
74
75 Approved as to form: Laura Vales, Assistant City Attorney

76
77
78 Approved for Council action: Jason C. Hays, City Manager

EXHIBIT 1
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Request to Acquire 548
817 North Boonville Avenue
Applicant: City of Springfield

Consent item.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Request to Acquire 548, Commissioner Pauly seconded the motion. They **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

CONTRACT FOR SALE OF REAL ESTATE

This contract ("Agreement") is made by and between Tyrone L. Conklin, ("Seller"); and the City of Springfield, Missouri, a municipal corporation, ("Buyer"), effective as of the date of the last party to sign the Agreement, hereinafter referred to as "Effective Date."

1. PURCHASE AND PRICE. The price for the sale of the property is the amount of One Hundred Ten Thousand and No/100 Dollars (\$110,000.00) as set forth in this Agreement.

2. PROPERTY. Buyer has offered to buy and the Seller is willing to sell, on the terms and conditions set forth herein, the real estate, improvements, fixtures, and parking generally located at 817 N. Boonville Ave., in Springfield, Greene County, Missouri, more particularly identified on Exhibit A (hereinafter collectively described as the "Property") by general warranty deed, free and clear from any liens and encumbrances, subject to recorded setback lines and easements, and subject to the terms and conditions set forth herein.

3. CONTINGENCIES. This Agreement and obligation to purchase the Property is subject to the following contingencies, and Buyer may elect to declare this Agreement null and void prior to the closing without any obligation or liability to Seller in the event that:

- a. the Planning and Zoning Commission of the City of Springfield, Missouri, does not recommend approval of the Buyer's purchase of the Property pursuant to requirements of Section 11.7 of the City of Springfield City Charter;
- b. a commercial appraisal of the Property ordered by the Buyer does not establish a fair market value of at least \$110,000.00;
- c. a survey or inspection of the Property by Buyer discloses property conditions, encroachments, violations of subdivision rules or covenants, or other restrictions, boundary line disputes, or rights or claims of third parties in possession, on any portion of the premises, which are unacceptable to Buyer;
- d. the title insurance commitment referred to in paragraph 8 of this Agreement shall fail to show merchantable title in Seller, or shall contain exceptions unacceptable to Buyer;
- e. the purchase of the Property is not approved by the Springfield City Council, in their sole discretion, if determined by the Springfield City Attorney that additional legislative authorization is required for acquisition of the Property;
- f. any additional environmental assessments are conducted on the Property and such assessments are not acceptable to Buyer; or

- g. any other change in circumstance resulting in the purchase no longer being in the Buyer's best interest.

4. DEFINITION OF HAZARDOUS SUBSTANCE. As used herein, "Hazardous Substance" shall mean any substance: (1) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy, or common law; (2) which is hereafter defined as a "hazardous waste," "hazardous substance," "hazardous material," "pollutant," or "contaminant" (whether harmful or not) under any federal, state, or local statute, regulation, rule or ordinance, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Sections 9601 et seq.) and/or the Resource Conservation and Recovery Act (42 U.S.C. Sections 6901 et seq.); (3) which is toxic, explosive, corrosive, flammable, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department or instrumentality of the United States, the State of Missouri, or any political subdivision thereof; and (4) without limitation, which consists of or contains petroleum, natural gas, and/or their components and distillates. For the purposes of this definition, asbestos is not included as it is treated separately hereunder.

5. SELLER'S REPRESENTATIONS. Seller represents to Buyer, as follows:

- a. Seller is possessed and vested with full power and authority to enter into and consummate this Agreement, and to perform Seller's obligations hereunder.
- b. This Agreement is a valid and binding contract, enforceable in accordance with its terms and conditions.
- c. If the Property is subject to any real estate listing agreement or other agreement providing for a real estate commission, Seller is solely responsible for the cost and payment of all such commissions in connection with this Agreement; Buyer shall not be responsible for any such costs.
- d. There are no leases, tenancies, or other rental arrangements pertaining to any portion of the Property, and Seller owns fee simple title to the Property.
- e. There are no rights or claims of parties in possession not shown by public records.
- f. There are no easements, or claims of easements, not shown by public records.
- g. There are no encroachments, overlaps, boundary line disputes, or other matters that would be disclosed by an accurate survey or inspection of the Property.
- h. There is no lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by public records.
- i. There are no taxes or special assessments not shown as existing liens by public records.

- j. There are no legal proceedings pending which involve the Property to the knowledge of Seller.
- k. Seller has not placed any underground tanks, hazardous substances, or dumpsites on the Property during their ownership of the Property. Seller shall make available to Buyer all environmental assessments and reports concerning the Property in their possession.
- l. These representations are continuing and will be true at closing unless Seller has given the Buyer notice of the contrary in writing prior to the closing; however, any such disclosure(s) shall not relieve Seller of any obligations herein.

6. ADDITIONAL TERMS AND CONDITIONS.

- a. Seller and Buyer acknowledge and agree that Buyer's acquisition of the Property is being made in a voluntary, arms' length manner and that the consideration paid by Buyer to Seller set forth in Paragraph 1 represents the fair market value for the Property, pending the results of an appraisal.
- b. The Phase I Environmental Assessment conducted on the Property will be at Buyer's expense. In the event that said Assessment reveals the need for a Phase II Assessment, the parties agree that they will enter into a supplemental agreement that allocates the costs of the Phase II Assessment between the parties.
- c. The Buyer will arrange for and pay for an appraisal of the Property to be completed before closing.
- d. The Buyer will arrange for and pay for a survey of the Property to be completed before closing.

7. CLOSING AND POSSESSION.

- a. The "Closing" is the recording of the Seller's general warranty deed and the payment of the purchase price by the Buyer, which shall occur on or before October 18, 2024, provided all contingencies have been resolved to Buyer's satisfaction, at a time mutually agreeable to both parties, at the location specified below, provided that all contingencies and conditions herein have been satisfied or waived in writing and there is a title insurance commitment showing merchantable title in the Seller, unless otherwise mutually agreed to by the Seller and Buyer. The Seller acknowledges that proceeds will not be disbursed until the deed has been recorded.
- b. Buyer shall take possession of the Property at the closing unless otherwise determined in writing and signed by both parties.

- c. Closing shall take place at Meridian Title Company, once Buyer has satisfied itself that all contingencies or conditions contained in this Agreement have been satisfied or waived by Buyer in writing.
- d. Buyer shall pay all closing costs, other than those identified in this Agreement to be paid by the Seller.

8. CLOSING PROCEDURES. Necessary title information will be ordered by the Buyer within ten (10) days of the Effective Date. The Buyer, at its cost, shall obtain a commitment to insure title in the amount of the purchase price through a title insurance company acceptable to the Buyer, which is authorized to insure titles in the State of Missouri.

The commitment shall show merchantable title in the Seller in accordance with the Title Examination Standards of the Missouri Bar, subject only to any deed of trust, lien, or other encumbrances which can be satisfied from the proceeds of the sale; setback lines; standard utility easements of record as of the Effective Date; and the lien of current year's taxes. The Buyer may obtain a survey of the Property, the cost of which shall be paid by the Buyer.

The Buyer may, at Buyer's expense, have the title commitment examined; if applicable, the Buyer shall provide to the Seller in writing any valid objections to title and survey prior to the Closing Date, and the Seller, at its sole option, shall make reasonable efforts to correct the valid objections within thirty (30) days of receipt of request to cure, unless otherwise agreed to in writing, and, if not corrected, the Buyer may waive any objections and close, or elect to terminate the Agreement. At the Closing, the Seller shall deliver the general warranty deed, along with all other documents reasonably necessary to complete the close and which the title company requires in order to issue the title insurance policy, and the Buyer shall deliver its check sufficient to satisfy the Buyer's payment obligations and all other documents necessary to complete the Closing. All closing costs will be paid by the Buyer. The Sellers warrant at Closing there are no unpaid bills for improvements within twelve (12) months prior to Closing and that the Seller has no knowledge of proposed improvements to be paid for by special assessment or fee.

9. TAXES AND UTILITIES. Seller shall be responsible for all taxes prior to 2024. All utilities to the Property shall be read at the Closing Date and transferred to Buyer. Buyer shall not be responsible for any utility costs incurred prior to closing.

10. VERIFICATION OF CONDITION. The Buyer shall have the right to make a final inspection of the Property prior to Closing, as a contingency of the sale, to confirm that:

- a. the Seller has complied with Seller's obligations; and
- b. any contingency or defect of title has been resolved.

11. REMEDIES UPON DEFAULT.

- a. The Sellers or the Buyer shall be in default under this contract if either party fails to comply with any material provision within the time limits required by the contract. If either party defaults, the party claiming a default shall notify the other party in writing of the nature of the default and may, as set forth in said notice, either terminate this contract or extend the time for performance by providing the defaulting party a deadline for curing the default.
- b. In addition to all other remedies available to Seller or Buyer, the parties specifically acknowledge that the remedy of Specific Performance is a remedy that can be pursued by the Buyer in the Circuit Court of Greene County, Missouri.

12. PROVISIONS NOT MERGED WITH DEED. No provision of this contract is intended to or shall be merged by reason of any deed transferring title to the Property from the Seller to the Buyer, or any successor in interest; any such deed shall not be deemed to affect or impair the warranties, obligations, and covenants of this contract, which shall survive the closing.

13. NOTICE. All notices required or permitted hereunder and required to be in writing may be given by facsimile or by first class mail addressed to the Buyer and the Seller by one of three different means: Facsimile Transmission ("FAX") if both parties have a FAX number; United States Postal Service Mails; hand-delivering a copy of the same to the receiving party; or notice may be given by any combination of the above methods.

- a. The date of notice shall be whichever of the following first occurs:

- (1) The date upon which notice is hand-delivered to the receiving party;

- (2) The date of delivery of notice by FAX transmission, which shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case, the date of delivery shall be deemed to fall on the next regular business day for the receiving party;

- (3) The third day following mailing of the notice.

- b. Notices to the Seller shall be addressed to:

Tyrone L. Conklin
2177 N. Farm Road 89
Springfield, MO 65802

- c. It shall be sufficient if notices sent to the Buyer are addressed to:

City Manager
City of Springfield, Missouri
840 Boonville

P.O. Box 8368
Springfield, MO 65801

With a copy to:

City Attorney
City of Springfield, Missouri
840 Boonville
P.O. Box 8368
Springfield, MO 65801

14. HEADINGS. The headings or captions of this Agreement are for convenience and reference only and in no way define, limit, or describe the scope or intent of this Agreement or any provision hereof.

15. VENUE AND JURISDICTION. This Agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

16. TIME. Time is of the essence in the performance of the obligations of the parties under this Agreement.

17. ENTIRE CONTRACT. This Agreement contains the entire contract of the parties. No modification, amendment, or waiver of any of the provisions of this Agreement shall be effective unless in writing specifically referring hereto and signed by both parties.

(THIS PORTION OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

BUYER:

CITY OF SPRINGFIELD, MISSOURI

By: _____
Jason Gage, City Manager

Date: _____

ATTEST:

APPROVED AS TO FORM:

Anita J. Cotter, City Clerk

City Attorney or Designee

Director of Finance

SELLER:

Tyrone L. Conklin

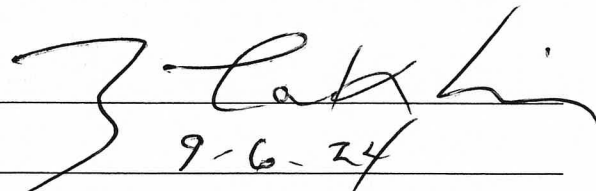
By:  _____
Date: 9-6-24

Exhibit A
Property Description

ALL OF LOT THREE (3), IN POST OFFICE ADDITION, EXCEPT THE WEST 140 FEET THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 3

Budget Adjustment
023

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
60430	22	13100	508230			\$ 130,000	Building Acquisitions
Net Expenditure Adjustment						\$ 130,000	

Fund Balance Appropriation:

Fund		Title	Amount
60430	22	Liability Insurance	\$ (130,000)

Explanation: To amend the FY2024-25 budget by appropriating fund balance from the Liability Insurance Fund for the purchase and other related costs in the acquisition of 817 N Boonville.

Requested By:

Approved By:

Authorization:

Department Head _____ Date _____

Director of Finance _____ Date _____

City Manager _____ Date _____

Council Bill No. _____
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



Planning and Zoning Commission Staff Report

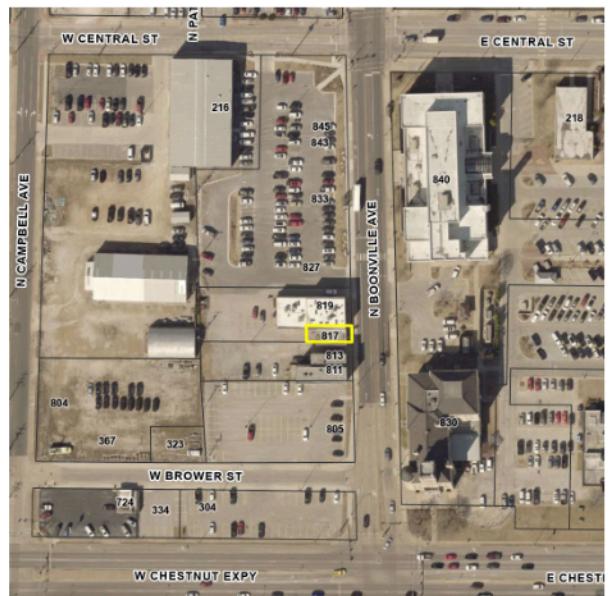
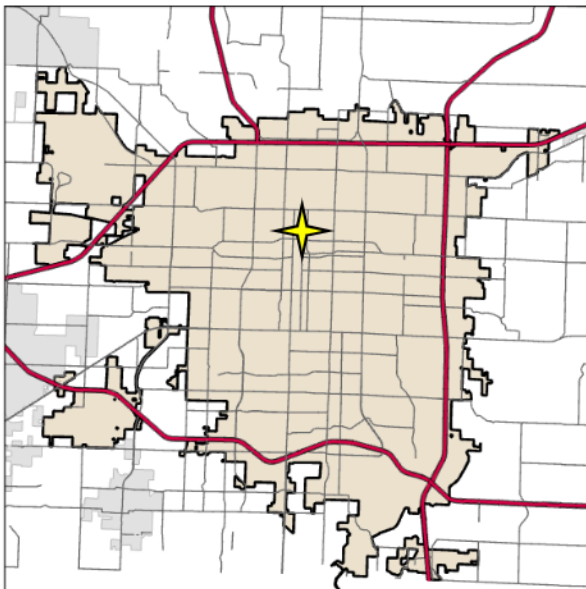
PROJECT INFORMATION:

Case Number:	Request to Acquire 548
Location:	817 North Boonville Avenue
Total Acres:	0.029 acres
Legal Description:	See <i>Exhibit A</i>
Applicant:	City of Springfield
Existing Land Use:	Bail Bonds Service
Planning and Zoning Commission:	September 12, 2024
Staff:	Matt D. Schaefer, AICP
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in the staff report. (All commission motions are made in the affirmative.)
Required Vote:	Requires 5 voting members to approve or deny.

PROJECT SUMMARY:

The City of Springfield proposes to acquire the existing land and improvements generally located at 817 North Boonville Avenue. The subject property is located within the Boonville Avenue Subarea and is immediately adjacent to government and institutional uses. As one of the last remaining non-City-owned properties in the Subarea south of Central Avenue, the proposed acquisition will facilitate land assemblage necessary for future redevelopment and expansion of municipal facilities.

LOCATION MAP:



AERIAL OF SUBJECT PROPERTY:



©EagleView

2/21/2024



GOOGLE STREETVIEW OF SUBJECT PROPERTY:



817 N Boonville Ave

PROPERTY HISTORY:

The structure was built in 1945 and is currently used as a bail bonds service. The subject property is zoned CC, Center City district.

PLANNING AND ZONING COMMISSION AUTHORITY:**Springfield City Charter****Sec. 11.7. - Legal status of master plan.**

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

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

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

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN:

The request to acquire the subject property is consistent with the *Forward SGF Comprehensive Plan*.

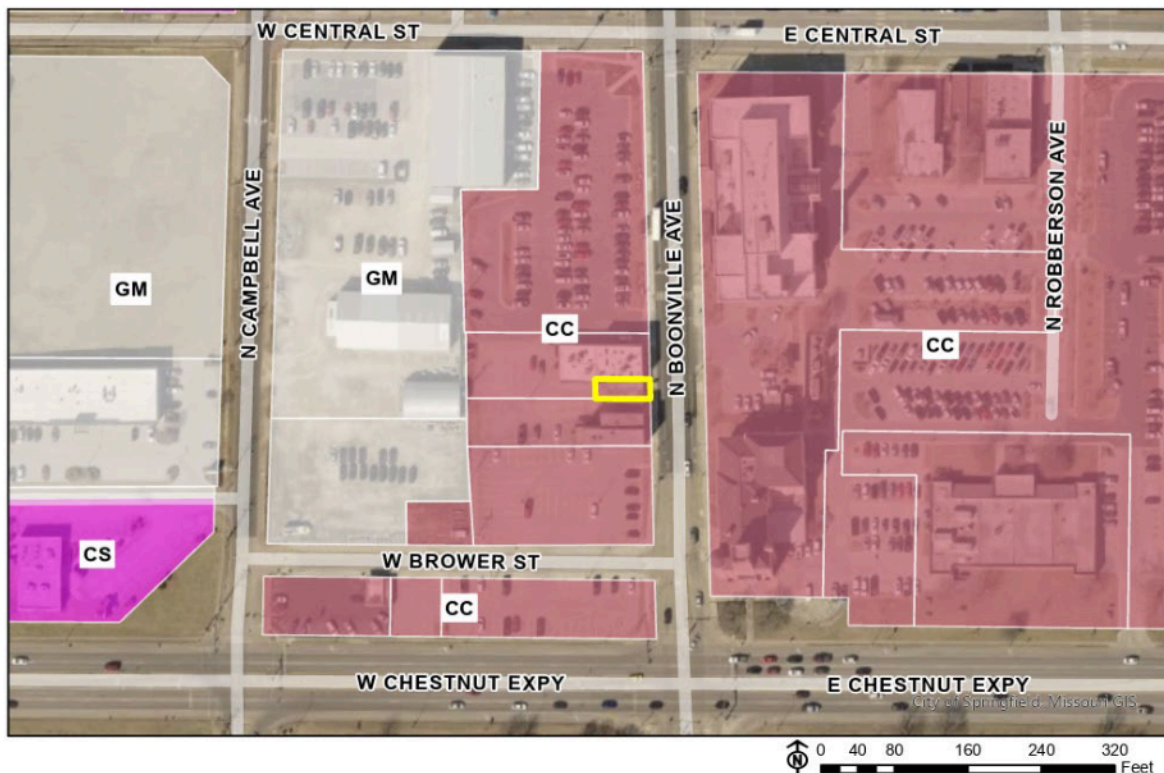
Chapter 5, Land Use & Development, designates the subject property as being within the Institutional & Employment Center placetype. The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

The subject property is also included in the Boonville Avenue Subarea Plan (Chapter 12), which is situated along Boonville Avenue between Chestnut Expressway and Commercial Street. The Plan provides a framework for bridging the gap between Downtown and Commercial Street by transforming Boonville Avenue into an inviting, tree-lined, amenity-rich, multi-modal boulevard that provides a mix of employment, housing, and a variety of services and community resources. The south half of the Subarea, located between Chestnut Expressway and Calhoun Street can be characterized as the Government/Civic corridor. This district is the civic heart of the City with major governmental and civic campuses occupying this section of Boonville, where most of buildings house government offices and essential public services to the City of Springfield and surrounding region. The Plan proposes the adoption of an Intergovernmental Campus Master Plan that expands the existing (Springfield) Government Plaza area to include surrounding institutions (Greene County and City Utilities) to create a large institutional campus. It identifies the block along the west side of Boonville Avenue between Central Street and Brower Street as a redevelopment opportunity site for a new municipal court facility. The subject property is one of the last remaining non-City-owned properties on this block, the acquisition of which will facilitate property assemblage necessary for future redevelopment.

