



City of Springfield

Agenda

Planning and Zoning Commission

Natalie Broekhoven, Chair

Bill Knuckles, Vice Chair

Helen Gunther

Christopher Lebeck

Betty Ridge

Bruce Colony

Eric Pauly

Dan Scott

Randall Doennig

October 10, 2024

6:30 PM

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

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. September 27, 2024

3. COMMUNICATIONS.

3.1. September 2024 Planning and Zoning / City Council Actions

4. CONSENT ITEMS.

5. UNFINISHED BUSINESS.

5.1. Vacation 838
2300 blk of West Lynn Street (Applicant: City of Springfield)

5.2. Z-25-2024 COD 262
509 West Whiteside Street and 2120 South Wedgewood Avenue (Applicant: Hughlett Trust)

6. PUBLIC HEARINGS.

6.1. Z-26-2024 COD 261
817 West El Camino Alto Drive (Applicant: Ridge HZ55, LLC)

6.2. Z-27-2024
1910 West Division Street and 1455 North Wabash Avenue (Applicant: David Rensch)

- 6.3. Vacation 839
431 & 435 West Hovey Street and 1475 North Campbell Avenue (General Council of Assemblies of God)
- 6.4. Vacation 840
1475 North Campbell Avenue (General Council of Assemblies of God)
- 6.5. Vacation 841
400 blk of West Hovey Street (Applicant: General Council of Assemblies of God)

7. OTHER BUSINESS.

- 7.1. Rountree UCD Regulation Subarea B & D Text Amendment
1200 blk to 1400 blk of East Cherry Street and East Elm Street, 600 blk to 800 blk of South National, east-side (Applicant: City of Springfield)
- 7.2. Short Term Rental Revised Text Amendment
Citywide (Applicant: City of Springfield)

8. ADJOURN.

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

**City of Springfield
Minutes
Planning and Zoning Commission**

Bill Knuckles, Vice Chair
Helen Gunther
Christopher Lebeck
Betty Ridge

Natalie Broekhoven, Chair

Bruce Colony
Eric Pauly
Dan Scott
Randall Doennig

September 12, 2024

6:30pm

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

ROLL CALL.

Present: Commissioner Broekhoven, Commissioner Knuckles, Commissioner Colony, Commissioner Gunther, Commissioner Pauly, Commissioner Doennig, Commissioner Scott, and Commissioner Ridge. Absent: Commissioner Lebeck

Staff in attendance: Steve Childers, Planning and Development Director, Justin Crighton, Assistant Director, Daniel Neal, Senior Planner, and Laura Vales, Assistant City Attorney.

APPROVAL OF MINUTES.

The minutes of August 22, 2024, were approved.

COMMUNICATIONS.

City Council summary for August 2024.

CONSENT ITEMS.

Relinquishment of Easement 943
3471 West Kearney Street

Applicant: Airport Plaza Development Group, LLC

Relinquishment of Easement 944
1475 North Campbell Avenue

Applicant: Assemblies of God General Council

Relinquishment of Easement 945
1421 North Campbell Avenue

Applicant: Assemblies of God General Council

Relinquishment of Easement 946
4580 West Calhoun Street

Applicant: APAC Central, Inc.

Request to Acquire 548
817 North Boonville Avenue
Applicant: City of Springfield

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Relinquishment of Easement 943, Relinquishment of Easement 944, Relinquishment of Easement 945, Relinquishment of Easement 946, and 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.

UNFINISHED BUSINESS.

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.

PUBLIC HEARINGS.

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.

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.

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.

Z-25-2024 COD 260

509 West Whiteside and 2120 South Wedgewood Avenue

Applicant: Hughlett Trust

Request to postpone to the October 10, 2024 Planning and Zoning meeting, received 48 hours in advance of the public hearing.

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.

Vacation 838

2300 blk of West Lynn Street

Applicant: City of Springfield

Mr. Neal states that this is a request to vacate a portion of public right-of-way along the 2300 block of West Lynn Street, between Forest and Beverly Avenues.

Mr. Scott asked about the “bulb” that sticks out into Forest Avenue would the City get a quit claim deed from the resident to reestablish the public right of way.

Mr. Neal noted that they have talked with Public Works, and they could attempt to do that, but does not want to hold up the project.

Mr. Zickefoose noted they do plan on cleaning it up but will take more research and title work to do that but did not want to slow down the project.

Mr. Doennig stated that this gives him nightmares from the title point of view and would like to see the city file something for the public record and why not just vacate the eastern half to allow the development to continue. He noted that he agrees with the vacation but does not like the west side of the easement without something in the land record indicating that they city is claiming prescriptive easements.

Commission members further discussed the cleanup and issues of approving just the eastern half and possibly doing an amendment or a postponement to work out the details.

Mr. Roger Dunlap, 2858 N. Farm Road 209, noting that he purchased 1404 N. Forest 27 years ago from Burt's Refrigeration and was told that area that was fenced off was what was being purchased, but after a short time realize he was not told the entire truth, but has maintained the property and would like to have it squared up.

Mr. Gideon James, 1226 N. Forest stating that he has had problems (noise) with 1404 N. Forest property and does not believe it is a legitimate business or has a license and would like to see the area improved.

Mr. Doennig asked about the situation and if it is a non-conforming business.

Mr. Neal notes that they were not aware of any problems.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to postpone Vacation 838, Commissioner Doennig seconded the motion. It was **postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner

Broekhoven, Commissioner Gunther, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: Commissioner Pauly. Absent: Commissioner Lebeck. Abstain: Commissioner Colony.

OTHER BUSINESS.

Initiate Rountree UCD Regulation Subarea A & D - Text Amendment

Applicant: City of Springfield

Mr. Neal states that staff is requesting that Planning and Zoning Commission initiate amendments to the Rountree Urban Conservation District (UCD) in subarea B and D.

Mr. Pauley asked what prompted this initiation.

Staff noted that when they started looking through the UCD and there were a couple of other requests, so to be proactive and get ahead of more challenges staff decided to initiate the text amendment. It was noted that some details include parking in the back so moving the front to where the rest of the building are in line with National Avenue and preserve the historic residential structures. This is an initiation and to have a further conversation about these two areas and trying to be proactive.

Commission further discussed about why changes to the UCD and if the neighborhood has been in any communication and would like to see more from them before it proceeds further.

Staff noted that they will relay their conversations with neighborhood groups at the next meeting.

Ms. Ridge noted that she believes it would be highly appropriate to have some sort of neighborhood meeting so residents and business owners could contribute their input.

Ms. Broekhoven noted her concerns about projects that are coming up and that may impact the Commissions plans to be more agreeable to potential applications and stated that the text amendment supports that it does not necessarily need to come before planning and zoning for changes and would like to know what types of projects the starting blocks for this are and in a very vocal neighborhood.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Initiate Rountree UCD Regulation Subarea A & D - Text Amendment, 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.

ADJOURN.

PNZ City Council Results

Meeting Dates From: 09/01/2024 **To:** 09/30/2024

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-12-2024 COD 252 2533 N FORT AVE	9/12/2024 Approved		
Z-15-2024 1417 N BEVERLY AVE 1403 N BEVERLY AVE 1407 N BEVERLY AVE 1413 N BEVERLY AVE 1423 N BEVERLY AVE	9/12/2024 Approved		
Z-16-2024 1055 S CAMPBELL AVE	9/12/2024 Approved		
Planned Development 389 801 N BROADWAY AVE 737 N BROADWAY AVE 745 N BROADWAY AVE 751 N BROADWAY AVE 761 N BROADWAY AVE 732 N WEAVER AVE 742 N WEAVER AVE	9/12/2024 Approved		
Relinquishment of Easement 943 3471 W KEARNEY ST	9/12/2024 Approved		
Z-23-2024 1719 E ATLANTIC ST	9/12/2024 Approved		
Vacation 838 2300 blk of West Lynn Street	9/12/2024 Tabled		
Relinquishment of Easement 944 1475 N CAMPBELL AVE	9/12/2024 Approved		
Relinquishment of Easement 945 1421 N CAMPBELL AVE	9/12/2024 Approved		
Relinquishment of Easement 946 4580 W CALHOUN ST	9/12/2024 Approved		
Request to Acquire 548 817 N BOONVILLE AVE	9/12/2024 Approved		
Z-11-2024 1345 E FLORIDA ST 1351 E FLORIDA ST 1357 E FLORIDA ST 1400 E FLORIDA ST 1414 E FLORIDA ST 1418 E FLORIDA ST	8/22/2024 Approved	9/23/2024 Complete	
Z-13-2024 3801 W SUNSHINE ST	8/22/2024 Approved	9/23/2024 Complete	

PNZ City Council Results

Meeting Dates From: 09/01/2024 To: 09/30/2024

Project Info	PNZ Hearing Date / Result	1st City Council Hearing Date / Result	2nd City Council Hearing Date / Result
Z-20-2024 3253 E CHESTNUT EXPY	8/22/2024 Approved	9/23/2024 Complete	
Z-21-2024 COD 259 3525 E BATTLEFIELD RD	8/22/2024 Approved	9/23/2024 Complete	
Z-22-2024 COD 258 1755 S NATIONAL AVE 1739 S NATIONAL AVE 1745 S NATIONAL AVE 1111E SUNSHINE ST 1119 E SUNSHINE ST 1133 E SUNSHINE ST 1141 E SUNSHINE ST 1138 E UNIVERSITY ST	8/22/2024 Denied	9/23/2024 Complete	
Rountree UCD Regulation Subarea C - Text Amendment 1459 E CHERRY ST	8/22/2024 Approved	9/23/2024 Complete	

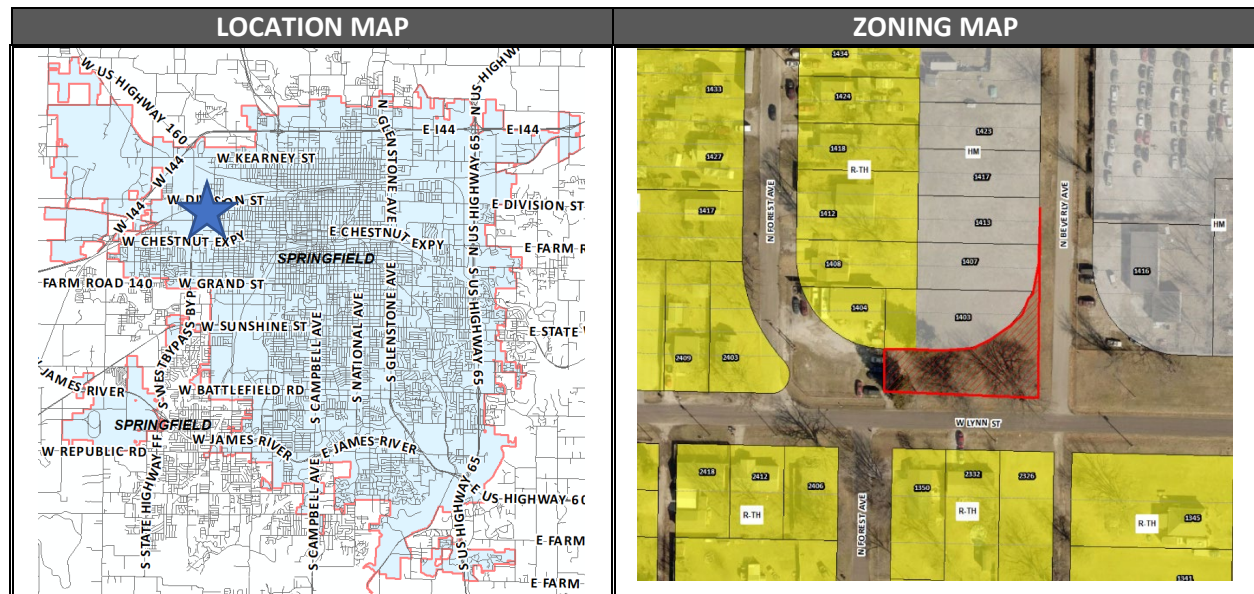
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Vacation No. 838
Location:	2300 block West Lynn Street
Total Acres:	0.23 acres
Applicant:	City of Springfield
Existing Land Use:	Public right-of-way
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	October 10, 2024
City Council:	N/A
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 Vacation case No. 838 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 vacate a portion of public right-of-way along the 2300 block of West Lynn Street, between Forest and Beverly Avenues.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

This portion of public right-of-way for Lynn and Beverly was originally dedicated as part of Beverly Hills Subdivision in 1926.

The western portion of Lynn St. and Forest Ave. vacation area was removed from this request until the right-of-way can be secured for existing Forest Avenue

PLANNING AND ZONING COMMISSION AUTHORITY:

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-TH & HM	R-TH	HM	R-TH
LAND USE	Single-family residence & commercial	Single-family residences	Industrial uses	Single-family residence
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Business Flex	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

Add a variable width utility easement along the new proposed ROW line starting at least 10' east of the existing pole & guys or remove this area from the proposed vacation.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection from ES provided the vacated R/W is added to the existing lots and no new lots are created. Any additional lots would require a possible extension of public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Lynn Street	Local	City	25	30	NA	Yes	Yes	No
Street 2	N. Beverly Avenue	Local	City	25	30	NA	Yes	Yes	No
Street 3	N. Forrest Avenue	Local	City	25	30	NA	Yes	Yes	No

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on West Avenue near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Upper Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** 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 vacation. Please note that development of the property will be subject to the following conditions at the time of development:

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

DETENTION AND DISCHARGE REQUIREMENTS

1. The N Beverly Ave Street has a single low spot that collects water on both the east and west sides. On the east side of N Beverly Ave, the area pools water and partially drains to W Lynn St and through the private lot. The east side of N Beverly Ave does not drain south or north. Water pools on the west side until it crests N Beverly Ave and drains east. This vacation will maintain ROW along N Beverly Ave. At time of development a drainage channel is required built in ROW from 1423 N Beverly Ave to drain south onto W Lynn St ROW.

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 city is requesting to vacate a portion of public right-of-way along the 2300 block of West Lynn Street, between Forest and Beverly Avenues. The adjacent property owner supports this request and plan to incorporate the vacated right-of-way into their property.
2. The requested vacation meets the approval criteria listed in Attachment 2.

DEVELOPMENT REVIEW STAFF REPORT

3. The city is proposing to vacate a portion of right-of-way that is no longer needed which was originally dedicated as part of Beverly Hills Subdivision. The city is retaining the standard right-of-way for the adjacent streets.
4. Section 36-306 (3), Official zoning map and rules for interpretation, of the Zoning Ordinance states: *Classification of vacated streets and alleys*. Whenever any street, alley or other public way is vacated by official action of the planning and zoning commission, the zoning district adjoining each side of such street, alley or public way or to the new property line created by the vacation of the street, alley or public way shall be automatically extended to the center of such vacated street, alley or public way and all areas included in the vacated street, alley or public way shall then and thence forth be subject to all regulations of the extended district.
5. Any structures i.e. fences in the public right-of-way will need to be relocated to match the new private property lines.

