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Filed: 06-21-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 152

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the issuance of Conditional Use Permit No. 424 to allow a nursing and
2 retirement home within the R-MD, Medium-density Multi-family
3 Residential District, generally located at 2800 South Fort Avenue.
4 (Staff and Planning and Zoning Commission recommend 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 refused
19 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 lines,
25 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 enjoyment of
32 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 or
36 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 may
40 be incompatible with the proposed use;
41
42 8. The proposed structures or landscaping are not lacking amenity in relation to, or
43 are not incompatible with, nearby structures and uses;
44
45 9. The proposed site plan does not create drainage or erosion problems on or off
46 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 2800 South Fort Avenue, and more fully described in “Exhibit B,” which is
56 attached hereto and incorporated herein as if copied verbatim, to permit a nursing and
57 retirement home within a R-MD, Medium-density Multi-family Residential District, on
58 certain conditions in accordance with Section 36-363 of the Land Development Code of
59 the City of Springfield, Missouri.
60

61 Section 2 – Such use shall be subject to the conditions set forth in the
62 Explanation and “Exhibit A” to this ordinance, both of which are attached hereto and
63 incorporated herein as if set out verbatim.
64

65 Section 3 – Building permits and certificates of occupancy may be issued by the
66 proper authorities pursuant to the permission granted by this ordinance.
67

68 Section 4 – This permit shall be in full force and effect only so long as the use of
69 said premises and any improvements thereon conform with the use herein granted and
70 are in accordance with the application and plans herein approved and referred to,
71 unless special exceptions shall have been granted by the Board of Adjustment, and any
72 violation of the requirements of this ordinance may be grounds for the revocation of this
73 permit by the City Council after a hearing before said City Council.
74
75

76 Passed at meeting: _____
77

78 _____
79 Mayor

80

81 Attest: _____, City Clerk

82

83 Filed as Ordinance: _____

84

85 Approved as to form: *Achalot Wedu* , Assistant City Attorney

86

87 Approved for Council action: *Lynne Burt* , City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-152

FILED: 06-21-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To allow a nursing and retirement home within a R-MD, Medium-density Multi-family Residential District generally located at 2800 South Fort Avenue

BACKGROUND INFORMATION: USE PERMIT NUMBER 424

This is a request to allow a nursing and retirement home within a R-MD, Medium-density Multi-family Residential District generally located at 2800 South Fort Avenue. The Zoning Ordinance requires a use permit in the R-MD, Medium-density Multi-family Residential District.

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies appropriate for Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery. Although not a public use, the existing and proposed use as a nursing and retirement home is compatible and consistent with other uses identified as appropriate land uses for Community and Public Land uses.

The existing nursing and retirement home is considered a permitted use within the R-MD, Medium-density Multi-family Residential District because it existed prior to the current Zoning Ordinance. The proposed expansion of the existing use now triggers the requirement of obtaining a Conditional Use Permit. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties. Furthermore, approval of this request will allow for the on-site expansion of the nursing and retirement home.

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; Objectives 4a, Increase density in activity centers and transit corridors; and 4b, Increase mixed-use development areas.

CONDITIONS:

1. The regulations and standards listed on "Exhibit C - Attachment 3" shall govern and control the use and development of the land in Use Permit Number 424 in a manner consistent with the attached site plan ("Exhibit C - Attachment 5").

FINDINGS FOR STAFF RECOMMENDATION:

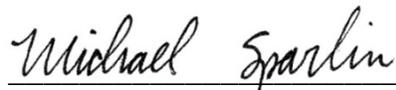
1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies appropriate for Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery. Although not a public use, the existing and proposed use as a nursing and retirement home is compatible and consistent with other uses identified as appropriate land uses for Community and Public Land uses.
2. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. 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 a similar community land use.