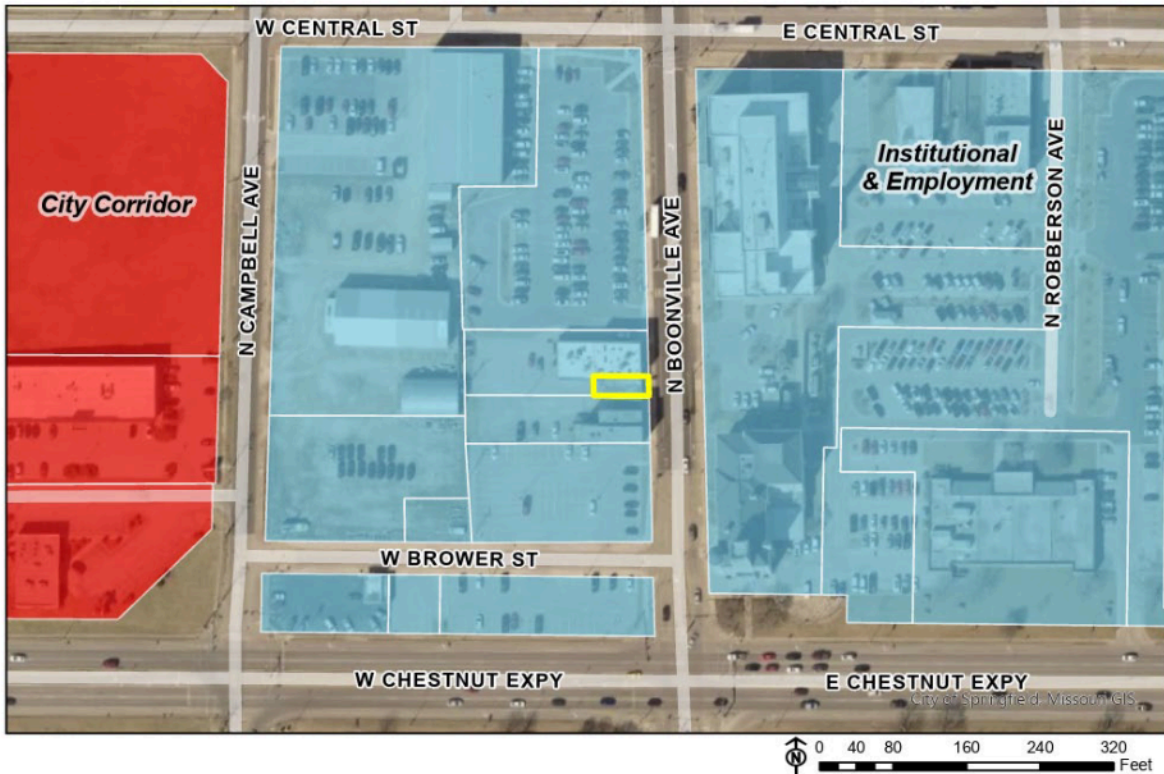
SURROUNDING ZONING, LAND USES, AND FUTURE PLACETYPES:

	ZONING	LAND USE	PLACETYPE
NORTH	CC, Center City	Mental Health Services (NAMI of SW MO)	Institutional & Employment
SOUTH	CC, Center City	Government Offices (City)	Institutional & Employment
EAST	CC, Center City	Government Offices (Busch Municipal Building & Historic City Hall)	Institutional & Employment
WEST	CC, Center City	Private off-street parking (NAMI of SW MO)	Institutional & Employment

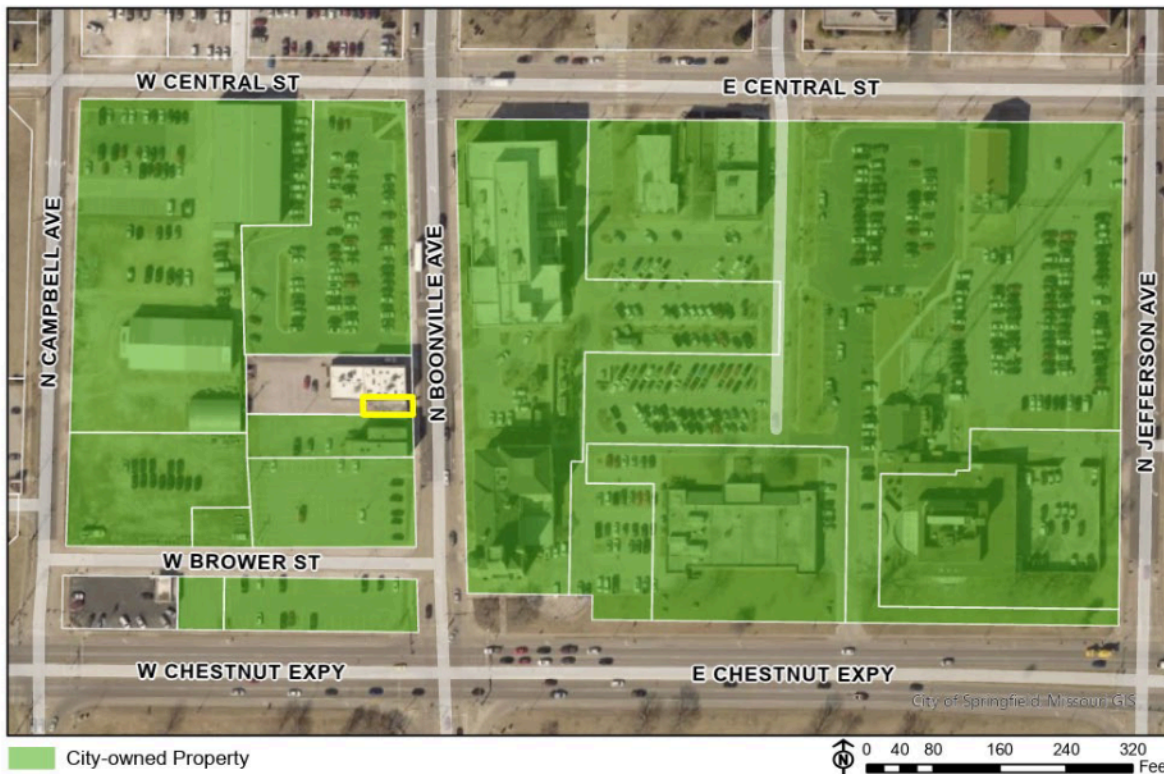
Zoning



Forward SGF Future Placetypes



City-owned Properties, Government Plaza



LAND ACQUISITION POLICY:

Planning and Zoning Commission adopted the following policy statement for land acquisition by public bodies:	Applicant's Response:
1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.	The proposed acquisition is consistent with the adopted Plans and Policies of the City of Springfield.
2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.	The proposed use by the City will have no effect on the surrounding land uses.
3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.	The City proposes the acquisition of the existing land and improvements located within the Government Plaza and adjacent other City owned property. The improvements will provide additional space for City operations.
4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place or make the structures available to the previous owner or public for moving or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.	Improvements consist of an office structure that represents highest and best use, is in good condition and will be maintained.
5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.	The City proposes to use the property as additional space and there are no plans to alter or remove the structure.

STAFF ANALYSIS AND RECOMMENDATION:

1. The City of Springfield is requesting to acquire property generally located at 817 North Boonville Avenue.
2. The subject property is zoned CC, Central City district. The properties will be used for City offices. The general office use group is permitted in the Center City district.
3. The proposed acquisition and use of the subject property is consistent with *Forward SGF Comprehensive Plan*, specifically as it pertains to future placetypes and the Boonville Corridor Subarea Plan.
4. This application is consistent with the City's adopted plans and policies, including the Planning and Zoning Commission's policy for land acquisition for public bodies.
5. The proposed acquisition facilitates land assemblage necessary to facilitate future redevelopment and expansion of municipal operations.

EXHIBIT A
Legal Description
Request to Acquire 548

ALL OF LOT THREE (3), IN POST OFFICE ADDITION, EXCEPT THE WEST
140 FEET THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY,
MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.



EXPLANATION TO COUNCIL BILL 2024-204 (SIMPSON, MCGULL, HARDINGER,

FILED: 09/18/2024

ORIGINATING DEPARTMENT: City Clerk

TITLE: A resolution adopting a City Council standing committee referral form.

PURPOSE: To establish a committee referral form to be utilized by the standing committees of City Council.

BACKGROUND INFORMATION: Section 2-49 of the City Code establishes standing committees of City Council. Section 2-53 (e)(11) of the City Code states, "it is the policy of the city council to encourage the referral of council bills involving policy issues and substantive changes to the appropriate city council committee." The Chairs Committee of the City Council met on July 31, 2024, and unanimously voted to recommend the adoption of a standing committee referral form, which is attached as exhibit A.

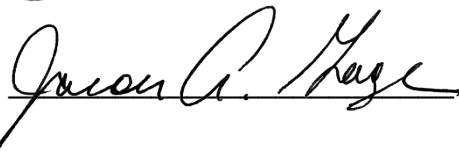
Submitted By: Anita Cotter, City Clerk

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Jason Gage, City Manager 10/2/2024

Attachments:

1. _Council Committee Referral Form _Res
2. _Committee Referral Request Form _Exh A

36 Approved as to form: , City Attorney
37
38
39 Approved for Council action: , City Manager

City Council Committee Referral Request Form

Exhibit A

1. Council Member Requesting the Referral

2. Referral Information

- **Date of Referral:** _____ ☐ **Citizen Request**
- **Title of Referral:** _____
- **Description/Purpose of referral and Desired Outcome:** (Provide a detailed description of the item to be referred, including background information, objectives, desired outcome, and any relevant context.) (Attachments see #5.)

- **Relates to which Adopted City Council Priority Objective:** _____
- **Time Constraints or Pertinent Deadlines for review:** (Provide information pertaining to any deadlines or timeframes that may affect what priority this issue is given in Committee.)

☐ **Request recommendation** ☐ **Request Draft Ordinance for City Council to review.**

3. Requested Committee for Referral:

- **Finance and Administration Committee** (Areas of Responsibility include fees and charges for City services; Economic Development; Federal and State assistance programs, supervises Internal Auditor, Monitors Internal Audit plan, makes Recommendations to Council regarding Audit findings.)
- **Plans and Policies Committee** (Areas of Responsibility include Master Planning, of all areas, Council goals and procedures; City Code revisions.)
- **Community Involvement Committee** (Areas of Responsibility include Legislative priorities, neighborhood issues, environmental issues.)
- **Public Involvement Committee** (Area of Responsibility include Recommendations for appointment to Boards and Commissions.)
- **Committee of the Whole** (Areas of Responsibility include Recommendations for appointment to Board of Public Utilities and Police Civilian Review Board or any other referred matter.)

Reason for Referral to Selected Committee: (Explain why this item should be referred to the selected

4. Additional Information

- **Additional Notes or Comments:** (Any additional information or special considerations regarding the referral.)

5. Supporting Documents

- **Attachments:**
 - (Include any supporting documents or materials relevant to the item being referred. e.g., reports, data, previous meeting minutes, etc.)

For City Clerk's Office Use Only

.....

Referral Outcome

Referred: _____

Withdrawn: _____

Committee referred to: _____

Committing Meeting Dates Considerations: _____

Recommendation to City Council: _____

Council Action: _____

EXPLANATION TO COUNCIL BILL 2024-205 (MCGULL)

FILED: 09/17/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acres of property generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District; and adopting an updated Official Zoning Map. (By: Skyline Investment Company, LLC c/o Chris Nattinger; 1719 East Atlantic Street; Z-23-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-23-2024

The applicant is requesting to rezone approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve, by a vote of 8 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Industry & Logistics placetype.
2. This application is consistent with the Industry & Logistics placetype which predominantly consists of heavy and moderately intense manufacturing, distribution, warehousing and storage uses. 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. It also states that industrial uses are well screened and buffered when located near lower intensity commercial or residential areas to reduce potential negative visual and noise impacts.

3. The bufferyard type “E” will be required with any new development of the site. This will require a 20 ft. bufferyard with 3 canopy trees, 2 understory trees, 2 evergreen trees and 16 shrubs for every 100 linear feet adjacent to the R-TH District. A six-foot solid wood fence, wall or hedge will also be required.
4. The RI district is intended primarily for uses engaged in light manufacturing, assembling, and fabrication, warehousing, wholesaling, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multi-family residential development.
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 changing conditions in the area affected that make the proposed rezoning necessary. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
7. The range of uses in the proposed Restricted Industrial district are compatible with the uses permitted on other property in the immediate vicinity to the north, east and south. The RI district allows for manufacturing and office uses which are consistent with uses in the area.
8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A traffic study is not required as part of this rezoning.
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. The property can still develop with the existing zoning.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Industry & Logistics placetype and on the findings of facts above.

Submitted By: Daniel Neal, Senior City Planner



Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 10/1/2024

- Attachments:**
1. Z-23-2024 - 1719 East Atlantic Street_Ord
 2. Z-23-2024_exh A
 3. Z-23-2024_exhB
 4. Z-23-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 22
Filed: 10-01-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-205

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 0.2 acres of property generally located at 1719 East Atlantic Street
4 from R-TH, Residential Townhouse District to RI, Restricted
5 Industrial District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse
10 District to RI, Restricted Industrial District; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
14 public hearing being attached hereto and incorporated herein by this reference as
15 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
16

17 WHEREAS, the City has reviewed the applicant's request and prepared a staff
18 report concerning the application, which is attached hereto and incorporated herein by
19 this reference as "Exhibit C"; and
20

21 WHEREAS, proper notice was given of a public hearing before City Council, and
22 said hearing was held in accordance with the law.
23

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
25 SPRINGFIELD, MISSOURI, as follows, that:
26

27 Section 1 – The property generally located at 1719 East Atlantic Street and
28 described in "Exhibit A," which is attached hereto and incorporated herein by this
29 reference, is hereby rezoned from R-TH, Residential Townhouse District to RI,
30 Restricted Industrial District. Springfield Land Development Code, Section 36-306,
31 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
32 modified consistent with this Ordinance.
33

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales, Assistant City Attorney

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

All of the West Sixty-five (65) feet of Lots Twenty-Nine (29) and Thirty (30), PARCE & BURLINGAME'S ADDITION; to the City of Springfield, Greene County, Missouri, according to the recorded plat thereof, together with the East One-half (E ½) of a 15-foot vacated alley adjoining on the West side thereof.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-23-2024

1719 East Atlantic Street

Applicant: Skyline Investment Company, LLC

Mr. Neal states that this is a request to rezone approximately 0.2 acres from R-TH, Residential Townhouse District to RI, Restricted Industrial District.

Mr. Chris Nattinger, 1452 N. Cooper and I own the properties adjacent and wanted to make sure that all our properties had the same zoning and don't plan to develop it.

Mr. Pauly asked about the piece of metalwork in the area, noting that no outdoor storage is allowed.

Mr. Nattinger noted that one of his customers does machining work and this is a piece of steel and that they have been asked to move.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-23-2024, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

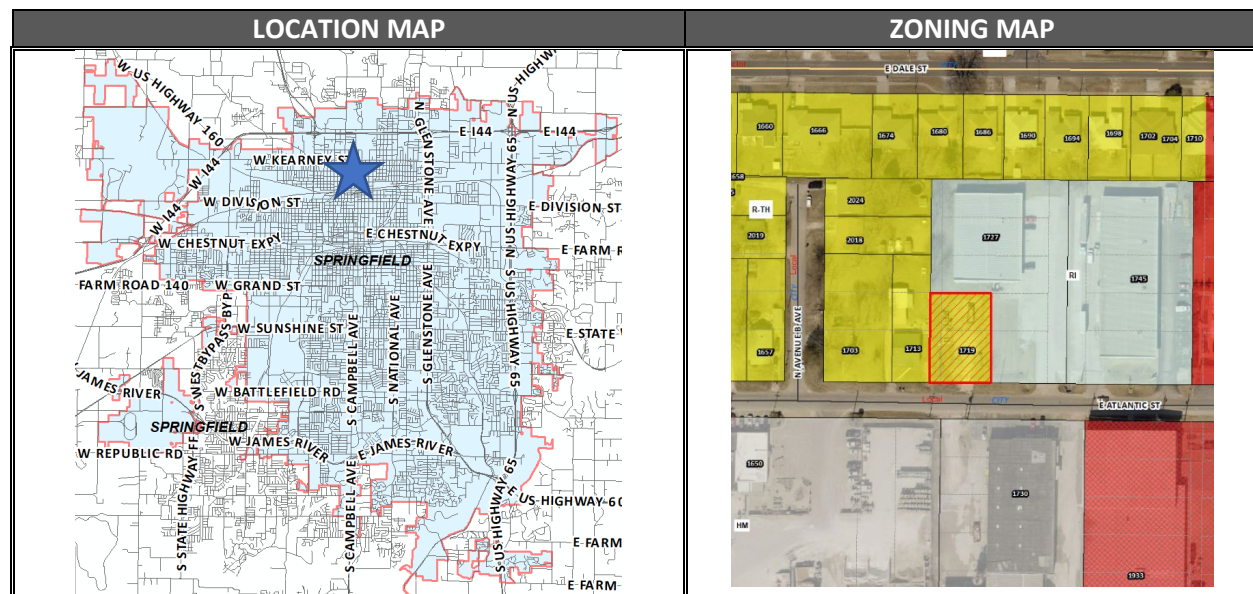


Bob Hosmer, AICP
Planning Manager

PROJECT INFORMATION

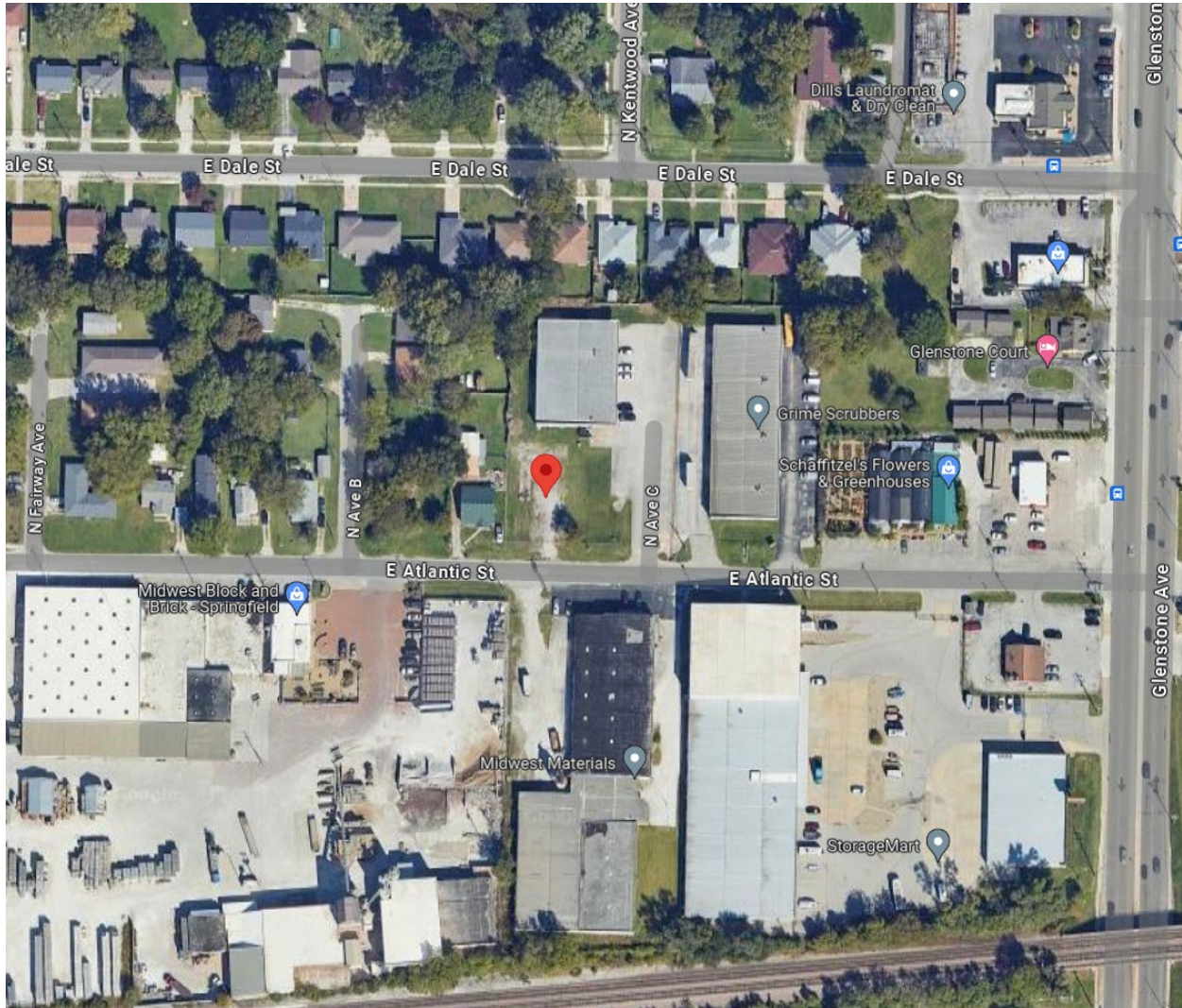
Case Number:	Z-23-2024
Location:	1719 E. Atlantic Street
Total Acres:	0.2 acre
Applicant:	Skyline Investment Company, LLC c/o Chris Nattinger
Existing Land Use:	Vacant/undeveloped, refuse and storage area
Neighborhood Meeting:	August 22, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-23-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

Request to rezone approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned R-TH, Residential Townhouse District since the Citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR RI
Use Limitations	(a) All activities and permitted uses, except off-street parking and loading facilities and household resource recovery collection centers, shall be conducted entirely within a completely enclosed building. (b) No outdoor storage of products, materials, or supplies, except refuse disposal areas, shall be permitted. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) 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