STAFF RECOMMENDATION:

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

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets.
2.	The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.	The Director of Public Works has initiated this vacation; however, all property owners are aware and supportive of the vacation request.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the public right-of-way is unnecessary.
4.	That the vacation will not affect the ability to use utilities, public or private.	This vacation area will not affect any known public or private utilities.

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

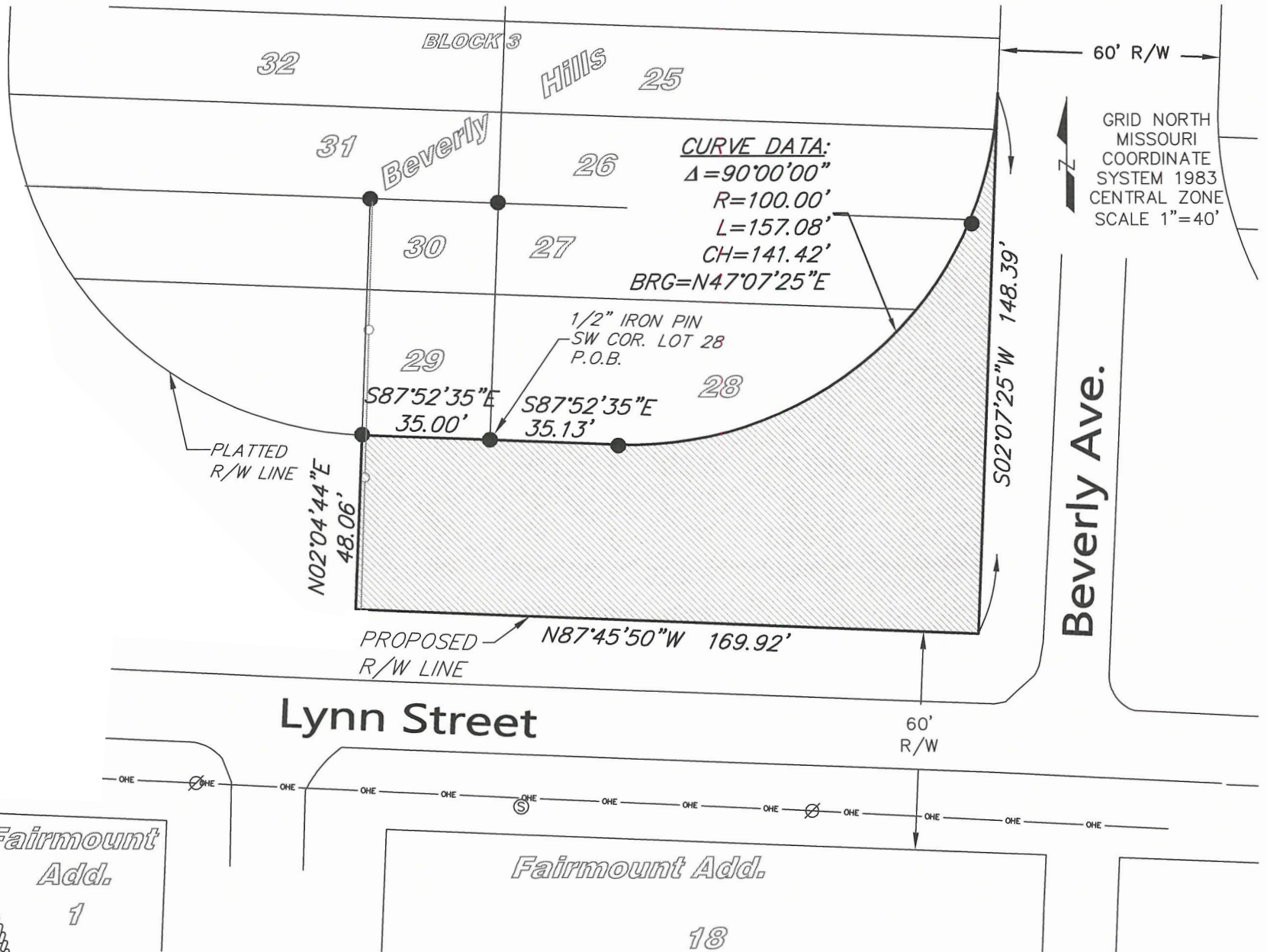
A TRACT OF LAND ADJOINING THE SOUTH LINE OF BLOCK "3" IN BEVERLY HILLS, A SUBDIVISION ON THE CITY OF SPRINGFIELD, IS DESCRIBED AS:

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.

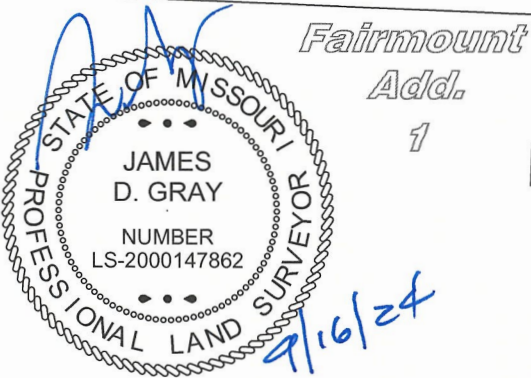
BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 10,342 SQUARE FEET OF RIGHT-OF-WAY VACATION.

"EXHIBIT B"



GRID NORTH
MISSOURI
COORDINATE
SYSTEM 1983
CENTRAL ZONE
SCALE 1"=40'



PROPOSED RIGHT-OF-WAY VACATION.....10,342 sq. ft.

Transportation Engineering
Survey Section - Building M
827 N Franklin

Date: 09/16/2024 Job #: 1239
 Drawing: 1239_Vacation_Exhibit.dwg



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

DATE: October 3, 2024

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Z-25-2024 COD No. 262

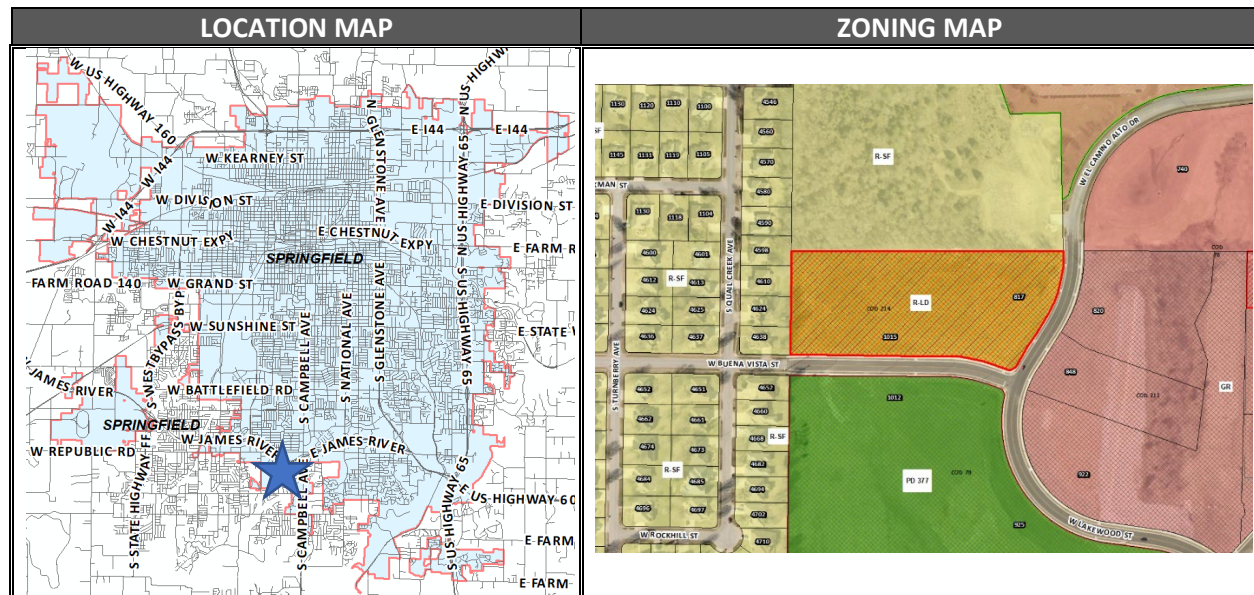
The applicant has requested this case be postponed to the next Planning and Zoning Commission meeting on November 7, 2024.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-26-2024 with Conditional Overlay District No. 261
Location:	817 West El Camino Alto Drive
Total Acres:	5.4 acres
Applicant:	Ridge HZ55, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	September 17, 2024
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 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-26-2024 with Conditional Overlay District No. 261 as set forth in Attachment 1 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 5.4 acres of property generally located at 817 W. El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 261.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



PROPERTY HISTORY:

This subject property had been zoned O-1, Office District with COD 78 since the property was preliminary platted in 2018; however, it was rezoned to R-LD with COD 200 in 2021 and rezoned to R-LD with COD 214 in 2022.

DEVELOPMENT REVIEW STAFF REPORT

Recently, this property was unanimously recommended for approval to be rezoned from R-LD with COD 214 to O-1 with COD 253 by Planning and Zoning Commission and denied by City Council at its meeting on August 19, 2024. On September 9, 2024, a resolution to initiate the same rezoning application was approved 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 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).
Minimum Lot Size	Not applicable to the O-1 District

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	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
Minimum Yard Requirements	1. <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. 3. <i>Rear yards:</i> Twenty percent of the lot depth but may not be less than ten feet nor more than 25 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. (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.

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

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype.

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

Primary Land Uses:

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

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & INFRASTRUCTURE

DEVELOPMENT REVIEW STAFF REPORT

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

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

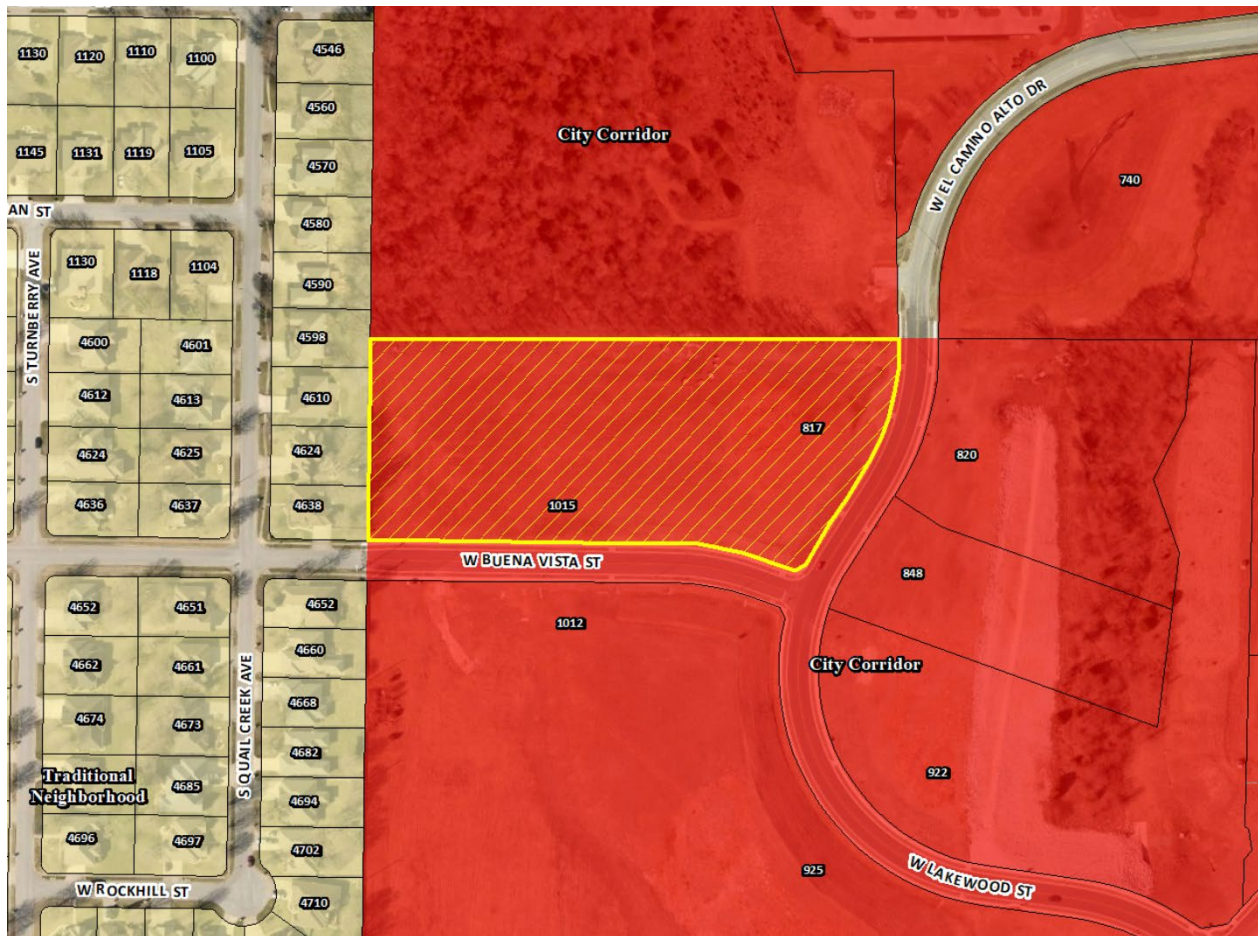
TRANSITIONS:

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

DEVELOPMENT REVIEW STAFF REPORT

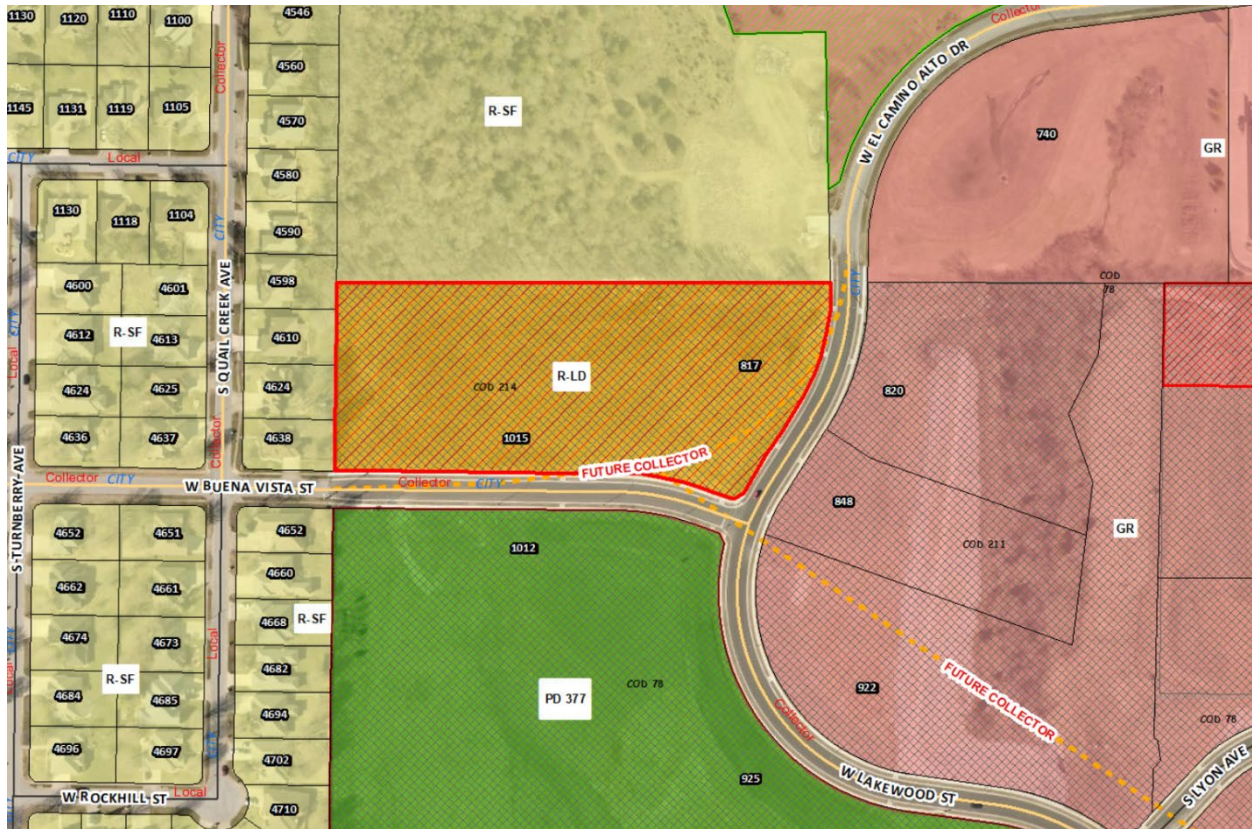
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD 377	GR	R-SF
LAND USE	Vacant/undeveloped	Vacant/undeveloped	Personal Service uses	Single-family residential uses
PLACETYPES	City Corridor	City Corridor	City Corridor	Traditional Neighborhood

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.
2. CITY UTILITIES:
No issues with the proposed rezoning.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

- a. No issues with rezoning. Property has access to public sewer.
4. FIRE DEPARTMENT:
No comments.
5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided**.

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. A fee in lieu of detention has already been completed as part of the Public Improvement Project for the Third Ridge at Ward Subdivision (2018PW0065).

WATER QUALITY REQUIREMENTS

1. 2018PW0065 did not construct a Water Quality Stormwater Control Measure. At the time of development Water Quality must be constructed.
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

DEVELOPMENT REVIEW STAFF REPORT

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.

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. El Camino Alto Drive	Collector	City	30	30	NA	No	Yes	Yes
Street 2	W. Buena Vista Street	Collector	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 - The Ward Branch Greenway Trail is 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.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 5.4 acres of property generally located at 817 W. El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 261. The applicant intends to develop a senior living facility.
2. The O-1 Office District is intended to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas.

DEVELOPMENT REVIEW STAFF REPORT

3. The proposed Conditional Overlay District will provide additional buffering and height restrictions to the single-family neighborhood to the west. Certain use limitations are also included in the COD. These are similar restrictions that are in the current COD No. 214.
4. The applicant is not proposing any changes to the existing gate between Quail Creek Subdivision and Ward Branch Subdivision. The gate is located in public right-of-way and is controlled and maintained by Public Works.
5. The subject property is located along El Camino Alto and Buena Vista which are classified as collector roadways.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are no known changing conditions in the area affected that make the proposed rezoning necessary.
8. The range of uses in the proposed O-1 district and COD are compatible with the uses permitted on other property in the immediate vicinity and in the City Corridor placetype.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact of the proposed uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This property and others in the Ward Branch Subdivision have been provided with streets and infrastructure to support the proposed development as required by a traffic study.
11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.
13. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
14. The applicant held a neighborhood meeting on June 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
15. 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.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 Conditional Overlay District No. 261

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

1. A type C bufferyard, following section 36-482, Landscaping and bufferyards, of Zoning Ordinance will be placed on the west property line with a six-foot wood privacy fence. This bufferyard must include an additional six evergreen trees for every 100 feet of bufferyard length, for a total of eight evergreen trees per 100 feet of length.
2. All structures within 400 feet of the west property line shall be limited to a maximum height of one story above finished grade.
3. No community amenities – including but not limited to pools, dog walks, trash dumpsters or other common space – shall be permitted within 100 feet of the west property line.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

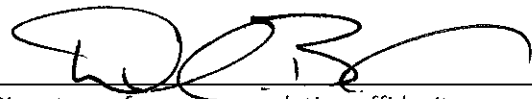
1. Request change to zoning from: R-LD w/ COD to O1 w/ COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 9-17-24 4:00 - 6:30
3. Meeting Location: 817 W. El Camion Alto St.
4. Number of invitations that were sent: 84
5. How the mailing list was generated: Provided by City of Springfield
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).

1. The property owner to the west of the northwest corner of the site asked if her entire back fence line would be replaced. I indicated that I would coordinate that with the owner to try to make that happen.

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

None

I, DAVID BODEEN (print name), attest that the neighborhood meeting was held on 9-17-24 (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

DAVID BODEEN
Printed name of person completing affidavit

Attachment 2

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

DATE: September 30, 2024

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Z-27-2024

Due to the applicant not scheduling the neighborhood meeting in the required timeframe, this case is postponed to the next Planning and Zoning Commission meeting on November 7, 2024.

DEVELOPMENT REVIEW STAFF REPORT

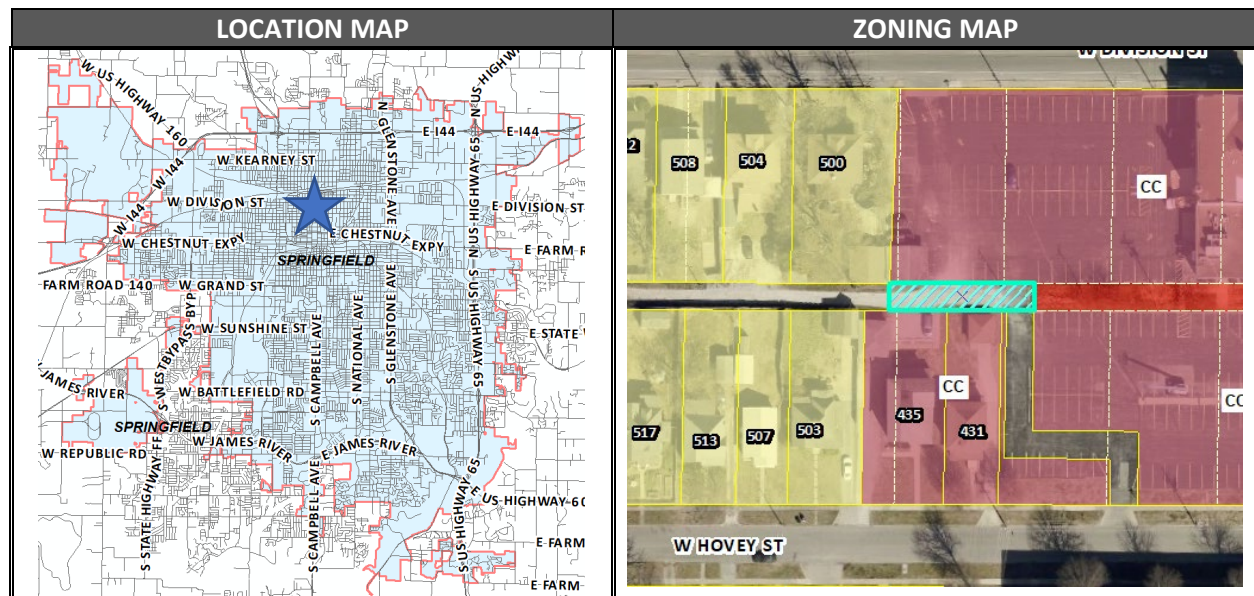
PROJECT INFORMATION

Case Number:	Vacation No. 839
Location:	431 & 435 West Hovey Street & 1475 North Campbell Avenue
Total Acres:	0.05 acres
Applicant:	General Council of Assemblies of God
Existing Land Use:	Public alley
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 839 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 vacate a portion of an east/west alley between Hovey Street and Division Street. This is to facilitate the development of the new Pipkin Middle School at this location.

This vacation shall not become effective until the conditions listed in the Staff Analysis and Recommendation section of this report (p. 8) are met. If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right-of-way shall remain.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was annexed into the City in 1869. The alley was originally platted as part of Hovey's Addition, which was recorded in September of 1891. The eastern terminus of the east-west alley between Division Street and Hovey Street was vacated in 1985.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	CC	CC	CC	Right-of-way
LAND USE	Parking lot	Residential	Parking lot	Right-of-way
PLACETYPES	Institutional & Employment	Center City Neighborhood	Institutional & Employment	Right-of-way

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

AT&T:

Did not respond in allotted review time.

MEDIACOM:

Approved.

CITY UTILITIES:

Existing CU Electric and Springnet fiber facilities will need eventual removal/relocation.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT
DIVISION:

The public sewer still serves the existing church at 1475 N Campbell. The sewer can't be abandoned until this building has been demolished and the property is combined with the properties to the south.

Note that 435 & 431 W Hovey also need to be demolished and combined with the project site in order for the sewer east of existing manhole no. 68 to be abandoned. I believe those two lots were included on the Pre-Dev site plan.

DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING SURVEY
DIVISION:

Approved.

DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY
DIVISION:

Approved.

FIRE DEPARTMENT:

Approved.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

No issues with the proposed vacation. The vacation needs to be contingent on a building permit and/or approval of a final plat. If the proposed development doesn't move forward, we do not support the vacation.

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. Division Street	Primary Arterial	City	50	30	14,293	No	Yes	Yes
Street 2	N. Campbell Avenue	Secondary Arterial	City	35	30	3,047	No	Yes	Yes
Street 3	W. Lynn Street	Local	City	25	25	NA	No	Yes	Yes
Street 4	W. Hovey Street	Local	City	25	25	278	Yes	Yes	Yes

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on Division Street near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW Stormwater has no concerns for the proposed alley vacation. 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

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

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to vacate a portion of an east/west alley between Hovey Street and Division Street. This portion of the alley is adjacent to 431 & 435 West Hovey Street & 1475 North Campbell Avenue.
2. The General Council of Assemblies of God owns all adjacent property and plans to incorporate the vacated right-of-way into its property. This is in preparation of the development of the new Pipkin Middle School at this location.
3. The requested vacation meets the approval criteria listed in Attachment 1.
4. The applicant is requesting to have conditions placed on this request. The conditions ensure that existing utilities be “relocated, abandoned, or preserved with replacement utility easements” and that other City department requirements are met prior to the vacation taking effect. All conditions must be completed within four (4) years of City Council approval, or the vacation is null and void.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1 and that the vacation shall not become effective until the following conditions are met:
 - a. All Sanitary sewer, gas, water, electric, AT&T, Mediacom, and Springnet services shall be relocated, abandoned, or preserved with replacement utility easements.
 - b. A fire apparatus turn around shall be constructed on the east end of Hovey.
 - c. An application for an administrative replat containing all adjacent lots shall be submitted to the Planning and Development Department and subsequently approved.
 - d. Appropriate sight triangles, as determined by ARC, shall be dedicated at the intersections of Division & Campbell and Lynn & Campbell.
 - e. Public improvements, as determined by the accepted TIS, shall be constructed on the perimeter of the site, including closure of driveway approaches not being used and correction of deficiencies in the surrounding sidewalk.

If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right of way shall remain.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

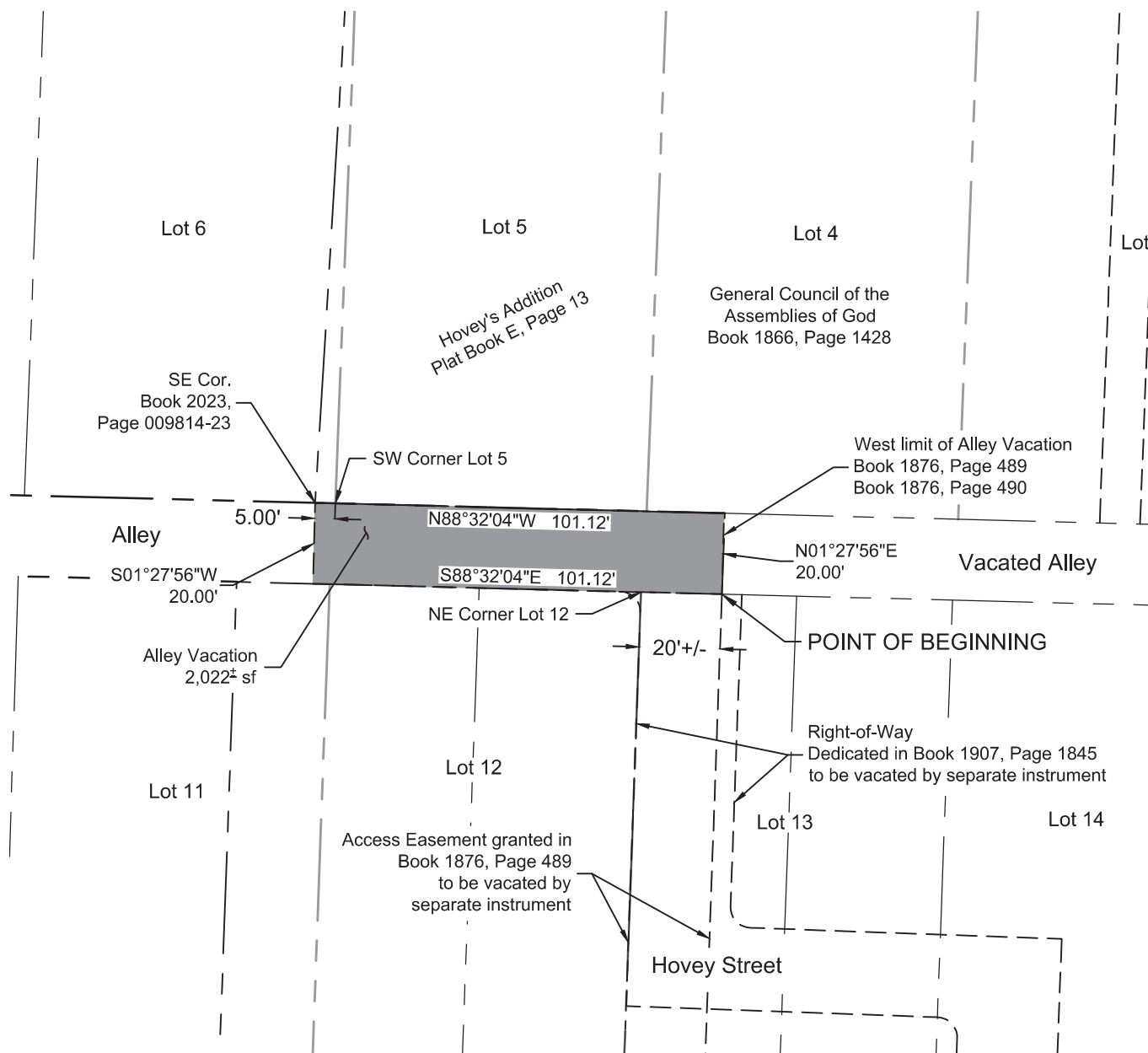
In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access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

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

A portion of a platted alley, as shown on the Final Plat of Hovey's Addition to Springfield Missouri, recorded in Plat Book E, at Page 13, in the City of Springfield, Greene County, Missouri, more particularly described as follows:

BEGINNING at a point on the South line of said alley at a point 20 feet East, more or less from the Northeast corner of Lot 12 in said Hovey's Addition, being the Southwest corner of the Consent to Vacate Property as recorded in Book 1876, at Page 489-490 in the Greene County Recorder's Office; thence N01°27'56"E, leaving said South line of alley, and along the West line of said Consent to Vacate Property description, a distance of 20.00 feet, to the North line of said alley; thence N88°32'04"W, along said North line of alley, a distance of 101.12 feet, to the Southeast corner of a tract of land recorded in Book 2023, at Page 009814-23, being 5.00 feet West of the Southwest corner of Lot 5 in said Hovey's Addition; thence S01°27'56"W, leaving said North line of alley, a distance of 20.00 feet, to a point on the South line of said alley; thence S88°32'04"E, along said South line, a distance of 101.12 feet, to the POINT OF BEGINNING, containing 2,022 square feet, more or less, and subject to easements and restrictions of record.

