

One-rdg. \_\_\_\_\_  
P. Hrngs.   X    
Pgs.   23    
Filed:   11-22-16  

Sponsored by:   McClure  

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO.   2016- 273  

GENERAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Zoning Maps,'  
2 by rezoning approximately 7.8 acres of property, generally located in the  
3 4900 block of South National Avenue from Planned Development District  
4 Number 306, to Planned Development Number 352 to allow the addition  
5 of a nursing home use; and adopting an updated Official Zoning Map.  
6 (Staff and Planning and Zoning Commission recommend approval).  
7  
8

9 WHEREAS, an application has been filed for a zoning change of the property  
10 described in "Exhibit A" of this Ordinance, generally located in the 4900 block of South  
11 National Avenue, from Planned Development Number 306, to Planned Development  
12 Number 352 to permit a nursing home use and other modifications; and  
13

14 WHEREAS, Planned Development Number 352 will modify the requirements of  
15 Planned Development Number 306, by allowing the property described on "Exhibit A" as  
16 to uses, access restrictions, signage and open space as set forth in "Exhibit E," which is  
17 attached hereto and incorporated as if set out herein; and  
18

19 WHEREAS, following proper notice, a public hearing was held before the  
20 Planning and Zoning Commission, a copy of the Record of Proceedings from said public  
21 hearing being attached hereto as "Exhibit B" and which is incorporated herein by this  
22 reference; and said Commission made its recommendation; and  
23

24 WHEREAS, proper notice was given of a public hearing before City Council, and  
25 that said hearing was held in accordance with the law.  
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
28 SPRINGFIELD, MISSOURI, as follows, that:  
29

30 Section 1 –The property described in "Exhibit A," which is attached and hereby  
31 incorporated by this reference, (the "Property"), be and the same hereby is, rezoned  
32 from Planned Development Number 306, or such zoning district as is designated on the  
33 Official Zoning Map adopted by the City Council, to Planned Development Number 352

34 with the restrictions and conditions as set forth in "Exhibits C, D, and E" which are each  
35 attached hereto and also incorporated by reference, and shall apply to the Property, and  
36 the Springfield Land Development Code, Section 36-306 thereof, Zoning Maps, is  
37 hereby amended, changed and modified accordingly.

38  
39 Section 2 –City Council hereby directs the City Manager, or his designee, to  
40 update the City's digital zoning map to reflect the rezoning described herein, and City  
41 Council adopts the map thereby amended as the Official Zoning Map of Springfield,  
42 Missouri, as provided for in the Springfield Land Development Code, Section 36-306,  
43 Official Zoning Maps and Rules of Interpretation.

44  
45 Section 3 – The Official Zoning Map herein adopted shall be maintained and  
46 archived in the same digital form in which this Council has approved its adoption.

47  
48 Section 4 – This Ordinance shall be in full force and effect from and after  
49 passage.

50  
51 Passed at meeting: \_\_\_\_\_

52  
53 \_\_\_\_\_  
54 Mayor

55  
56 Attest: \_\_\_\_\_, City Clerk

57  
58 Filed as Ordinance: \_\_\_\_\_

59  
60 Approved as to form: A. Chalot, Wiedner, Assistant City Attorney

61  
62 Approved for Council action: Greg Bennett, City Manager

## **EXPLANATION TO COUNCIL BILL NO. 2016 - 273**

FILE DATE: 11-17-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 7.8 acres of property generally located at the 4900 block South National Avenue from Planned Development District No. 306 to a Planned Development District No. 352 and to modify permitted uses therein. (Planning and Zoning Commission and Staff recommend approval).

### **PLANNED DEVELOPMENT DISTRICT NO. 352**

BACKGROUND INFORMATION: The applicant is proposing to revise the existing planned development for a new nursing home facility on Lot 3 of the Ironbridge Phase XIV preliminary plat. The proposed planned development replaces the existing Planned Development No. 306; however, it does not deviate from the existing planned development's intent and general purposes. The applicant is required to apply for a new PD number because they are only rezoning a portion of the remaining Planned Development No. 306 area. This rezoning request is being processed concurrently with the preliminary plat of Ironbridge Phase XIV.