DEVELOPMENT REVIEW STAFF REPORT

	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. (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 Height	40 feet
Minimum Yard Requirements	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. c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with section 36-363, conditional use permits, or an approved preliminary plat in accordance with the city's subdivision regulations. 2. <i>Side yard</i>: Ten feet or as required by section 36-453, supplemental open space and yard regulations. 3. <i>Rear yard</i>: Ten feet.
Minimum Open Space	Not less than 20 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.
Buffering and Landscaping	Whenever any development in a RI district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

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

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

DEVELOPMENT REVIEW STAFF REPORT

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 RI, Restricted Industrial 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

DEVELOPMENT REVIEW STAFF REPORT

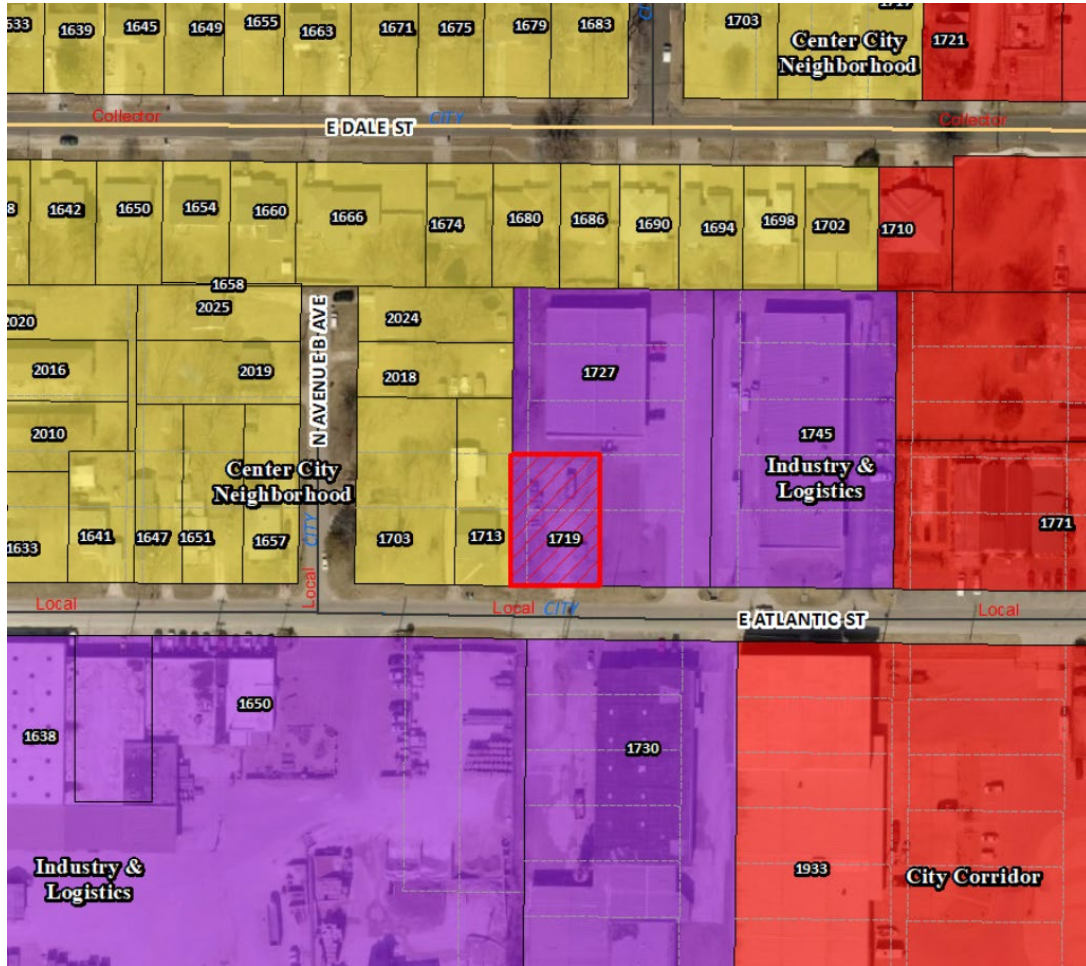
1. Industrial buildings exhibit quality façade designs and site layouts that enhance the character of the area and promote quality development and a sense of place.
2. Site design should discourage the placement or storage of materials and mechanical equipment along major roadways leading to the airport 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 to be 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 intensity commercial or residential areas to reduce potential negative visual and noise impacts.
2. 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.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	RI	HM	RI	R-TH
LAND USE	Industrial, office uses	Industrial uses	Industrial uses	Single-family residence
PLACETYPES	Industry & Logistics	Industry & Logistics	Industry & Logistics	Center City Neighborhood

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Tract has access to public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Atlantic Street	Local	City	25	25	NA	Yes	Yes	No

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on Glenstone Avenue near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

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.

DEVELOPMENT REVIEW STAFF REPORT

DETENTION AND DISCHARGE REQUIREMENTS

N/A

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 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
2. This application is consistent with the Industry & Logistics placetype which predominantly consists of heavy and moderately intense manufacturing, distribution, warehousing and storage uses. 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. It also states that industrial uses are well screened and buffered when located near lower intensity commercial or residential areas to reduce potential negative visual and noise impacts.
3. The bufferyard type "E" will be required with any new development of the site. This will require a 20 ft. bufferyard with 3 canopy trees, 2 understory trees, 2 evergreen trees and 16 shrubs for every 100 linear feet adjacent to the R-TH District. A six-foot solid wood fence, wall or hedge will also be required.
4. The RI district is intended primarily for uses engaged in light manufacturing, assembling, and fabrication, warehousing, wholesaling, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multi-family residential development.
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.

DEVELOPMENT REVIEW STAFF REPORT

6. There are no changing conditions in the area affected that make the proposed rezoning necessary. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
7. The range of uses in the proposed Restricted Industrial district are compatible with the uses permitted on other property in the immediate vicinity to the north, east and south. The RI district allows for manufacturing and office uses which are consistent with uses in the area.
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 the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A traffic study is not required as part of this rezoning.
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. The property can still develop with the existing zoning.
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 August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
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 based on the proposal's general conformance to the Comprehensive Plan's Industry & Logistics 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.

DEVELOPMENT REVIEW STAFF REPORT

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

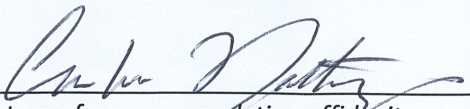
1. Request change to zoning from: R-TH to R-I
(existing zoning) (proposed zoning)
2. Meeting Date & Time: August 22, 2024, 4pm to 6:30pm
3. Meeting Location: 1727 E. Atlantic, parking lot
4. Number of invitations that were sent: 500
5. How the mailing list was generated: city
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

ATTACHED

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

ATTACHED

I, Chris W. Nattenger (print name), attest that the neighborhood meeting was held on Aug. 22, 2024 (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

Chris W. Nattenger
Printed name of person completing affidavit

1719 E. ATLANTIC - MEETING - August 2024

CALLS RECEIVED

8/12 ROBERT CASSELMAN
8/13 GLENSTONE COURT
~~8/22 TOM KELLY~~

8-22-2024 NEIGHBORHOOD MEETING 4-630PM

<u>NAME</u>	<u>STREET ADDRESS</u>
TOM KELLY	2831 N HOWARD
LINDA KELLY	1690 E DALE ST.
NADINE HASTEN	1686 E. DALE ST.
CHRISTINA TIMBLE	1713 E ATLANTIC
JOHN TIMBLE	1713 E ATLANTIC
RANDY ARNELL	1745 - B - E. ATLANTIC

MEETING SUMMARY

ATTENDED BY MYSELF AND 6 OTHERS, I EXPLAINED THE REASON FOR THE RE-ZONING REQUEST, MY DESIRE TO INCLUDE ALL OF MY PROPERTY ON ATLANTIC ST. IN THE SAME ZONING, R-I. NO ONE VOICED AN OBJECTION. QUESTIONS ABOUT WHAT

②

I INTENDED TO BUILD ON THAT LOT, AND I INFORMED THEM, THAT I HAVE NO PLANS TO BUILD ANYTHING AT THAT SITE. ALSO DUE TO THE SMALL SIZE OF THE LOT, IT WOULD NOT BE COST EFFECTIVE TO DEVELOP THERE.

THERE WERE NO FURTHER QUESTIONS OR COMMENTS.

I ENCOURAGED THEM TO ATTEND THE P+Z MEETING, WHEN IT IS HELD.

MEETING ADJOURNED.

SKYLINE INVESTMENT CO., LLC

Chris W. J. J. J.
PRESIDENT



EXPLANATION TO COUNCIL BILL 2024-206 (HORTON)

FILED: 09/18/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres of property generally located at 2533 North Fort Avenue from R-SF, Single-family Residential District to R-LD, Low-density Multi-family Residential District with Conditional Overlay District No. 252; and adopting an updated Official Zoning Map. (By: Suresh Chiluveru; 2533 North Fort Avenue; Z-12-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-12-2024/ CONDITIONAL OVERLAY DISTRICT NO. 252

The applicant is requesting to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.

REMARKS: Planning and Zoning Commission voted to amend the staff report to include the Public Work Traffic Engineering comments, which were not contained in the staff report on the online agenda. The comments were provided to commissioners before the meeting. The comments have been included in the attached staff report ("Exhibit D").

The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended approval, by a vote of 8 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Center City neighborhood placetype. This placetype lists low-intensity multi-family as a supporting land use.

3. The proposed Conditional Overlay District limits the density to 11 dwelling units per acre. The property has a stream buffer which will limit the development of the site. Refer to Public Works Stormwater comments and picture to see the stream buffer. The COD will also require a Stream Buffer Plan be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.

4. The Plan recommends a "stepped down" approach to be 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. The subject property is located on Talmage Street, classified as a collector roadway and near Kansas Expressway, classified as a primary arterial. Traffic from the proposed development does not have to traverse through a neighborhood to get to a higher-classification street.

5. This application is consistent with the Comprehensive Plan's Housing and Neighborhoods chapter, which encourages creative housing solutions to add housing diversity and support downsizing households, young professionals, and aging-in-place. The Plan encourages the use of "missing middle" housing types. Missing middle housing sits in the middle of the development spectrum between single-family homes and mid-rise to high-rise apartment buildings. These housing types should be integrated into Springfield's existing neighborhoods to increase housing diversity and provide a wider, more equitable range of housing choices.

6. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City's housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.

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

9. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.

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

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

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.

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

15. The applicant held a neighborhood meeting on August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).

16. 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: Staff recommends approval based on the proposal's



general conformance to the Comprehensive Plan's Center City neighborhood placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 10/1/2024

- Attachments:**
1. Z-12-2024 - 2533 North Fort Avenue COD 252_Ord
 2. Z-12-2024 COD 252_exh A
 3. Z-12-2024 COD 252_exh B
 4. Z-12-2024 COD 252_exhC
 5. Z-12-2024 COD 252_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 27
Filed: 10-01-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-206

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 4.6 acres of property generally located at 2533 North Fort Avenue
4 from R-SF, Single-family Residential District to R-LD, Low-density
5 Multi-family Residential District with Conditional Overlay District No.
6 252; and adopting an updated Official Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 2533 North Fort Avenue from R-SF, Single-family Residential
11 District to R-LD, Low-density Multi-family Residential District with Conditional Overlay
12 District No. 252; and
13

14 WHEREAS, Conditional Overlay District No. 252 shall modify the requirements of
15 the Springfield Land Development Code Section 36-380, R-SF, Single-family
16 Residential District, by requiring that the property described in "Exhibit B" comply with
17 the requirements described in "Exhibit A," both attached hereto and incorporated herein
18 by this reference; and
19

20 WHEREAS, following proper notice, the Planning and Zoning Commission held a
21 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
22 public hearing being attached hereto and incorporated herein by this reference as
23 "Exhibit C," and said Commission made a unanimous recommendation of approval; and
24

25 WHEREAS, the City has reviewed the applicant's request and prepared a staff
26 report concerning the application, which is attached hereto and incorporated herein by
27 this reference as "Exhibit D"; and
28

29 WHEREAS, proper notice was given of a public hearing before City Council, and
30 said hearing was held in accordance with the law.
31

32 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
33 SPRINGFIELD, MISSOURI, as follows, that:

34 Section 1 – The property generally located at 2533 North Fort Avenue and
35 described in "Exhibit B" is hereby rezoned from R-SF, Single-family Residential District
36 to R-LD, Low-density Multi-family Residential District with Conditional Overlay District
37 No. 252. Springfield Land Development Code, Section 36-306, 'Official zoning map and
38 rules for interpretation,' is hereby amended, changed, and modified consistent with this
39 Ordinance.

40
41 Section 2 – City Council hereby establishes Conditional Overlay District No. 252,
42 which shall contain the requirements and standards provided in "Exhibit A." The
43 requirements of Conditional Overlay District No. 252 shall modify the requirements of
44 the Springfield Land Development Code Section 36-380, R-SF, Single-family
45 Residential District, by requiring the property described in "Exhibit B" to comply with the
46 requirements contained in "Exhibit A."

47
48 Section 3 – City Council hereby directs the City Manager, or designee, to update
49 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
50 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
51 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
52 rules of interpretation.'

53
54 Section 4 – The Official Zoning Map herein adopted shall be maintained and
55 archived in the same digital form in which this Council has approved its adoption.

56
57 Section 5 – This Ordinance shall be in full force and effect from and after
58 passage.

59
60 Passed at meeting: _____

61
62
63 _____
64 Mayor

65 Attest: _____, City Clerk

66
67 Filed as Ordinance: _____

68
69 Approved as to form: Laura Vales, Assistant City Attorney

70
71
72 Approved for Council action: Jason A. Hage, City Manager
73

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 252

The requirements of Section 36-382 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The maximum density shall be limited to eleven (11) dwelling units per acre for a maximum of 50 dwelling units total located within this district.
2. At time of development and permitting, a Stream Buffer Plan shall be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.
3. Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.
4. If additional access to Fort Avenue is required or desired, the developer shall be responsible for improving Fort Avenue to meet all City standards for a local street in place at the time of improvement, with the use of a public improvement plan.
5. The Stream Buffer Easement required in City Code Chapter 96-21 per the Flood Controls and Water Quality Manual Chapter 8 Section 4.0. Before any Building Permit is approved the Stream Buffer Easement will be recorded with the Public Works Stormwater Division.

EXHIBIT B
LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED LOT, TRACT, OR PARCEL OF LAND, LYING, BEING AND SITUATED IN GREENE COUNTY, MISSOURI.

TO WIT:

TRACT I:

BEGINNING AT A POINT 210.0 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-TWO (22) WEST; THENCE WEST A DISTANCE OF 165.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 584.2 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 375.0 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 25.0 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 80.0 FEET; THENCE NORTHWESTERLY A DISTANCE OF 183.2 FEET TO A POINT 210.0 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 429.0 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. ALSO A TRACT OF LAND BEGINNING ONE HUNDRED SIXTY (160) FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THENCE WEST TWO HUNDRED TEN (210) FEET; THENCE SOUTH FIFTY (50) FEET; THENCE EAST TWO HUNDRED TEN (210) FEET; THENCE NORTH FIFTY (50) FEET TO THE PLACE OF BEGINNING.

TRACT II:

BEGINNING 285 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 29N, RANGE 22W; THENCE WEST 210 FEET; THENCE SOUTH 144 FEET; THENCE SOUTHEASTERLY 153.2 FEET TO A POINT 80 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE EAST 80 FEET; THENCE NORTH TO THE PLACE OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. ALSO BEGINNING 310 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO

(22); THENCE WEST 210 FEET; THENCE NORTH 100 FEET; THENCE EAST 210 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SAID SECTION TWO (2); THENCE SOUTH 100 FEET TO THE POINT OF BEGINNING. ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-12-2024 COD 252
2533 North Fort Avenue
Applicant: Suresh Chiluveru

Mr. Childers noted that the Commission will need to amend the staff report to include the Public Works traffic study.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to amend the staff report for Z-12-2024 COD 252 to include the Public Works traffic study, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

Mr. Neal stated that this is a request to rezone approximately 4.6 acres from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252.

Mr. Pauly asked about the floodway or floodplain that FEMA may introduce by late 2024 and if it could impact the plan being presented tonight.

Mr. Neal noted that the stream buffer exists today, but FEMA changes to the mapping are coming later in 2024.

Mr. Zickefoose noted that the stream buffer requirements will have to be in place regardless of FEMA's updates and could potentially impact it.

Mr. Scott asked about access to Fort Avenue without improvements and the potential of a gate.

Mr. Zickefoose stated that there is no gate existing today and it is a proposed emergency access only entrance. Mr. Scott is concerned that if additional access to Fort Avenue is necessary then the developer would need to do the improvements and does not want the situation suddenly imposed on him to improve Fort Avenue.

Mr. Eddie Tims, 1174 S. Maryland Avenue noted that they have discussed some of the issues with the site and restrictions and it is not the owner's intent to allow residents to use Fort Avenue and was discussed at the neighborhood meeting (for emergency use only). He also noted that the floodplain is outside of the present bufferyard area, and the development will more on the hill side and will try to stay out of the area.

Mr. Radhika, 2533 N Fort Avenue and here representing my spouse who could not be here today.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-12-2024 COD 252, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager



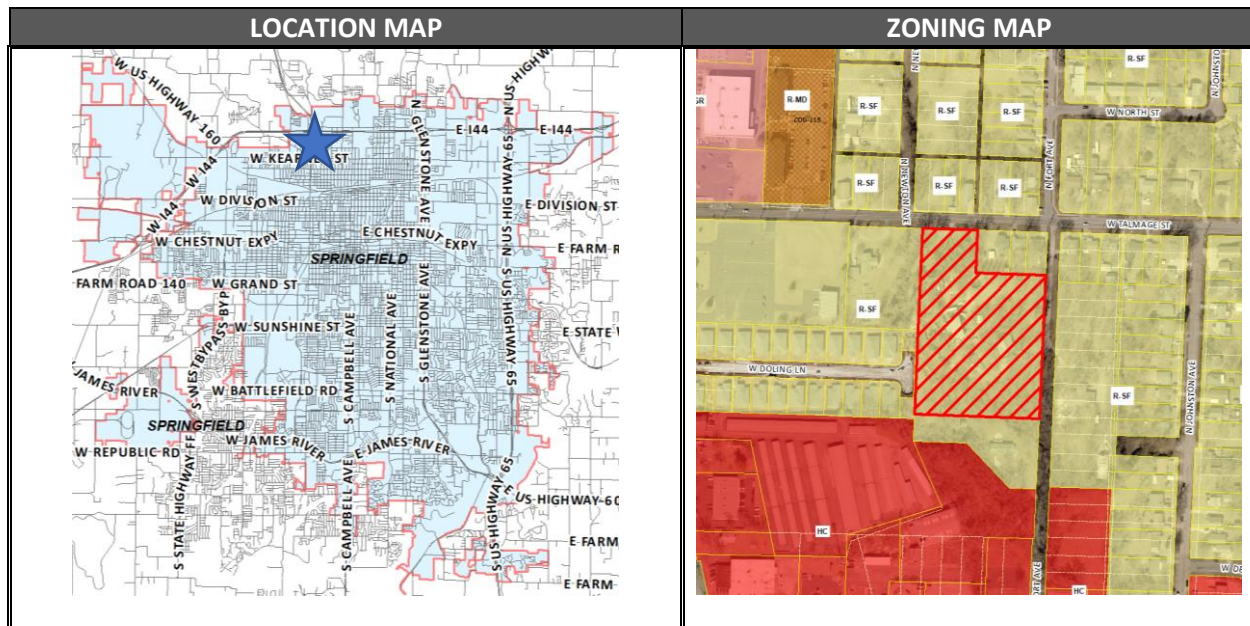
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-12-2024 with Conditional Overlay District No. 252
Location:	2533 North Fort Avenue
Total Acres:	4.6 acres
Applicant:	Suresh Chiluveru
Existing Land Use:	Single-family residential and undeveloped land
Neighborhood Meeting:	August 22, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-12-2024 with Conditional Overlay District No. 252 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).