USER: ddrumm
\\0a.qd.oocconsulting.com\mnts-ns1\projects\2023\00001-00500\023-00342\40-Design\Survey\SRV\Sheets\023-00342-HOVEY SITE
DATE: Jul 15, 2024 9:22am
XREFS: V_XESMT_02300342-HOVEY SITE
DWC: \\0a.qd.oocconsulting.com\mnts-ns1\projects\2023\00001-00500\023-00342\40-Design\Survey\SRV\Sheets\023-00342-HOVEY SITE



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

STATE OF MISSOURI
DAVID D. DRUMM
PROFESSIONAL SURVEYOR
NUMBER
PLS-2007017958
07-15-2024
Digitally signed by David D. Drumm
Date: 2024.07.15 09:24:43-05'00'

Project no: 023-00342
Drawn by: DDD
Date: 07/12/24

RIGHT-OF-WAY ALLEY
VACATION
SPRINGFIELD SCHOOL DIST.

olsson

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

EXHIBIT
B

DEVELOPMENT REVIEW STAFF REPORT

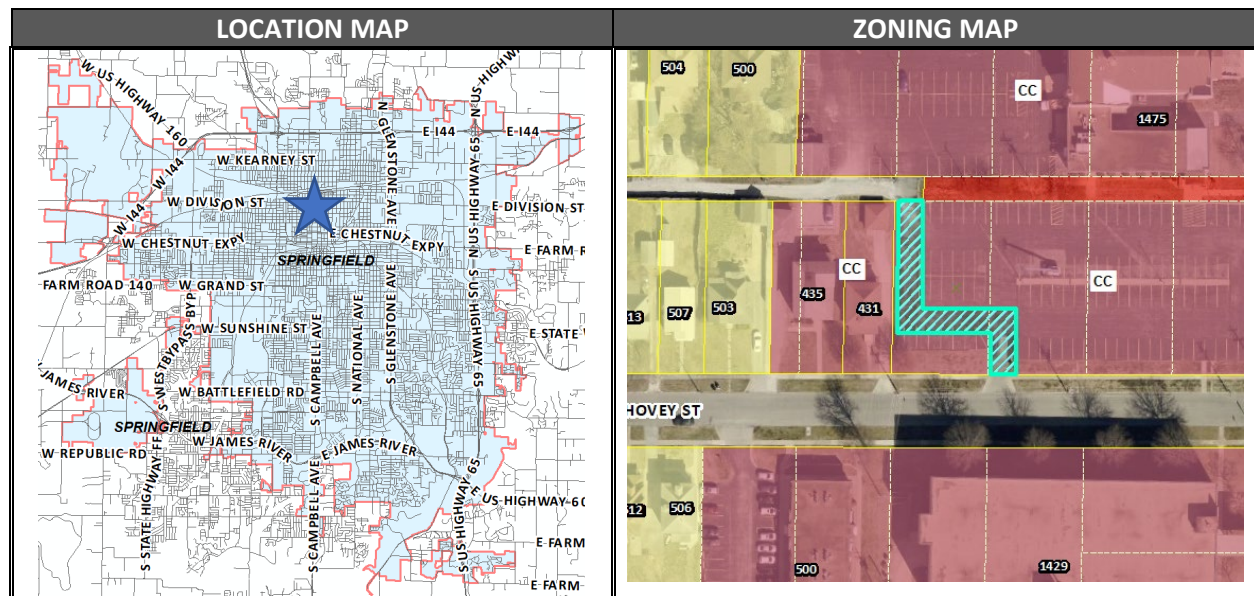
PROJECT INFORMATION

Case Number:	Vacation No. 840
Location:	1475 North Campbell Avenue
Total Acres:	0.12 acres
Applicant:	General Council of Assemblies of God
Existing Land Use:	Public right-of-way
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 840 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 vacate a portion of right-of-way between Hovey Street and Division Street. This is to facilitate the development of the new Pipkin Middle School at this location.

This vacation shall not become effective until the conditions listed in the Staff Analysis and Recommendation section of this report (p. 8) are met. If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right-of-way shall remain.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was annexed into the City in 1869. The eastern terminus of the east-west alley to the north was vacated in 1985. The subject right-of-way was dedicated February 13, 1986.

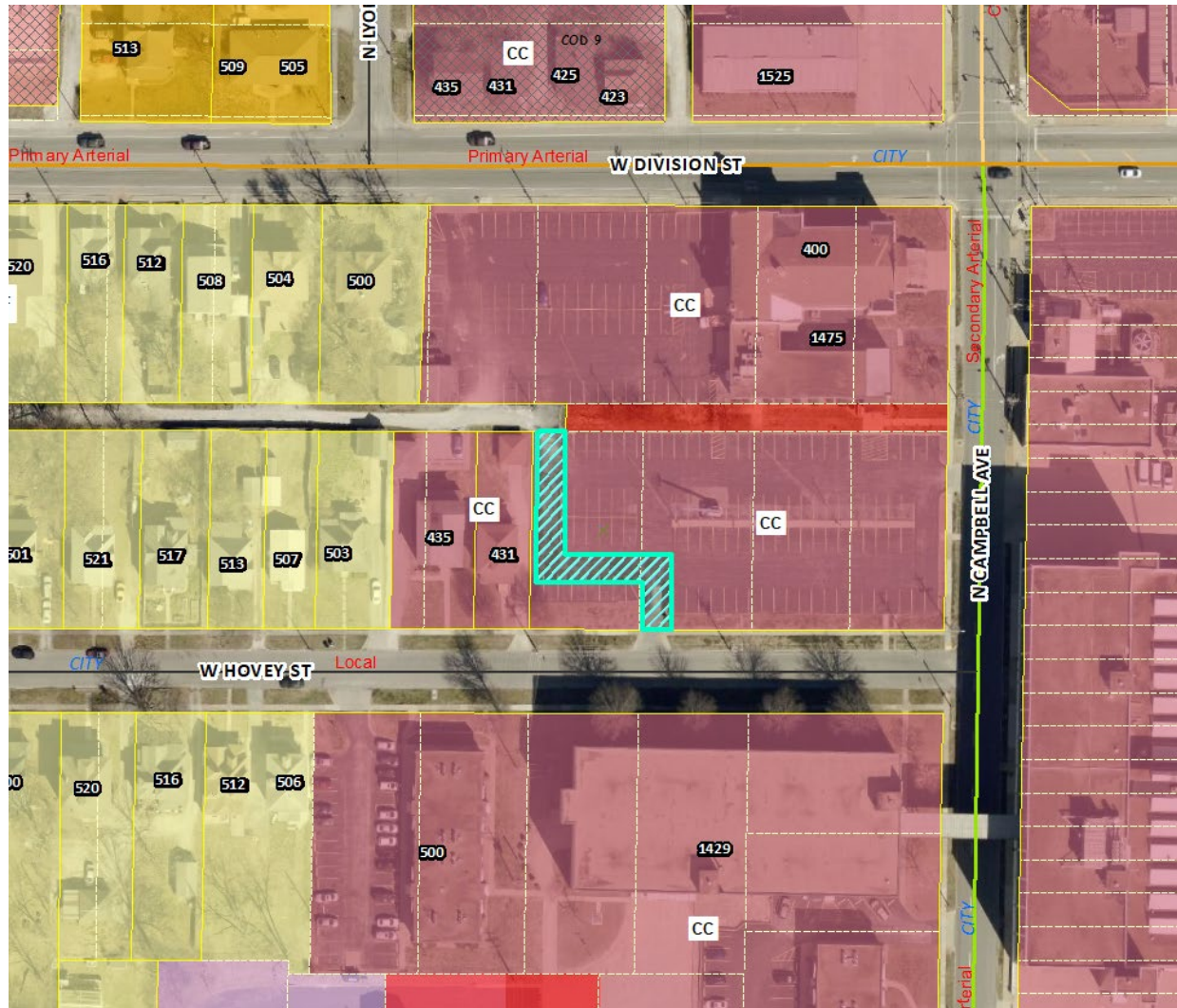
PLANNING AND ZONING COMMISSION AUTHORITY:

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	CC	CC	CC	CC
LAND USE	Parking lot	Parking lot / Right-of-way	Parking lot	Residence
PLACETYPES	Institutional & Employment	Institutional & Employment	Institutional & Employment	Institutional & Employment

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

AT&T:

Did not respond in allotted review time.

MEDIACOM:

Approved.

CITY UTILITIES:

No issues with the proposed vacation. No apparent impact to CU facilities.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT
DIVISION:

No impact on public sewer.

DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING SURVEY
DIVISION:

Approved.

DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY
DIVISION:

Approved.

FIRE DEPARTMENT:

Approved.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

No issues with the proposed vacation. The vacation needs to be contingent on a building permit and/or approval of a final plat. If the proposed development doesn't move forward, we do not support the vacation.

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. Division Street	Primary Arterial	City	50	30	14,293	No	Yes	Yes
Street 2	N. Campbell Avenue	Secondary Arterial	City	35	30	3,047	No	Yes	Yes
Street 3	W. Lynn Street	Local	City	25	25	NA	No	Yes	Yes
Street 4	W. Hovey Street	Local	City	25	25	278	Yes	Yes	Yes

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on Division Street near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW Stormwater has no concerns for the proposed alley vacation. 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

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

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to vacate a portion of right-of-way between Hovey Street and Division Street. This portion of right-of-way is located at 1475 North Campbell Avenue and connects the east/west alley between Hovey Street and Division Street to Hovey Street.
2. The General Council of Assemblies of God owns all adjacent property and plans to incorporate the vacated right-of-way into its property. This is in preparation of the development of the new Pipkin Middle School at this location.
3. The requested vacation meets the approval criteria listed in Attachment 1.
4. The applicant is requesting to have conditions placed on this request. The conditions ensure that the requirements of all City departments are met prior to the vacation taking effect. All conditions must be completed within four (4) years of City Council approval, or the vacation is null and void.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1 and that the vacation shall not become effective until the following conditions are met:
 - a. All Sanitary sewer, gas, water, electric, AT&T, Mediacom, and Springnet services shall be relocated, abandoned, or preserved with replacement utility easements.
 - b. A fire apparatus turn around shall be constructed on the east end of Hovey.
 - c. An application for an administrative replat containing all adjacent lots shall be submitted to the Planning and Development Department and subsequently approved.
 - d. Appropriate sight triangles, as determined by ARC, shall be dedicated at the intersections of Division & Campbell and Lynn & Campbell.
 - e. Public improvements, as determined by the accepted TIS, shall be constructed on the perimeter of the site, including closure of driveway approaches not being used and correction of deficiencies in the surrounding sidewalk.

If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right of way shall remain.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

VACATION APPROVAL CRITERIA

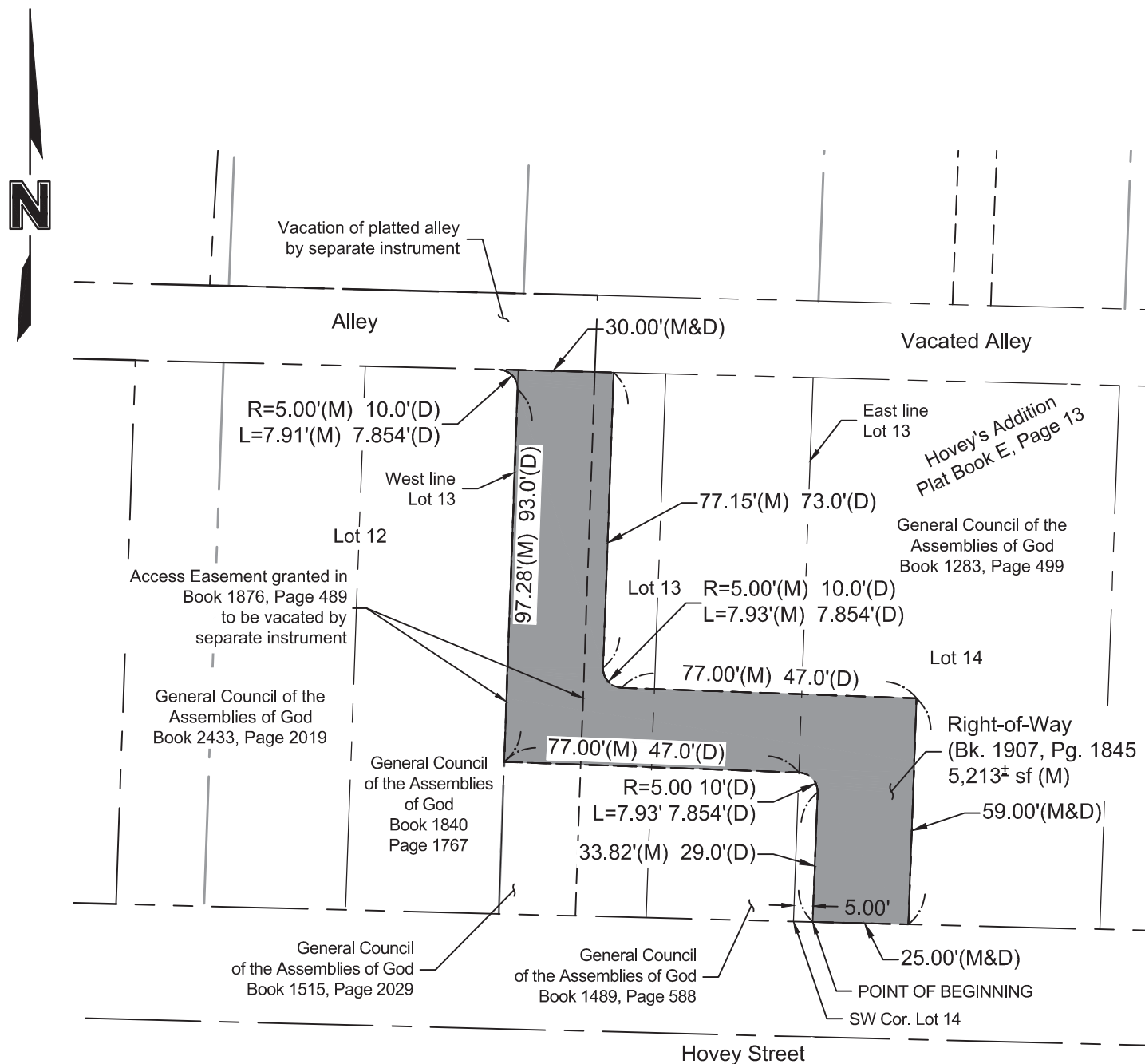
In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access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