The major difference between the existing Planned Development No. 306 and the proposed Planned Development No. 352 is the addition of a permitted nursing home use. The proposed rezoning will not significantly increase the intensity of uses or development on the Property. The following differences are being proposed:

1. The proposed PD will add and define the nursing home use that the applicant is proposing to develop on the Property. The permitted nursing home use would serve as an extended or intermediate care facility licensed or approved to provide full-time convalescent or rehabilitation care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves.
2. Since the existing PD 306 includes restrictions as far north as Lakewood, access restrictions have been updated to only include the subject property's access to public thoroughfares which is shown on "Exhibit E."
3. Signage requirements have been modified to remove language that is only relevant to adjacent lots that are still a part of PD 306.
4. The applicant is proposing to rename the Perimeter Treatment section of PD 306 to Open Space, Landscaping & Screening. The applicant is also proposing to remove the additional bufferyard requirement along National Avenue. The bufferyard requirement was established for the single-family residential across National Avenue; however, neither the applicant nor staff believe that this 25 foot

wide bufferyard with one canopy tree, two understory trees and four shrubs per 100 linear feet provides much protection when National Avenue, a five lane primary arterial, is between them. The current perimeter landscaping requirements, which would apply whether or not this PD is approved, provide a 10 foot wide open space with one canopy tree, one understory/evergreen tree and four shrubs when off-street parking is within 50 feet of public right-of-way. Essentially, the currently required bufferyard would double the number of plantings required along National Avenue. Staff believes that the perimeter landscaping is adequate buffering for the single-family residences across National Avenue.

5. The applicant is modifying the final development plan section of the PD to require substantial conformance to “Exhibit D” (text), as opposed to the current PD which requires substantial conformance to “Exhibit E” (preliminary development plan). “Exhibit E” has no specific uses or structures shown so it makes more sense that the final development plan substantially conform to the language of the PD in “Exhibit D.”

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 corridor.

#### RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 10, 2016 and recommended approval, by a vote of 7 to 0, of the proposed zoning on the tracts of land described on the attached sheet (see the Record of Proceedings attached hereto as “Exhibit B” and incorporated herein by this reference).

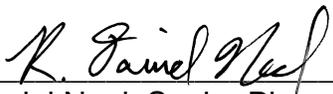
#### FINDINGS FOR STAFF RECOMMENDATION:

1. This area is located near the intersection of National and Weaver which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterials and near intersections of primary and secondary arterials.
2. Approval of this application will facilitate development of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed uses are consistent with the adjacent properties along the National Avenue corridor.
4. The proposed planned development will mitigate the potential impact between the permitted uses and the adjacent residential PD property to the west with a 20 foot wide bufferyard which includes plantings as outlined in “Exhibits D and E.” The proposed Planned Development will not have a significant impact on the surrounding neighborhood.

REMARKS:

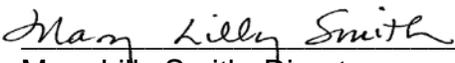
The Planning and Development staff recommends the application be approved.

Submitted by:

  
\_\_\_\_\_  
Daniel Neal, Senior Planner

Reviewed by:

Approved by:

  
\_\_\_\_\_  
Mary Lilly Smith, Director

  
\_\_\_\_\_  
Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Legal Description
- Exhibit B, Record of Proceedings
- Exhibit C, Development Review Staff Report
  - Attachment 1, Department Comments
  - Attachment 2, Neighborhood Meeting Summary

PLANNED DEVELOPMENT 352 EXHIBITS:

- Exhibit D, Planned Development Ordinance Text
- Exhibit E, Preliminary Development Plan

**Exhibit A**

**LEGAL DESCRIPTION  
PLANNED DEVELOPMENT 352**

A part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 28 North, Range 22 West, City of Springfield, Greene County, Missouri, being more particularly described as follows:

Commencing at the Southeast corner of Section 13, Township 28 North, Range 22 West, City of Springfield, Greene County, Missouri; thence North 89 Degrees 56 Minutes 52 Seconds West (N89°56'21"W, Plat), a platted distance of 77.01 feet to a found 5/8" iron bar marking the Northeast corner of Ironbridge Phase VIII, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book XX, at Page 83, said point being the POINT OF BEGINNING; thence North 89 Degrees 56 Minutes 52 Seconds West (N89°56'21"W, Plat) along the North line of said subdivision, a distance of 464.90 feet to a found 5/8" iron bar with cap, "Bockman LS2334" marking the Southeast corner of Iron Bridge Phase I, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book RR, at Page 11; thence departing said North line North 01 Degrees 57 Minutes 47 Seconds East, (N01°58'34"E, Plat) along the East line of said subdivision, and beyond, along the East line of Ironbridge Phase II, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book SS, at Page 14, a distance of 727.04 feet to a 1/2" iron bar with cap, "LC 366" set at the Southwest corner of Ironbridge Phase XII, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book AAA, at Page 203; thence departing said East line South 88 Degrees 03 Minute 12 Seconds East (S88°02'24"E, Plat) along the South line of said subdivision, and beyond, along the South line of Ironbridge Phase XIII, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book AAA, at Page 221, a distance of 474.00 feet (474.03', Plat) to a found 1/2" iron bar in the West Right-of-Way line of National Avenue, as now established; thence departing said South line South 01 Degrees 54 Minutes 16 Seconds West along said West Right-of-Way line, a distance of 579.46 feet to a found cross cut in concrete; thence continuing along said West Right-of-Way line North 89 Degrees 22 Minutes 23 Seconds West, a distance of 9.87 feet to a found aluminum monument with cap, "COS RW LS2297"; thence continuing along said West Right-of-Way line South 01 Degrees 59 Minutes 48 Seconds West, a distance of 131.99 feet to the POINT OF BEGINNING, and containing 339,843 square feet or 7.802 acres, more or less. EXCEPT any part thereof taken, deeded or used for road or highway purposes. SUBJECT TO easements, rights of way and restrictions of record.

**Exhibit B**

**RECORD OF PROCEEDINGS  
Planning and Zoning Commission October 13, 2016**

Planned Development 352  
4900 South National Avenue

**Applicant:** Martin Property Management, LLC

Mr. Hosmer stated that this is a request to rezone approximately 7.8 acres of property generally located at the 4900 block South National Avenue from Planned Development District No. 306 to a Planned Development District No. 352.

The Growth Management and Land Use Plan designates this area as appropriate for low-density housing; however these properties are located near a major intersection of two arterial streets. The applicant is proposing to revise the existing planned development for a new nursing home facility on Lot 3 of the Ironbridge Phase XIV preliminary plat, which currently does not allow this use. The applicant is also proposing to remove the additional bufferyard requirement along National Avenue. Staff believes that the normal perimeter landscaping requirements are adequate buffering for the single-family residences across National Avenue. The applicant is proposing to update the access restrictions to only include the subject property's accesses per Exhibit 2. A traffic study was not warranted by Public Works Traffic Division since the proposed nursing home use will not generate a significant amount of additional traffic. Staff Recommends approval

Mr. Ray opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis Street representing the applicant. Stating that is simple rezoning just asking to add a retirement home.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

Mr. Doennig motioned to approve Planned Development 352 (4900 South National Avenue). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Ogilvy, Cox, Cline, Rose, and Coltrin. Nays: None. Abstain: None. Absent: Edwards and Shuler.