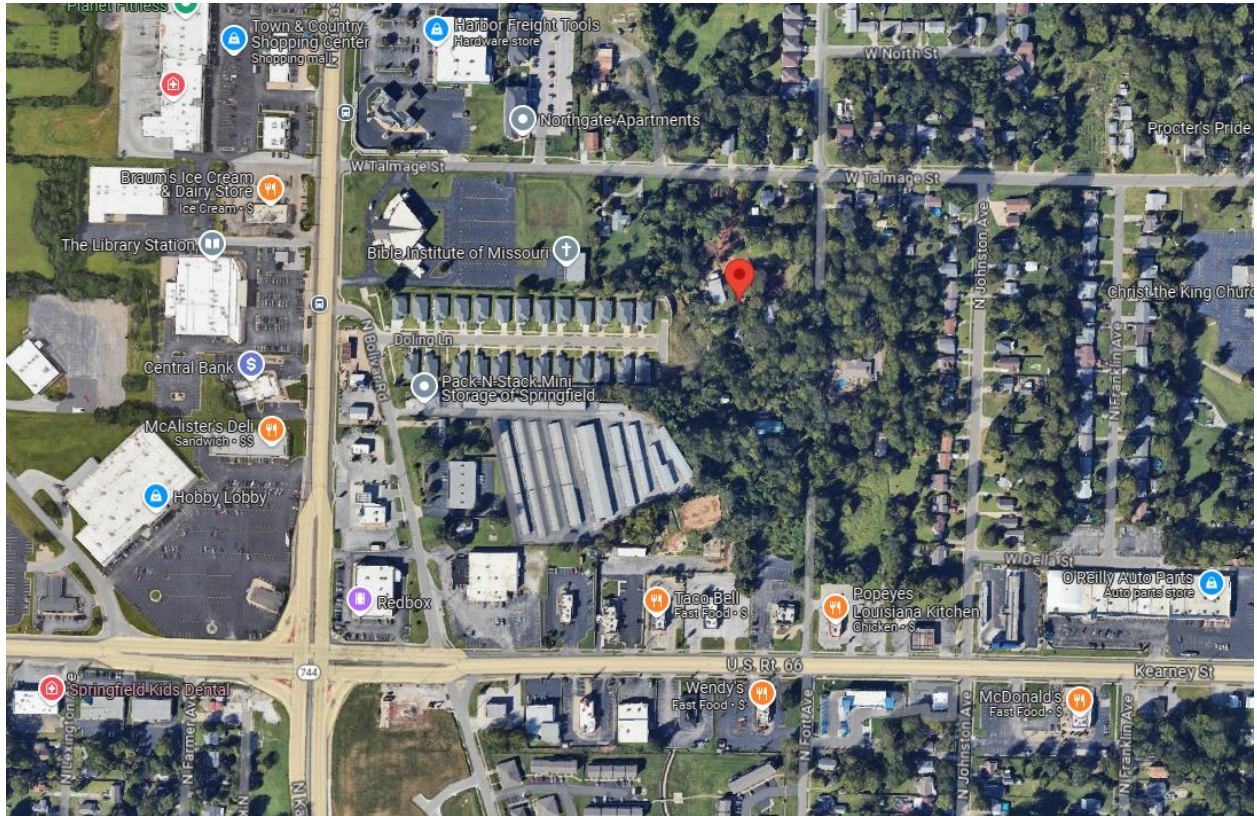
PROJECT SUMMARY:

Request to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

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

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

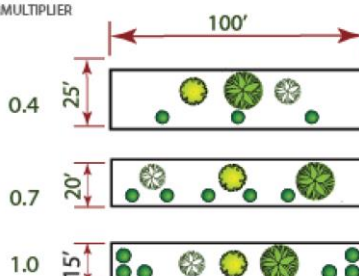
1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-LD
Minimum Yard Requirements	Front yard: a. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Maximum Structure Height	The maximum building height shall be thirty (30) feet in height or two stories.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	A bufferyard type B will be required adjacent to the R-SF zoned property in addition to a six (6) foot solid wooden fence along the

DEVELOPMENT REVIEW STAFF REPORT

	PLANT UNIT MULTIPLIER	STRUCTURE REQUIRED
	0.4	25'
	0.7	20'
	1.0	15'



COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces, and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities. Due to their compact form and proximity to urban centers, these neighborhoods are places where residents should reasonably be able to walk, bike, or ride transit to meet some of their educational, employment, shopping, and recreational needs. Center City Neighborhoods are also integrated with key cultural and institutional uses, such as schools and places of worship that serve surrounding residents. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing. The creation of neighborhood-scale commercial should focus on the incorporation of context sensitive designs and low intensity uses to ensure integration into the surrounding area. These low intensity uses could include dining, personal services, office, and essential goods. These nodes could be located along historic streetcar routes or higher classification roadways on the edges of the neighborhood. Priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents.

PRIMARY USES

1. Single-family detached

SUPPORTING USES

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

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

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

URBAN DESIGN - BUILDING AND SITE TYPOLOGY - Urban design characteristics that apply to both Center City and Traditional Neighborhoods include:

1. The main entrances of new residential developments are oriented towards the primary street.
2. Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
3. When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
4. Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
5. New and infill buildings maintain the proportions and architectural features common in the existing block.
6. When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

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

DEVELOPMENT REVIEW STAFF REPORT

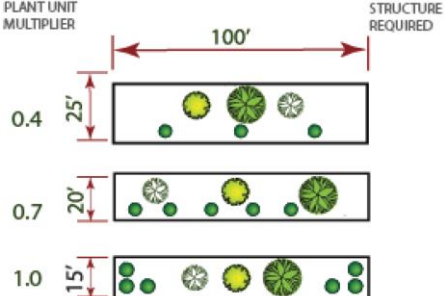
1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.
2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached, and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

1. A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
2. Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
3. The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

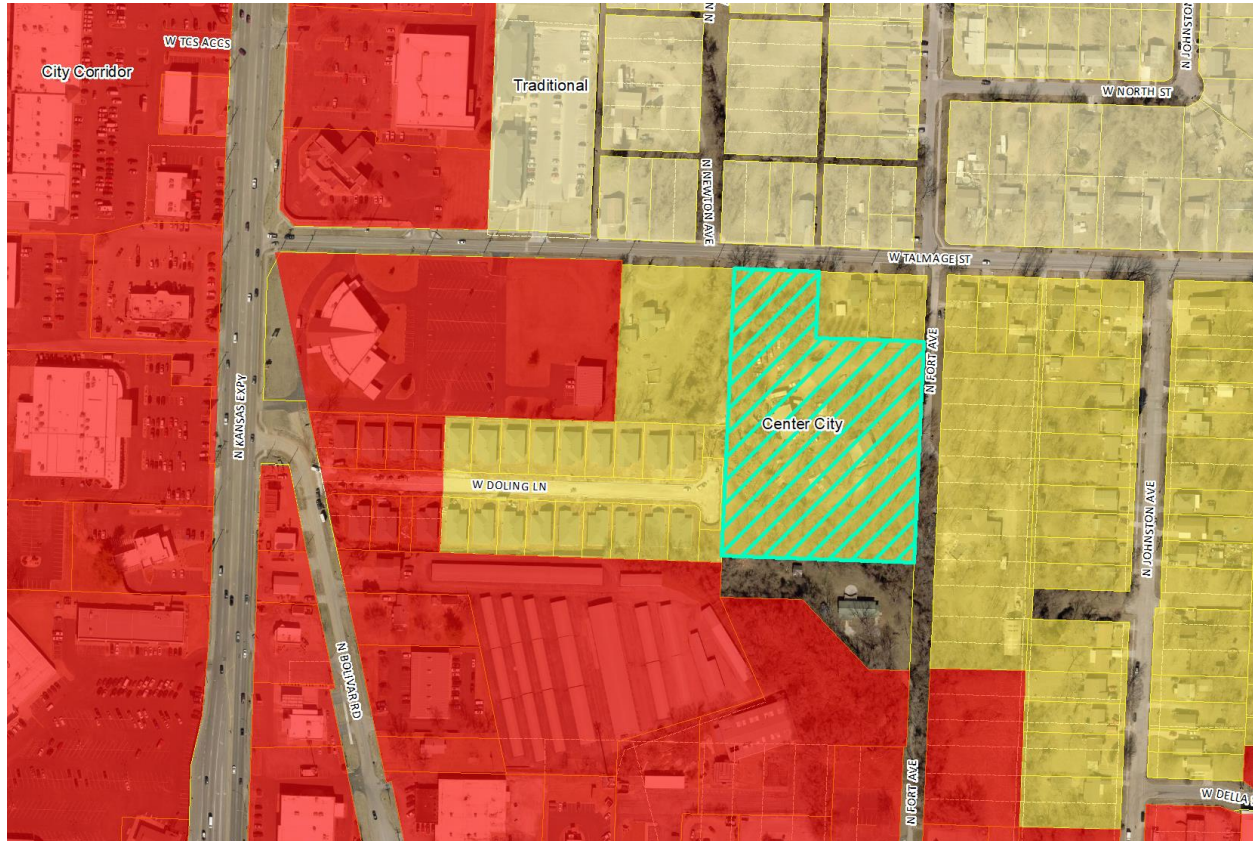
CODE ITEM	REQUIREMENTS FOR R-LD
Minimum Yard Requirements	Front yard: b. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Maximum Structure Height	The maximum building height shall be thirty (30) feet in height or two stories.
Minimum Open Space	Not less than 20 percent.

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Buffering and Landscaping	A bufferyard type B will be required adjacent to the R-SF zoned property. 
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FUTURE PLACETYPE MAP:



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

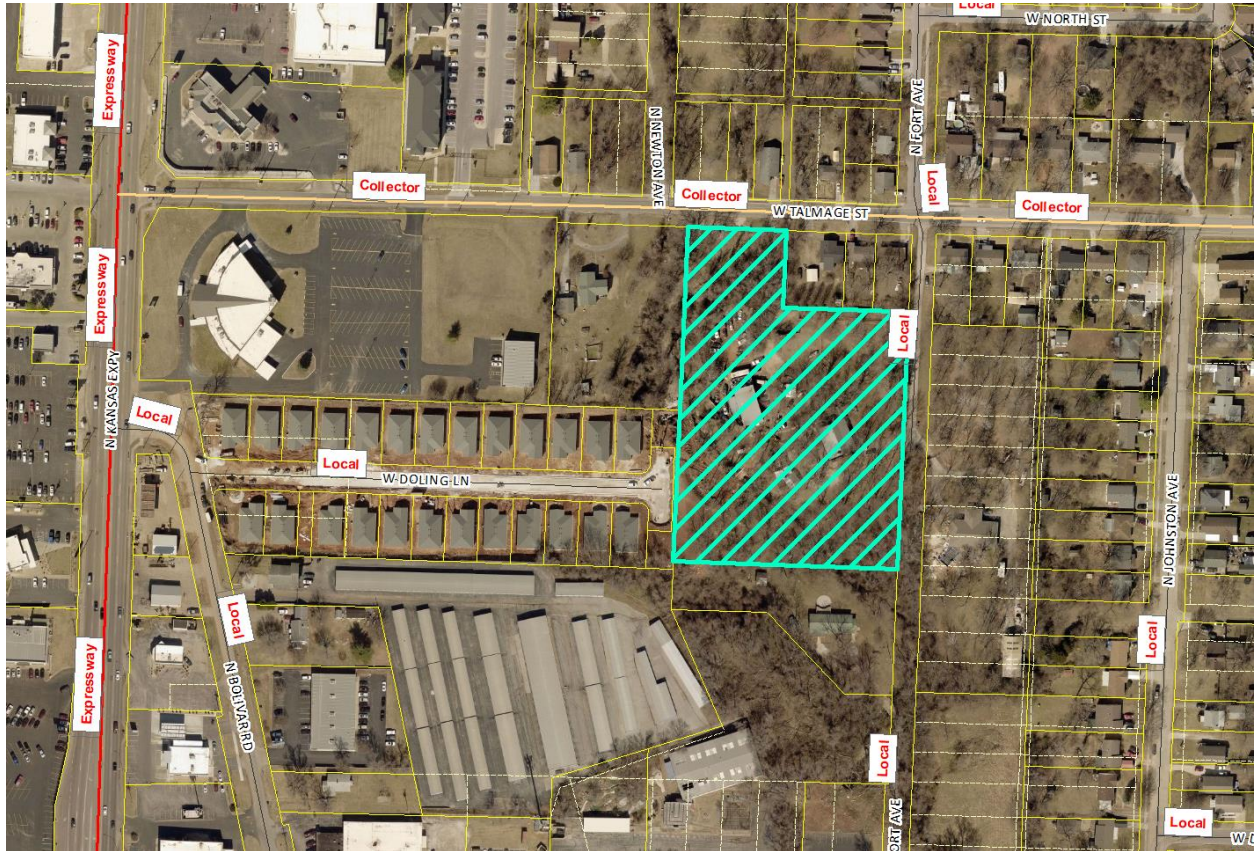
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family residential	Single-family residential	Single-family residential, undeveloped land	Single-family residential, large lot
PLACETYPES	Traditional neighborhood	Not designated	Center City neighborhood	Center City neighborhood

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

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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 STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Pea Ridge Creek** 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 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 change to COD language. 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 downstream area of the Pea Ridge Creek tributary is residential and has known flooding issues. Even though the site has floodplain and floodway. The Proposed development will need to construction detention for flood control.

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.

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

1. At the time of this review (August 2024) the property does not have Floodplain or Floodway. The existing Floodplain maps are issued from FEMA 2010 mapping. The Missouri State Emergency Management Agency (SEMA) has advised that the Final Letter of Determination for updated FEMA Floodplain will be issued late 2024. When the updated maps are adopted by Springfield City Council the 2533 N Fort Ave property will have both Floodplain and Floodway along the stream.

NATURAL CHANNEL & STREAM BUFFERS

1. The Pea Ridge Creek stream crosses the property from the south to north. The stream is a Category C Large Tributary and requires a 50 feet wide buffer easement from the top of bank on both sides of the stream. The stream buffer easement is required recorded for Rezoning, preliminary plat, or subdivision cases.

2. The site has been recorded through service requests before this zoning case was submitted. Sixteen (16) trees were identified in the stream buffer area with greater than 6 inches diameter. These sixteen trees will need planted in the stream buffer area. The following item needs added to the COD language.

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"At time of development and permitting a Stream Buffer Plan will be submitted for approval. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees should be of Missouri Native species or equivalent approved by PW-Stormwater. The trees cannot be part of any trees planted for landscape or buffer requirements."



SINKHOLES & KARST FEATURES

N/A

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ADDITIONAL STORMWATER REQUIREMENTS

- 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.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Fort Avenue	Local	City	25	20	NA	No	No	No
Street 2	W. Talmage Street	Collector	City	30	30	NA	No	Yes	No
				Daily		AM Peak		PM Peak	
Existing Trips Generated (R-SF)				221		18		23	
*Proposed Trips Generated (R-LD w/COD)				336		28		33	
Additional Trips Generated				115		10		10	
*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, and Conditional Overlay District (11 du/ac).									

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. Access to Fort Ave is limited to the one (1) existing residential driveway and one (1) gated emergency only entrance.

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

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this rezoning. If any additional access to Fort Ave is needed or wanted, then Fort Ave will have to be widened and brought up to current city standards for a local street. Any required improvements to Fort Ave will be the developer's responsibility and will require public improvement plans.

STAFF ANALYSIS AND RECOMMENDATION:

- The applicant is requesting to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.
- The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. This placetype lists low-intensity multi-family as a supporting land use.
- The proposed COD limits the density to 11 dwelling units per acre. The property has a stream buffer which will limit the development of the site. Refer to Public Works Stormwater comments and picture to see the stream buffer. The COD will also require a Stream Buffer

DEVELOPMENT REVIEW STAFF REPORT

Plan be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.

4. The *Plan* recommends a “stepped down” approach to be 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. The subject property is located on Talmage Street, classified as a collector roadway and near Kansas Expressway, classified as a primary arterial Traffic from the proposed development does not have to traverse through a neighborhood to get to a higher classification street.
5. This application is consistent with the *Comprehensive Plan’s Housing and Neighborhoods* chapter which encourages creative housing solutions to add housing diversity and support downsizing households, young professionals, and aging-in-place. The *Plan* encourages the use of “missing middle” housing types. Missing middle housing sits in the middle of the development spectrum between single-family homes and mid-rise to high-rise apartment buildings. These housing types should be integrated into Springfield’s existing neighborhoods to increase housing diversity and provide a wider, more equitable range of housing choices.
6. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City’s housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.
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 few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
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.

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13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.
14. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
15. The applicant held a neighborhood meeting on August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
16. 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 based on the proposal's general conformance to the Comprehensive Plan's Center City neighborhood placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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

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

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ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 252

The requirements of Section 36-382 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The maximum density shall be limited to eleven (11) dwelling units per acre for a maximum of 50 dwelling units total located within this district.
2. At time of development and permitting, a Stream Buffer Plan shall be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.
3. Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.
4. If additional access to Fort Avenue is required or desired, the developer shall be responsible for improving Fort Avenue to meet all City standards for a local street in place at the time of improvement, with the use of a public improvement plan.
5. The Stream Buffer Easement required in City Code Chapter 96-21 per the Flood Controls and Water Quality Manual Chapter 8 Section 4.0. Before any Building Permit is approved the Stream Buffer Easement will be recorded with the Public Works Stormwater Division.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to R-LD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 8/22/2024 4 pm CST
3. Meeting Location: 2533 N Fort Avenue, Springfield
4. Number of invitations that were sent: 174
5. How the mailing list was generated: Mailling list was shared by Planning and Zoning Dept
6. Number of neighbors in attendance (attach a sign-in sheet): 8
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

Neighbors main concern was Traffic at Talmage St and crossing to N Kansas Express to left turn as there is no Traffic signal,
Second is Trafficking at N Fort Avenue, we are already conveyed to neighbors that we are not going to use N fort avenue as main entrance, Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.

No other comments from any one . all are welcoming the the Multifamily condo buildin for neibour hood development,Economy Growth, Employment generation etc.

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

No Writting comments.

I, Suresh Chiluveru, attest that the neighborhood meeting was held on 08/22/2024, 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."

Sureshchuiluveru
Signature of person completing affidavit

SURESH CHILUVERU
Printed name of person completing affidavit

Name	Phone no	email	address
Judy White	(417) 522-4605	wordsfan@aol.com	1328 W. Talmage St. Spfld, Mo 65803
Harvey Apple Gate	417-818-5700		2510 N. Fort. Ave Springfield Mo. 65803
Eddie Tims, Architect	417-838-3949	etimsarch.2@gmail.com	1174 S. Maryland, Springfield, Mo 65807
Steve Deekard	417 419 6144	dat1deekard@gmail.com	1306 W. Talmage, Springfield, Mo. 65803
Glenora Tucker	417-589-0945		1232 W Talmage St 65803
Nathan Adams	OWN, Inc. (417) 866-2741		
Joann Wolf	2538 N. MAIN 417 894-0301		
Fred Ady	646 E Livingston 417-631-3518		



EXPLANATION TO COUNCIL BILL 2024-207 (HORTON)

FILED: 09/18/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development No. 389; and adopting an updated Official Zoning Map. (By: Drew Lewis Foundation; 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue; Planned Development No. 389).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: PLANNED DEVELOPMENT NUMBER 389

The applicant, Drew Lewis Foundation, is requesting to rezone approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. The applicant is proposing a single-family residential compact pocket neighborhood with 14 dwellings and a resident clubhouse.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve the application, by a vote of 8 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development Chapter 6 identifies the subject property as the Center City neighborhood placetype.
2. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional

stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes, as well as housing.

3. The Center City Neighborhoods Placetype gives priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents. Center City Neighborhoods should maintain a fully connected pedestrian network of sidewalks that provides safe and efficient walking access to transit routes, nearby schools, parks, and amenities like greenways and trails.

4. This application is consistent with the Placetypes recommendation that 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. Also, that 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.

5. New structures in the Center City Neighborhoods Placetype should reflect the character and context of the historic neighborhood fabric and developed area, through the integration of porches, walkways, and the use of alleys for vehicular access and parking.

6. The Comprehensive Plan’s Housing & Neighborhoods Chapter 7 encourages creative housing solutions in Section 2.2 to add housing diversity and support downsizing households, young professionals and aging-in-place. Creative housing types can play an effective role in increasing housing diversity in a community and providing smaller-scale, more affordable housing options. Examples of creative housing types include missing- middle housing types, tiny homes, pocket neighborhoods, and accessory dwelling units (ADUs). The city should ensure the Land Development Code allows for such housing types in the Residential Neighborhood placetypes, where they can be targeted for infill development.

7. The Comprehensive Plan's Housing & Neighborhoods Chapter 7 supports pocket neighborhoods and tiny homes as affordable housing solutions. Pocket neighborhoods are groups of detached dwellings that provide increased opportunity for affordable homeownership. They can come in the form of tiny homes, or small-scale single-family homes typically under 400 square feet. They provide the freedom and appeal of single-family homes at a smaller scale and therefore lower cost and are often developed in clusters surrounding a communal open space to support a sense of community. They also create housing options for those who desire independent living without high maintenance, a minimalistic lifestyle, or are looking to downsize, such as seniors or retired residents. Pocket neighborhoods and tiny homes help diversify the housing stock while matching the character of other low to medium density residential development.

8. The Comprehensive Plan's Housing & Neighborhoods Chapter 7 encourages the development of strategically located higher density residential development and promote policies to create attainable, market-rate housing in Section 2.3. Springfield currently has a shortage of housing units that are attainable at the lowest income levels. This shortage disproportionately impacts renter-occupied housing, as identified in the Forward SGF Issues and Opportunities Report. Providing quality, attainable housing for lower-income families and people in poverty was also a frequent concern expressed by the community during public engagement. By encouraging higher density residential development, the city can provide for a greater range of unit types, sizes, and price points within future development. In addition to helping address lower-income housing needs, smaller-scale housing units are often desirable for young professionals and new families looking to make a start in Springfield. They can also be attractive to empty nesters and senior citizens hoping to "age in place" and remain in Springfield for the long term.