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

A public right-of-way, being a part of Lots 12, 13 and 14 in Hovey's Addition to Springfield Missouri, recorded in Plat Book E, at Page 13, and recorded in Book 1907, at Page 1845, in the City of Springfield, Greene County, Missouri, more particularly described as follows:

Description taken from Book 1907, Page 1845:

Beginning at the SW corner of Lot 14 Bryan Hovey Addition in the City of Springfield, Greene County, Missouri, thence east 5 ft., thence north 29 ft. to a point of curvature (P.C.) of a 10-ft. radius to the left, thence on a curve to the left 7.854 ft. to a point of tangency (P.T.), thence west 47.0 feet to the west line of Lot 13, thence north 93.0 ft. to the P.C. of a 10-ft. radius to the left, thence on a curve to the left 7.854 ft. to a P.T., thence east 30.0 feet, thence south 73.0 ft., to a P.C. of a 10-ft. radius to the left, thence on the curve to the left 7.854 ft. to a P.T., thence east 47.0 ft., thence south 59.0 ft., thence west 25.0 ft. to the point of beginning, all lying in lots 13 and 14 of Bryan Hovey Addition.



*NOTE The metes and bounds right-of-way description in Book 1907, at Page 1845 contains several apparent bad calls and does not close. The Surveyor has depicted the easement as shown hereon based on "bounds" calls in the description to right-of-way and/or lot lines and has shown the variances between Deeded (D) and Measured (M).



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

Digitally signed by David D. Drumm
Date: 2024.07.15 09:07:39-05'00'

Project no: 023-00342	RIGHT-OF-WAY VACATION SPRINGFIELD SCHOOL DIST.		Olsson Associates, Inc. Survey MO Certificate of Authority #LC366 550 St. Louis Street Springfield, MO 65806 TEL 417.890.8802 FAX 417.890.8805	EXHIBIT
Drawn by: DDD				B
Date: 07/12/24				

DEVELOPMENT REVIEW STAFF REPORT

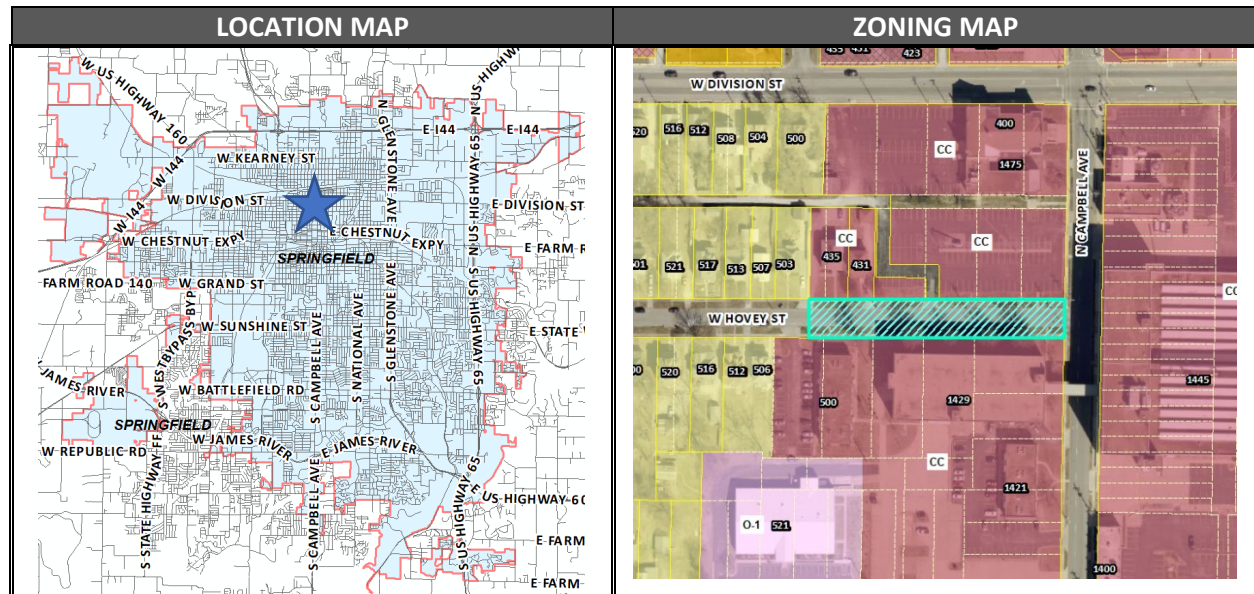
PROJECT INFORMATION

Case Number:	Vacation No. 841
Location:	400 block of West Hovey Street
Total Acres:	0.55 acres
Applicant:	General Council of Assemblies of God
Existing Land Use:	Public street
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Vacation case No. 841 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 vacate the 400 block of West Hovey Street. This is to facilitate the development of the new Pipkin Middle School at this location.

This vacation shall not become effective until the conditions listed in the Staff Analysis and Recommendation section of this report (p. 9) are met. If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right-of-way shall remain.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was annexed into the City in 1869. Hovey Street was originally platted as part of Hovey's Addition, which was recorded in September of 1891.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

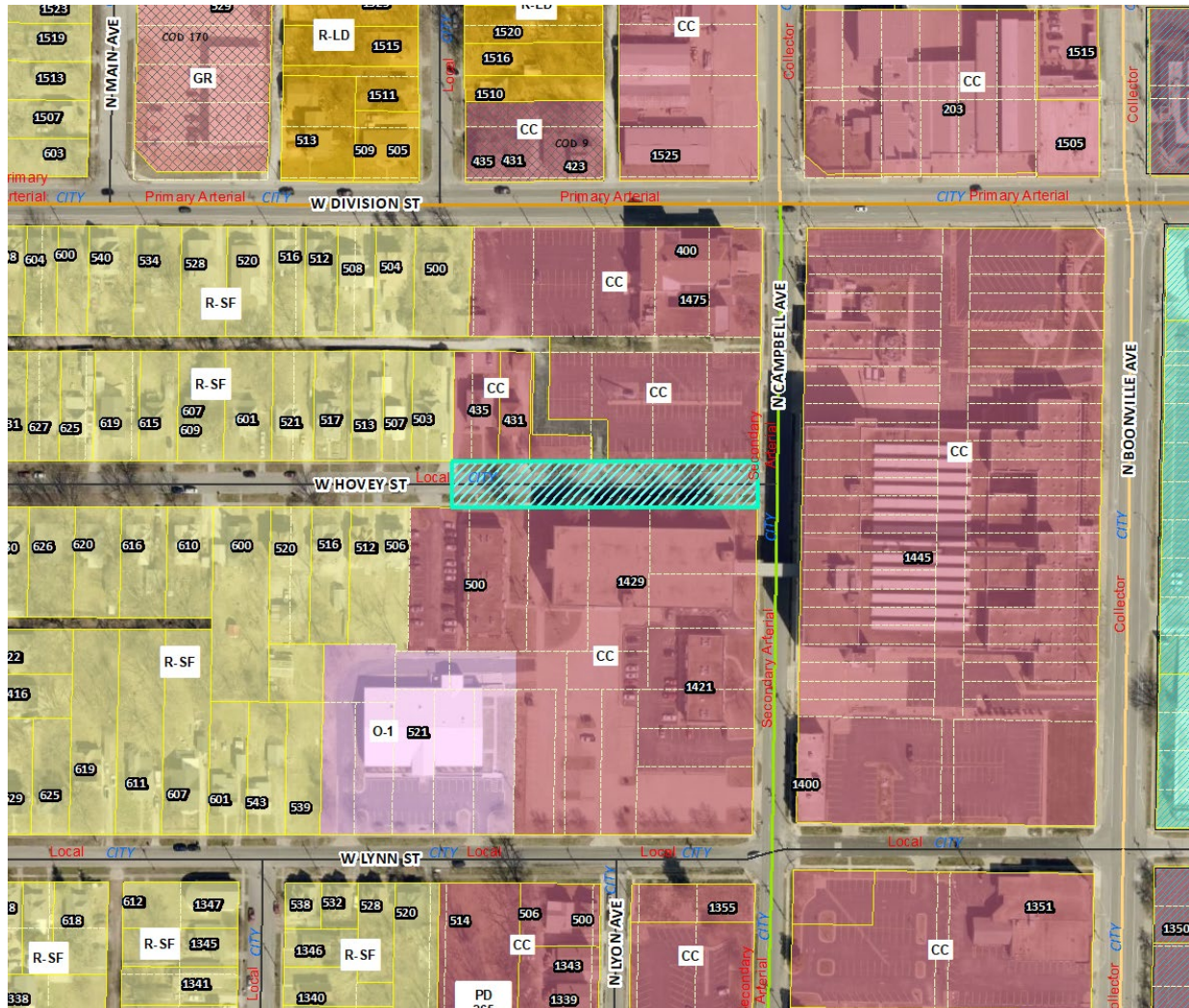
Any person owning any real estate within the city which has been subdivided by a duly recorded plat may petition the city to vacate the subdivision, or any part thereof, giving a distinct description of the property to be vacated and the names of the owners thereof with proof of their ownership; and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

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Not applicable to vacation request

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	CC	CC	CC	Right-of-way
LAND USE	Parking lot & Residences	Office	Office	Right-of-way
PLACETYPES	Institutional & Employment & Center City Neighborhood	Institutional & Employment	Institutional & Employment	Right-of-way

DEVELOPMENT REVIEW STAFF REPORT**DEPARTMENT COMMENTS:****AT&T:**

Did not respond in allotted review time.

MEDIACOM:

Approved.

CITY UTILITIES:

Existing CU Electric, Gas & Water facilities will need eventual removal/relocation.

**DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT
DIVISION:**

No impact on public sewer.

**DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING SURVEY
DIVISION:**

Approved.

**DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY
DIVISION:**

Approved.

FIRE DEPARTMENT:

A dead-end Fire Access Lane that exceeds 150 feet in length shall install a fire apparatus turn around - so a turn around shall be constructed on the east end of Hovey. (2018 IFC Section 503 & Appendix D)

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

No issues with the proposed vacation. The vacation needs to be contingent on a building permit and/or approval of a final plat. If the proposed development doesn't move forward, we do not support the vacation.

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. Division Street	Primary Arterial	City	50	30	14,293	No	Yes	Yes
Street 2	N. Campbell Avenue	Secondary Arterial	City	35	30	3,047	No	Yes	Yes
Street 3	W. Lynn Street	Local	City	25	25	NA	No	Yes	Yes
Street 4	W. Hovey Street	Local	City	25	25	278	Yes	Yes	Yes

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on Division Street near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW Stormwater has no concerns for the proposed street vacation. The street does not contain any storm sewer. 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

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

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to vacate the 400 block of West Hovey Street.
2. The General Council of Assemblies of God owns all adjacent property and plans to incorporate the vacated right-of-way into its property. This is in preparation of the development of the new Pipkin Middle School at this location.
3. The requested vacation meets the approval criteria listed in Attachment 1.
4. The applicant is requesting to have conditions placed on this request. The conditions ensure that existing utilities be “relocated, abandoned, or preserved with replacement utility easements” and that other City department requirements are met prior to the vacation taking effect. All conditions must be completed within four (4) years of City Council approval, or the vacation is null and void.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1 and that the vacation shall not become effective until the following conditions are met:
 - a. All Sanitary sewer, gas, water, electric, AT&T, Mediacom, and Springnet services shall be relocated, abandoned, or preserved with replacement utility easements.
 - b. A fire apparatus turn around shall be constructed on the east end of Hovey.
 - c. An application for an administrative replat containing all adjacent lots shall be submitted to the Planning and Development Department and subsequently approved.
 - d. Appropriate sight triangles, as determined by ARC, shall be dedicated at the intersections of Division & Campbell and Lynn & Campbell.
 - e. Public improvements, as determined by the accepted TIS, shall be constructed on the perimeter of the site, including closure of driveway approaches not being used and correction of deficiencies in the surrounding sidewalk.