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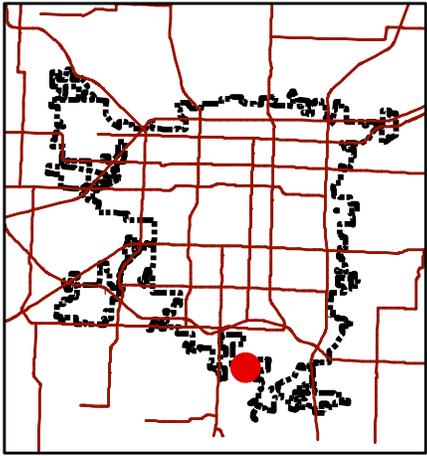
Bob Hosmer, AICP  
Principal Planner

# Development Review Staff Report

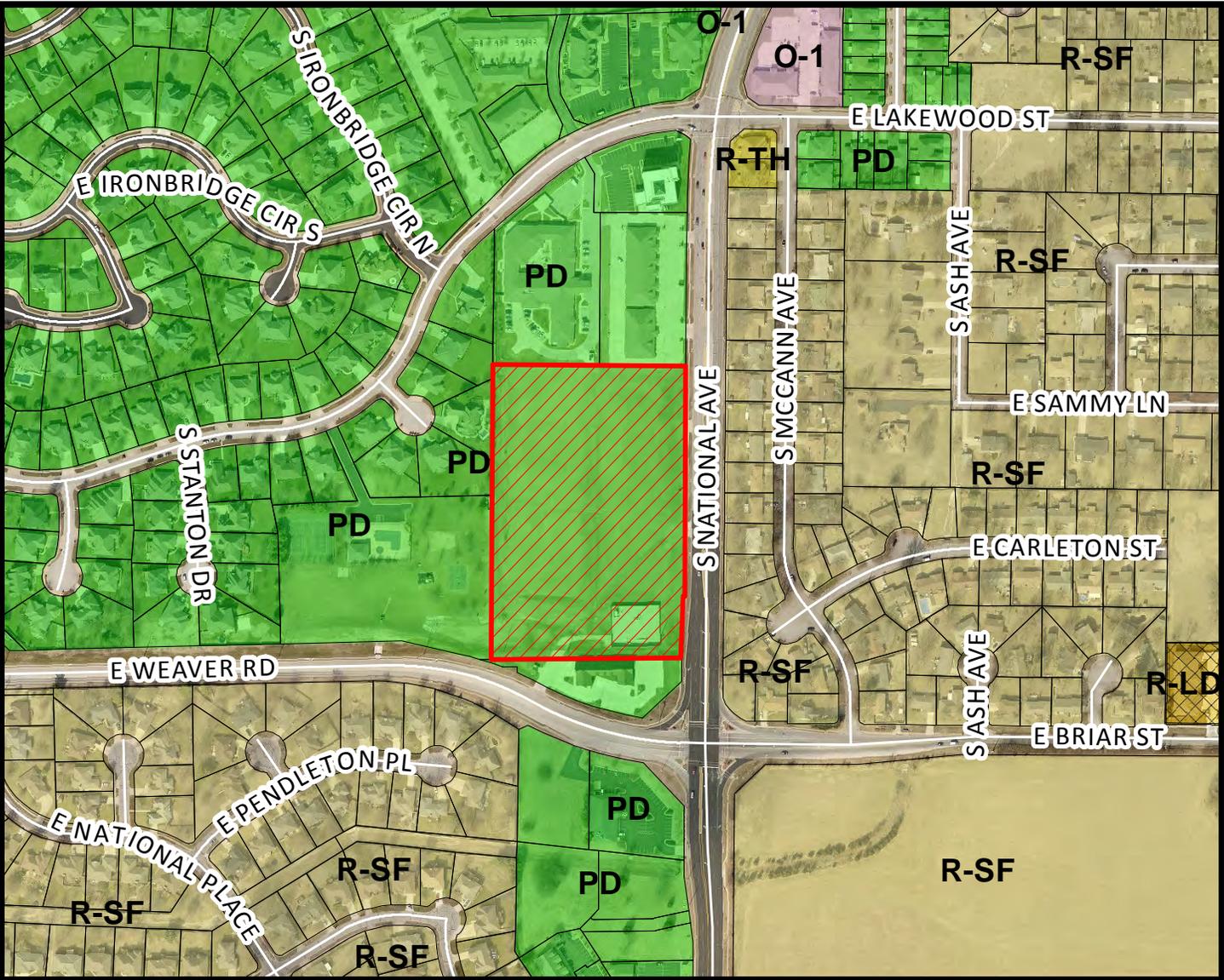
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802

## Planned Development 352

LOCATION: 4900 block S. National Ave.  
CURRENT ZONING: PD 306  
PROPOSED ZONING: PD 352



LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT  
PLANNED DEVELOPMENT 352

PURPOSE: To rezone approximately 7.8 acres of property generally located at the 4900 block South National Avenue from Planned Development District No. 306 to a Planned Development District No. 352.