9. The proposed Planned Development is proposing the following major differences from the current R-TH zoning District.

- a. The clubhouse and storm shelter use are listed and defined as a permitted use and will be used and maintained by the homeowner's association as provided in their private covenants.
- b. The recreation easement use is a listed permitted use and will be maintained and managed by the homeowner's association as provided in their private covenants.
- c. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.
- d. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make

modifications as needed to meet the Comprehensive Plans recommendations.

e. The PD provides some general details about the proposed pocket neighborhood concept and design.

f. Minimum lot sizes for single-family detached dwellings in the R-TH are 5,000 square feet. The proposed PD will allow for single-family detached dwellings at 3,500 square feet.

g. Minimum lot width in the R-TH District for single-family detached dwellings is 45 feet. The PD is proposing a minimum lot width of 40 feet.

h. Access to the public street from lots along Broadway Avenue are only allowed as shown on the Exhibit 2, Site Plan, no driveways are permitted along Broadway Ave. The minimum driveway widths and separation are specified for lots along Weaver Avenue.

i. Public improvements are specified and to be approved by the Director of Public Works.

i. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.

ii. Curb and gutter, and concrete angled on-street parking along Broadway Ave.

iii. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking.

iv. Stormwater conveyance improvements along Weaver Ave.

j. A final development plan shall only be approved if the development is in substantial conformance with Exhibits 1 (text), 2 (site plan) and 3 (elevations) of the PD.

k. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met.

10. If the Planned Development is approved, the applicant will need to subdivide the property following the major subdivision process provided in the Subdivision Regulations. This process will require a preliminary plat to be reviewed and approved by Planning and Zoning Commission and City Council. If approved, the final plat can be submitted for review and approval if in conformance with the preliminary plat and Planned Development requirements.

11. The 30-foot recreation and utility easement will need to be shown on the preliminary and final plat. Private covenants and restrictions for the common area/detention will need to be submitted and reviewed by staff to verify compliance with the Subdivision Regulations. Any provisions of the private covenants and restrictions are not enforced by the City, rather a civil matter.

12. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this. The utility easements will be dedicated on the final plat.

13. There are a few changing conditions in the area affected that make the proposed rezoning necessary. Many of the existing residentially zoned properties have been vacant for years.

14. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD is proposing single-family residential which is currently permitted in the R-TH district. The PD is proposing smaller lots than allowed in the R-TH district.

15. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. Easements for utilities will be provided on the preliminary and final plat.

16. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. With the proposed PD improvements, Traffic supports the request. No traffic study is required.

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

18. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property could be subdivided into about 11-12 single-family lots with the existing R-TH zoning.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 10/1/2024

Attachments: 1. PD 389 - 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue_Ord

2. PD 389_exh A
3. PD 389_exhB
4. PD 389_exh C

One-rdg. _____
P. Hrngs. X
Pgs. _____
Filed: 10-01-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-207

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.4 acres of property generally located at 737, 745, 751, 761, and
4 801 North Broadway Avenue and 732 and 742 North Weaver
5 Avenue from R-TH, Residential Townhouse District to Planned
6 Development No. 389; and adopting an updated Official Zoning
7 Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and
12 742 North Weaver Avenue, and more particularly described in "Exhibit A," attached
13 hereto and incorporated herein by this reference, from R-TH, Residential Townhouse
14 District to Planned Development No. 389; and
15

16 WHEREAS, following proper notice, a public hearing was held before the
17 Planning and Zoning Commission on September 12, 2024, a copy of the Record of
18 Proceedings from said public hearing being attached hereto and incorporated herein by
19 this reference as "Exhibit B," and said Commission made its unanimous
20 recommendation of approval; and
21

22 WHEREAS, the City has reviewed the applicant's request and prepared a staff
23 report concerning the application, a copy of which being attached hereto and
24 incorporated herein as "Exhibit C"; and
25

26 WHEREAS, proper notice was given of a public hearing before City Council and
27 said hearing was held in accordance with law.
28

29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
31

32 Section 1 – The property generally located at 737, 745, 751, 761, and 801 North
33 Broadway Avenue and 732 and 742 North Weaver Avenue, and described in "Exhibit A"

is hereby rezoned from R-TH, Residential Townhouse District to Planned Development No. 389. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – The property described in “Exhibit A” of this Ordinance shall be subject to the requirements and standards included in “Exhibit C – Exhibit 1,” and these requirements and standards shall govern and control the use and development of the land in Planned Development No. 389.

Section 3 – City Council hereby directs the City Manager, or designee, to update the City's digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in Springfield Land Development Code, Section 36-306, 'Official zoning maps and rules of interpretation.'

Section 4 – The Official Zoning Map herein adopted shall be maintained and archived in the same digital form in which this Council has approved its adoption.

Section 5 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

Approved for Council action: Jason A. Hays, City Manager

EXHIBIT A
LEGAL DESCRIPTION

Book 2023 Page 014879-23:

TRACT I:

BEGINNING AT THE NORTHEAST CORNER OF LOT TEN (10), WEAVER ADDITION; THENCE NORTH 150 FEET; THENCE WEST 99 FEET; THENCE SOUTH 150 FEET; THENCE EAST 99 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT PART USED FOR CITY STREET.

TRACT II:

THE SOUTH 80 FEET OF THE FOLLOWING DESCRIBED LAND:
COMMENCING 97 $\frac{1}{3}$ POLES NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), GREENE COUNTY, MISSOURI; THENCE WEST 12 POLES; THENCE NORTH 13 $\frac{1}{3}$ POLES; THENCE EAST 12 POLES; THENCE SOUTH 13 $\frac{1}{3}$ POLES TO THE PLACE OF BEGINNING; EXCEPT A STRIP 3 $\frac{1}{3}$ RODS WIDE ACROSS THE NORTH SIDE AND A STRIP 40 FEET WIDE ACROSS THE SOUTH SIDE THEREOF AND ALSO EXCEPT THAT PART TAKEN BY CITY STREET; IT BEING A STRIP OF GROUND 80 FEET NORTH AND SOUTH BY 173 FEET AND WEST OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT III:

BEGINNING 275 FEET NORTH OF THE NORTHEAST CORNER OF LOT TEN (10) IN WEAVER ADDITION; THENCE NORTH 55 FEET; THENCE WEST 198 FEET; THENCE SOUTH 55 FEET; THENCE EAST TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT IV:

THE SOUTH HALF (S $\frac{1}{2}$) OF A TRACT BEGINNING 110 RODS AND 16 $\frac{74}{100}$ LINKS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), GREENE COUNTY, MISSOURI; THENCE WEST 12 POLES; THENCE NORTH 6 $\frac{2}{3}$ POLES; THENCE WEST 12 POLES; THENCE SOUTH 6 $\frac{2}{3}$ POLES TO THE PLACE OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT V:

BEGINNING 230 FEET NORTH OF THE NORTHEAST CORNER OF LOT TEN (10) IN WEAVER ADDITION; THENCE NORTH 45 FEET; THENCE WEST 198 FEET; THENCE SOUTH 45 FEET; THENCE EAST TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

Book 2011 Page 042844-11:

Tract I:

Beginning 99 feet West of the Northeast corner of Lot Ten (10) in J.J. Weaver Addition to the City of Springfield, Greene County, Missouri; thence North 110 feet; thence West 99 feet; thence South 110 feet; thence East 99 feet to the point of beginning, being a part of the East Half of the Southwest Quarter (SW1/4) of Section Fourteen (14), Township Twenty-nine (29), Range Twenty-two (22).

Book 2057 Page 1130:

The North Forty (40) feet of the following described Lot: Beginning at a point 90 poles 16.75 links North and 12 poles West of the Southeast Corner of the Southwest Quarter of Section 14, Township 29, of Range 22 and running thence North 149.5 feet, more or less, to the Northwest corner of a lot theretofore owned by J. H. Shackleford , thence East 99 feet, thence South 149.5 feet, thence West 99 feet to the place of beginning, all in the City of Springfield, Missouri

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Planned Development 389
737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue
Applicant: Drew Lewis Foundation, Inc.

Mr. Neal states that this is a request to rezone approximately 1.4 acres of property from R-TH, Residential Townhouse District to Planned Development District No. 389.

Mr. Scott asked about the angled parking and public right of way before usage.

Mr. Zickefoose noted that they have agreed to the street angled parking and will be public parking, not private and is a requirement to the zoning.

Ms. Amy Blansit, 920 W. Scotts, founder and CEO of the Drew Lewis Foundation and will be adding to home ownership by 2 percent and will increase the diversity of housing stock in Springfield as a true pocket neighborhood.

Mr. Pauly thanked Ms. Blansit for a well thought out plan and presentation.

Mr. Scott also thanked Ms. Blansit for a job well done.

Mr. Brian Vanne, 923 N. Concord Avenue noted that the is a Grant Beach resident and is in favor of the project. He noted the current problems of people finding housing and believes that developing the Grant Beach neighborhood is beneficial.

Mr. Ramon Martinez, 906 W. Webster noted that he is on the board of directors and a very ardent supporter and went on to say that this pocket neighborhood is an economic and social asset to the city.

Ms. Broekhoven closed the public hearing.

Mr. Knuckles stated that this is a wonderful plan but has one question regarding the angle parking.

Mr. Zickefoose noted that the median is going to be west of the driving lanes to protect the angle parking.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Planned Development 389 Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager



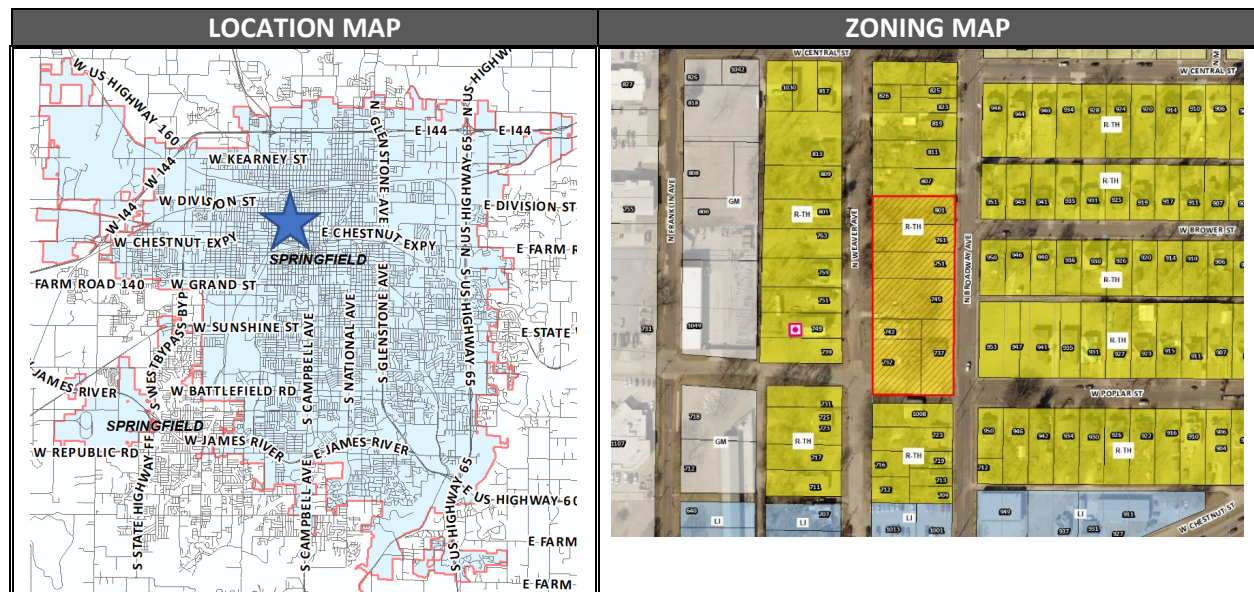
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Planned Development No. 389
Location:	737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue
Total Acres:	1.4 acres
Applicant:	Drew Lewis Foundation
Existing Land Use:	Single-family residence, vacant/undeveloped property
Neighborhood Meeting:	June 20, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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 Planned Development No. 389 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

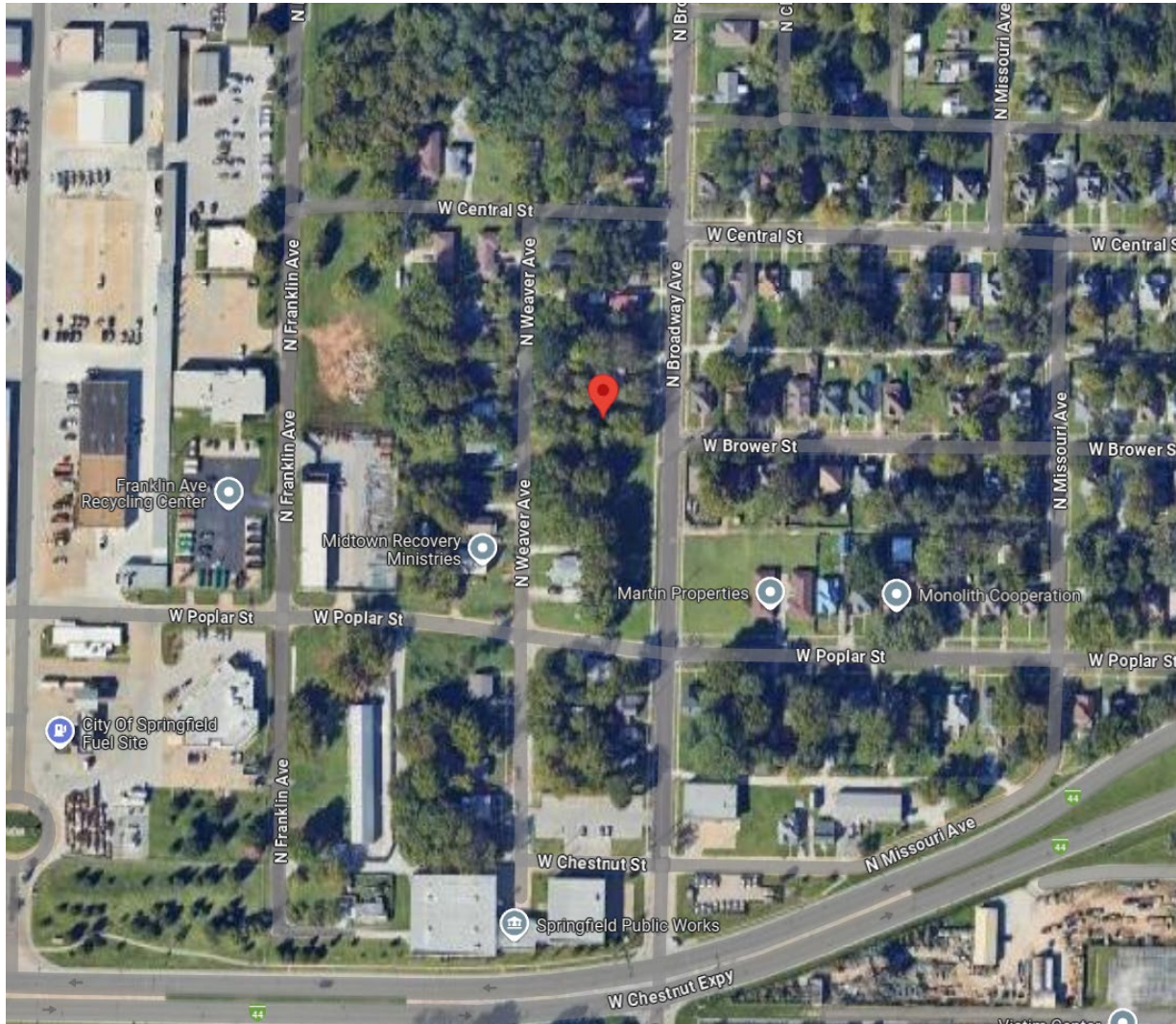
PROJECT SUMMARY:

Request to rezone approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



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PROPERTY HISTORY:

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

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR PD 389
Minimum Yard Requirements	See Exhibit 1.

DEVELOPMENT REVIEW STAFF REPORT

Maximum Structure Height	1. When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	None.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities. Due to their compact form and proximity to urban centers, these neighborhoods are places where residents should reasonably be able to walk, bike, or ride transit to meet some of their educational, employment, shopping, and recreational needs. Center City Neighborhoods are also integrated with key cultural and institutional uses, such as schools and places of worship that serve surrounding residents. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing. The creation of neighborhood-scale commercial should focus on the incorporation of context sensitive designs and low intensity uses to ensure integration into the surrounding area. These low intensity uses could include dining, personal services, office, and essential goods. These nodes could be located along historic streetcar routes or higher classification roadways on the edges of the neighborhood. Priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents.

PRIMARY USES

1. Single-family detached

SUPPORTING USES

1. Single-family attached
2. Low-intensity multifamily
3. Low-intensity, neighborhood commercial

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4. Parks, greenways, and open space
5. Public and private schools and places of worship
6. Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

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

URBAN DESIGN - BUILDING AND SITE TYPOLOGY - Urban design characteristics that apply to both Center City and Traditional Neighborhoods include:

1. The main entrances of new residential developments are oriented towards the primary street.
2. Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
3. When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
4. Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
5. New and infill buildings maintain the proportions and architectural features common in the existing block.
6. When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

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

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.

DEVELOPMENT REVIEW STAFF REPORT

2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

1. A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
2. Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
3. The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

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FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-TH	R-TH	R-TH	R-TH
LAND USE	Single-family residential	Single-family residential	Single-family residential	Single-family residential
PLACETYPES	Center City Neighborhood	Center City Neighborhood	Center City Neighborhood	Center City Neighborhood

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning. Underground electric service can be provided on the property, however the existing overhead distribution/transmission lines along the ROW areas will remain as-is. The proposed layout of the street parking will conflict with an existing transmission pole. Per discussion with the applicant, the layout can be adjusted so the pole will

DEVELOPMENT REVIEW STAFF REPORT

wind up in an island, and a relocation may not be needed. CU Engineering will review this when the construction plans are submitted.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues or conflicts with public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

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. Broadway Avenue	Collector	City	30	25	NA	No	Yes	Yes
Street 2	W. Poplar Street	Local	City	25	Var.	NA	Yes	Yes	No
Street 3	N. Weaver Avenue	Local	City	25	25	NA	Yes	Yes	No

ACCESS - All new and existing driveway approaches shall comply with the requirements of the planned development.

- Broadway Avenue: No direct access is allowed to Broadway Avenue from the development.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop near the property on N. Broadway Avenue.

IMPROVEMENTS - Public improvements are required for this planned development. All required public improvements must be constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- Sidewalks along Broadway Ave, Poplar St, and Weaver Ave.
- Curb & gutter, and concrete angled on-street parking along Broadway Ave.
- Concrete median along Broadway Ave and traffic calming measures for the southbound lane of Broadway Ave in advance of and along the on-street angled parking.
- Stormwater conveyance improvements along Weaver Ave.

All public improvements shall be designed and constructed per City of Springfield Public Works Design Standards for Public Improvements. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

DEVELOPMENT REVIEW STAFF REPORT

The property is in the **Jordan Creek Lower Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**

PW-Stormwater supports the PD language. 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. At time of development the Stormwater Report will analyze the drainage area for improvements.
2. A fee in Lieu of Detention Application approval is dependent on W Poplar St and N Weaver Ave curb and gutter capacity for the 100 yr. storm events. The Public Infrastructure at N Franklin Ave will have to be studied to ensure the new runoff will not jump the inlets and drain to the Public Works Broyles Complex at 1107 W Chestnut Expwy.

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.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

DEVELOPMENT REVIEW STAFF REPORT

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 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. The applicant is proposing a single-family residential compact pocket neighborhood with 14 dwellings and a resident clubhouse.
2. The applicant states in their PD that they intend to provide an affordable pocket community development in a low-income neighborhood with homes that are both affordable and improve the area. These homes are designed to meet the needs of low-to-moderate income families and individuals, offering them a safe and stable living environment. By providing affordable housing options, The Drew Lewis Foundation aims to address the housing crisis in the Springfield community and promote economic stability. This higher-density, single-family development is unique because it fosters a sense of community through its design, with shared green spaces, communal areas, and a community center encouraging social interaction and support among residents. It aligns with the community's needs, promotes sustainable development, and enhances the overall quality of life for residents. Positive feedback from neighbors includes appreciation for the thoughtful design, affordable housing options, and the positive impact it will have on the neighborhood.
3. The *Comprehensive Plan's Land Use & Development Chapter 6* identifies the subject property as the Center City neighborhood placetype.
4. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing.
5. The Center City Neighborhoods Placetype gives priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents. Center City Neighborhoods should maintain a fully connected pedestrian network of sidewalks that provide safe and efficient walking access to transit routes, nearby schools, parks, and amenities like greenways and trails.

