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Pgs. 55
Filed: 05-24-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 120

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the issuance of Conditional Use Permit No. 422 to allow a bed and
2 breakfast within an R-SF, Residential Single-family District, generally
3 located at 1755 South National Avenue. (The Planning and Zoning
4 Commission recommend denial, Staff recommends approval.)
5
6

7 WHEREAS, by the authority of Section 36-363 of the Land Development Code of
8 the City of Springfield, Missouri, the City Council may grant permits for certain types of
9 uses in certain zoning districts; and
10

11 WHEREAS, application has been made, and notice and hearings have been held
12 as provided in Section 36-363 prior to the granting of such use permit, and the Planning
13 and Zoning Commission has found the necessary conditions to exist; and
14

15 WHEREAS, the City Council finds the following conditions to exist:
16

- 17 1. The application is complete and does not contain or reveal violations of this
18 provision or other applicable regulations which the applicant has failed or
19 refused to supply or correct;
20
- 21 2. The site plan meets the standards required by this Article or other applicable
22 regulations with respect to such development or use;
23
- 24 3. The proposed site plan does not interfere with easements, roadways, rail
25 lines, utilities, and public or private rights-of-way;
26
- 27 4. The proposed site plan does not destroy, damage, detrimentally modify or
28 interfere with the enjoyment and function of significant natural topographic or
29 physical features of the site;
30
- 31 5. The proposed site plan is not injurious or detrimental to the use and
32 enjoyment of surrounding property;
33

- 34 6. The circulation elements of the proposed site plan do not create hazards to
35 safety on or off the site, disjointed vehicular or pedestrian circulation paths on
36 or off the site, or undue interferences and inconveniences to vehicular and
37 pedestrian travel;
38
39 7. The screening of the site provides adequate shielding for nearby uses which
40 may be incompatible with the proposed use;
41
42 8. The proposed structures or landscaping are not lacking amenity in relation to,
43 or are not incompatible with, nearby structures and uses;
44
45 9. The proposed site plan does not create drainage or erosion problems on or
46 off the site; and
47

48 WHEREAS, the granting of such permit is deemed proper and beneficial to the
49 welfare of the City of Springfield, Missouri.
50

51 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
52 SPRINGFIELD, MISSOURI, as follows, that:
53

54 Section 1 – Permission is hereby granted to use the tract of land generally
55 located at 1755 South National Avenue, and more fully described in “Exhibit B,” which is
56 attached hereto and incorporated herein as if copied verbatim, to permit a bed and
57 breakfast within an R-SF, Residential Single-family District, on certain conditions in
58 accordance with Section 36-363 of the Land Development Code of the City of
59 Springfield, Missouri.
60

61 Section 2 – Such use shall be subject to the conditions set forth in “Exhibit A,”
62 which is attached hereto and incorporated herein as if set out verbatim.
63

64 Section 3 – Building permits and certificates of occupancy may be issued by the
65 proper authorities pursuant to the permission granted by this ordinance.
66

67 Section 4 – This permit shall be in full force and effect only so long as the use of
68 said premises and any improvements thereon conform with the use herein granted and
69 are in accordance with the application and plans herein approved and referred to,
70 unless special exceptions shall have been granted by the Board of Adjustment, and any
71 violation of the requirements of this ordinance may be grounds for the revocation of this
72 permit by the City Council after a hearing before said City Council.
73

74 Passed at meeting: _____
75

76 _____
77 Mayor
78

79 Attest: _____, City Clerk

80

81 Filed as Ordinance: _____

82

83 Approved as to form: *Achaleyt, Weder*, Assistant City Attorney

84

85 Approved for Council action: *Greg Bunt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 120

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue

BACKGROUND INFORMATION: USE PERMIT NUMBER 422

This is a request to allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue. The Zoning Ordinance requires a use permit in the R-SF, Residential Single-family District. This is not a rezoning of the property; the property will remain single-family residential zoning.

The site is an appropriate location for a bed and breakfast. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the Zoning Ordinance.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors; and Objective 4b Increase mixed-use.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 3" and "Exhibit D - Attachment 4" shall govern and control the use and development of the land in Use Permit Number 422 in a manner consistent with the attached site plan "Exhibit C - Attachment 6."

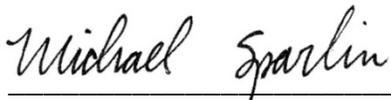
FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.
2. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
3. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria
4. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections.

REMARKS: The Planning and Zoning Commission held a public hearing on May 12, 2016, and recommended denial, by a vote of 4 to 1, of the proposed conditional use permit on the tract of land described on the attached sheet (see the attached "Exhibit C," Record of Proceedings).

The Planning and Development staff recommends the application be approved with the conditions indicated in "Exhibit A."

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Requirements for Conditional Use Permit 422

Exhibit B, Legal Description

Exhibit C, Record of Proceedings

Exhibit D, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Requirements for Conditional Use Permit 422

Attachment 3, Standards and Responses for Conditional Use Permits

Attachment 4, Standards and Responses for Bed and Breakfast Conditional Use Permits

Attachment 5, Neighborhood Meeting Summary

Attachment 6, Site Plan

Exhibit A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 422

1. A Bed and breakfast is permitted in conformance with “Exhibit D - Attachment 6.”
2. The bed and breakfast shall comply with all the standards listed in “Exhibit D - Attachment 3” and “Exhibit D - Attachment 4.”
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Exhibit B

LEGAL DESCRIPTION
USE PERMIT NUMBER 422

ALL OF LOT TWELVE (12) (EXCEPT HWY) OF THE UNIVERSITY HEIGHTS
ADDITION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

Exhibit C

RECORD OF PROCEEDINGS Planning and Zoning Commission May 12, 2016

Conditional Use Permit 422
1755 South National Avenue

Applicant: Grandpa's Hospitality House, Inc.

Mr. Hosmer states that this is a request to allow a bed and breakfast in an R-SF, Residential Single-family District generally located at 1755 South National Avenue. This is not a rezoning of the property. The request is to allow a use permitted only by a conditional use permit for a bed and breakfast. The R-SF District will remain as well as the option to use the property as a single family use. The purpose of the Conditional Use Permit requirement is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria. An application for a conditional use permit shall be granted only if evidence is presented which answers the 21 CUP standard questions as well as the 14 questions for a bed and breakfast. These 14 questions are as follows:

1. The use shall front on a primary arterial street, if the property is zoned R-SF, or a street with a higher functional classification as designated by the major thoroughfare plan.
2. There shall be a maximum of five guest rooms in the bed and breakfast.
3. The bed and breakfast shall be located in an existing structure, i.e. additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast.
4. No exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made.
5. No residential structure shall be removed for parking or to expand the bed and breakfast.
6. Only short-term lodging shall be permitted, no monthly rentals.
7. There shall be no individual cooking facilities.
8. The facilities shall not be rented for receptions, parties, weddings or similar activities.
9. One additional paved parking space per guest room shall be provided in the rear yard. Parking shall be screened in accordance with section 36-480, screening and fencing.
10. The operator shall live at the bed and breakfast.
11. Only resident guests shall be served meals.
12. Only one non-illuminated sign no larger than 25 square feet shall be permitted.
13. A business license shall be obtained annually and the owner shall verify that the conditions of the conditional use permit are still being met.
14. No bed and breakfast shall be located within 500 feet of another bed and breakfast as measured along continuous public street rights-of-way from all streets abutting the bed and breakfast property, nor shall a bed and breakfast be located on property that abuts property on which another bed and breakfast is located.