If these conditions are not completed within four (4) years of City Council's approval, the vacation approval is null, and void and the right of way shall remain.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

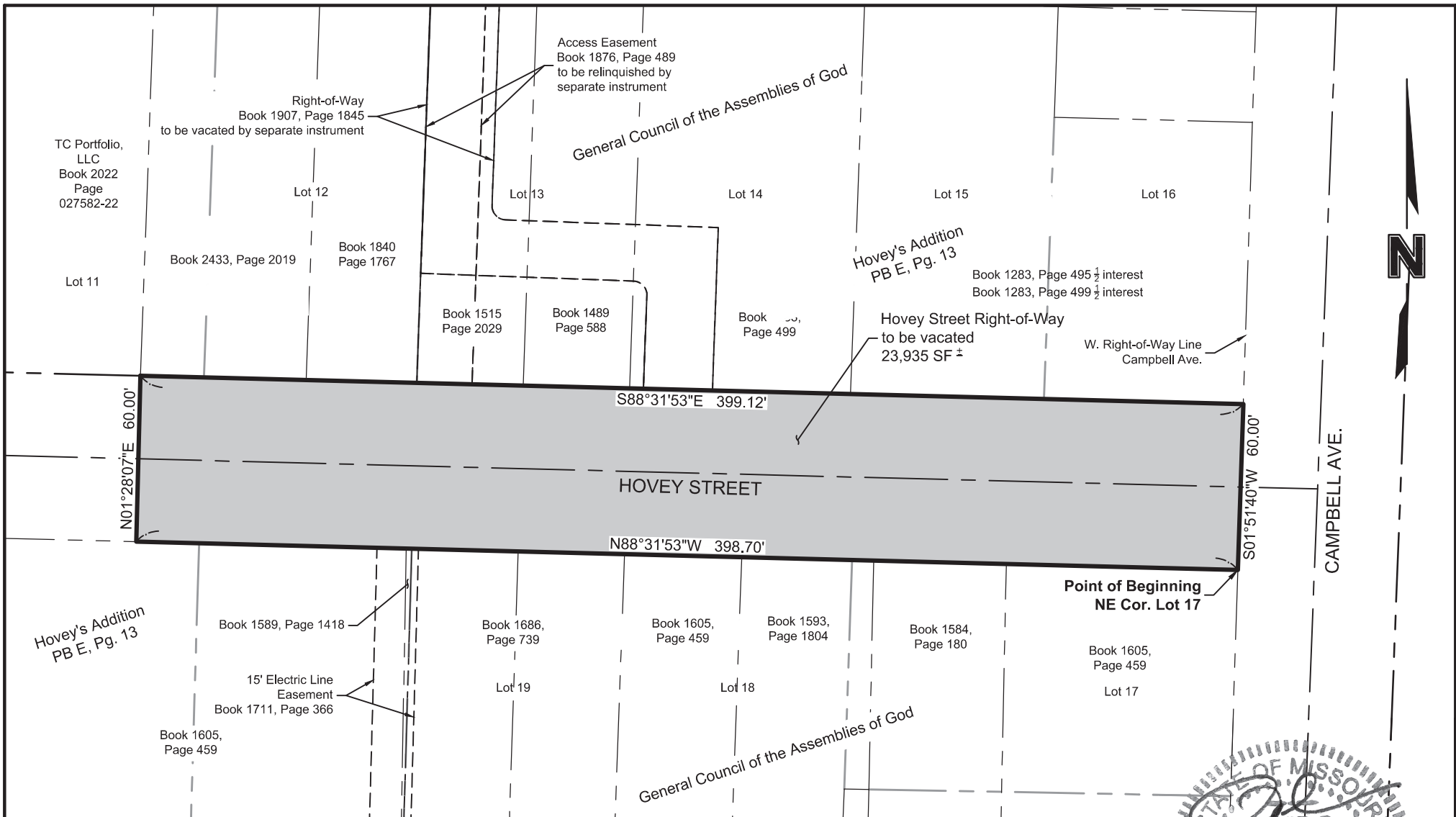
VACATION APPROVAL CRITERIA

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

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

A portion of the platted public right-of-way of Hovey Street, as shown on the Final Plat of Hovey's Addition to Springfield Missouri, recorded in Plat Book E, at Page 13, in the City of Springfield, Greene County, Missouri, more particularly described as follows:

BEGINNING at the Northeast corner of Lot 17 in said Hovey's Addition; thence N88°31'53"W, along the South right-of-way line of said Hovey Street, a distance of 398.70 feet; thence N01°28'07"E, leaving said South right-of-way line, a distance of 60.00 feet, to the Southwest corner of a tract of land recorded in Book 2433, at Page 2019, also being a point on the North right-of-way line of said Hovey Street; thence S88°31'53"E, along said North right-of-way line, a distance of 399.12 feet, to the Southeast corner of Lot 16 in said Hovey's Addition, and a point on the West right-of-way line of Campbell Avenue, as it now exists; thence S01°51'40"W, leaving said North right-of-way line, and along the West right-of-way line of said Campbell Avenue, a distance of 60.00 feet, to the Point of Beginning, containing 23,935 square feet, more or less, and subject to any easements or restrictions of record.



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

STATE OF MISSOURI
 DAVID D. DRUMM
 NUMBER
 PLS-2007017958
 07-29-2024
 Digitally signed by David D. Drumm
 Date: 2024.07.29 15:46:24-05'00'

PROJECT NO: 023-00342	RIGHT-OF-WAY VACATION HOVEY STREET - SPRINGFIELD, MO	olsson	Olsson, Inc. Survey MO Certificate of Authority #LC366 550 St. Louis Street Springfield, MO 65806 TEL 417.890.8802 FAX 417.890.8805	EXHIBIT B
DRAWN BY: DDD				
DATE: 07.29.24				

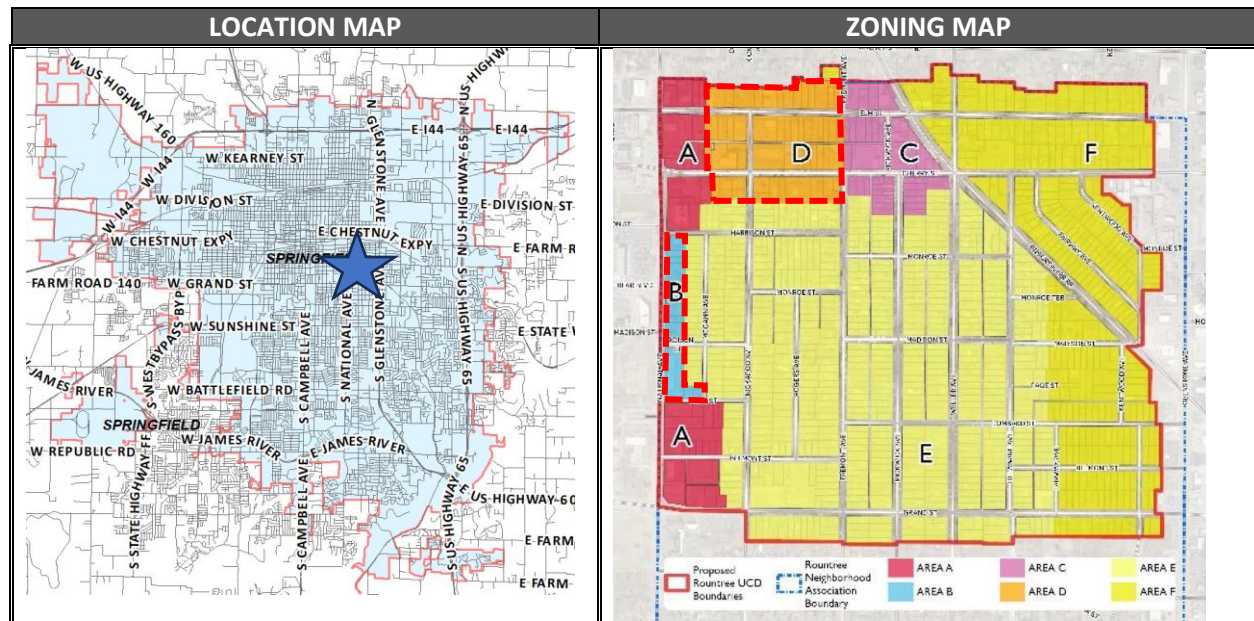
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION:

Case Number:	Urban Conservation District No 2. (Rountree UCD #2) text amendment
Location:	Subarea D and subarea B
Total Acres:	NA
Applicant:	City of Springfield
Existing Land Use:	Residential, commercial and mixed-use uses
Neighborhood Meeting:	NA
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 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 D regulations to allow general office conversions as a permitted use in accordance with use specific standards and amending the subarea B build-to-line from thirty (30) feet to fifteen (15) feet.



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. City staff is proposing amendments to the Rountree UCD, section 4, subarea D regulations to allow general office conversions as a permitted use in accordance with use specific standards and amending the build-to-line from thirty (30) feet to fifteen (15) feet in subarea B.
2. Current UCD regulations do not allow for general office conversions in subarea D. The UCD defines conversions as “structures existing at the time of the adoption of these regulations may be converted to any use permitted in that subarea.”
3. Staff is proposing to add general office conversions as a permitted use in subarea D. This amendment proposes use specific standards that match the Grant Avenue Parkway (GAP) district. The intent of the office conversions amendment is to allow existing single-family dwellings that existed at the time the district was mapped to be used as offices with regulations to control the location of entrances, allowable signage and landscaping. See the Attachment 1 to see the full proposed regulations.
4. The proposed amendments to subarea B will change the build-to-line from thirty (30) feet to fifteen (15) feet. The build-to-line is a setback line at which the building must be placed. This

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amendment will reduce the front setback on the primary street, National Avenue. This would allow for more space for parking which is required to be located behind the building to help facilitate the development of these lots. This amendment matches the build-to-line with subarea A which is located north and south of subarea B, along National Avenue.

5. Subarea D is characterized by a mix of primarily multi-family and single-family development along Cherry and Elm Streets. The intent of the regulations for this subarea is to regulate the physical form within this subarea to allow for neighborhood mixed-use in conjunction with multi-family development. The intent of the regulation is to preserve and enhance the integrity and quality of the development along the Cherry and Elm Street corridors as a neighborhood front door. The subarea is designated to provide for sensitive and respectful infill development which allows for a greater range of housing types and a mix of uses that is compatible and complementary to the neighborhood.
6. Subarea B is characterized by a mix of non-residential and multi-family development along the National Avenue corridor. The intent of the regulations for this subarea is to regulate the physical form of development along the corridor to preserve and enhance the integrity and quality of this edge of the neighborhood. This subarea is designed to provide for sensitive and respectful infill development which is of a complementary scale and character and serves as a transition to the single-family homes in the neighborhood along McCann Avenue.
7. 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.
8. 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.
9. 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 Rountree Neighborhood Plan Goal 10. Identify strategies to make the Cherry/Pickwick Commercial area safer and more pedestrian friendly.
10. 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.
11. 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 B and D of the Rountree UCD No 2. This proposed amendment will also promote the continued effort to

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preserve Rountree character and provide for a mix of uses that is compatible and complementary to the neighborhood.

12. 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.

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*.

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.

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PROPOSED AMENDMENT:

Attachment 1

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

Section 4 – Subarea A through D Regulations

A. Permitted and Conditional Uses. The following key is to be used in the interpretation of Table 1, Permitted and Conditional Uses Subareas A through D, in this section.

Subareas A through D Uses – Table 1		Subareas			
Use	Use Specific Regulations	A	B	C	D
Residential Uses					
Dwelling, Multifamily, stand alone		P	P	P	P
Dwelling, Multifamily above ground floor as part of a mixed use		P	P	P	P
Dwelling, Single Family Attached		P	P	P	P
Dwelling, Single Family Detached existing		P	P	P	P
Dwelling, Single Family Detached new development					P
Group Home		P	P	P	P
Day Care Home		P	P	P	P
Churches		P	P	P	P
Schools		P	P	P	P
Parks		P	P	P	P
Non-Profit Neighborhood Community Centers			P		P
Lodging Uses					
Short Term Rental Type 3		P	P	P	P
Bed and Breakfast				P	P
Commercial Retail Uses					
Retail sales use group, stand alone		P	P	P	
Retail sales use group as part of a mixed use		P	P	P	P
Entertainment Oriented use group, stand alone < 5,000 sq ft		P			
Entertainment Oriented use group as part of a mixed use		P			
Package Liquor		P		P	
Adult Oriented uses					
Pawn Shop					
Artisan Manufacturing		P	P	P	
Personal Service and Office Uses					
Daycare		P	P	P	P
Personal Service use group, stand alone		P	P	P	
Personal Service use group as part of a mixed use		P	P	P	P
General Office use group, stand alone		P	P	P	

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Subareas A through D Uses – Table 1		Subareas			
Use	Use Specific Regulations	A	B	C	D
General Office use group as part of a mixed use		P	P	P	P
<u>General Office, conversion</u>	<u>B.1 below</u>				<u>P</u>
Medical Office use group, stand alone		P	P	P	
Medical Office use group as part of a mixed use		P	P	P	P
Title Loan/Short Term Lending					
Eating and Drinking Uses					
Restaurants, stand alone		P	P	P	
Restaurants as part of a mixed use		P	P	P	P
Breweries and tasting rooms		P		P	
Drive-thru accessory to a restaurant use		P			
Vehicle Oriented Uses					
Commercial off-street parking lots	<u>B.21. below</u>	C	C	C	C
Commercial off-street parking structures above ground floor as part of a mixed use		C	C	C	C
Car Sales/Rental					
Gas Station		P			
Temporary Uses					
Farm Stand	<u>B.32. below</u>	P	P	P	P
Food Truck		P	P	P	P
Outdoor display/sale of merchandise, temporary		P	P	P	P
Outdoor display/sale of merchandise, permanent					
Seasonal sales		P	P	P	P
Accessory Uses					
Accessory Uses and Structures		P	P	P	P
Home Occupations		P	P	P	P
Outdoor dining		P	P	P	P

B. Use Specific Standards

1. General Office Conversion.

(a) Applicability. Single-family dwellings may be converted to general office(s) uses in accordance with the standards set forth below. The office space(s) shall be located only in the existing structure, additions shall not be built to provide office space(s).

(b) Location of Entrances. Only one (1) entrance shall be located on the front façade of the structure. The front façade of the structure shall face Cherry or Elm Streets.

(c) Exterior Alterations. No exterior alterations that would change the single-family character of the dwelling, other than those necessary to ensure the safety of the structure, shall be made.

(d) Signs. General office conversion uses shall be permitted one (1) monument sign in accordance with the standards set forth below.

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1. Area. The monument sign shall not exceed six (6) square feet in area.

2. Height. The monument sign shall not exceed four (4) feet in height.

3. Location. The monument sign shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements; shall not block points of ingress or egress; shall not be placed on any sidewalk or pedestrian walkway; and shall not be located in a clearance sight triangle.

4. Sign Base. The base of the monument sign, including all structural components, shall extend horizontally from the sign face a minimum of ten (10) percent and a maximum of twenty-five (25) percent of the width of the sign face. The base of the monument sign shall be constructed from masonry, stone, or similar high-quality materials in keeping with the exterior cladding materials and design of the primary building.

5. Landscape. The monument sign shall have a landscape area equal to the area of the sign surrounding the sign base. A minimum of eighty (80) percent of the landscape area shall be planted and maintained with herbaceous perennials and evergreen shrubs.

12. Commercial Off-Street Parking Lots. Commercial off-street parking lots adjacent to public rights-of-way, excluding alleys, shall provide the following:

- a. A fully opaque wall or fence with a height of four (4) feet shall be used in conjunction with required parking lot perimeter landscaping contained in this section. Plant materials shall be installed between the sidewalk and the wall or fence to provide a softening effect.
- b. Four (4) understory trees shall be planted for every one hundred (100) lineal feet of frontage adjacent to right-of-way, excluding alley right-of-way, and additional plantings shall be clustered at points of pedestrian ingress and egress.
- c. Points of pedestrian ingress and egress, outside of vehicular curb cuts, shall be provided.
- d. To the greatest extent possible, the screening standards established above shall provide safe site distance where driveway access intersects public right-of-way .

23. Farm Stand.

- a. Farm products sold. Only farm products or value-added farm products grown and/or processed on the parcel on which the farm stand is located may be sold at a farm stand. The sale of non-agricultural items or products produced off site is prohibited.
- b. Farm stand structure. A structure associated with a farm stand shall not have a floor area greater than one hundred (100) square feet.