REMARKS:

The Planning and Zoning Commission held a public hearing on June 9, 2016, and recommended approval, by a vote of 8 to 0, 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 following conditions (See attached 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 424

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 424

Attachment 3, Standards for Conditional Use Permits

Attachment 4, Neighborhood Meeting Summary

Attachment 5, Site Plan

Exhibit A

Requirements for Conditional Use Permit 424

1. A Nursing and retirement home is permitted in conformance with Exhibit D - Attachment 5.
2. The nursing and retirement home shall comply with all the standards listed in Exhibit D - Attachment 3.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Exhibit B

Legal Description
Use Permit Number 424

A TRACT OF LAND AS LYING IN THE EAST HALF OF LOT 1 AND THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2010, PAGE 051608-10 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST; THENCE ALONG THE WEST LINE OF THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST, SOUTH 01°14'19" WEST, 1155.93 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°26'44" EAST, 15.63 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE EAST RIGHT-OF-WAY OF FORT AVENUE; THENCE LEAVING SAID EAST RIGHT-OF-WAY AND CONTINUING SOUTH 88°26'44" EAST, 444.96 FEET TO A POINT LYING AT THE SOUTHWEST CORNER OF MARDENA HILLS SOUTH 1ST ADDITION; THENCE SOUTH 01°10'06" WEST, 446.72 FEET; THENCE NORTH 88°21'44" WEST, 444.65 FEET TO A POINT LYING ON THE AFOREMENTIONED EAST RIGHT-OF-WAY OF FORT AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY, NORTH 01°07'40" EAST, 446.08 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE EAST HALF OF LOT 1 AND THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 4.558 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-582.

**RECORD OF PROCEEDINGS
Planning and Zoning Commission June 9, 2016**

Conditional Use Permit 424
2800 South Fort Avenue
Applicant: National Healthcare Corporation

Mr. Hosmer states that this is a request to allow an existing nursing retirement home built prior to the Zoning Ordinance located at 2800 South Fort within a R-MD, Medium Density Multi-Family Residential District.

Nursing and retirement homes require an use permit in the R-MD, Medium-density Multi-family Residential District. The existing nursing home was built prior to the current Zoning Ordinance (1993). The Growth Management and Land Use Plan an element of the Comprehensive Plan identifies this area as appropriate for Community and Public Land uses. The existing nursing and retirement home and proposed expansion are compatible and consistent with the Plan. The Conditional Use Permit is valid for 18 months or until a building permit or a occupancy permit is issued. The Conditional Use Permit shall adhere to the attached site plan. This application meets the approval standards for a Conditional Use Permit and staff recommends approval.

Mr. Ray opened the public hearing.

Mr. Jared Davis, 2045 W. Woodland available to answer any questions.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

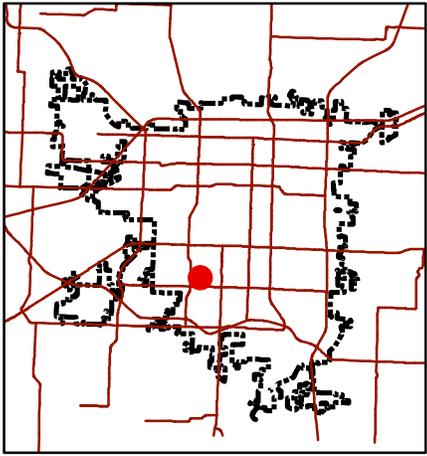
Mr. Doennig motions that we approve Conditional Use Permit 424 (2800 South Fort Avenue). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, and Rose. Nays: None. Abstain: None. Absent: Edwards.



Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

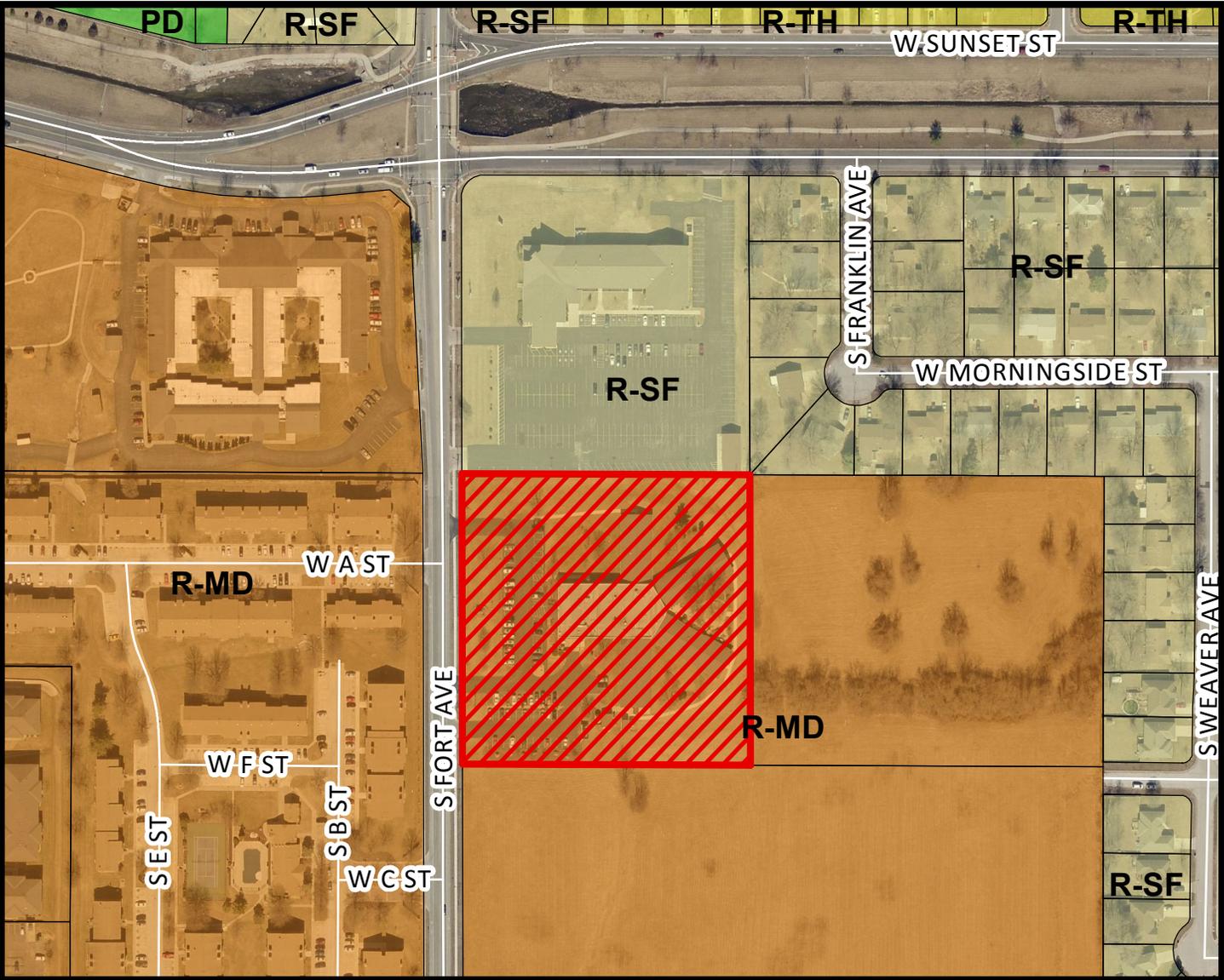
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Conditional Use Permit No 424

LOCATION: 2800 South Fort Avenue
CURRENT ZONING: R-MD, Medium-density Multi-family Residential
PROPOSED ZONING: R-MD, Medium-density Multi-family Residential with a Conditional Use Permit to allow a nursing and retirement home

LOCATION SKETCH



 - Area of Proposal

0 100 200 400 Feet

1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 424

PURPOSE: To allow a nursing and retirement home within a R-MD, Medium-density Multi-family Residential District generally located at 2800 South Fort Avenue

REPORT DATE: May 26, 2016

LOCATION: 2800 South Fort Avenue

APPLICANT: National Healthcare Corp

TRACT SIZE: Approximately 4.56 acres

EXISTING USE: Nursing and retirement home

PROPOSED USE: Nursing and retirement home

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery. Although not a public use, the existing and proposed use as a nursing and retirement home is compatible and consistent with other uses identified as appropriate land uses for Community and Public Land uses.
2. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. 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 a similar community land use.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 and shall govern and control the use and development of the land in Use Permit Number 424 in a manner consistent with the attached site plan (Attachment 5).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Church
East	R-MD	Undeveloped land
South	R-MD	Undeveloped land
West	R-MD	Multi-family apartments

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 Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for a Nursing and retirement home on the subject property within a R-MD, Medium-density Multi-family Residential District. The Zoning Ordinance requires a use permit in the R-MD, Medium-density Multi-family Residential District for a nursing and

retirement home. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery. Although not a public use, the existing and proposed use is compatible and consistent with other uses identified as appropriate land uses for Community and Public Land uses.