A buffer yard is requirement when a permitted nonresidential use locates adjacent to a residential use. Buffer yard "Type (D)" at least fifteen (15) feet wide with a six (6) foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings. The Growth Management and Land Use Plan Element of the Comprehensive Plan identify this area as Low-Density Housing. The Plan identifies the National Avenue

and Sunshine Street area as an Activity Center. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10). If the a permit is not pulled for the Conditional Use then the CUP will expire within 18 months. Staff recommends approval.

Mr. Ray opened the public hearing.

Ms. Kathy Penrod, PO Box 402, Spokane, MO started the idea of having a location for people who have relatives staying in the hospital and found that there are hundred's of houses throughout the country like Grandpa's Hospitality House. This gives family members a place to stay where they can afford and close to the hospital and will part of the hospitality network for at least 400 houses across the country were we can draw assistance and ideas for it to run properly and smoothly. We will the owner/operator on site at all times as well.

Mr. Doennig asked if they are only purchasing the parcel adjacent as well and what are the plans for building modification and what will be occupancy limit.

Ms. Penrod stated that they are purchasing it all as long as the conditional overlay is approved and the occupancy limit will be 12 people which will include the owner/operator of the house.

Ms. Lindsay Reichert, 430 S. Glenstone Avenue is the architect and the house will be remodeled with 5 suites/guest rooms and 4 bathrooms.

Mr. Ray asked about the exterior changes that include a handicapped accessible entrance and the brick patio.

Ms. Reichert stated that there are three exterior changes, one is the brick paver court-yard, second would be a small extension of the existing block wall on the south that will align with edge of the existing sun-room, and then providing accessibility to the front of the building and handicapped parking will be on the northwest side and will conform to ADA requirements.

Mr. Tim Muetzel, 1745 S. National has lived in the neighborhood for many years. One of the attractions is the housing values and that there are no businesses in this neighborhood and asked if there is really a need for this permit. He stated that there are 18 facilities within a five mile radius of Mercy Hospital with similar pricing based on the hospitality house rate of \$42.00. The neighborhoods of University Heights and Phelps Grove Park for this type of permitted use. He also noted the possible parking and traffic issues.

Ms. Kit Creemer, 919 E. Stanford stated that raising volunteers and donations are extremely difficult and have the concerns regarding the funds to start this venture. She believes that Grandpa's Hospitality House could start and suddenly stop due to the lack of funds and volunteers in a short time and wants the neighborhood to stay residential and not have the encroachment of businesses in the neighborhood.

Mr. Cline asked if for clarification on the "destroy the neighborhood" feeling with areas to the north, south and east having businesses proposed or currently doing business.

Ms. Creemer stated that she was not in favor of the proposed businesses on the opposite corner of Sunshine and National, but is concerned for the boundaries between National and Jefferson and that section of the neighborhood which are homes and are not businesses. She also states that Mercy currently has an entire floor of hospitality rooms available for current families with people in the hospital.

Ms. Sara Lampe, 702 E. Stanford Street and has lived in the neighborhood for 44 years and states that the conditional use permit is a violation of the neighborhood and believes that it inadvertently affects the character of the neighborhood which is walking your dog and visiting with the neighbors. She cited traffic concerns and wants to preserve University Heights and Phelps Grove as historical neighborhoods and noted that there are restrictions on monthly stays in Bed and Breakfasts, however Grandpa's Hospitality House web site states that they would allow weekly stays and could be extended as needed.

Mr. John Stinson, 1110 E. Stanford Street has concerns regarding encroachment of a business into the neighborhood.

Mr. Tim Havens, 2156 S. Prairie Lane has concerns of having a business in the neighborhood due to the single family use since the formation of the neighborhood 100 years ago. The area is vibrant and real estate values are robust with very few vacant houses. The covenants in the deeds of these homes are to be single family use.

Ms. Gayla Cary 1653 S. National has concerns regarding pan-handling and has had problems in the past with theft of items from her home and states that they are a family neighborhood and has concerns of the type of changes that could happen to the neighborhood community when commercial units come in.

Mr. Cline asked if Ms. Cary's concerns were the type of people who would be renting rooms could be the type that could victimize her. Ms. Cary indicated that those are her concerns and cited several instances.

Mr. Doennig asked the applicant on her length of fund-raising for Grandpa's Hospitality House.

Ms. Penrod stated that she has been working on setting up the support since the birth of the concept two years ago and has been working with various organizations to help with donations and has support from Mercy, however she has just received her 501(c) (3) in the last 6 months which is when she started fund-raising and applying for grants.

Mr. Ray closed the public hearing.

Mr. Doennig stated that his concerns with the traffic and the obstructed views of vehicles on the corner and the driveway layout off of Sunshine and the comments from the neighbors regarding the viability of the neighborhood. He stated that this is not a bed and breakfast in the traditional sense and is something else, more of a service organization like a hostel and spoke of his concerns regarding the changes in the character of the house. He also spoke of the lack of funds at this point in order to purchase the property and the possibility of funds for the future and plans on voting no on the proposal.

Mr. Shuler commended the applicant, however have concerns if this is inappropriate place and had an earlier experience staying at a Ronald McDonald house where they had safety concerns and feels that the proposal may be more than anticipated. I plan on voting no.

Mr. Cline stated that he similar concerns as stated by Mr. Doennig, however would like it to be on record that it does not have anything to do with sympathizing with fear of poor people. He stated that was offended on what he has read in the letters and some of the comments at the podium. He states his concerns are with the traffic and will be voting no.

Mr. Rose sympathizes with neighbors and states that he lives in the neighborhood. Believes that this will be a long road to go if they can make this a successful project, however is just looking at the conditional use permit and don't have a problem with what they want to do. His one issue would be the traffic.

Mr. Ray states that the commission is considering the use of the property and not the business plan viability commission and it is not in the prevue to take into account whether or not the plan of the business, organization, plan, or fund-raising is viable. I believe that this is a solid neighborhood but with the traffic issues there are significant concerns about the proposed use of this property. I believe I will be voting to not recommend as well.

COMMISSION ACTION:

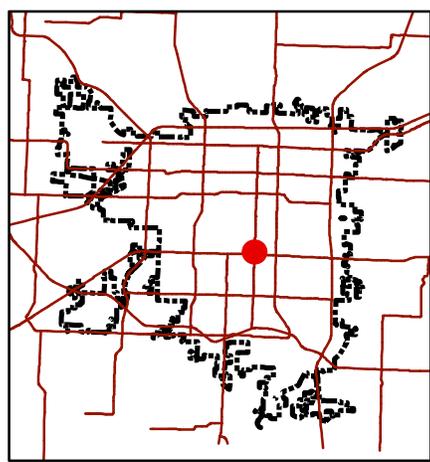
Mr. Doennig motions that we approve Conditional Use Permit 422 (1755 South National Avenue). Mr. Cline seconded the motion. The motion **did not carry** as follows: Ayes: Rose. Nays: Ray, Doennig, Shuler, and Cline. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