C. Building and Lot Standards

2. Subarea B:

- a. Build-to-Line:
Primary Street: ~~Fifteen~~ ~~Thirty~~ (1530) feet minimum; Fifty (50) feet maximum [A]
 - To match average front façade line of the block face

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Side Street: Ten (10) feet minimum [B]

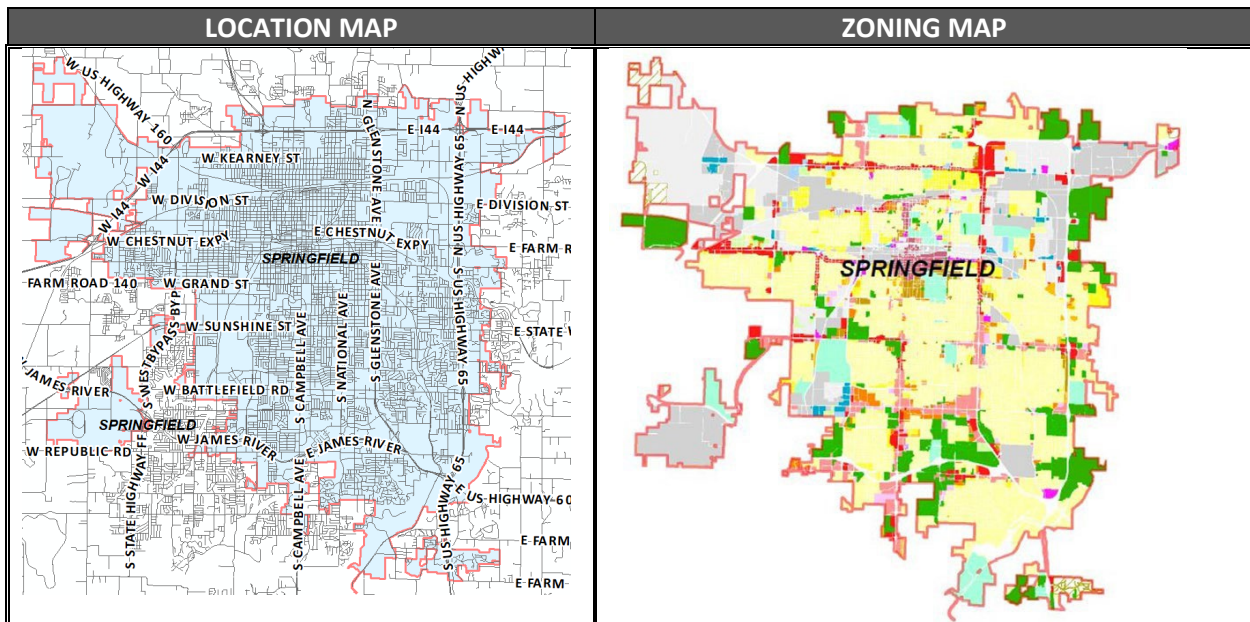
- To match average front façade line of the block face

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PROJECT INFORMATION:	
Case Number:	Short-Term Rental Amendments
Location:	Citywide
Total Acres:	NA
Applicant:	City of Springfield
Existing Land Use:	NA
Neighborhood Meeting:	NA
Planning and Zoning Commission:	October 10, 2024
City Council:	November 4, 2024
Public Notification:	Legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of the text amendment to Section 36-473 as set forth in Attachment 1 to the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to amend Sections 36-321, Definitions, and 36-473, Short-Term Rentals, that will add, clarify, modify and remove language in the Short-Term Rental regulations that haven't been updated since the original ordinance was approved in 2019.



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:

1. Chapter 15, Implementation: The following actions and strategies establish the “next steps” to be taken after the adoption of the *Forward SGF Comprehensive Plan*. They will provide for the effective application of the Plan and continued community planning and investment, and ensure the Plan remains reflective of community needs and aspirations. They include:
2. Review and update the Land Development Code and other development controls to reflect policies presented in the *Forward SGF Comprehensive Plan*.
3. Regularly review and update the Plan to reflect current conditions and shifts in community priorities.

STAFF ANALYSIS AND RECOMMENDATION:

1. On August 14, 2024, the City Council’s Plans and Policies Committee recommended the following Short-Term Rental Amendments to the Zoning Ordinance in Attachment 1.
2. These amendments will add, clarify, modify and remove language in the Short-Term Rental regulations that haven’t been updated since the original ordinance was approved in 2019.
3. The subsection (1) and (2) of Section 36-473, Short-Term Rentals, Type 1 and 2 have been amended to align with recent changes to the State Statutes regarding Home Occupations Laws.
4. The Plans and Policies Committee recommended changing Subsection 2 to modify the density limitations from a 8 per block face density to a radial measurement of 500 feet from one STR Type 2 to another as measured by the shortest distance between the two property lines. This will reduce the number of STR Type 2 units that can be established in R-SF or R-TH residentially zoned areas. The current density limitations allow one STR Type 2 for each 8 lots on both sides of the street. Any block less than 4 lots are required to appeal to City Council.

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5. Changes to Subsection 2 include adding a neighborhood meeting notification to include occupants as well as property owners of real property. This expands the number of citizens that are notified of the STR Type 2 establishment and to invite both owners and occupants to the required neighborhood meeting. The neighborhood meeting summary will only need to include the number, list of issues and additional information like comment cards from attending owners of residential property within 500 feet of the STR rental property.
6. The Plans and Policies Committee proposed modifications to Subsection 2 that will remove the 55% consent of adjacent residential property owners to an administrative approval process. This process will prohibit STR Type 2, if at least 2 or at least 30%, whichever is greater, of adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection no more than 10 days after the neighborhood meeting.
7. The Plans and Policies has proposed that if an application is denied by letters of objection that an applicant can file an appeal with the Planning and Zoning Commission for a resolution to approve the application. An appeal must be filed within 10 days of denial. The decision of the Planning and Zoning Commission shall be final for the purpose of Chapter 536, RSMo.
8. If the applicant submits a complete meeting summary and less than two (2) or less than thirty percent (30%), whichever is greater, of adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection, the application shall be approved, provided that all other requirements have been satisfied.
9. The Plans and Policies Committee is proposing changes to the Short-Term Rental Type 3's in regard to density of STR units in all other districts. It will allow a maximum of two units or ten percent of the units on a premises, whichever is greater to be established. The current code limits STR Type 3's to two units per premises.
10. The amendments include modifying the authority on the revocation, suspension or denial of STR permits. The director of Planning and Development instead of the director of Building Development Services will have the authority to revoke, suspend or deny STR permits that aren't in compliance with this article. Any appeals would go to Planning and Zoning Commission for a final decision.
11. The Plans and Policies changes include adding a hosting platform responsibilities section to the code. This will provide definitions and clearly assign hosting platforms the responsibility of collecting and remitting all applicable City taxes. Subject to applicable laws, hosting platforms shall disclose to the City on a regular basis each short-term rental listing located in the City, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay. Penalties for violations of this section will be punishable by fines as described in the proposed ordinance.

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12. City staff is recommending changes to the Plans and Policies as submitted. These changes include removing the appeal process from the density limitations and increasing the percentage of owners required to object and deny a STR Type 2 application, removing the limitations on who can be counted or submit comments at the neighborhood meeting, and adding clear transferability and renewal requirements for nonconforming STR's (Attachment 2).
13. 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.
14. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of this amendment and public hearing dates for comment.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

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PROPOSED AMENDMENT:

Attachment 1

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

Sec. 36-321. – Definitions.

Short-term rental: The rental of an entire dwelling, or any portion thereof, for a period of ~~not moreless~~ than 30 consecutive days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short-term rentals are further categorized as Type 1, 2, or 3, and subject to the conditions set forth in this Codearticle.

Sec. 36-473. - Short-term rentals.

(1) Short-term rental *type 1*.

(a) This section (1) shall apply to a short-term rental use that:

1. Is rented for periods of less than 30 consecutive days; ~~and~~
2. Is located within a R-SF or R-TH zoning district; and
3. Is an owner-occupied primary residential dwelling that is the primary residence of the short-term rental owner or operator and is not rented for more than 95 days in a calendar year when the owner is absent from the premises; or
4. ~~If the owner is present on the premise during the entire time it is rented, there is no limit on the number of rental days per year.~~

(b) The following provisions shall apply to a short-term rental type 1:

1. A short-term rental type 1 shall only be located in the primary structure or a historic carriage house per section 36-464;
2. ~~No exterior alterations that would change the single-family character of the short-term rental type 1, other than those necessary to ensure the safety of the structure, shall be made.~~
3. ~~No residential structure shall be removed for parking or to expand the short-term rental type 1.~~
4. ~~A short-term rental type 1 shall not be rented solely for receptions, parties, weddings or any similar activities.~~
5. ~~The owner of a short-term rental type 1 shall provide notification as required by subsection 36-472(4).~~
6. ~~It shall be a violation of this section for an owner to advertise or promote or to use a third-party intermediary to advertise or promote a short-term rental type 1 which is not in compliance with the provisions of this section.~~

~~(c) An affidavit certifying that the primary residence, legal accessory apartment or historic carriage house will not be rented for more than 95 days in a calendar year when the owner is absent from the premise.~~

~~(d) Annual business license shall be obtained; and.~~

3. It shall be a violation of this section for an owner or operator to advertise or promote or to use a third-party intermediary to advertise or promote a short-term rental type 1 which is not in compliance with the provisions of this section.

(2) Short-term rental *type 2*.

(a) This section (2) shall apply to a short-term rental use that:

1. Is rented for periods of less than 30 consecutive days; ~~and~~

2. Is located within a R-SF or R-TH zoning district; and

3. Is not ~~an owner-occupied residential dwelling that is the primary residence of the short-term rental owner or operator or is an owner-occupied primary residence, legal accessory apartment or historic carriage house and is rented for more than 95 days in a calendar year when the owner is absent from the premise.~~

~~(b) A certificate of occupancy shall be obtained in accordance with section 36-333, certificate of occupancy.~~

~~(c) Annual business license shall be obtained.~~

(b) The following provisions shall apply to a short-term rental type 2:

1. Density limitations: ~~A short term rental type 2 shall be limited to no more than one STR type 2 or bed and breakfast per eight residential structures on the block face in R-SF or R-TH districts. No STR type 2 shall be permitted on a block face with fewer than four residential structures unless an appeal is granted by city council (i.e. one to three: No STR; four to eight: One STR; nine to 15: One STR; 16 to 23: Two STR). For purposes of this section, block face shall be defined as one side of a street, from one intersection to the next, not including alleys. Residential structures' block face shall be determined by the mailing address assigned to each~~
no short-term rental type 2 shall be located within five hundred (500) feet of another short-term rental type 2, as measured by the shortest distance between the two closest property lines;:-

2. A short-term rental type 2 shall only be located in the primary structure or a historic carriage house per section 36-464_{:-}

3. No exterior alterations that would change the single-family character of the short-term rental type 2, other than those necessary to ensure the safety of the structure, shall be made_;

4. No residential structure shall be removed for parking or to expand the short-term rental type 2_;

5. A short-term rental type 2 shall not be rented ~~solely~~ for receptions, parties, weddings, or any similar activities on the property_;

6. The owner of a short-term rental type 2 shall provide notification as required by subsection 36-47~~23~~(4)_;

7. A certificate of occupancy shall be obtained in accordance with section 36-333, certificate of occupancy;

8. Annual business license shall be obtained; and

~~79.~~ It shall be a violation of this section for an owner or operator to advertise or promote or to use a third-party intermediary ~~to~~ to advertise or promote a short-term rental type 2 which is not in compliance with the provisions of this section_;

(~~ec~~) A short-term rental type 2 permit shall be required for short-term rental type 2 uses.

1. An application fee. ~~A fee of \$350.00 or~~ as set forth in the schedule of fees, shall accompany any short-term rental type 2 application and is in addition to the ~~permit~~license and certificate of occupancy fee required by this section. The additional fee shall be for the costs of processing the application.

2. Applicant(s) shall hold a neighborhood meeting at the property involved in the application or in the immediate vicinity. Notice of the meeting shall be sent by first-class mail, postage paid, at least ~~ten~~10 days prior to the meeting, to ~~at least one record~~the owner of each real property within ~~500~~500 feet of the short-term rental property, as shown on the records of the county assessor, to the occupant of each real property within 500 feet of the short-term rental property, which may be addressed to "occupant" and mailed to the physical address, and to the president or other association officer(s) of any neighborhood association(s) as on file with the director of planning and development_;

3. Notice of the neighborhood meeting shall be posted by the applicant at least ~~ten~~10 days prior to the meeting and ~~21~~ days after for a total of at least 31 days in conspicuous places on or in the immediate vicinity of the property which is the subject of the short-term rental type 2. One (One) sign shall be posted on each street frontage of the subject property. Additional signs or alternate posting

locations may be required at the discretion of the director of the planning and development department. Such notice shall be at least 18 inches in height and 24 inches in width and shall contain the words "NEIGHBORHOOD MEETING" and in addition the date, time, and place of the public meeting, and a telephone number where additional information can be secured.

4. It is recommended the meeting be held early enough to provide time for the applicant to consider any neighborhood input, allow any changes to be evaluated by staff, and to resolve any issues if possible. The meeting shall be scheduled from 4:00 p.m. to 6:30 p.m.

5. The mailing shall be performed by the planning and development department; however, the letters and envelopes themselves must be prepared, and postage placed on same by the applicant. The neighborhood letters shall be submitted to the planning and development department for mailing, in sufficient time to allow for mailing for at least ~~ten~~10 days prior to the date of the neighborhood meeting. A file copy of the letter shall be provided to the planning and development department. The notice letter shall contain the following at a minimum and any additional information as required by the director of planning and development:

- a. Description and details of proposed short-term rental operation including number of days per month to be rented and any other proposed changes~~;~~:-
- b. Meeting date, time and location~~;~~:-
- c. Applicant or their representative's contact information~~; and~~:-
- d. Information sheet provided by the city, including notice that an owner of residential real property within 500 feet of the short-term rental property has 10 days from the date of the neighborhood meeting to submit a letter objecting to the short-term rental.

6. No more than ~~ten~~10 days following the neighborhood meeting, the applicant shall submit a summary of the meeting to the planning and development department using the following format as set forth below ("meeting summary"):

- a. Meeting date, time and location~~;~~:-
- b. Number of attending owners of residential real property within 500 feet of the short-term rental property,~~neighbors in attendance~~ with an attached sign-in sheet~~;~~:-

c. List of issues raised~~ed~~ and; any verbal comments from attending owners of residential real property within 500 feet of the short-term rental property and how the applicant plans to respond; ~~and~~.

d. Additional information, such as comment cards and letters from owners of residential real property within 500 feet of the short-term rental property ~~neighbors~~ shall be attached to the summary.:-

e. ~~Notarized affidavit containing signatures of at least 55 percent of adjacent residential property owners, including those adjoining and immediately across the street.~~

7. If the applicant does not submit a complete meeting summary~~the information listed above~~ within ~~ten~~10 days of the neighborhood meeting, the application shall be considered ~~incomplete~~incomplete, and the applicant will be required to conduct a new meeting.