DEVELOPMENT REVIEW STAFF REPORT

6. This application is consistent with the Placetypes recommendation that 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. Also, that 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.
7. New structures in the Center City Neighborhoods Placetype should reflect the character and context of the historic neighborhood fabric and developed area, through the integration of porches, walkways, and the use of alleys for vehicular access and parking.
8. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* encourages creative housing solutions in Section 2.2 to add housing diversity and support downsizing households, young professionals and aging-in-place. Creative housing types can play an effective role in increasing housing diversity in a community and providing smaller scale, more affordable housing options. Examples of creative housing types include missing-middle housing types, tiny homes, pocket neighborhoods, and accessory dwelling units (ADUs). The city should ensure the Land Development Code allows for such housing types in the Residential Neighborhood Placetypes, where they can be targeted for infill development.
9. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* supports pocket neighborhoods and tiny homes as affordable housing solutions. Pocket neighborhoods are groups of detached dwellings that provide increased opportunity for affordable home ownership. They can come in the form of tiny homes, or small-scale single-family homes typically under 400 square feet. They provide the freedom and appeal of single-family homes at a smaller scale and therefore lower cost and are often developed in clusters surrounding a communal open space to support a sense of community. They also create housing options for those who desire independent living without high maintenance, a minimalistic lifestyle, or are looking to downsize, such as seniors or retired residents. Pocket neighborhoods and tiny homes help diversify the housing stock while matching the character of other low to medium density residential development.
10. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* encourages the development of strategically located higher density residential development and promote policies to create attainable, market rate housing in Section 2.3. Springfield currently has a shortage of housing units that are attainable at the lowest income levels. This shortage disproportionately impacts renter-occupied housing, as identified in the *Forward SGF Issues and Opportunities Report*. Providing quality, attainable housing for lower-income families and people in poverty was also a frequent concern expressed by the community during public engagement. By encouraging higher density residential development, the city can provide for a greater range of unit types, sizes, and price points within future development. In addition to helping address lower-income housing needs, smaller-scale housing units are often desirable for young professionals and new families looking to

DEVELOPMENT REVIEW STAFF REPORT

make a start in Springfield. They can also be attractive to empty nesters and senior citizens hoping to “age in place” and remain in Springfield for the long term.

11. The proposed Planned Development is proposing the following major differences from the current R-TH zoning District.
 - a. The clubhouse and storm shelter use are listed and defined as a permitted use and will be used and maintained by the homeowner's association as provided in their private covenants.
 - b. The recreation easement use is a listed permitted use and will be maintained and managed by the homeowner's association as provided in their private covenants.
 - c. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.
 - d. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make modifications as needed to meet the Comprehensive Plans recommendations.
 - e. The PD provides some general details about the proposed pocket neighborhood concept and design.
 - f. Minimum lot sizes for single-family detached dwellings in the R-TH are 5,000 square feet. The proposed PD will allow for single-family detached dwellings at 3,500 square feet.
 - g. Minimum lot width in the R-TH District for single-family detached dwellings is 45 feet. The PD is proposing a minimum lot width of 40 feet.
 - h. Access to the public street from lots along Broadway Avenue are only allowed as shown on the Exhibit 2, Site Plan, no driveways are permitted along Broadway Ave. The minimum driveway widths and separation are specified for lots along Weaver Avenue.
 - i. Public improvements are specified and to be approved by the Director of Public Works.
 - i. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.
 - ii. Curb and gutter, and concrete angled on-street parking along Broadway Ave.
 - iii. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking.
 - iv. Stormwater conveyance improvements along Weaver Ave.
 - j. A final development plan shall only be approved if the development is in substantial conformance with Exhibits 1 (text), 2 (site plan) and 3 (elevations) of the PD.
 - k. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met.

DEVELOPMENT REVIEW STAFF REPORT

12. If the Planned Development is approved, the applicant will need to subdivide the property following the major subdivision process provided in the Subdivision Regulations. This process will require a preliminary plat to be reviewed and approved by Planning and Zoning Commission and City Council. If approved, the final plat can be submitted for review and approval if in conformance with the preliminary plat and Planned Development requirements.
13. The 30-foot recreation and utility easement will need to be shown on the preliminary and final plat. Private covenants and restrictions for the common area/detention will need to be submitted and reviewed by staff to verify compliance with the Subdivision Regulations. Any provisions of the private covenants and restrictions are not enforced by the City, rather a civil matter.
14. A pocket neighborhood is typically considered a clustered group of houses around a common area or shared open space. Typically, parking is provided in a common area or on an alley or end of a street. The proposed PD has elements of a pocket neighborhood like common area, a recreational trail in an easement and a resident clubhouse. The parking along Broadway Ave. is on public right-of-way, but houses along Weaver Ave. have garages with driveway access.
15. 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. The utility easements will be dedicated on the final plat.
16. There are few changing conditions in the area affected that make the proposed rezoning necessary. Many of the existing residentially zoned properties have been vacant for years.
17. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD is proposing single-family residential which is currently permitted in the R-TH district. The PD is proposing smaller lots than allowed in the R-TH district.
18. 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. Easements for utilities will be provided on the preliminary and final plat.
19. 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. With the proposed PD improvements, Traffic supports the request. No traffic study is required.
20. 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.

DEVELOPMENT REVIEW STAFF REPORT

21. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property could be subdivided into about 11-12 single-family lots with the existing R-TH zoning.
22. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
23. The applicant held a neighborhood meeting on June 20, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1). The applicant didn't submit a sign-in sheet.
24. 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 based on the proposal's general conformance to the Comprehensive Plan's Center City Neighborhood and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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

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

Attachment 1

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

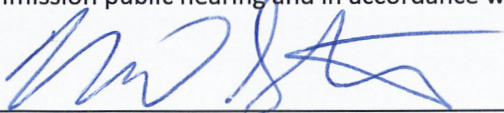
1. Request change to zoning from: R-TH (existing zoning) to Planned Development (proposed zoning)
2. Meeting Date & Time: June 20, 2024 4p - 6:30p
3. Meeting Location: FAIRBANKS COMMUNITY HUB - 1126 N. Broadway
4. Number of invitations that were sent: 197
5. How the mailing list was generated: city
6. Number of neighbors in attendance (attach a sign-in sheet): 20
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).

two property owners wanted to confirm PD would not include multi-family most questions revolved around pricing for new homes and completion dates Relatives of the owners of 742 N. Weaver came to ~~see~~ learn more about the PD that might include their parents property. we discussed at length our plans and they expressed concerns based on past experiences. about being left out of the process. We took their information and offered a follow up meeting w/ the property owners and their relatives.

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

no attendees left written comments

I, MICHAEL STEVENS (print name), attest that the neighborhood meeting was held on 6/20/24 (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."



Signature of person completing affidavit

MICHAEL STEVENS

Printed name of person completing affidavit

Neal, Daniel

Subject: FW: Letter in support of DLF Pocket Neighborhood

----- Forwarded message -----

From: **Meghan Storey** <meghanstorey0926@gmail.com>

Date: Mon, Sep 9, 2024 at 5:58 PM

Subject: Letter in support of DLF Pocket Neighborhood

To: chole@weareown.com <chole@weareown.com>

Dear Springfield City Council,

I am writing to express my strong support for the Drew Lewis Foundation's proposed pocket neighborhood development. As a resident of the Grant Beach neighborhood, I have seen firsthand the need for affordable, supportive housing that fosters a sense of connection and well-being. This project will not only provide families with safe, affordable homes but also give them access to vital resources and a strong, supportive community.

The Drew Lewis Foundation has a proven track record of uplifting families through its Blue House Project. We have already witnessed the positive impact in our neighborhood as properties have been transformed from nuisances into well-maintained homes. This new development aligns with their mission and will greatly benefit both current residents and potential homeowners. The pocket neighborhood model, with its emphasis on shared spaces and community engagement, offers a much-needed alternative to traditional housing developments, which often lack a true sense of belonging.

I believe this project will have a positive and lasting impact on the city, and I urge you to approve it. The benefits to our community will be immense, creating opportunities for individuals and families to thrive while contributing to the overall growth and well-being of Springfield.

Thank you for your time and consideration.

Sincerely,

Meghan Storey
Grant Beach Resident

EXHIBIT 1
Requirements and Standards Applicable to
Planned Development District No. 389

APPLICATION

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

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

EXECUTIVE SUMMARY

The City of Springfield recognizes the critical role of housing diversity and infill development in revitalizing impoverished neighborhoods and enhancing community well-being as outlined in Forward SGF. Acknowledging the challenges faced by these areas, the city emphasizes the need for diverse housing options and strategic infill development to address issues of poverty, aging infrastructure, and housing affordability. By promoting creative housing solutions and prioritizing infill development over outward expansion, the city aims to maximize existing resources, improve neighborhood livability, and foster economic growth. This planned development underscores the importance of targeted efforts to elevate the standard of living in disinvested neighborhoods while promoting inclusivity, equity, and community resilience.

INTENT

The purpose of this planned development is to provide an affordable pocket community development in a low-income neighborhood with homes that are both affordable and improve the area. These homes are designed to meet the needs of low-to-moderate income families and individuals, offering them a safe and stable living environment. By providing affordable housing options, The Drew Lewis Foundation aims to address the housing crisis in the Springfield community and promote economic stability. This higher-density, single-family development is unique because it fosters a sense of community through its design, with shared green spaces, communal areas, and a community center encouraging social interaction and support among residents. It aligns with the community's needs, promotes sustainable development, and enhances the overall quality of life for residents. Positive feedback from neighbors includes appreciation for the thoughtful design, affordable housing options, and the positive impact it will have on the neighborhood.

DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

PERMITTED USES

1. Single-family detached dwellings and any other use allowed within the R-TH district.
2. Clubhouse, as an accessory use.

DESIGN CONCEPT

1. The pocket neighborhood will have a craftsman design incorporating charming, artisanal elements such as woodwork and vintage-inspired façades, seamlessly blending with the historical neighborhood's architectural heritage. The houses will all have a similar overall design, but each one will have varying design elements such as varying vertical and horizontal siding patterns varied wood elements in the eaves and front porch posts. The color palette will be selected from the early 1900's with four primary colors of siding. Additionally, the community layout prioritizes communal green spaces and pedestrian-friendly pathways, mirroring the traditional, close-knit feel of the surrounding area.
2. The clubhouse will have the same general shape and aesthetic as the houses in the neighborhood. The clubhouse must address the public streets with doors and windows and have a pitched roof similar to the houses in the neighborhood. It will double as a storm shelter for residents of the neighborhood. The clubhouse will be used for meeting rooms and storage. It will be managed and maintained by the homeowner's association and no additional parking will be required since this will be used by residents of the PD and subdivision.
3. Refer to Exhibit 3 for elevations and design concepts.
4. A recreation easement to be shared by all property owners is included in this planned development. Maintenance of the recreation easement shall be the responsibility of the homeowner's association.
5. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.
6. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make modifications as needed to meet the Comprehensive Plans recommendations.

USE LIMITATIONS

1. There shall be a separate platted lot of record for each single-family detached, single-family semi-detached or townhouse dwelling unit.
2. Any garages shall be setback a minimum of 20 feet from the front property line.
3. All uses shall operate in accordance with the noise standards contained in *Section 36-485* of the *Springfield Zoning Ordinance*.
4. No use shall emit an odor that creates a nuisance as determined by *Springfield City Code*.

LOT SIZE REQUIREMENTS

1. Single-family detached dwellings: 3,500 square feet.
2. Minimum lot width: 40 feet.
3. Minimum lot depth: 80 feet.

BULK AND OPEN SPACE REQUIREMENTS

1. Side yard: 5 feet.
2. *Section 36-381* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply to all other sections.

ACCESS TO PUBLIC THOROUGHFARES & DRIVEWAYS

1. Access to the public street system will be as generally shown on Exhibit 2.
2. No driveways are permitted along Broadway Ave.
3. Minimum driveway width: 10 feet.
4. Minimum driveway separation: 20 feet.

REQUIRED IMPROVEMENTS

Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District, as determined by the Director of Public Works, shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also

be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued, the applicant, or subsequent owners shall:

1. Construct the required improvements; or
2. Provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.

No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:

1. The required improvements are completed prior to occupancy of the structures; or
2. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility, or public safety, or conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

Improvements necessary to adequately accommodate the intensity of development in this District, as determined by the Director of Public Works, include the following.

1. Storm water management facilities.
All storm water management facilities, including detention and water quality, will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.
2. Sanitary Sewer Extension.
All sanitary sewers will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.
3. Traffic Improvements as approved by the City Traffic Engineer.
 - a. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.
 - b. Curb and gutter, and concrete angled on-street parking along Broadway
 - c. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking
 - d. Stormwater conveyance improvements along Weaver Ave.

Improvements shall conform to the following standards.

1. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.
2. All public improvements shall be designed and constructed per City of Springfield Public Works Design Standards for Public Improvements.

MAINTENANCE OF COMMON AREAS AND FACILITIES

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

PHASING

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

FINAL DEVELOPMENT PLAN

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

Final development plans designating the location of uses shall be submitted to the Administrative Review Committee, either as a whole or in phases. A final development plan shall only be approved if it is in substantial conformance with Exhibits 1, 2 and 3 as defined by Subsection 36-405 (9) (c) of the Springfield Zoning Ordinance.

1. The final development plan shall only be submitted to the Administrative Review Committee for final review and approval. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

- a. Any uses within the District other than those specifically prescribed by the ordinance.
- b. Any increase in the intensity of use permitted within the District.



3213 S. West Bypass
Springfield, MO 65807
417.866.2741
weareown.com

**DREW LEWIS
FOUNDATION**

REVISIONS

[illegible]

PROJECT NO: 24SP10075

DRAWN BY: CMH

CH

ISSUED DATE: 06/20/2024

FIELD BOOK: N/A

ISSUED BY: JARED M DAVIS

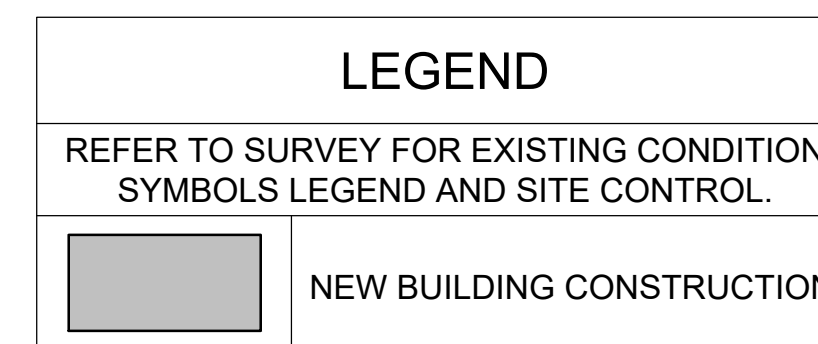
LICENSE NO: 2016017614

A licensed Missouri
Engineering Corporation
COA# 00062

EXHIBIT 2

1

1 OF 1



1 EXHIBIT 2
C1.0 SCALE: 1" = 20'

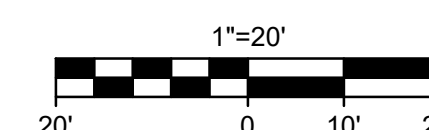


Exhibit 3



9 COMMUNITY FRONT 3
1/8" = 1'-0"



10 STREET (WEAVER) FRONT 3
1/8" = 1'-0"



11 GARAGE SIDE 3
1/8" = 1'-0"



12 HOUSE SIDE 3
1/8" = 1'-0"



5 COMMUNITY FRONT 2
1/8" = 1'-0"



6 STREET (WEAVER) FRONT 2
1/8" = 1'-0"



7 GARAGE SIDE 2
1/8" = 1'-0"



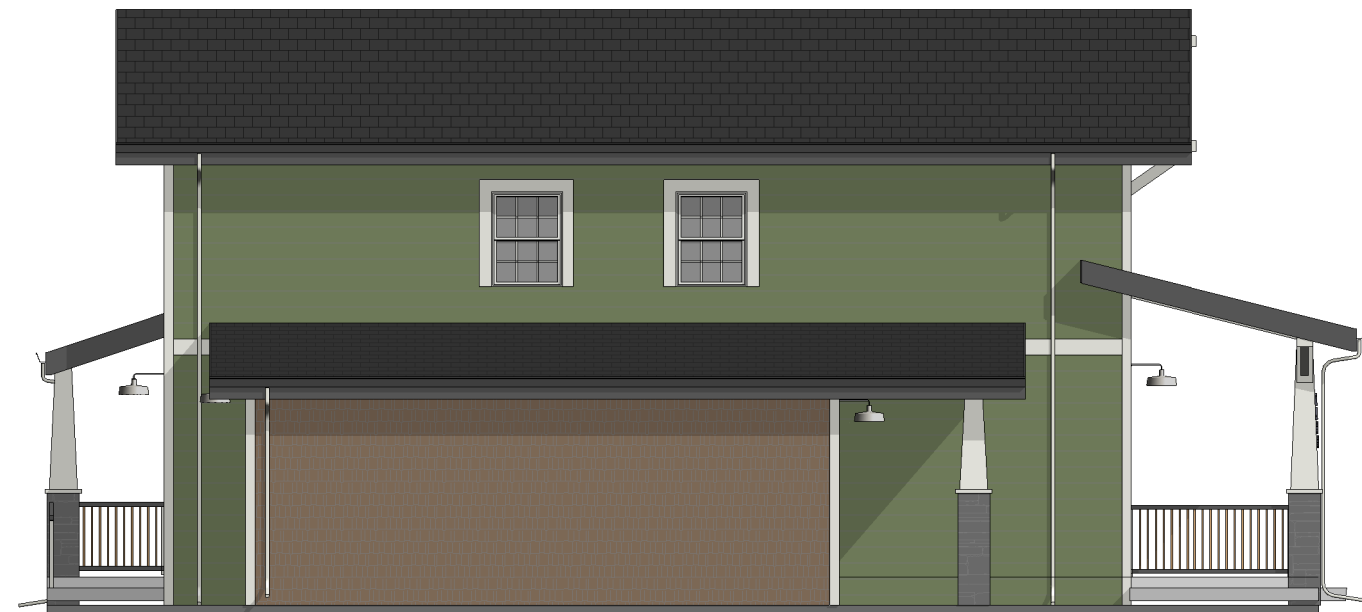
8 HOUSE SIDE 2
1/8" = 1'-0"



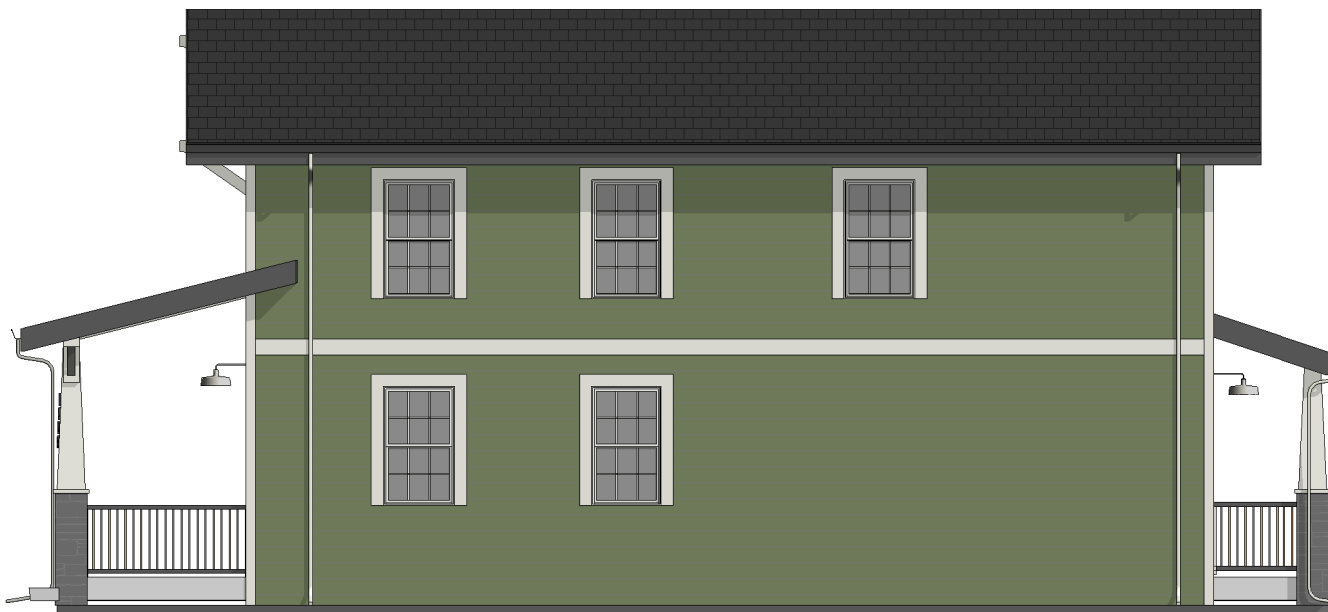
1 COMMUNITY FRONT
1/8" = 1'-0"