2. The existing nursing and retirement home is considered a permitted use within the R-MD, Medium-density Multi-family Residential District because it existed prior to the current Zoning Ordinance. The proposed expansion of the existing use now triggers the requirement of obtaining a Conditional Use Permit.
3. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties. Furthermore, approval of this request will allow for the on-site expansion of the nursing and retirement home.
4. The bufferyard requirement between R-MD and R-SF zoning is a bufferyard "Type (C)" at least fifteen (15) feet wide with required plantings. This bufferyard will be required on the North property line adjacent to the R-SF, Single-family Residential zoned property. A fire lane will be required that will be located within a portion of this bufferyard. In order to accommodate the fire lane, in this location, using Sec. 36-482 (12), the bufferyard can be reduced to 10 feet when a solid screen is provided.
5. 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-MD, Medium-density Multi-family Residential District requirements.
6. 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 May 19, 2016 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 4).

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. Eight (8) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING: June 27, 2016

STAFF CONTACT PERSON:

Michael Sparlin

Senior Planner

864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 424

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services has no issues with conditional use permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Fort Avenue as a collector roadway. The standard right of way width for Fort Avenue is 30 feet from the centerline. This is a City maintained street. The most recent traffic count on Fort Avenue is 5,763 vehicles per day. There are three existing driveway access points and sidewalk exists along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is a greenway trail in the area. There are three bus stops along this portion of Fort Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are not any proposed improvements along Fort Avenue. Staff has no recommendations for improvements and approves the use permit.

Public Works Traffic Division	Response
Street classification	Collector
On-street parking along streets	No
Trip generation - existing use	180 trips/day
Trip generation - proposed use	180 trips/day
Existing street right of way widths	60 feet
Standard right of way widths	60 feet
Traffic study submitted	Not required
Proposed street improvements	None

STORMWATER COMMENTS:

The property is located in the South Creek 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 if downstream improvements are constructed. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There is an existing detention basin serving this development that will need to be enlarged with this project. The existing detention basin discharges onto the church parking lot directly north of this property. The applicant has spoken with the church about acquiring a drainage easement through the church's property. While the church

has no issue with the stormwater flowing across their parking lot just as it does today, the church doesn't wish to dedicate an easement. The developer will be required to provide detention so they don't increase the rate of discharge to the church's property. There are no sinkholes on the proposed property.

Please note that 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. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
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	South Creek
Is property located in Floodplain	No
Is property located on a sinkhole	No
Is stormwater buyout an option	Yes, but only with downstream improvements

CLEAN WATER SERVICES COMMENTS:

No objections. New addition is only adding 30 additional beds.

CITY UTILITIES:

No conflicts with building addition. The property is "primary metered" electrically. This means the transformers are owned and maintained by the property. If the water meter needs to be increased in size due to the addition, the work will be done at estimated cost.

FIRE DEPARTMENT:

Fire department has no issues with the conditional use permit. Fire lane has been provided.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 424

1. A nursing and retirement home is permitted in conformance with Attachment 5.
2. The nursing and retirement home shall comply with all the standards listed in Attachment 3.
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 424

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;
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;
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;
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;
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;
7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;
8. Such signs will not have an adverse effect on any adjacent properties;
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;
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.

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;
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;
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
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;
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
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.
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.
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.

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;
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;
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.

Attachment 3 continued

A. State how the proposed conditional use will comply with the applicable standards in Subsection 36-363 (10) of the Zoning Ordinance.

1. The proposed conditional use will be consistent with the adopted policies in the *Springfield Comprehensive Plan*;
The Growth Management and Land Use Plan of the Comprehensive Plan identifies appropriate for Community and Public Land uses. This category includes schools, colleges, public buildings and cemetery. Although not a public use, the existing and proposed use as a nursing and retirement home is compatible and consistent with other uses identified as appropriate land uses for Community and Public Land uses. The existing use is a Nursing Home facility. The project is adding 30 additional beds.
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;
No additional access points to Fort Avenue are proposed. Fort Avenue is classified as a collector and is suitable for this use.
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;
The proposed building addition will be properly sprinkled and a fire lane will be provided along the north side of the addition.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;
We will meet the city regulations for storm water detention and will not increase the flow to the neighbor by enlarging the existing detention basin to meet the current runoff rates. We have meet with the neighbor to the north about the storm water runoff and they are in favor of the plan.
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;
The noise characteristics of this site will be no different than a typical R-MD use. The proposed use has no outdoor activities except for parking.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extend such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare are proposed;
The site sits lower than the adjacent properties to the east and south. This will help reduce such lights from being visible from these properties. No parking is proposed on the north and the building will be located between the parking areas and the property to the north.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site;

The existing signage will remain and is appropriately located on the site.