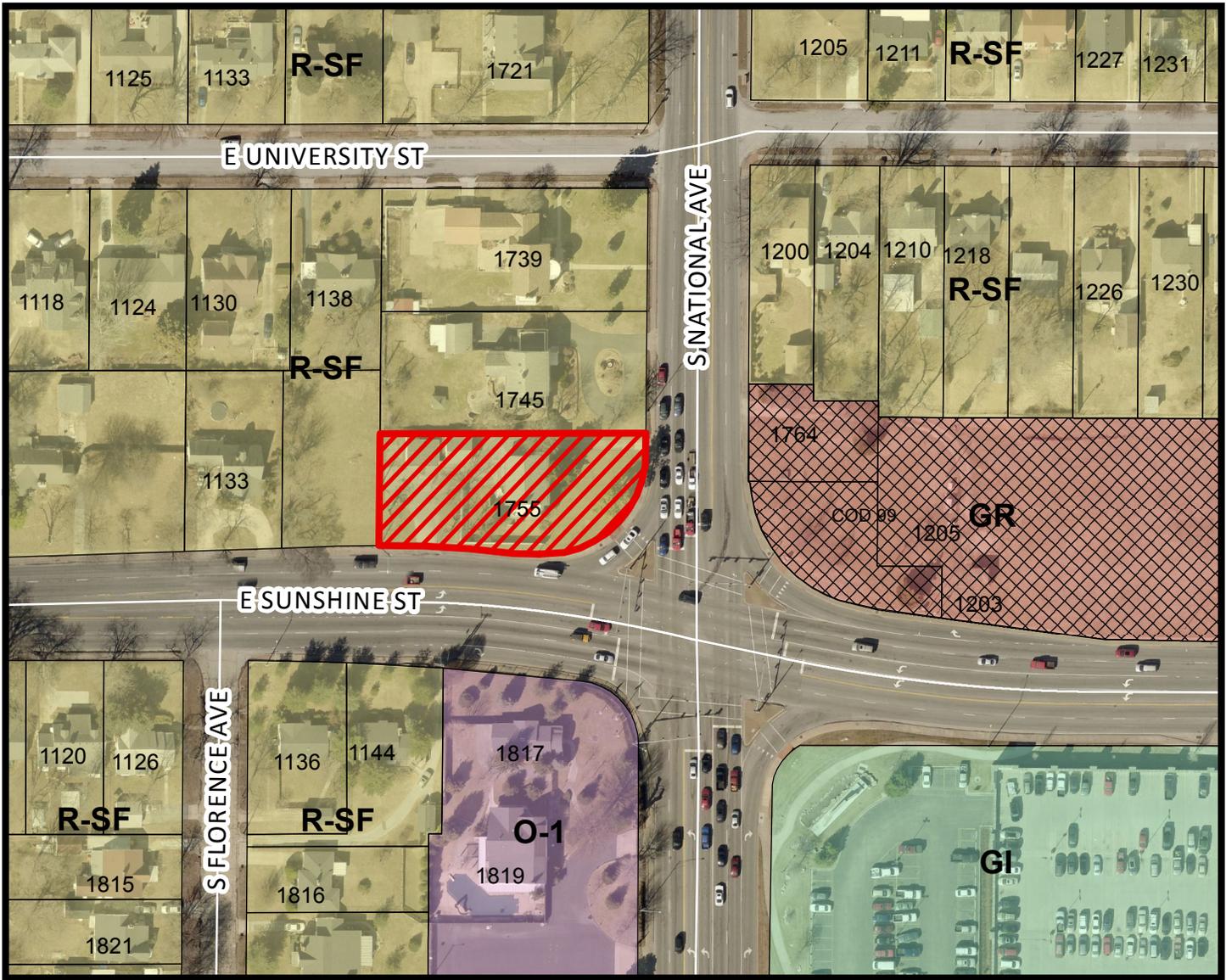
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Conditional Use Permit No 422

LOCATION: 1755 South National Avenue
CURRENT ZONING: R-SF, Residential Single-Family
PROPOSED ZONING: R-SF, Residential Single-Family with
a Conditional Use Permit to allow a Bed & Breakfast

LOCATION SKETCH



 - Area of Proposal



1 inch = 125 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 422

PURPOSE: To allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue

REPORT DATE: April 28, 2016

LOCATION: 1755 South National Avenue

APPLICANT: Grandpa's Hospitality House, Inc.

TRACT SIZE: Approximately 0.44 acres

EXISTING USE: Single-family residence

PROPOSED USE: Bed and breakfast

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.
2. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
4. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria
4. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 and Attachment 4 and shall govern and control the use and development of the land in Use Permit Number 422 in a manner consistent with the attached site plan (Attachment 6).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	GR w/ COD #99	Undeveloped land
South	O-1	Office use - Travel Agency
West	R-SF	Single-family residences

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Attachment 3.
2. No conditional use permit shall be valid for a period longer than 18 months from the date City Council grants the conditional use permit, unless within this 18 months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or
 - b. An occupancy permit is obtained and the conditional use is begun.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. This category includes single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened

at certain intersections. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for a Bed and breakfast on the subject property within a R-SF, Residential Single-family District. The Zoning Ordinance requires a use permit in the R-SF, Residential Single-family District for a bed and breakfast. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center. National Avenue and Sunshine Street are classified as Primary Arterial streets. Furthermore, the *Central Sunshine Corridor Study*, completed in 2007 as a collaborative effort between the City of Springfield Planning and Development Department and the Drury University Center for Community Studies, focused on Sunshine Street between Campbell Avenue and National Avenue. This study recommends compatible small-scale commercial uses to be introduced that maintain the residential character of the area.
2. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria.
3. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
4. The single-family character in the area will be preserved. Per conditional use permit requirements, the proposed bed and breakfast will be located in an existing structure. Additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast. Furthermore, no exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made. Exterior improvements to the existing structure will be limited to those providing accessible entrance and minor repairs to the structure as required to seal the building.
5. The bufferyard requirement when a permitted nonresidential use locates adjacent to a residential use is a bufferyard "Type (D)" at least fifteen (15) feet wide with a six (6) foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings. This bufferyard will be required on the North and West property line adjacent to the R-SF, Single-family Residential zoned property. There are parking structures and pavement located within this bufferyard area.

Under Section 36-482 (15), the intent is the bufferyard, parking lot and perimeter landscaping requirements be met to the maximum extent feasible without requiring existing structures or buildings to be removed or moved and that existing pavement only be removed as a last recourse. In these areas, screening will be required with a six (6) foot solid fence along the North and West property line adjacent to the R-SF, Single-family Residential zoned property.

6. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10) (Attachment 3) of the Zoning Ordinance. Any development of this property must also follow the R-SF, Residential Single-family District requirements.
7. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 19, 2016 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 5).

PUBLIC COMMENTS:

The property was posted by the applicant on April 27, 2016 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 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. Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING: May 31, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1

DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 422

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the conditional use permit.

Construction documents will need to be submitted and approved for the change in use with respect to the building code within 18 months of the Conditional Use Permit approval. All permits will need to be obtained and construction approved for the change in use.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The Transportation Plan classifies National Avenue as a Primary Arterial roadway and Sunshine Street as a Primary Arterial. The standard right of way width for both National Avenue and Sunshine Street is 100 feet. These are both City maintained streets. The most recent traffic counts registered National Avenue at 32,375 vehicles per day and Sunshine Street at 31,548 vehicles per day. There is one existing driveway access along the property frontage on National Avenue and one existing driveway access along the property frontage on Sunshine Street. There is a sidewalk along National Avenue and Sunshine Street. National Avenue or Sunshine Street does not meet existing right of way standards, there is no change in traffic generation based on the proposed use, and therefore this meets the requirements for the conditional use permit. The driveway spacing on both National and Sunshine is too close to the intersection based on Primary Arterial standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There are not any bus stops along the property frontage along National Avenue or Sunshine Street. There are not any proposed improvements along National Avenue or Sunshine Street. The gate for the driveway on National is required to be set back 20 feet from the right of way line and a turn around provided to prevent any vehicles turning into the driveway by mistake from backing out onto National. An "Entrance only" or "Exit only" sign will have to be posted.