2 STREET (WEAVER) FRONT
1/8" = 1'-0"



3 GARAGE SIDE
1/8" = 1'-0"



4 HOUSE SIDE
1/8" = 1'-0"

ELEVATION FINISH OPTIONS

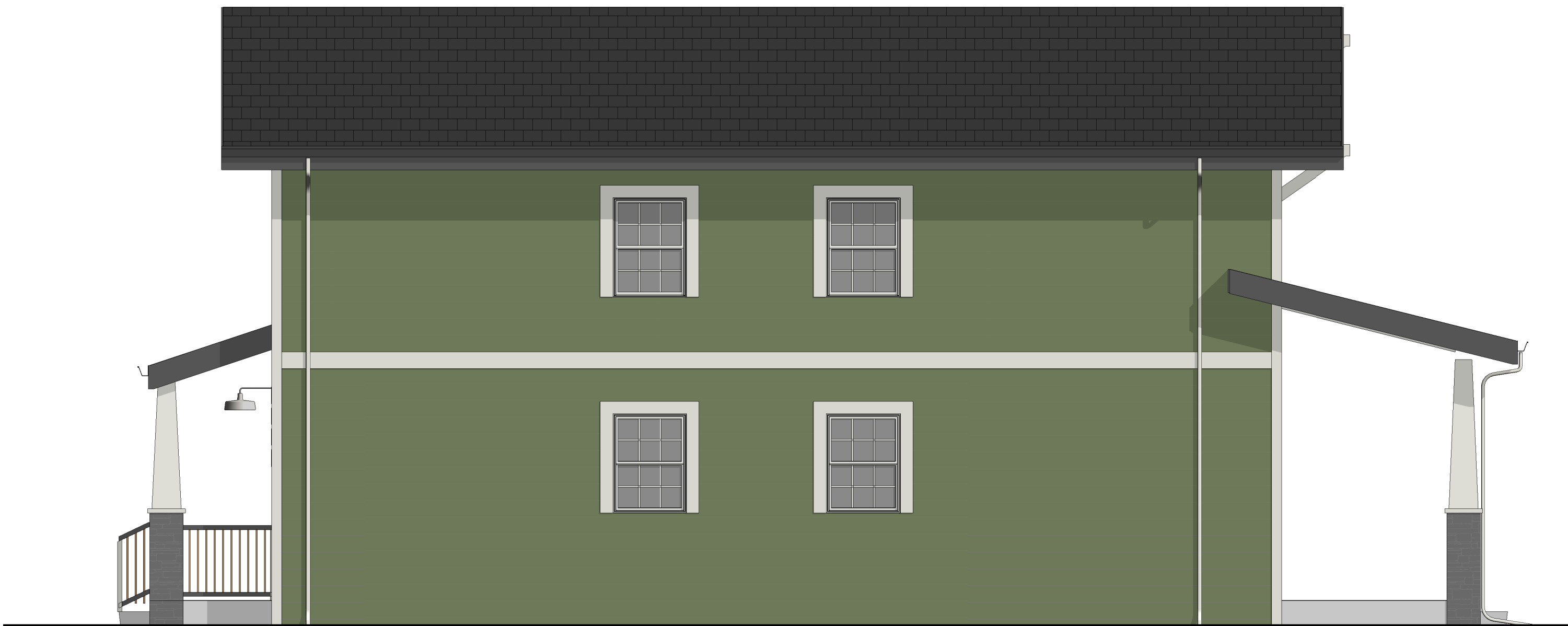
DREW LEWIS FOUNDATION - POCKET NEIGHBORHOOD

N. BROADWAY AVE. & W. POPLAR ST.
CONCEPTUAL DESIGN PACKAGE

Exhibit 3



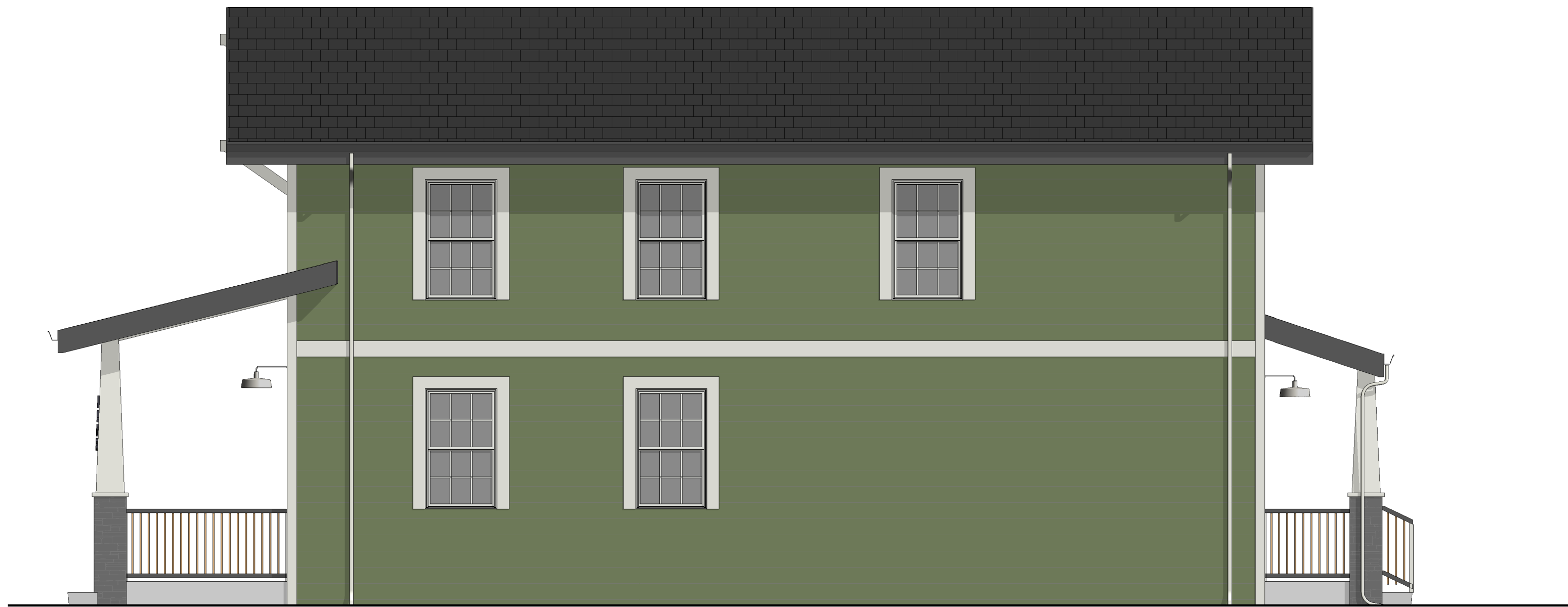
1 STREET (BROADWAY) FRONT - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



2 SIDE 1 - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



3 COMMUNITY FRONT - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



4 SIDE 2 - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"

ELEVATIONS FOR CLUBHOUSE AND UNITS WITHOUT GARAGE
DREW LEWIS FOUNDATION - POCKET NEIGHBORHOOD

N. BROADWAY AVE. & W. POPLAR ST.
CONCEPTUAL DESIGN PACKAGE



138 Park Central Square,
Suite 101
Springfield, MO 65806
Phone: 417.865.6100

www.brparc.com

EXPLANATION TO COUNCIL BILL 2024-208 (JENSON)

FILED: 09/18/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres of property generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: Family Tax Service LLC; 1055 South Campbell Avenue; Z-16-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-16-2024

The applicant is requesting to rezone approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use. The property has been a long-time office use, and no further development is planned.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended approval, by a vote of 8 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use.
2. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship.
3. The property has been a long-time office use, and no further development is

planned. The applicant is seeking this rezoning to establish office as a permitted and conforming use.

4. Campbell Avenue is designated as a Primary Arterial. This application is consistent with locating the O-1 district on a higher classification street.

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

7. The range of uses in the proposed O-1 is compatible with the uses permitted on other property in the immediate vicinity. There is GR zoning to the north of the subject property.

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

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

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

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Residential placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 10/1/2024

Attachments:

1. Z-16-2024 - 1055 South Campbell Avenue_Ord
2. Z-16-2024_exh A
3. Z-16-2024_exhB
4. Z-16-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 10-01-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-208

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 0.22 acres of property generally located at 1055 South Campbell
4 Avenue from R-HD, High-Density Multi-family Residential District to
5 O-1, Office District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family
10 Residential District to O-1, Office District; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
14 public hearing being attached hereto and incorporated herein by this reference as
15 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
16

17 WHEREAS, the City has reviewed the applicant's request and prepared a staff
18 report concerning the application, which is attached hereto and incorporated herein by
19 this reference as "Exhibit C"; and
20

21 WHEREAS, proper notice was given of a public hearing before City Council, and
22 said hearing was held in accordance with the law.
23

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
25 SPRINGFIELD, MISSOURI, as follows, that:
26

27 Section 1 – The property generally located at 1055 South Campbell Avenue and
28 described in "Exhibit A," which is attached hereto and incorporated herein by this
29 reference, is hereby rezoned from R-HD, High-Density Multi-family Residential District
30 to O-1, Office District. Springfield Land Development Code, Section 36-306, 'Official
31 zoning map and rules for interpretation,' is hereby amended, changed, and modified
32 consistent with this Ordinance.
33

34 Section 2 – City Council hereby directs the City Manager, or designee, to update
35 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
36 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
37 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
38 rules of interpretation.'

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55 Approved as to form: Laura Vales
56 _____, Assistant City Attorney

57
58 Approved for Council action: Jason A. Hays
59 _____ City Manager

**EXHIBIT A
LEGAL DESCRIPTION**

SOUTH HALF AND EAST 100 FEET OF LOT 1 OF HOLMAN'S MAPLE PARK ADDITION, A
SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-16-2024
1055 South Campbell Avenue
Applicant: John Dittrich

Mr. Neal states that this is a request to rezone approximately 0.22 acres from R-HD, High-Density Multi-family Residential District to O-1, Office District.

Mr. John Dittrich, 1055 S. Campbell Avenue is the current owner and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-16-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', is written over a horizontal line.

Bob Hosmer, AICP
Planning Manager



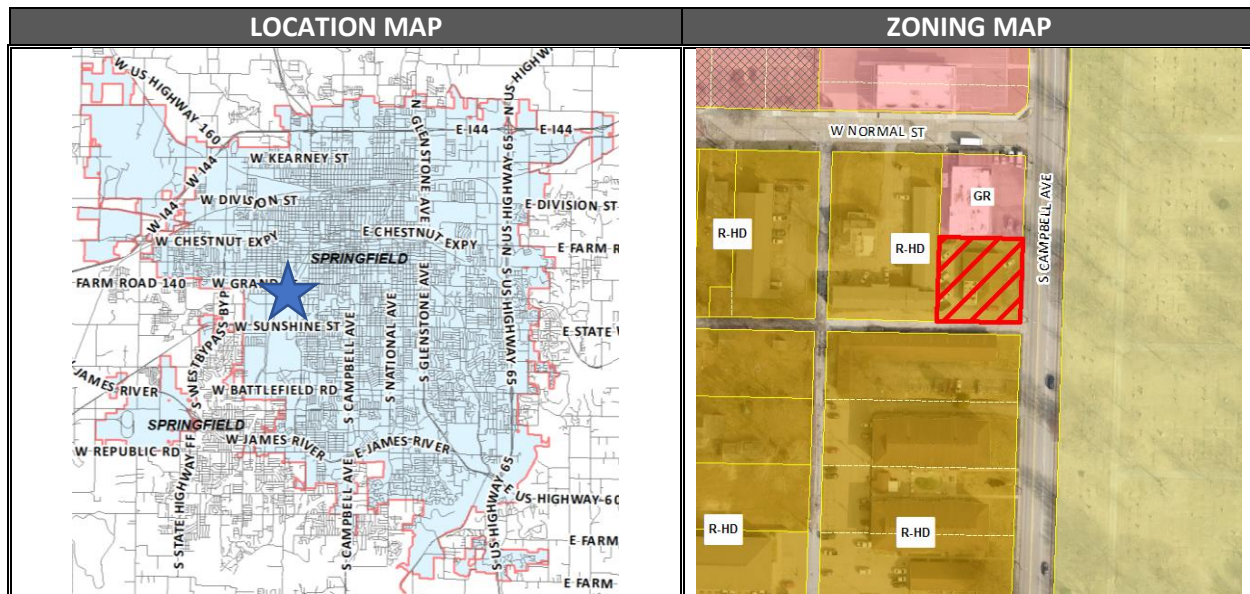
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-16-2024
Location:	1055 South Campbell Avenue
Total Acres:	0.22 acres
Applicant:	Family Tax Service LLC
Existing Land Use:	Office Use
Neighborhood Meeting:	July 16, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-16-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

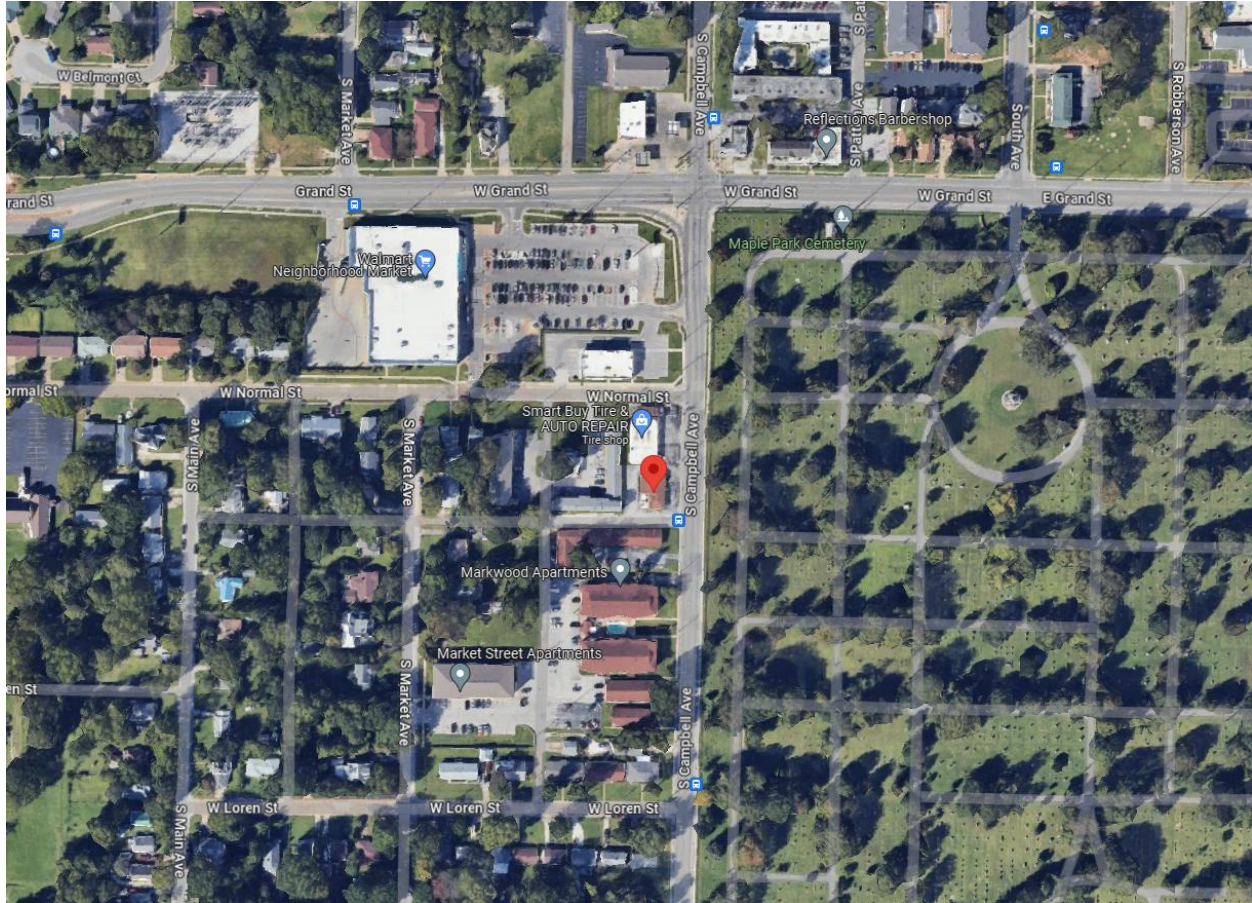
PROJECT SUMMARY:

Request to rezone approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

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

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR O-1 DISTRICT
Use Limitations	(a) All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (d) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).

DEVELOPMENT REVIEW STAFF REPORT

Maximum Height	Thirty-five feet, except that all structures shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Bulk Plane	All structures shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent of the total lot area
Buffering and Landscaping	Whenever any development in an O-1 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 Mixed Residential placetype.

The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship. Housing for university and college students, young professionals looking for housing close to work, and seniors desiring to downsize are prioritized within this placetype. Encouraging investment to enhance existing properties as well as attracting new high-quality development with attention to scale and building design is a key focus to ensure desirable character within the placetype.

Primary Land Uses:

- Single-family attached
- Single-family detached
- Multi-family

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & INFRASTRUCTURE:

- Access management is improved for vehicles through curb cut consolidation and cross-access between properties, reducing traffic conflicts and backups.

DEVELOPMENT REVIEW STAFF REPORT

- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors and integrated into private development plans.
- 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.
- Quality of place and identity is enhanced through preserving and planting trees, and other landscaping and traffic calming improvements are made 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.
- Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses located within the neighborhood and around the perimeter.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.
- Street network is well-connected, designed for slow traffic, and includes pedestrian facilities.
- The higher density nature of the placetype prioritizes these areas for future transit access and Transit-Oriented Development (TOD) as the City looks to expand the system in the long term.
- 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.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and neighborhood-scale commercial buildings are oriented to the street and focus on pedestrian scale.
- Parking is to be located behind or beside the primary buildings with abundant landscaping and screening. Pedestrian pathways to provide safe access to business entrances.
- Preservation of neighborhood schools and adaptive reuse of existing residential and non-residential structures is encouraged.
- New structures reflect the character and context of the historic neighborhood fabric and developed area.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure new development is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces are visible and inviting to the pedestrian with transparent, glass windows and doors.
- Quality materials, construction methods, workmanship, and design are 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.
- The main entrance of new development is oriented towards the primary street.
- Windows, balconies, and porches are encouraged on upper stories to provide informal security with “eyes on the street” and activation.

DEVELOPMENT REVIEW STAFF REPORT

- Lighting, signage, landscaping, mail, and delivery accommodations are proactively incorporated into the site design.
- Mechanical equipment, trash receptacles, and recycling bin storage areas are fully screened or located away from major roadway view.

TRANSITIONS:

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

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	R-HD	R-SF	R-HD
LAND USE	Car Tire install business	Multi-family Residential	Cemetery	Multi-family Residential
PLACETYPES	Mixed Residential	Mixed Residential	Urban Green Space & Recreation	Mixed Residential

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

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	S. Campbell Avenue	Primary Arterial	City	50	25	NA	No	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 two (2) bus stops on Campbell Avenue near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW Stormwater has no concerns for the proposed zoning change. 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

DEVELOPMENT REVIEW STAFF REPORT

1. Site is existing impervious area. Any development can replace existing impervious without triggering detention.

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 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use.
2. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship.
3. The property has been a long-time office use and no further development is planned. The applicant is seeking this rezoning to establish office as a permitted and conforming use.
4. Campbell Avenue is designated as a Primary Arterial. This application is consistent with locating the O-1 district on a higher classification street.
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 few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
7. The range of uses in the proposed O-1 is compatible with the uses permitted on other property in the immediate vicinity. There is GR zoning to the north of the subject property.

DEVELOPMENT REVIEW STAFF REPORT

8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

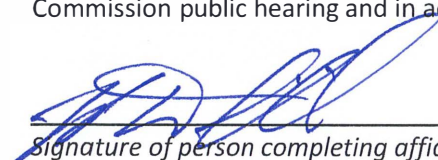
1. Request change to zoning from: R-HD to O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 16 2024
3. Meeting Location: 1055 S Campbell Ave
4. Number of invitations that were sent: 43
5. How the mailing list was generated: Planning & Development
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

N/A

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

N/A

John Dittrich (print name), attest that the neighborhood meeting was held on July 16 2024 (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

John P Dittrich
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-209 (HORTON)

FILED: 09/18/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well as the unaddressed property to the north at approximately 1428 North Beverly Avenue, from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: Amax Properties, LLC; 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue; Z-15-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417 and 1423 North Beverly Avenue and the unaddressed property to the north from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-15-2024

The applicant is requesting to rezone approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417 and 1423 North Beverly Avenue and the unaddressed property to the north from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. This area includes a portion of right-of-way along Lynn St. and Beverly Ave. that is being vacated concurrently with this application. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area, so a replat of lots will likely occur after zoning.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve, by a vote of 8 to 0.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. This application for R-TH is consistent with the Comprehensive Plan's Land Use &

Development chapter which identifies the subject property as within the Traditional Neighborhood placetype. The primary use in this placetype is single-family detached which is a permitted use in the R-TH District. It also lists supporting uses such as single-family attached and low-intensity multi-family.

2. This application is consistent with the Traditional Neighborhood placetype which 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 ranges 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.
3. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
4. There are a few changing conditions in the area affected that make the proposed rezoning necessary. The proposed rezoning area has existing single-family residential along Forest Avenue to the west and Lynn Street to the south.
5. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.
6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
7. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. The applicant is proposing a less intense zoning district than what is existing.
8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. New single-family homes or duplexes would not be allowed to be constructed in the Heavy Manufacturing district.