8. Such signs will not have an adverse effect on any adjacent properties;
The existing signage will remain and is appropriately located on the site.
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;
Fort Avenue is classified as a collector with a width of 33' and a right of way of 60'. This is suitable for this 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;
The site already has a Nursing Home use and this request will not adversely impact any of the mentioned items. Items included to help with not adversely affecting the adjacent properties include a landscape bufferyard type C beind added along the north boundary, the existing stormwater detention basin will be enlarged to eliminate additional discharge to the north, the parking areas sit lower than the adjacent properties and the building will be sprinkled with a fire lane added along the north.
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
The one-story building addition will be similar in nature to the existing structure and will blend in with the existing facility.
 - b. The nature and extent of landscaping and screening on the site;
The north property line will be upgraded with additional landscaping to meet bufferyard type C.
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;
The natural topography or physical features of the site will not be adversely impacted. The site will be regraded to allow the existing stormwater to flow through the site in a more controlled fashion and the existing detention basin will be enlarged.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
There are no known features of significant importance on the site.
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;

Yes. The proposed development will comply with these development standards.

15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
The conditional use is to add beds to the existing Nursing Home use. The additional beds have been identified as a need for the communities aging population.
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;
The parking and loading areas are designed to be in accordance with regulations. The parking and circulation will primarily be located in the front portion of the site. Some additional parking will be located in the southeast portion of the site. A new loading and unloading area will be added at the revamped front door.
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;
No additional access points to Fort Avenue are proposed. Fort Avenue is classified as a collector and is suitable for this use.
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;
The vehicular circulation elements have been designed to provide adequate use of the site.
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;
No interference with the items listed are known.
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
Existing structures are already being utilized for the use and are not being converted. All new structures will be required to meet building codes and will be addressed during permitting.
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.
The site is already a Nursing Home facility and has adequate facilities and services. The site will be designed to pass off-site drainage through the site as it does today. The site currently point discharges from an existing detention basin to the property to

the north and has done so prior to the development of the property to the north. We have met with the owner of the property to the north and they are good with the drainage occurring the way it does now. We will provide an enlarged detention basin to handle the additional development that this is being proposed by this request.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

- 1. Conditional Use Permit for: PLN2016-00148 - Use Permit 424 - Nursing Home
- 2. Meeting Date & Time: May 19, 2016 4:00 pm to 6:30 pm
- 3. Meeting Location: 2800 S Fort
- 4. Number of invitations that were sent: 30
- 5. How was the mailing list generated: City Staff
- 6. Number of neighbors in attendance (attach a sign-in sheet): 2

7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

All were happy it was not the property behind them and were in favor of this project.

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

None provided.

I, Neil S. Brady (*print name*), attest that the neighborhood meeting was held on 05/19/2016 (*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."



Digitally signed by Neil S. Brady
Date: 2016.05.20 08:29:19 -05'00'

Signature of person completing affidavit

Neil S Brady

Printed name of person completing affidavit

ANDERSON ENGINEERING, INC

EMPLOYEE OWNED

2045 W. Woodland • Springfield, MO 65807 • (417) 866-2741 • FAX (417) 866-2778
811 E. Third St. • Joplin, MO 64801 • (417) 782-7399 • FAX (417) 782-7398
aeinc@aeincmo.com • www.aeincmo.com

CLIENT _____

CLIENT No. _____ SHEET No. _____ Of _____

CALCULATED By _____ DATE _____

CHECKED By _____ DATE _____

PROJECT _____

CALCULATIONS FOR:

NEIGHBORHOOD MEETING 5/19/16

NAME

ADDRESS

NEIL BRADY

2045 W WOODLAND

Paul Wittaker
Dawn Ward
Dawn Ward

1150 W. MORNINGSIDE
1128 W. MORNINGSIDE
1128 W. MORNINGSIDE

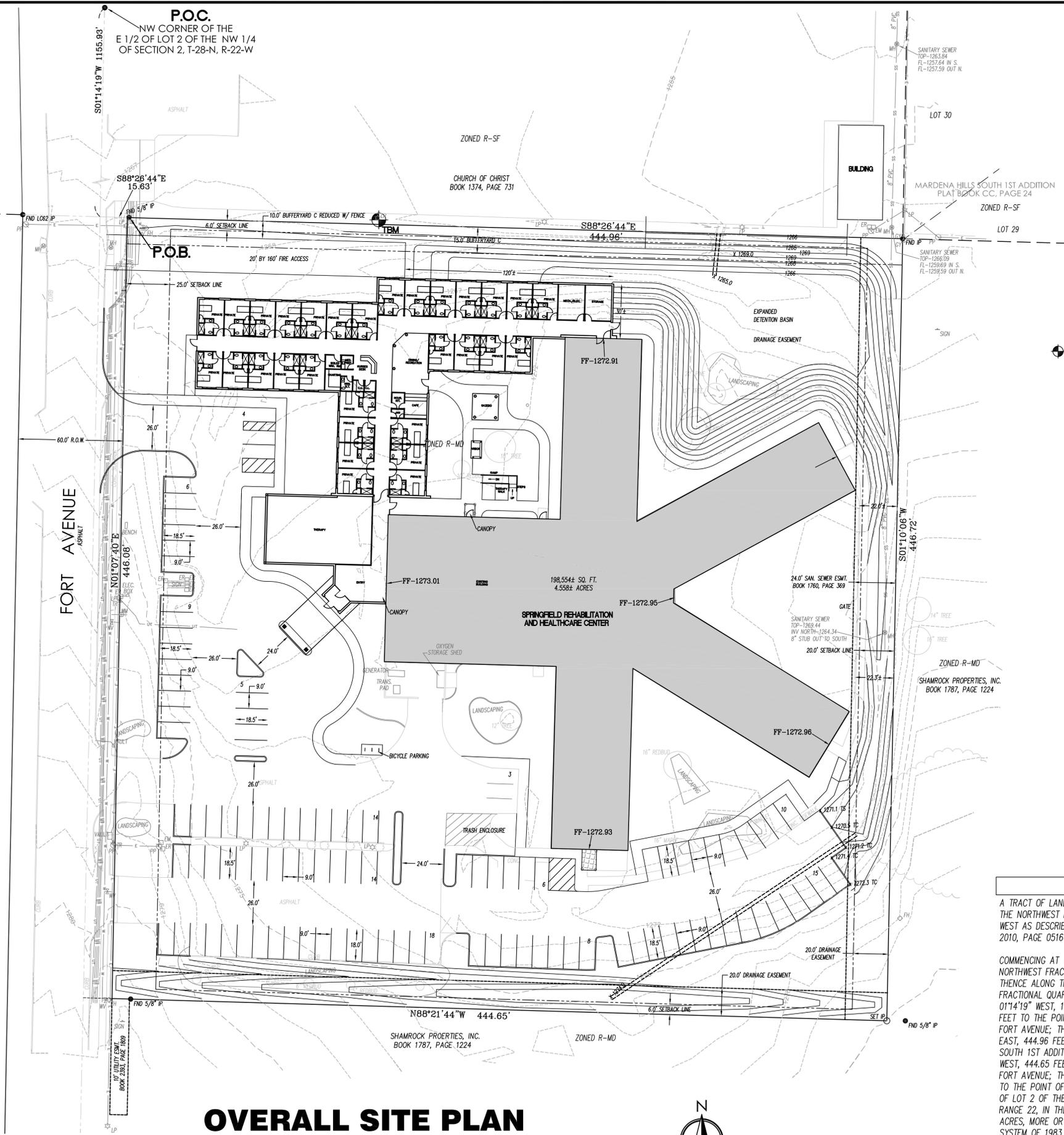
ATTACHMENT 5



LOCATION SKETCH
SEC. 2, T28N, R22W
SCALE: 1"=2000'



- LEGEND**
- CP CONTROL POINT
 - IP FOUND IRON PIN
 - IP SET IRON PIN
 - △ RWM RIGHT-OF-WAY MARKER
 - P/G POWER POLE W/ GUY
 - MH MANHOLE
 - SCW SEWER CLEANOUT
 - GM GAS METER
 - LP LIGHT POLE
 - S SIGN
 - WM WATER METER
 - WV WATER VALVE
 - GV GAS VALVE
 - FH FIRE HYDRANT
 - TR TELEPHONE RISER
 - B BUMPER POST
 - GI GRATE INLET
 - TL TREELINE
 - B BUSH
 - ER ELECTRICAL RISER
 - GL GROUND LIGHT
 - MB MAIL BOX
- PROPERTY LINE ————
- SANITARY SEWER — SS ————
- STORM SEWER — SW ————
- TELEPHONE LINE — T ————
- UNDERGROUND TELEPHONE — UT ————
- GAS LINE — G ————
- WATER LINE — W ————
- ELECTRIC LINE — E ————
- UNDERGROUND ELECTRIC — UE ————
- FENCE LINE — X ————
- RETAINING WALL ————
- LINE LABELS ————
- MEASURED DEED 100' M / 100' D