Public Works Traffic Division	Response
Street classification	Primary Arterial
On-street parking along streets	No
Trip generation - existing use	10
Trip generation change - proposed use	No change with bed and breakfast use
Existing street right of way widths	80 feet on National; 95 feet on Sunshine

Standard right of way widths	100 feet (50 feet from the centerline)
Traffic study submitted	N/A
Proposed street improvements	N/A

STORMWATER COMMENTS:

The property is located in the Fassnight drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is an option based on the information provided. Since the project will be disturbing less than one (1) acre there will not be a land disturbance permit required. There is an existing storm sewer available for this development to discharge into. There are no sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Fassnight
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes

CLEAN WATER SERVICES COMMENTS:

No objections to use permit. Public sewer and service lateral currently available.

CITY UTILITIES:

No objection to use permit. The building is currently served by electric, gas and water. There is a fire hydrant along the National Street frontage.

FIRE DEPARTMENT:

No issues with the use permit.

ATTACHMENT 2

REQUIREMENTS FOR CONDITIONAL USE PERMIT 422

1. A Bed and breakfast is permitted in conformance with Attachment 6.
2. The bed and breakfast shall comply with all the standards listed in Attachment 3 and Attachment 4.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3

STANDARDS FOR CONDITIONAL USE PERMITS CONDITIONAL USE PERMIT 422

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following:

1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;

RESPONSE:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. This category includes single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.

2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;

RESPONSE: The proposed project will not adversely affect the safety of the motoring public nor that of pedestrians using the facility and immediately surrounding the site. Public Works has reviewed the proposed use and determined that there is no change in traffic generation. The entrances into the property will be designated with "Entrance only" and "Exit only" so that traffic circulation will be directed to ensure safety of the motoring public and pedestrians.

3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;

RESPONSE: The proposed project will meet all building and fire codes.

4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;

RESPONSE: The proposed project will meet all stormwater requirements.

5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district;

RESPONSE: The proposed project will not have noise characteristics that exceed the sound levels typical with the uses permitted in the district.

6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent possible such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare as proposed;

RESPONSE: The glare of vehicular & stationary lights will not affect the established character of the neighborhood. A bufferyard Type D is being provided on the North and West side property. Additionally, a headlight screen will be provided on the West property line per Zoning Ordinance as to reduce glare of vehicular lights.

7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;

RESPONSE: The location, lighting and type of signs and the relationship of those signs to traffic control will be appropriate to the site. Existing lighting will remain and is adequate. No additional exterior lighting is proposed for the property.

8. Such signs will not have an adverse effect on any adjacent properties;

RESPONSE: Such signs will not have an adverse effect on adjacent properties. Signage will be in compliance with all signage codes and requirements. Only one non-illuminated sign no larger than 25 square feet will be provided.

9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use;

RESPONSE: Public Works has reviewed this application and determined that the street right-of-way and pavement width is adequate for traffic reasonably expected to be generated by the proposed use.

10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

RESPONSE: The proposed use will not have any substantial or undue adverse effect upon, or will lack amenity or will be compatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare. The proposed use will comply with all development and conditional use requirements for bed and breakfast. The purpose of these conditions is to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The single-family character of the property will be retained. A bufferyard is required along the North and West property line. A headlight screen to reduce vehicular glare is being provided on the West property line. No additional lighting is being

proposed. A maximum of 5 guest rooms is allowed. An operator will live on site and provided necessary services to the guests. Requirements related to traffic, stormwater, building code, fire code, zoning, signage have or will be complied with to ensure the use and enjoyment of adjacent property.

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:

- a. The location, nature and height of buildings, structures, walls and fences on the site; and
- b. The nature and extent of landscaping and screening on the site;

RESPONSE: The Operators will be utilizing the existing single-family residence for the proposed project. Any additional structures will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. The location, nature and height of such buildings, structures, walls and fences on the site; and the nature and extent of landscaping and screening on the site will be of appropriate character and scale of neighboring properties and uses.

12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site;

RESPONSE: The proposed use will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site; in contrast, the proposed use intends to enhance any significant features of the site. In contrast to the current appearance of neglect, the proposed use will enhance the visual and physical appearance of the property by allowing a use that will maintain the structure and yard. All existing trees will be protected in place.

13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;

RESPONSE: The proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance. The property is not listed as a historic structure. The single-family appearance of the structure will be maintained. All existing trees will be protected in place.

14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards;

RESPONSE: The proposed use otherwise complies with all the applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.

15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;

RESPONSE: The proposed use will promote the welfare and convenience of the public. Given the location next to National Avenue and Sunshine Street, two primary arterials, the property has not been conducive for a single-family residence. The property has experienced a difficulty in maintaining a long-term resident. The allowance of the Conditional Use Permit for a bed and breakfast will be a good solution to this problem because it maintains that single-family character while permitting a productive and viable use of the existing structure.

16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.

RESPONSE: Seven (7) parking spaces and two (2) bicycle parking spaces will be provided on site. A bufferyard Type D is being provided on the North and West side property. A headlight screen will be provided on the West property line per Zoning Ordinance as to reduce glare of vehicular lights.

17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

RESPONSE: Any access roads, entrances or exit drives will be provided and designed to as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. There are two entrances to the site. One entrance will be a "Entrance Only" and one access will be an "Exit Only." This will provide adequate circulation and reduce vehicular and pedestrian conflict. The paved areas also provide enough turn-around space for vehicles. Additionally, the access of Sunshine Street will be expanded from the current 16 feet to 26 feet as required for commercial drives. The paved areas also provide enough turn-around space for vehicles. This will reduce traffic hazards and congestion.

18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

RESPONSE: Vehicular circulation will not create hazards, undue interference or inconvenience to vehicular or pedestrian travel. There are two entrances to the

site. One entrance will be an "Entrance Only" and one access will be an "Exit Only." This will provide adequate circulation and reduce vehicular and pedestrian conflict. The paved areas also provide enough turn-around space for vehicles.

19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way;

RESPONSE: The proposed use will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.

20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield, and;

RESPONSE: The proposed converted structure(s) will meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.

21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

RESPONSE: The proposed use is served adequately by essential public facilities and services (utilities, streets, fire and police protection and schools). The operator will provide adequately for such services where those services are not otherwise provided, such as private refuse disposal.

ATTACHMENT 4

STANDARDS FOR BED AND BREAKFAST CONDITIONAL USE PERMITS CONDITIONAL USE PERMIT 422

Purpose. The purpose of these requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets.

Approval standards. All applications for a conditional use permit for bed and breakfasts shall comply with the following requirements.

1. The use shall front on a primary arterial street, if the property is zoned R-SF, or on a collector street, if the property is zoned another zoning district, or a street with a higher functional classification as designated by the major thoroughfare plan.

RESPONSE: The proposed project complies with this standard. The property is zoned R-SF, Residential Single-family and is located on a primary arterial street.

2. There shall be a maximum of five guest rooms in the bed and breakfast.

RESPONSE: The proposed project complies with this standard. There are 5 (five) guest rooms.

3. The bed and breakfast shall be located in an existing structure, i.e. additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast.

RESPONSE: The proposed project complies with this standard. The bed and breakfast will be located in an existing structure.

4. No exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made.

RESPONSE: The proposed project complies with this standard. Exterior improvements to the existing structure will be limited to those providing accessible entrance and minor repairs to the structure as required to seal the building.

5. No residential structure shall be removed for parking or to expand the bed and breakfast.

RESPONSE: The proposed project complies with this standard. Adequate parking space currently exists. This proposal does not include expanding the structure.

6. Only short-term lodging shall be permitted, no monthly rentals.

RESPONSE: The proposed project will comply with this standard.