8. ~~If the signatures of at least 55 percent of neighboring property owners cannot be secured the applicant may apply to the city council to obtain a resolution granting the STR type 2 permit.~~If at least two (2) or at least thirty percent (30%), whichever is greater, of adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection no more than ten (10) days after the neighborhood meeting, the application shall be denied. If the application is denied for this reason, an applicant may file an appeal to the planning and zoning commission for a resolution to approve the application. An appeal must be filed within 10 days of denial. The decision of the planning and zoning commission shall be final for the purposes of Chapter 536, RSMo.

9. If the applicant submits a complete meeting summary and less than two (2) or less than thirty percent (30%), whichever is greater, of adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection, the application shall be approved, provided that all other requirements have been satisfied.

109. The city shall have the authority from time to time to prepare forms to implement this section including ~~a sample affidavit form~~, application forms, ~~and~~ forms for notice, forms for proof of ownership, and other appropriate requirements.

(3) Short-term rental *type 3*.

(a) This section (3) shall apply to a short-term rental use that:

1. Is rented for a period of less than 30 consecutive days; and

2. Is not located in an R-SF or R-TH zoning district, but in a zoning district that allows residential uses.

(b) The following provisions shall apply to a short-term rental type 3:

1. ~~No more than~~ A maximum of two units, or ten percent (10%) of the units on a premises, whichever is greater, may be used as two short-term rental type 3 units ~~are allowed on a premises;~~

2. A short-term rental type 3 unit shall not be rented for receptions, parties, weddings, or any similar activities on the property;

~~3.2.~~ A short-term rental type 3 shall provide notification as required by subsection 36-47~~23~~(4);

~~3. A short-term rental type 3 unit shall not be rented solely for receptions, parties, weddings or any similar activities.~~

~~4. It shall be a violation of this section for an owner or operator to advertise or promote or to use a third-party intermediary to advertise or promote a short-term rental type 3 which is not in compliance with the provisions of this section.~~

~~(e)~~ A certificate of occupancy shall be obtained in accordance with section 36-333, certificate of occupancy;

~~5. (d)~~ Annual business license shall be obtained; and

6. It shall be a violation of this section for an owner or operator to advertise or promote or to use a third-party intermediary to advertise or promote a short-term rental type 3 which is not in compliance with the provisions of this section.

(4) Short-term rental *notification requirements.*

(a) The owner of a short-term type 2 or short-term rental type 3 rental shall post, conspicuously in each rental unit the following information:

1. The names and contact information of the person or persons responsible for ~~the~~ or the day-to-day operations of the short-term rental;

2. The certificate of occupancy and business license number;

3. The restrictions on noise applicable under section 36-485, noise standards, including limitations on the use of amplified sound;

4. Any applicable parking restrictions;

5. Trash collection schedule; and

6. That the short-term rental unit may not be rented ~~solely~~ for receptions, parties, weddings or other similar activities on the property events.

(5) Short-term rental *revocation, suspension, or denial of a permitlicense*.

(a) The director of ~~planning and development~~building development services may immediately revoke or suspend ~~the permit~~license, or deny either the issuance or renewal thereof, if it is found that:

1. The owner or operator failed to comply with the short-term rental requirements in this section or any other city codes and ordinances. The director may suspend, revoke, or deny an application to renew a short-term rental permitlicense for a period of 12 months. During that time, another short-term rental may be established pursuant to this section and following the requirements and cause the revoked or denied short-term rental from being re-established due to the density~~separation~~limitation~~requirement~~.

2. The director of ~~building development services~~planning and development may, in writing, suspend, deny, or revoke a permitlicense issued under provisions of this section whenever the permitlicense is issued on the basis of a misstatement of fact, fraud, or noncompliance with this article.

3. When a short-term rental permitlicense is denied by the director of ~~building development services~~planning and development, written notice shall be given of the denial to the owner, together with a brief written statement of the reason for the denial. Such denials shall have referenced the section of this article or other pertinent code used as a standard for the basis of denial.

4. If the director of ~~building development services~~planning and development denies, suspends, or revokes ~~a permit~~the license, the owner may file an appeal request to the planning and zoning commission~~city council~~. The decision of the planning and zoning commission shall be final for the purposes of Chapter 536, RSMo.

(6) *Transferability*.

(a) The owner of a ~~permitted~~licensed short-term rental may transfer the property along with the permitted use to another, subject to the transferee completing an application and providing all required information to the city. This transfer does not trigger a new certificate of occupancy inspection by virtue of the transfer alone.

(7) *Implementation*.

(a) For the purpose of the implementation of the short-term rental uses and fairness in dealing with potential conflicts based on density limitations. Applications for short-term rentals shall commence two weeks after the passage of this ordinance.

(b) Implementation and suspension of density limitations. Applicants filing an application for a short-term rental type 2 within the first 30 days following passage of this ordinance shall not be subject to the density limitations set forth in subsection 36-47~~23~~(2)(~~db~~)(1). Applications received after this initial period will be subject to this density.

(8) Hosting platform responsibilities.

(a) Definitions.

1. Booking transaction. Any reservation or payment service provided by a person who facilitates a short-term rental transaction between a short-term rental licensee and a transient guest.

2. Hosting platform. A person who participates in the rental of a short-term rental by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation.

3. Person. Any natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, limited liability company, or organization of any kind.

4. Short-term rental: see Sec. 36-321.

5. Short-term rental licensee: a person who holds a business license for a short-term rental.

6. Transient guest. A person who occupies a room or rooms in a short-term rental for less than 30 consecutive days during any calendar quarter.

(b) Hosting platforms shall be responsible for collecting all applicable City taxes and remitting the same to the City. The hosting platform shall be considered an agent of the short-term rental licensee for tax collection and remittance responsibilities as set forth in Chapter 70, Article V of this Code.

(c) Subject to applicable laws, hosting platforms shall disclose to the City on a regular basis each short-term rental listing located in the City, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay.

(d) Hosting platforms shall not complete any booking transaction for any property subject to this section unless it is licensed as a short-term rental at the time the hosting platform receives a fee for the booking transaction.

(9) Penalties.

(a) Any violation of this section shall be punishable by a fine of not more than \$1,000.00 or by imprisonment in jail for a period not exceeding 180 days, or both such fine and imprisonment. The court shall not suspend imposition of sentence for any violation of this section.

(b) Each day a violation continues shall be deemed a separate offense.

(c) Any person found guilty of a violation of this section shall be sentenced to a minimum fine of \$500.00.

(d) Any person found guilty of a violation on this section who has previously been found guilty of a violation of this section shall be sentenced to a minimum fine of \$1,000.00.

DEVELOPMENT REVIEW STAFF REPORT

Attachment 2

Staff's Recommendations based on Plans and Policies Proposed STR Amendments

1. Remove language specifying who is counted, allowed to make verbal comments or receive and submit additional information like comment cards and go back to the original language in Section 36-473(2)(c)6.
 6. No more than 10 days following the neighborhood meeting, the applicant shall submit a summary of the meeting to the planning and development department using the following format as set forth below (“meeting summary”):
 - a. Meeting date, time and location;
 - b. Number of neighbors in attendance ~~attending owners of residential real property within 500 feet of the short-term rental property~~, with an attached sign-in sheet;
 - c. List of issues raised and any verbal comments from neighbors attending owners of residential real property within 500 feet of the short-term rental property and how the applicant plans to respond; and
 - d. Additional information, such as comment cards and letters from neighbors ~~owners of residential real property within 500 feet of the short-term rental property~~ shall be attached to the summary.
2. Remove the appeal to Planning and Zoning Commission and raise the level of objection for denial of STR Type 2 from 30% to 45% of adjacent property owners which is the inverse of the 55% consent approval by adjacent property owners which currently exists in Section 36-473(2)(c)8. and 9.
 8. If at least two (2) or at least forty-five percent (45%) ~~thirty percent (30%)~~, whichever is greater, of adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection, the application shall be denied. ~~If the application is denied for this reason, an applicant may file an appeal to the planning and zoning commission for a resolution to approve the application. An appeal must be filed within 10 days of denial. The decision of the planning and zoning commission shall be final for the purposes of Chapter 536, RSMo.~~
 9. If the applicant submits a complete meeting summary and less than two (2) or less than forty-five percent (45%) ~~thirty percent (30%)~~, whichever is greater, of

DEVELOPMENT REVIEW STAFF REPORT

adjacent owners of residential real property, including those adjoining and immediately across the street, submit a letter of objection, the application shall be approved, provided that all other requirements have been satisfied.

3. Add and modify a clear transferability and renewal subsection for existing nonconforming STR uses in Section 36-473(6).

(6) *Transferability/Renewal.*

(a) The owner of a permitted short-term rental may transfer the property along with the permitted use to another within 30 days of the change in property ownership, subject to the transferee completing an application and providing all required information to the city. This transfer does not trigger a new certificate of occupancy inspection by virtue of the transfer alone.

(b) Nonconforming permitted short-term rentals are eligible for transferring of business ownership in the event of a change of property ownership. This will need to take place within 30 days of the change in property ownership.

(c) Nonconforming short-term rentals will be eligible for business license renewal provided they meet all of the other requirements of this section except the density limitations. Renewal of short-term rentals will be conducted by the Licensing Division of the Finance Department.

Attachment 3

From: [Bruce Adib-Yazdi](#)
To: [Neal, Daniel](#); Zoning@springfieldmo.gov
Cc: [Seminole Holland Neighborhood Association](#); [nac.sgf.658](#)
Subject: Re: Comments Requested - Proposed Text Amendments to P&Z and CC
Date: Saturday, September 28, 2024 10:22:03 AM

Thanks for the opportunity to provide input Daniel.
From Seminole Holland Neighborhood:

We think we are already seeing more STRs than we'd like. No real problems per se but it sure seems like a bit of a land grab for some people that may just want to reserve their rights. And many homes seem 'absentee' with little activity. Which just removes a bit of energy from the neighborhood. Also it seems like we are seeing way too many of these having to be dealt with by City Council discussions.

We like that it would change to a protest model versus the current approval model.

We think the distance apart feature would help our neighborhood.

We may already have too many STRs in our own neighborhood, so an additional limitation beyond block face proximity and distance proximity may be appropriate. Maybe a maximum % density based on # of households in an established neighborhood association boundary.

Bruce Adib-Yazdi
Seminole Holland Neighborhood Association - President
417-848-6001 (cell)

On Wed, Sep 25, 2024 at 2:22 PM Neal, Daniel <dneal@springfieldmo.gov> wrote:

City Council's Plans and Policies Committee has recommended changes (attached) to the Short-Term Rental regulations, Section 36-473, of the Zoning Ordinance. These changes include:

1. Removing unnecessary or redundant language throughout the section
2. Clarifying language throughout the section
3. Removing language that conflicts with existing State statutes
4. Installing a protest petition model instead of a consent model for STR Type 2 approval and appeal
5. Changing density limitations from a block face density to a distance proximity requirement in STR Type 2's
6. Modifying the STR Type 3's (i.e., those STRs not in R-SF or R-TH) to allow a maximum of two unit's or ten percent of units on a premises, whichever is greater
7. Changing the enforcement of this section from BDS to Planning and Development
8. Adding a 'Hosting platform responsibilities' and 'Penalties' sections to the STR requirements ordinance

The Planning and Zoning Commission will have a public hearing on the proposed text amendments on, October 10, 2024, and the City Council will have public hearing on these same amendments on, November 4, 2024. Please see agendas when posted online for details

From: [Eric Pauly](#)
To: [Neal, Daniel](#)
Subject: Re: Comments Requested - Proposed Text Amendments to P&Z and CC
Date: Sunday, September 29, 2024 4:19:26 PM

Hello Mr. Neal,

Thank you for the information you have provided regarding potential changes to STR language. I do have some comments regarding Section 36-473 STR redline.

In 1,b, 3 the line " No residential structure shall be removed for parking or to expand the shortterm rental type 1.' has been stricken. Is this due to the Type 1 STR's located in R-SF or R-TH would not be allowed to create a parking location within a R-SF or R-TH and therefore be redundant? I see that the same information is kept in 2,b,4. Wouldn't it be better to keep the same language across both Type 1 and Type 2 and state that "No residential structure shall be removed for parking or to expand the shortterm rental type 1 or type 2". The continuity between these helps to clarify the expectations for potential STR's in R-SF and R-TH. It may also be beneficial to include the same language for Type 3 for continuity's sake and to head off any potential issues in the future.

Looking at Type 1, 1,b,4 Type 2 2,b,5, Type 3 3,b,2, and Notification Requirements 4,a,6 regarding "A short-term rental shall not be rented solely for receptions, parties,weddings or any similar activities.". This has been removed from Type 1 under 1,b,4 but kept under Type 2 2,b,5 and added under Type 3, 3,b,2 as NOT allowed for Type 2 and Type 3. In Notification Requirements 4,a,6 it states "That the short-term rental unit may not be rented for receptions, parties,weddings or other similar activities on the property." That becomes a bit confusing and might be better served to state in Types 1, 2 and 3, "That the short-term rental unit may not be rented for receptions, parties,weddings or other similar activities on the property." and remove it (or leave it to reiterate), in the Notification Requirements section.

Thank you for your attention to these concerns.

Eric Pauly
PNA

On Wed, Sep 25, 2024 at 2:22 PM Neal, Daniel <dneal@springfieldmo.gov> wrote:

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7. Changing the enforcement of this section from BDS to Planning and Development

From: [Becky Volz](#)
To: [Neal, Daniel](#)
Subject: Re: Comments Requested - Proposed Text Amendments to P&Z and CC
Date: Sunday, September 29, 2024 2:28:10 PM

Daniel,

I have one comment on the language...on page 4, #4 regarding the times for the neighborhood meeting:
I'm suggesting you use the language in the "Best Practices" document on pages 3 and 10 that reads:
The "open house style" meeting shall be scheduled from 4:00 P.M. and 6:30 P.M.

Often neighbors interpret the 4:00 to 6:30 timeframe to mean the neighborhood meeting will last that long.

One more: on page 8 under Definitions, #6, would it be beneficial to add the word 'consecutive' after 31? It seems to be more consistent with the definition of short term rental to reaffirm that the limit of rented days to a guest are consecutive.

Becky Volz
NAC
417-880-4210

On Wed, Sep 25, 2024 at 2:22 PM Neal, Daniel <dneal@springfieldmo.gov> wrote:

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If you have any questions or concerns, please, feel free to contact our department by emailing us at Zoning@springfieldmo.gov. If you do respond please **"don't reply to all"**.