- 15' BUFFERYARD C
- 1 CANOPY TREE
 - 2 UNDERSTORY TREE
 - 2 EVERGREEN TREE
 - 10 SHRUBS
 - PER 100 LINEAR FEET
- 10' BUFFERYARD C REDUCED W/FENCE
- 6' SOLID WOOD FENCE
 - 4 UNDERSTORY TREE
 - 2 EVERGREEN TREE
 - 10 SHRUBS
 - PER 100 LINEAR FEET

BENCHMARK
BENCH IS A SQUARE CUT IN THE LIGHT POLE BASE AT THE NORTH SIDE OF SUBJECT PROPERTY WITH AN ELEVATION OF 1269.09 VERTICAL DATUM = NAVD 1988.

OWNER/APPLICANT:
NATIONAL HEALTHCARE CORPORATION
100 VINE STREET, CITY CENTER
MURFREESBORO, TN 37130

SITE DATA

TOTAL SITE AREA: 4.56 AC

PARKING:
TOTAL STAFF COUNT 80
EX BED COUNT 119
NEW BED COUNT 30
TOTAL BED COUNT 149

REQUIRED PARKING:
STAFF 80/2 = 40
BED 149/3 = 50

EXISTING PARKING COUNT 83
PROPOSED PARKING COUNT 112
BICYCLE PARKING REQUIRED 5

EXISTING IMPERVIOUS AREA 1.79 AC
PROPOSED IMPERVIOUS AREA 2.60 AC
ADDED IMPERVIOUS AREA 0.81 AC

PROPOSED OPEN SPACE 1.96 AC/4.56 AC = 43%

EXISTING BUILDING FLOOR AREA 32,668 SF
ADDITION BUILDING FLOOR AREA 19,330 SF

CURRENT ZONING R-MD
CURRENT USE NURSING HOME

PROPOSED USE NURSING HOME
ADDITIONAL 30 BEDS AND 19,330 SF BUILDING



PERIMETER DESCRIPTION

A TRACT OF LAND AS LYING IN THE EAST HALF OF LOT 1 AND THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2010, PAGE 051608-10 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST; THENCE ALONG THE WEST LINE OF THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST, SOUTH 01°14'19" WEST, 1155.93 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°26'44" EAST, 15.63 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE EAST RIGHT-OF-WAY OF FORT AVENUE; THENCE LEAVING SAID EAST RIGHT-OF-WAY AND CONTINUING SOUTH 88°26'44" EAST, 444.96 FEET TO A POINT LYING AT THE SOUTHWEST CORNER OF MARDENA HILLS SOUTH 1ST ADDITION; THENCE SOUTH 01°10'06" WEST, 446.72 FEET; THENCE NORTH 88°21'44" WEST, 444.65 FEET TO A POINT LYING ON THE AFOREMENTIONED EAST RIGHT-OF-WAY OF FORT AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY, NORTH 01°07'40" EAST, 446.08 FEET TO THE POINT OF BEGINNING, ALL LYING IN THE EAST HALF OF LOT 1 AND THE EAST HALF OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, CONTAINING 4.558 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-582.

OVERALL SITE PLAN

SCALE: 1" = 30'



ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND - SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741
ANDERSON COAF 000062-AARON T HARGRAVE PEI 2007020274

DRAWING INFO.	
FIELD BY:	NSB
DRAWN BY:	NSB
CHECK BY:	04/12/16
DATE:	FIELD BOOK:
JOB NUMBER:	10087-16

NATIONAL HEALTHCARE CORPORATION

SPRINGFIELD REHABILITATION CENTER

SITE PLAN

2800 S FORT AVENUE
SPRINGFIELD, MISSOURI

DRAWING NO.

SHEET NUMBER **C1** OF 1