7. There shall be no individual cooking facilities.

RESPONSE: The proposed project complies with this standard. No cooking facilities will be located in guest rooms.

8. The facilities shall not be rented for receptions, parties, weddings or similar activities unless potential negative impacts, including, but not limited to, traffic, parking, and noise, have been addressed and the activity is specifically permitted in the use permit.

RESPONSE: The proposed project will not be rented for receptions, parties, weddings or similar activities.

9. One additional paved parking space per guest room shall be provided in the rear yard. Parking shall be screened in accordance with section 36-480, screening and fencing.

RESPONSE: The proposed project complies with this standard. Seven (7) parking spaces and two (2) bicycle parking spaces will be provided on site.

10. The operator shall live at the bed and breakfast.

RESPONSE: The operator will live at the bed and breakfast.

11. Only resident guests shall be served meals.

RESPONSE: Only resident guests will be served meals.

12. Only one non-illuminated sign no larger than 25 square feet shall be permitted.

RESPONSE: Exterior signage has not yet been designed for the bed and breakfast; however, any future signage will be in compliance with all signage codes and requirements. Only one non-illuminated sign no larger than 25 square feet will be provided.

13. A business license shall be obtained annually and the owner shall verify that the conditions of the conditional use permit are still being met.

RESPONSE: The applicant shall annually obtain a business license.

14. No bed and breakfast shall be located within 500 feet of another bed and breakfast as measured along continuous public street rights-of-way from all streets abutting the bed and breakfast property, nor shall a bed and breakfast be located on property that abuts property on which another bed and breakfast is located.

RESPONSE: The proposed project complies with this standard. There are no bed and breakfast uses within 500 feet.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

- 1. Conditional Use Permit for: Bed & Breakfast use at Grandpa's Hospitality House, 1755 S. National Ave.
- 2. Meeting Date & Time: Tuesday, April 19th from 4:00 pm to 6:30 pm
- 3. Meeting Location: First floor of project site; 1755 S. National
- 4. Number of invitations that were sent: All (116) addressees that were listed on the 500 ft. mailing list
- 5. How was the mailing list generated: City Staff
- 6. Number of neighbors in attendance (attach a sign-in sheet): Six; not all attendees signed the sign-in sheet.
- 7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Please see attached.

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

Please see attached.

I, Lindsay Reichert (print name), attest that the neighborhood meeting was held on 4/19/2016 (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."

LReichert
Signature of person completing affidavit

Lindsay Reichert
Printed name of person completing affidavit

Grandpa's Hospitality House

Application for Conditional Use Permit

PLN2016-00104

Summary of Neighborhood Meeting

- a. Development application.
 - Please see attached copy of the original Conditional Use Permit Application.
- b. Meeting date, time and location.
 - Tuesday, April 19th from 4:00 to 6:30 pm.
- c. Number of invitations send and how the mailing list was generated.
 - One-hundred and sixteen invitations were sent.
 - The mailing list was generated by the City of Springfield staff.
- d. Number of neighbors in attendance with an attached sign-in sheet.
 - Six neighbors were in attendance. Please note, not all attendees signed the sign-in sheet. Those who did not sign-in include a resident from 1745 S. National Ave. and a resident from 1138 E. University.
 - Please see attached sign-in sheet.
- e. List of issues raised, any verbal comments and how applicant plans to respond.
 1. Concern regarding homeless living on the premises.
 - a. *Accommodations are strictly limited to those who are referred by neighboring Mercy Hospital and who have loved ones receiving care/treatment at the time of the request for accommodations.*
 2. Concern regarding taking payment for services on site.
 - a. *We are not aware of any restrictions in place to limit the receipt of payment for lodging on site.*
 3. Concern regarding noise and light from parking (on adjacent lot) disturbing neighboring parties.
 - a. *Parking is currently limited to the project site. Should parking be expanded to the neighboring lot, Grandpa's Hospitality House would, at a minimum, provide City required bufferyard to limit noise and light intrusion.*
 4. One person noted outright objection but did not give details regarding her concern, ask questions or stay for discussion regarding the proposed project.
 - a. *No action at this time since no specific concerns were noted.*
- f. Additional information such as comment cards, letters from neighbors, etc.
 - None.

Grandpa's Hospitality House

Neighborhood Meeting for Conditional Use Permit

Tuesday, April 19th

4:00 to 6:30 pm

Sign-In Sheet

Beverly Miller

Vera Penner

Watt M. S. De

Sparlin, Michael

From: Lori Muetzel [lorimuetzel@gmail.com]
Sent: Tuesday, April 19, 2016 10:27 AM
To: Zoning@springfieldmo.gov
Cc: Tom Muetzel
Subject: 1755 South National Avenue

My name is Lori Muetzel and I live at 1745 South National Avenue. It is my understanding that an application has been made for the Change in Use of the 1755 South National Avenue property. I will be unable to attend the meeting scheduled for later today, but would like to have my comments included in this process.

My husband and I and our children moved into our home approximately 3 years ago, believing that we were going to live in a residential neighborhood. We have a large family and this house suited our needs. University Heights has a great reputation for good neighbors and nice homes. People live in neighborhoods to establish relationships. Even if you don't like your neighbor, knowing who they are still allows you a sense of security. It has been a slow process in updating our home but we are proud of, and love where we live.

I cannot even begin to tell you how angry I am about this potential change. The thought of not knowing at any given moment who is next door to not only me, but my children, is more than disturbing. Our sun room, which is where we spend most of our living time and is all windows, is **approximately 20 feet away from this house**. My children are frequently home without adults. I would not feel secure in allowing them outside while we are gone in this situation, which would mean that they couldn't use our pool or spend time with our dog. They have expressed a real concern about having a **constant stream of strangers** next door to us.

Our bedroom, our teenage daughter's room, living area, back patio and kitchen can be viewed from the second floor of 1755 at all times, unless we choose to somehow keep our windows continuously covered and find some walls for outdoors. There is not a fence tall enough to give us the privacy we deserve. Again, **this is not a family moving in next door**. This is a constant stream of people we do not know, coming and going at all hours of the day and night. I feel as if I am going to have to barricade my family in, just to keep others out. **I do not think it is fair that we should have to minimize the enjoyment of our home for this facility.**

As someone who lost their father approximately two years ago, and had to travel to Mt. Vernon on a regular and eventually, daily basis for several weeks, I understand the purpose of wanting to find a close facility to stay. I also know that being sick is not discriminate. Everyone deals with a serious illness at some point, which means that we will never know what kind of person will be staying next to us. I will have to worry about this issue daily. **I believe that potential to PERMANENTLY EFFECT someone's lifestyle for your TEMPORARY PROBLEM is not the answer.**

I have not even discussed the potential effect this could have on the future value and sale of this home.

I would ask that you imagine yourself in our position. I truly hope that you will take serious consideration of this request and understand the permanent effect this will have on my family.

Lori Muetzel

From: Alison Nelson [<mailto:a2nelson@bop.gov>]

Sent: Monday, May 09, 2016 11:26 AM

To: Hosmer, Bob

Subject: Hearing for Variance at the corner of Sunshine and National

Hi,

My name is Alison Nelson and I am a resident of the University Heights neighborhood. My address is 919 E. University St. I am unable to attend the hearing on Thursday, May 12 but I am very opposed to the zoning being changed at the corner of National and Sunshine. Please maintain our neighborhood as residential.