STAFF RECOMMENDATION: 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.

Submitted By: Daniel Neal, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Maurice S. Jones, Deputy City Manager 10/1/2024

- Attachments:**
1. Z-15-2024 - 1403, 1407, 1413, 1417, 1423, and 1428 North Beverly Avenue_Ord
 2. Z-15-2024_exh A
 3. Z-15-2024_exhB
 4. Z-15-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 23
Filed: 10-01-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-209

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.1 acres of property generally located at 1403, 1407, 1413, 1417,
4 and 1423 North Beverly Avenue, as well as the unaddressed
5 property to the north at approximately 1428 North Beverly Avenue,
6 from HM, Heavy Manufacturing District to R-TH, Residential
7 Townhouse District; and adopting an updated Official Zoning Map.
8
9 _____

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well
12 as the unaddressed property to the north at approximately 1428 North Beverly Avenue,
13 from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and
14

15 WHEREAS, following proper notice, the Planning and Zoning Commission held a
16 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
17 public hearing being attached hereto and incorporated herein by this reference as
18 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
19

20 WHEREAS, the City has reviewed the applicant's request and prepared a staff
21 report concerning the application, which is attached hereto and incorporated herein by
22 this reference as "Exhibit C"; and
23

24 WHEREAS, proper notice was given of a public hearing before City Council, and
25 said hearing was held in accordance with the law.
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:
29

30 Section 1 – The property generally located at 1403, 1407, 1413, 1417, and 1423
31 North Beverly Street, as well as the unaddressed property to the north at approximately
32 1428 North Beverly Street, and described in "Exhibit A," which is attached hereto and
33 incorporated herein by this reference, from HM, Heavy Manufacturing District to R-TH,

34 Residential Townhouse District. Springfield Land Development Code, Section 36-306,
35 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
36 modified consistent with this Ordinance.

37
38 Section 2 – City Council hereby directs the City Manager, or designee, to update
39 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
40 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
41 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
42 rules of interpretation.'

43
44 Section 3 – The Official Zoning Map herein adopted shall be maintained and
45 archived in the same digital form in which this Council has approved its adoption.

46
47 Section 4 – This Ordinance shall be in full force and effect from and after
48 passage.

49
50 Passed at meeting: _____

51
52 _____
53 Mayor

54
55 Attest: _____, City Clerk

56
57 Filed as Ordinance: _____

58
59 Approved as to form: Laura Vales, Assistant City Attorney

60
61 Approved for Council action: Jason A. Hage, City Manager
62
63

EXHIBIT A
LEGAL DESCRIPTION

1423 N Beverly Avenue: Beverly Hills Addition, Lots 19 & 20 Blk 3
1417 N Beverly Avenue: Beverly Hills Addition, Lots 21 & 22 Blk 3
1413 N Beverly Avenue: Beverly Hills Addition, Lots 23 & 24 Blk 3
1407 N Beverly Avenue: Beverly Hills Addition, Lots 25 & 26 Blk 3
1403 N Beverly Avenue: Beverly Hills Addition, Lots 27 & 28 Blk 3 & East 35 Feet, Lots 29 & 30 Blk 3, Springfield, Greene County, Missouri.

And that portion of the vacated right-of-way that is not already zoned R-TH District as specified in Section 36-306(3) as described in the following:

A TRACT OF LAND ADJOINING THE SOUTH LINE OF BLOCK "3" IN BEVERLY HILLS, A SUBDIVISION ON THE CITY OF SPRINGFIELD, IS DESCRIBED AS:

BEGINNING AT AN EXISTING ONE-HALF INCH IRON PIN AT THE SOUTHWEST CORNER OF LOT 28 IN BLOCK "3" OF SAID BEVERLY HILLS; THENCE SOUTH 87 DEGREES 52 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 28, A DISTANCE OF 35.13 FEET; THENCE NORTHEASTERLY, ALONG THE SOUTHERLY LINE OF SAID BLOCK 3 AND A CURVE TO THE LEFT, THROUGH AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, WITH A RADIUS OF 100.00 FEET AND A 141.42 FEET LONG CHORD WHICH BEARS NORTH 47 DEGREES 07 MINUTES 25 SECONDS EAST, AN ARC DISTANCE OF 157.08 FEET TO A POINT ON THE EAST LINE OF LOT 25 IN SAID BLOCK "3"; THENCE SOUTH 02 DEGREES 07 MINUTES 25 SECONDS WEST, A DISTANCE OF 148.39 FEET; THENCE NORTH 87 DEGREES 45 MINUTES 50 SECONDS WEST, A DISTANCE OF 169.92 FEET; THENCE NORTH 02 DEGREES 04 MINUTES 44 SECONDS EAST, A DISTANCE OF 48.06 FEET TO A POINT ON THE SOUTH LINE OF LOT 29 IN SAID BLOCK "3"; THENCE SOUTH 87 DEGREES 52 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 29, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 10,342 SQUARE FEET OF RIGHT-OF-WAY VACATION..

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-15-2024

1403, 1407, 1413, 1417, 1423 & (approximately) 1428 North Beverly Avenue

Applicant: Amax Properties, LLC

Mr. Neal stated that this is a request to rezone approximately 1.1 acres from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District.

Mr. Max Sharshakou, 1844 N. Marlan Avenue and plans to rezone it into single family or duplexes.

Ms. Broekhoven closed the public hearing.

Mr. Knuckles asked about the legal access to the street.

Mr. Neal stated that he will address that question during Vacation 838 being presented later this evening.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-15-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

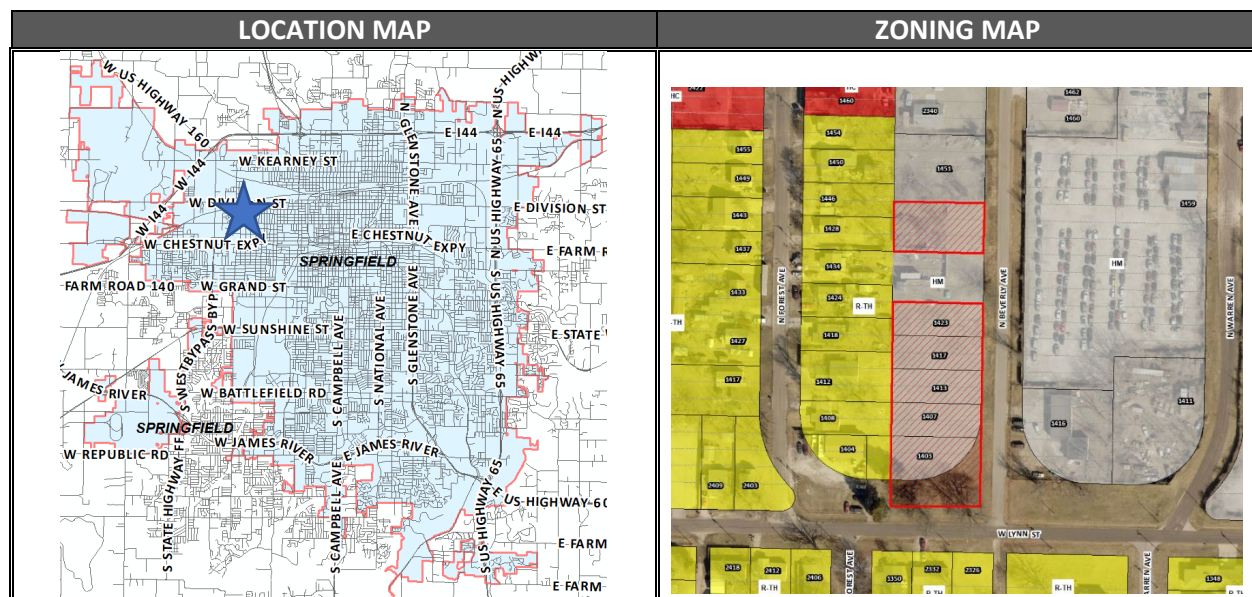


Bob Hosmer, AICP
Planning Manager

PROJECT INFORMATION

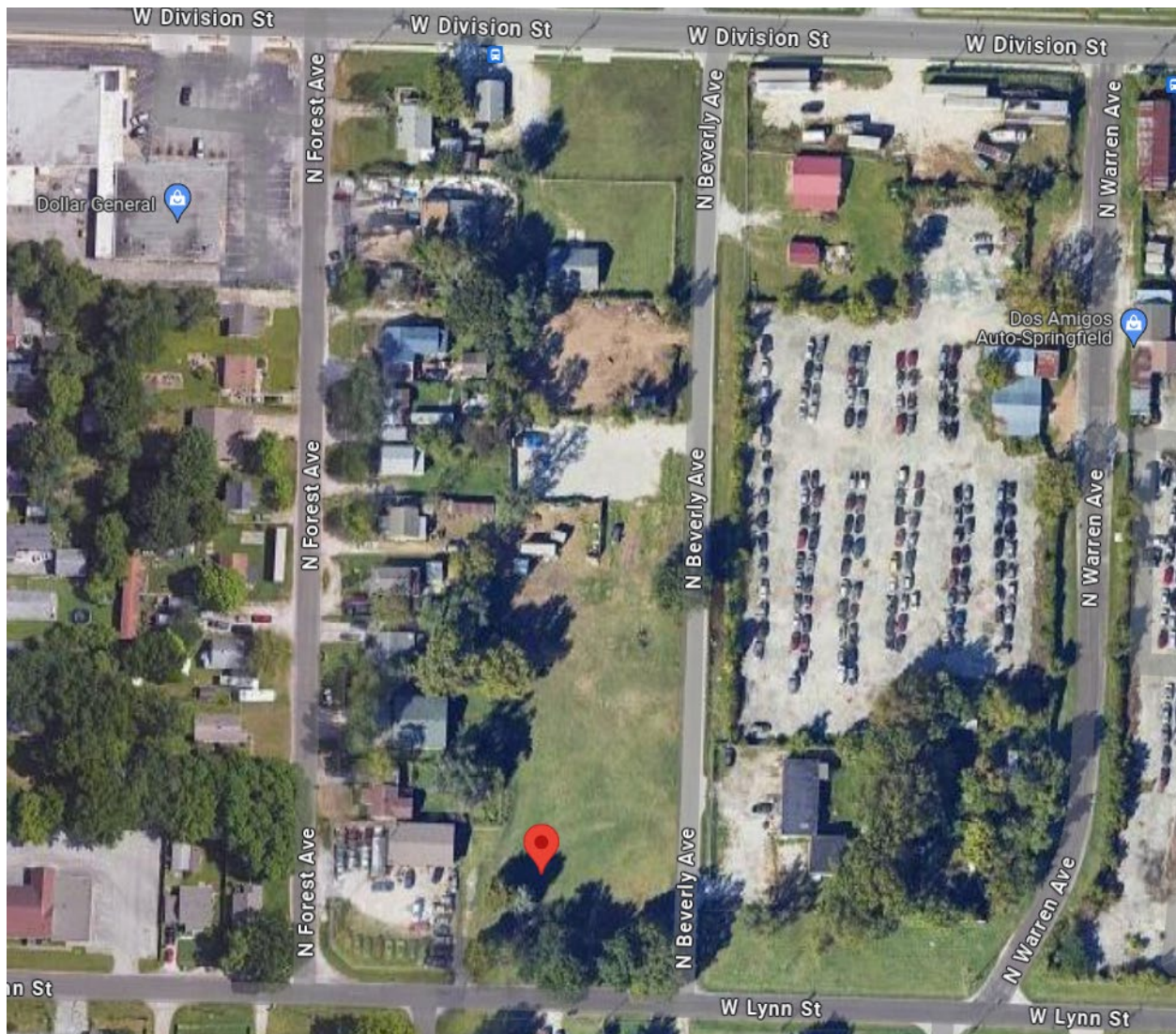
Case Number:	Z-15-2024
Location:	1403, 1407, 1413, 1417 and 1423 N. Beverly Avenue and the unaddressed property to the north
Total Acres:	1.1 acres
Applicant:	Amax Properties, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	May 23, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-15-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

Request to rezone approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417 and 1423 North Beverly Avenue and the unaddressed property to the north from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. This area includes a portion of right-of-way along Lynn St. and Beverly Ave. that is being vacated concurrently with this application.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:

DEVELOPMENT REVIEW STAFF REPORT



PROPERTY HISTORY:

The subject property was zoned HM, Heavy Manufacturing in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-TH DISTRICT
Use Limitations	(a) There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling unit.

DEVELOPMENT REVIEW STAFF REPORT

	(b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.
Minimum Lot Size	(a) <i>Minimum lot area:</i> 1. Single-family detached dwellings and residential group homes: 5,000 square feet. 2. Duplexes: 7,500 square feet. 3. Each single-family semi-detached dwelling on a separate platted lot: 3,750 square feet. 4. Each townhouse on a separate platted lot: a. End lots: 4,000 square feet. b. Interior lots: 3,000 square feet. 5. All other uses: 7,500 square feet. (b) <i>Minimum lot width:</i> 1. Single-family detached and duplex dwellings and residential group homes: 45 feet. 2. Townhouses: a. End lots: 40 feet. b. Interior lots with driveway in front yard: 30 feet. c. Interior lots without driveway in front yard: 24 feet. 3. Single-family semi-detached dwelling units: 30 feet. 4. All other uses: 45 feet. (c) <i>Minimum lot depth:</i> 80 feet.
Maximum Height	(a) <i>Maximum structure height:</i> 1. When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Bulk Plane	None
Minimum Yard Requirements	1. <i>Front yard:</i> 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. <i>Side yards:</i> Ten feet on each side of a lot or as required by section 36-453, supplemental open space and yard regulations, provided that no side yard is required for any building that has a common wall on a lot line.

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	3. <i>Rear yards:</i> Ten percent of the lot depth, but may not be less than ten feet nor more than 20 feet be required.
Minimum Open Space	Not less than 20 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.
Density Requirements	<i>Density requirements.</i> The maximum density shall be 3,750 square feet per dwelling unit provided the requirements of subsection 36-303(22) are met.
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 R-TH 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.

DEVELOPMENT REVIEW STAFF REPORT

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.

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- 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.

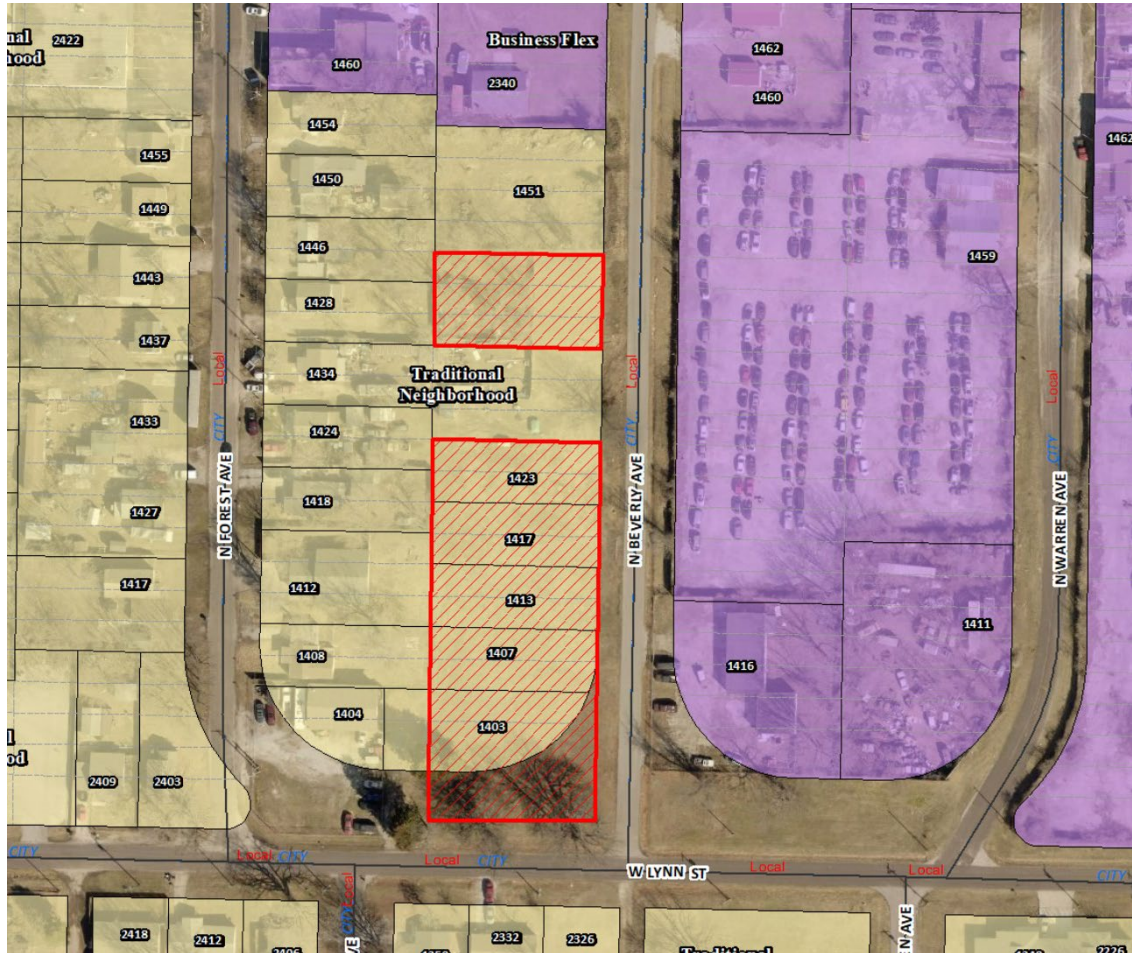
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TRANSITIONS

- 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.

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FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	R-TH	HM	R-TH
LAND USE	Vacant/undeveloped	Single-family residential	Industrial, salvage yard	Single-family residential
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Business Flex	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning, however electric/gas/water are not available to 1407-1423 N Beverly. Main extensions will be needed to provide services.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Each address has access to public sewer and are in an approved sewer district.

FIRE DEPARTMENT:

A fire hydrant is required to be installed within 250 feet of all lots. (2018 IFC Appendix C).

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Beverly Avenue	Local	City	25	25	NA	Yes	Yes	No
Street 2	W. Lynn Street	Local	City	25	25	NA	Yes	Yes	No

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

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

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

No existing detention or water quality Stormwater Control Measures are present. The property is in the **Upper Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is** aware of a sinkhole or other Karst feature east of 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**

DEVELOPMENT REVIEW STAFF REPORT

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
 - a. The N Beverly Ave section of road is a known low spot and large amount of pooling occurs on the East side of the street and ROW. Any project on this area is required to drain to Lynn St to drain through the drainage channels and culverts on Lynn St.
 - b. Because the 5 properties are adjacent and connected to Lynn St the project is required to construct drainage channel in the ROW to drain south to Lynn St.
 - c. A fee in lieu of detention application will be reviewed at time of permitting to determine if the project is at risk of flooding the sinkhole to the east.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

1. Sinkhole 26625 is located at 1459 N Warren Ave. The proposed project location drains to this sinkhole through the ROW and overland flow from west to east. The new buildings and driveways are minimal compared to the overall sinkhole drainage area. a future project at the N Warren Ave may reduce the flooding elevation.

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.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, 1423 and (approx.) 1428 North Beverly Avenue from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. This area includes a portion of right-of-way along Lynn St. and Beverly Ave. that is being vacated concurrently with this application. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots will likely occur after zoning.
2. This application for R-TH is consistent with the *Comprehensive Plan's Land Use & Development* chapter which identifies the subject property as within the Traditional Neighborhood placetype. The primary use in this placetype is single-family detached which is a permitted use in the R-TH District. It also lists supporting uses such as single-family attached and low-intensity multi-family.
3. This application is consistent with the Traditional Neighborhood placetype which 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.
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. The proposed rezoning area has existing single-family residential along Forest Avenue to the west and Lynn Street to the south.
6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.
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. The applicant is proposing a less intense zoning district than what is existing.

DEVELOPMENT REVIEW STAFF REPORT

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. New single-family homes or duplexes would not be allowed to be constructed in the Heavy Manufacturing district.
11. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
12. The applicant held a neighborhood meeting on May 23, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
13. 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 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.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

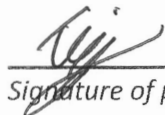
1. Request change to zoning from: HM to R-TH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 5/23/24 4pm - 6:30pm
3. Meeting Location: 727 W commercial St suite #D, Springfield, MO 65803
4. Number of invitations that were sent: _____
5. How the mailing list was generated: _____
6. Number 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).

Property Lines not Straight, Lot w to 1403 not Squared

NO Objections. Everyone seemed to be OK with multi-family homes.

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

I, Iliy Sharshakov (print name), attest that the neighborhood meeting was held on 5/23/24 (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

Iliy Sharshakov

Printed name of person completing affidavit

Sign in Sheet

5/23/2024

Name

Roger Dunlap & Brenda Pruett
Jerry Lee ~~Wall~~
Earl Pryor Earl Pryor