Thank you,
Alison Nelson

Alison Nelson, DDS, FAGD
USMCFP Springfield
(417) 862-7041 x 1447

From: courtney fletcher [<mailto:markanthonyfletcher4@outlook.com>]
Sent: Monday, May 09, 2016 8:35 PM
To: Hosmer, Bob
Subject: Hearing for Variance at Corner of Sunshine and National

My name is Mark Fletcher. I live at 1011 E. University. I am unable to attend the hearing Thursday in the above matter. My wife and I strongly oppose the application for a variance to allow a bed & breakfast to be run at the corner of Sunshine and National. We have lived at our current address for over fifteen years. It is important to us that the residential character of the University Heights neighborhood be maintained. This variance would begin to change the character of the neighborhood and would serve as a precedent for further businesses to be run in the neighborhood. Additionally, this corner is already a dangerous intersection for pedestrians and vehicles. The granting of a variance will make it even more dangerous.

Thank you in advance for your consideration.

Mark Fletcher

Sent from Windows Mail

From: Tonya D <tjwente@live.com>
Date: May 10, 2016 at 4:26:00 PM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Planning and zoning issue for Grandpa's House

We are unable to attend the Planning and Zoning meeting on Thursday, May 12 @6:30 p.m. Please know that we have received the information concerning Grandpa's House. WE ARE OPPOSED TO ANY AND ALL CHANGES IN THE ZONING OF OUR NEIGHBORHOOD, University Heights.

Please do not allow this to happen, and help us to maintain the commitment to the health of our neighborhood by opposing this variance.

Please feel free to contact us at any time concerning this matter. We are a proud home owner in the University Heights Neighborhood.

Sincerely,

Chuck and Sheila Wente
959 East University
Springfield MO
417-881-7750 Home
417-417-861-0936 Cell
417-831-0174 Office

From: Martha <mj1776@mchsi.com>
Date: May 10, 2016 at 11:29:24 PM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Grandpa's House

Due to a prior commitment out of town, I will be unable to attend the Planning and Zoning Commission hearing on Thursday, May 12, 2016 with regard to Grandpa's House.

I did note several months back that a big sign indicating Grandpa's Hospitality House or something to that effect was soon coming has been posted on the concrete brick wall at the side of the property on Sunshine. It would appear that it is assumed this variance will pass, with this announcement having been posted prior to the hearing.

Please do not do this to our neighborhood. Once a commercial / or B&B is established, others will follow, and this beautiful residential, historic neighborhood will forever be changed.

Martha J. Pickering
1046 East University
Springfield, MO 65807
417.886.1776

From: Shelley Wolbrink <swolbrin@drury.edu>
Date: May 11, 2016 at 8:10:57 AM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Variance for Sunshine and National

Hello Brian,

I am unable to make the Thursday meeting because of my daughter's 8th grade graduation. Otherwise, I would be there, and would strongly speak against the proposal for Grandpa's House property to have a variance. Although the idea is currently proposed as a non-profit, and therefore seems appealing, we ask that the committee look at the practicality of the decision and the impact to the neighborhood on a real family and community-based level.

Government must always weigh one idea versus another for the common good. On a practical level, the destruction to a long time neighborhood and impact to traffic problems would be devastating.

The corner of Sunshine and National currently receives 65,501 cars per day through the intersection, according to a 2015 Springfield News-Leader study. The current structure has largely been abandoned in the last decade and has certainly not had the amount of traffic that it would have in the future. **If the committee decides to move forward with the variance, I request that a traffic study be completed and presented to the public, before voting.**

In addition, in the past two decades it has been named twice as one of the deadliest corners in Missouri. According to one study in the Springfield News-leader, it was the second most accident prone corner in the city.

The University Heights neighborhood is a treasure in the heart of the city. We have not had a single commercially-zoned business operate within the neighborhood. And there is a good reason for this. This is because we form a neighborhood of like-minded citizens, who feel that neighborhoods are for family time, walks, playing with children and the occasional walk/run. One commercial zoning will likely lead to others, and there is no way to ensure the success of Grandpa's House and/or the occupants.

I would like to point the committee to other areas of the city that have been commercially-zoned. One terrible example is the new blight caused by the 8-10 new apartment complexes on Kimbrough. This has completely changed the way the Kimbrough functions (nearly every day I almost hit a student who simply crosses Kimbrough at any place, and any time of the day). This event has gone completely blameless and is seen as a positive movement for the city. But businesses are detrimental to family life, community ties, and homes where families live in them are central the the bond of the city. That's why Grandpa's House is better served near the block closer to the hospital that is already zoned for businesses.

For the reasons stated, 1) it is not practical given the enormous traffic backup already and accident-prone area, and 2) neighborhood blight and assault; keep neighborhoods for families please, I ask you to serious consider the proposal and honor the "underdogs" here, the families who have successfully kept businesses in business areas of the city.

Best,

Shelley

--

Dr. Shelley Amiste Wolbrink
Professor of History | 306 Burnham Hall
Program director, Medieval and Renaissance Studies
900 N. Benton Avenue | Springfield, Missouri 65802
417.873.7387 | swolbrin@drury.edu



From: Southeast International Hotel Brokers [<mailto:info2@southeastinternational.com>]

Sent: Wednesday, May 11, 2016 12:33 PM

To: Hosmer, Bob

Cc: kit@creemer.net; ndcapeci@hotmail.com

Subject: Planning and Zoning Commission hearing on Thursday, May 12th

May 11, 2016

I will not be able to attend the Planning and Zoning Commission hearing on Thursday, May 12th regarding the variance hearing for rezoning of property for Grandpa's House, a B&B for visitors of Mercy Hospital.

I am opposed the rezoning of this property in my neighborhood. My address is 1755 S. Kimbrough Ave.

Thank you,

Mike DeLacy
1755 S. Kimbrough Ave.
Springfield, MO 65807

From: anfogle@aol.com [<mailto:anfogle@aol.com>]
Sent: Wednesday, May 11, 2016 12:02 PM
To: Hosmer, Bob
Subject: Zoning issue @ Sunshine and National

Mr. Hosmer,

I was given your email address as the person to whom I could voice my opinions/concerns about a proposed zoning variance.

Both my husband and I will be out of town on Thursday evening and will be unable to attend the hearing concerning a zoning variance that would allow Grandpa's House to open as a B&B at the corner of Sunshine and National. While the idea of Grandpa's House may be a good one, we are opposed to any zoning variance at that location. We bought our first home in the University Heights neighborhood in 1984 and moved 2 houses down the street 12 years ago when our family needed a larger home. We love our neighborhood and do not want to see any zoning change that could alter the makeup and personality of our area. We of course are fully aware of what borders University Heights: busy streets, traffic, Mercy, and now coming a strip center to the east of the proposed Grandpa's House. University Heights is a little "oasis" among all of that. Our quality of neighborhood life, as well as property values could (and I feel would) be adversely affected by this proposed change.

I appreciate your time and hope you consider the feelings of those in the neighborhood when this decision is made.

Renee and Brian Fogle
1125 E. Kingsbury Street
Springfield, MO

From: Paul Wolbrink [<mailto:pwolbrin@earthlink.net>]
Sent: Wednesday, May 11, 2016 10:12 AM
To: Hosmer, Bob
Subject: Variance Hearing Sunshine & National

We're Paul and Vivian Wolbrink. We own a house in the Phelps Grove neighborhood at 636 East Loren. We spend winter months in Springfield near grandchildren and return to Michigan during the summer.

We're extremely opposed to the variance being considered for the house near the corner of Sunshine and National. The point of zoning is to protect the investments of property owners, to provide stability and predictability for land use. University Heights is a residential neighborhood. It should remain a residential neighborhood.

It's surprising to us, coming from a community in Michigan where zoning means something and neighborhoods are valued, that the city could seriously consider permitting transient housing in an established single-family area. What's next, a McDonald's alongside the National Avenue Christian Church? A Jimmy John's at Sunshine and Dollison?

From: Lori Muetzel [<mailto:lorimuetzel@gmail.com>]
Sent: Wednesday, May 11, 2016 1:32 PM
To: Zoning@springfieldmo.gov; Sparlin, Michael; Hosmer, Bob
Cc: Tom Muetzel
Subject: Re: 1755 South National Avenue

Good Afternoon. I wanted to provide some additional information for tomorrow's hearing. Attached you will find a map of the available facilities 5 miles or less from Mercy. Please note that there are over 18. Please also note their price ranges, many which would fall under the requested \$42 per person, per day at the proposed business.

You will also find attached a printout of the price of a room at the TownePlace Suites, which is directly across from the hospital. This, too is a comparable price to the requested amount per guest at the proposed business.

Thank you again for your time and consideration.

Lori Muetzel

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← Sun, May 22 Mon, May 23 Price Rating Hotel class Amenities

Hotel Name	Price	Rating	Distance	Amenities
Battlefield Inn Springfield	\$50	2.2 stars	2.2 mi	Free Wi-Fi, Free breakfast
Quality Inn & Suites Chestnut Hill	\$54	4.4 stars	5.5 mi	Free breakfast, Wi-Fi, Pool, Gym
Arbor Suites Medical Mile	\$58	4.1 stars	4.5 mi	Free breakfast, Wi-Fi, Shuttle

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1:08 PM 5/11/2016

Conditional Use Permit 422 Grandpa's Hospitality House

The University Heights neighborhood has a definite boundary – Sunshine to Brookside, National to Kimbrough. The residents consider the Sunshine and National corridors part of the neighborhood, viewing the house at 1755 South National Avenue as the entrance to the neighborhood.

Unfortunately, a newly-formed nonprofit organization, Grandpa's Hospitality House, wants a variance for this house in order to open a B&B for Mercy Hospital guests. I strongly oppose this exception. The chipping away of the boundaries, particularly at the corner, threatens the character and desirability of the neighborhood as a whole, especially as developers see this variance as an opportunity to rezone the entire Sunshine and National corridors.

Although the house needs serious attention, I cannot see how the rezoning of this house for a business, no matter how noble, will help the neighborhood. This rezoning is permanent. There would be no opportunity to reverse it, if this venture fails. And I seriously doubt that it will succeed, as the business plan seems flawed.

The organization is relying on monetary donations and a minimal room rate for capital and revenue. The initial goal was to purchase the house outright for \$300,000. Then they lowered their expectations, hoping to raise \$80,000 to \$100,000 for the down payment. They still have not raised \$60,000 after seven months.

Even if they were to raise the funds for the down payment, the house would need serious renovation to comply with B&B regulations and building codes: the exterior, driveway and seven parking spaces with screens; the interior, a decent kitchen and bath facilities. The house would also need furnishings and linens. How long will it take to raise the money for renovations and start-up costs?

If the business did open, the income at full occupancy would be just \$6300 a month, 5 rooms at \$42. Would this be enough for the monthly payments: mortgage, insurance, maintenance, taxes, telecommunications, and utilities, especially the high cost of electricity and water for full occupancy?

Considering the age of the house, a high occupancy rate would stress the electrical and plumbing infrastructure. Would the organization need to raise additional funds for these capital improvements?

A nonprofit organization, like any other business, needs a strategy to raise capital and earn revenue to maintain financial stability. Either donors do not see their cause as very important or the organization does not have the right skills for fund raising, as it has not even accomplished the first goal. I see a constant need for fundraising, which I do not think can be accomplished. In the meantime, the neighborhood is in limbo about the uncertainty of an unfinished project.

The organization was formed by a family during a difficult time of mourning for a loved one. The plan is flawed, partly because successful businesses do not operate on emotion, but practical business principles.

It is my understanding, that Steve Plaster, the current owner, who has never occupied the house, purchased the property speculating that the Sunshine corridor would be rezoned for commercial use. His speculation did not pay off. Now, he is willing to sell the property at a loss, leaving the neighborhood to pay the price.

University Heights is one of the most desirable neighborhoods in Springfield, for good reason. All the houses are different; many are unique. Like the houses, the residents are also different and unique: from newborns to retirees, from professionals to wage earners, from conservatives to liberals. University Heights is a diverse yet stable community. And this house is the cornerstone to that community.

University Heights should not have to pay for the owner's miscalculation or for the organization's overly-ambitious plan. I hope that the commission will give serious consideration to the negative impact that this B&B variance will have on the University Heights neighborhood. I hope that this commission will not sacrifice a stable community for an uncertain business venture.

Norma D. Capeci
900 East Kingsbury Street
Springfield, Missouri 65807
417-883-3379

From: barbaradurham1948 <barbaradurham1948@gmail.com>

Date: May 11, 2016 at 4:18:34 PM CDT

To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>

Subject: Planning and Zoning meeting 5/12/16

We are opposed to any variance which would change the zoning in our neighborhood.

David and Barbara Durham

1110 E. University St.

From: Sonja Kremppges [<mailto:SonjaKremppges@OutdoorLivingBrands.com>]
Sent: Thursday, May 12, 2016 8:26 AM
To: Hosmer, Bob
Subject: Variance at corner of Sunshine and National

I can't attend the meeting tonight but feel strongly I don't want the zoning changed at Sunshine and National. I just moved to this neighborhood last September after living in the country for 15 years. I was reluctant to move away from the peace and quiet of the country to town. I absolutely love the neighborhood. Please help us keep our peaceful neighborhood for families, not commercial use. Thank you.

Sonja Kremppges
1037 E Stanford
Springfield MO 65807

Best Regards,

Sonja Kremppges
Marketing Manager – Renew Crew
Outdoor Living Brands, Inc.
2924 Emerywood Parkway, Suite 101
Richmond, VA 23294
P: 804-353-6999 x 351 | F: 804-358-1878

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Dear Commissioner Hosmer:

As a relatively new resident in the University Heights area, I am concerned about the permit variance request for Grandpa's House at the corner of National Avenue and Sunshine Street. Years ago, when I lived at 648 S. McCann Avenue, I assisted Paul Redfern, Bert Helm, Paul Arnold and others to create the Rountree Conservation District, the first of its kind in Springfield. This was possible because the Springfield Planning and Zoning Commission supported and greatly assisted our efforts. Thereafter, we constantly had to be vigilant, especially protecting the arterial streets that fronted the district, namely National Avenue and Cherry Street. The effort was ongoing and somewhat successful with small business development, less so with fraternity dormitories on National. In recent years a variance change was made for a wireless phone store on National and, more concerning, for an apartment complex built in back of a home on the corner of Cherry and Kickapoo, within the district itself. This is one of the reasons why I sold my McCann home and moved into University Heights. Perhaps because of that small set of apartments, sizeable new ones are under construction across the north-side of Cherry Street just east of the National Avenue-Cherry Street intersection.

At a time when numerous neighborhoods, for example west and north of MSU, have been developed into privatized apartments, viable family neighborhoods need to be supported. A change in one variance, no matter how small, can lead to more and greater changes over time. Once the precedent is created, others could follow, compromising University Heights' southern boundary along Sunshine Street between National and Kimbrough. It is for this reason that I appeal to you and your fellow commissioners to deny Permit 422 and become an advocate for our neighborhood.

Sincerely, Dominic J. Capeci, Jr.

932 E. Stanford Street

Springfield, MO 65807

417-862-4577

From: Ben Muetzel [<mailto:benmuetzel@gmail.com>]
Sent: Wednesday, May 11, 2016 2:58 PM
To: Hosmer, Bob
Subject: Proposed Variance for House at Sunshine and National

My name is Ben Muetzel. My family owns a house in the Phelps Grove neighborhood at 642 East Loren.

We're extremely opposed to the variance being considered for the house near the corner of Sunshine and National. The point of zoning is to protect the investments of property owners, to provide stability and predictability for land use. University Heights is a residential neighborhood. It should remain a residential neighborhood.

This city has lost historic home after home, neighborhood after neighborhood to ill-advised and short sighted municipal planning--mostly apparently done for the sake of developers and not the citizens of the city. Once you encroach on this corner it's just a matter of time before the University Heights neighborhood will disappear all along Sunshine.

We are a well traveled family and have visited many cities in the U.S. similar to Springfield, MO with one exceptionally large difference. The older sections of their towns are clean and vibrant, brimming with older homes and businesses and they are considered desirable cities to live and work in. Springfield needs to start thinking of that.

Respectfully,

Ben Muetzel

From: kay green <kay.byars.green@gmail.com>

Date: May 12, 2016 at 12:15:50 PM CDT

To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>

Subject: Planning & Zoning Commission hearing, May 12, 2016- re : Hearing-Corner of Sunshine & National

Re: Hearing for variance at corner of Sunshine & National

Dear Mr. Hosmer,

Since we are unable personally to attend the hearing, we are wanting to express our immediate concerns on this matter.

As residents of University Heights Neighborhood for over 45 years, at 1055 E. Kingsbury, & citizens of Springfield for 54 years, we strongly object to a potential zoning variance at Sunshine & National.

There is already a large, full service hotel directly across National from Mercy Hospital's main entrance.

The corner of National & Sunshine is one of the busiest, and undoubtedly one of the most hazardous in Springfield. Entrance and exit from that corner property would be extremely dangerous, only adding to an already congested, very high volume traffic area. Traffic from that corner moves from 3 different directions.

To allow the zoning variance proposal to pass, to become open for a business model, we foresee as threatening the integrity of our University Heights neighborhood. The appeal of this particular neighborhood, from National to Kimbrough, from Sunshine to Brookside, historically has been and currently remains the pristine single family dwellings.

We appreciate your consideration .

Kathleen D. Green
Walter H.Green,Jr.
1055 E . Kingsbury
Springfield, Mo 65807
417-881-5068

From: pittsdo@aol.com [<mailto:pittsdo@aol.com>]

Sent: Thursday, May 12, 2016 4:42 PM

To: Hosmer, Bob

Subject: Corner of Sunshine and National

Greetings, my name is Douglas Pitts and I live at 910 E University, Springfield MO and I would like to express my opposition to the zone variance for the corner of sunshine and national. University Heights is a unique historical neighborhood and a zone variance for anything other than single family home would destroy that uniqueness. It is critical for Springfield to retain its history and this is way that it can.

Once again, I would like to oppose the variance.

Thank you.

Douglas Pitts
417-230-5660

From: Andrew Lewis [<mailto:lewcap43@gmail.com>]
Sent: Thursday, May 12, 2016 5:08 PM
To: Hosmer, Bob
Subject: Proposed variance

Planning and Zoning Commission
Springfield MO

Dear Commissioners:

We are longtime residents of the University Heights neighborhood.

We emphatically oppose the proposal of a variance to permit the opening of a B&B on the lot at the northwest corner of Sunshine Street and National Avenue.

That intersection is already very busy and dangerous. To rezone that lot from residential to commercial use would worsen those problems and would negatively impact the neighborhood.

This is not the first time that a proposal to rezone that property has come before the Commission. The same reasons that have caused the Commission to deny those proposals in the past remain valid today.

Sincerely,

Andrew W. and Martha B. Lewis
921 E. Kingsbury Street
Springfield, MO 65807

PROJECT INFORMATION:

Street Address: 1755 S. National Ave.
 Current Zoning: R-SF
 Specific Conditional Use Requested: Bed & Breakfast
 Total Site Acreage: 0.4471 acres
 Guest Room Count: 5 Bedrooms



SITE INFORMATION:

- Front Yard Fencing: All front yard fencing will meet the requirements of a front yard fence.
- Bicycle Parking: At a minimum, two bicycle parking spaces will be provided.
- Proposed Grading or Regrading of Site: There are no plans for grading or regrading of the project site.
- Lot Size Dimensions: Minimum lot area 6,000 s.f. (actual 19,475 s.f.); minimum lot width 50 ft. (actual 85 ft.); minimum lot depth 80 ft. (actual 207.5 ft.).
- Yard Dimensions: Front yard 25 ft. (actual 70 ft.); side yard 5 ft.; rear yard 10% of yard depth or 20 ft. max. Please note that existing structures do exceed minimum sideyard and rear yard setbacks; however, no additional structures will be erected that exceed setback requirements.
- Exterior Circulation: All vehicular & pedestrian circulation is existing except as noted in the floor plan.
- Proposed outdoor signage: Exterior signage has not yet been designed for the space; however, any future signage will be in compliance with signage requirements. Only one non-illuminated sign no greater than 25 s.f. will be provided.
- Bufferyard and landscaping requirements: The required bufferyard is Bufferyard D. Due to existing structures and paving on the north side of the site, the non-confirming status applies and a six ft. solid wood fence will be provided in lieu of plantings. The six ft. solid wood fence will not encroach upon the clear ROW or impede required lines of sight.
- Open Space Requirements: Minimum open space requirements are no less than 30% of the total lot area or 5,842 sq. ft. min. More than 33% open space is provided.
- Impervious Area: Impervious area shall not exceed 70%. Impervious area is less than 67% of total area.
- Site Trees: All existing trees will be protected in place.
- Soil Erosion Control: Standard soil erosion control practices will be utilized should any soil be disturbed onsite.
- Exterior Lighting: Existing exterior lighting shall remain in place. No additional exterior lighting is planned for the property.
- Off-street parking: Maintain existing (7) parking spaces.



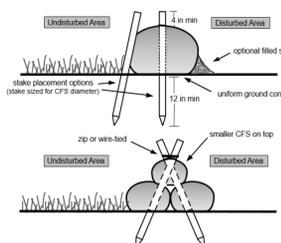
5 SITE PLAN

SCALE: 1" = 10'-0"



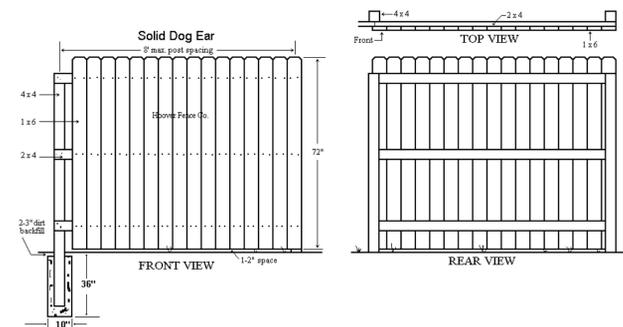
4 SILT SOCK DETAIL

NTS



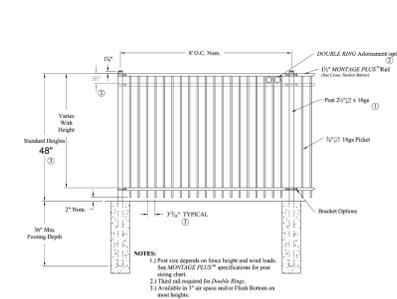
3 WOOD FENCE DETAIL

SCALE: 3/8" = 1'-0"



2 METAL FENCE DETAIL (MONTAGE 48" MAJESTIC RAIL OR SIM.)

SCALE: 3/8" = 1'-0"



1 LOCATION SKETCH

NTS