DATE: October 26, 2016

LOCATION: 4900 block S. National Avenue

APPLICANT: Martin Property Management, LLC

TRACT SIZE: Approximately 7.8 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Nursing home and other uses as permitted by PD

FINDINGS FOR STAFF RECOMMENDATION:

1. This area is located near the intersection of National and Weaver which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterials and near intersections of primary and secondary arterials.
2. Approval of this application will facilitate development of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed uses are consistent with the adjacent properties along the National Avenue corridor.
4. The proposed planned development will mitigate the potential impact between the permitted uses and the adjacent residential PD property to the west with a 20 foot wide bufferyard which includes plantings as outlined in Exhibit 1 and Exhibit 2. The proposed Planned Development will not have a significant impact on the surrounding neighborhood.
5. 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 corridor.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 306 & 338	Office and retail uses
East	R-SF	Single-family residences
South	PD 306	Dental office
West	PD 200	Single-family residences

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for low-density housing; however these properties are located near a major intersection of two arterial streets. This area is located near the intersection of National and Weaver which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterials and near intersections of primary and secondary arterials.

STAFF COMMENTS:

1. The applicant is proposing to revise the existing planned development for a new nursing home facility on Lot 3 of the Ironbridge Phase XIV preliminary plat. The proposed planned development replaces the existing Planned Development No. 306; however, it does not deviate from the overall intent and uses that already exist. The applicant is required to apply for a new PD number because they are only rezoning a portion of the remaining Planned Development No. 306 area. This rezoning request is being processed concurrently with the preliminary plat of Ironbridge Phase XIV.
2. The major difference between the existing Planned Development No. 306 and the proposed Planned Development No. 352 is the addition of the nursing home use. The proposed rezoning will not significantly increase the intensity of uses or development on the site. The following differences are being proposed:
  - a. The proposed PD will add and define the nursing home use that the applicant is proposing to develop on the property. The applicant defines the permitted nursing home use as an extended or intermediate care facility licensed or approved to provide full-time convalescent or rehabilitation care

to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves.

- b. Since the existing PD 306 includes restrictions as far north as Lakewood, access restrictions have been updated to only include the subject property's access to public thoroughfares which is shown on Exhibit 2.
  - c. Signage requirements have been modified to remove language that is only relevant to adjacent lots that are still a part of PD 306.
  - d. The applicant is proposing to rename the Perimeter Treatment section of PD 306 to Open Space, Landscaping & Screening. The applicant is also proposing to remove the additional bufferyard requirement along National Avenue. The bufferyard requirement was established for the single-family residential across National Avenue; however, neither the applicant nor staff believe that this 25 foot wide bufferyard with one canopy tree, two understory trees and four shrubs per 100 linear feet provides much protection when National Avenue, a five lane primary arterial, is between them. The current perimeter landscaping requirements, which would apply whether or not this PD is approved, provides a 10 foot wide open space with one canopy tree, one understory/evergreen tree and four shrubs when off-street parking is within 50 feet of public right-of-way. Essentially, the additional bufferyard would be doubling the number of plantings required along National Avenue. Staff believes that the perimeter landscaping is adequate buffering for the single-family residences across National Avenue.
  - e. The applicant is modifying the final development plan section of the PD to require substantial conformance to Exhibit 1 (text), as opposed to the current PD which requires substantial conformance to Exhibit 2 (preliminary development plan). The Exhibit 2 has no specific uses or structures shown so it makes more sense that the final development plan substantially conform to the language of the PD in Exhibit 1.
3. A traffic study was not warranted by Public Works Traffic Division since the proposed nursing home use will not generate a significant amount of additional traffic.
  4. The existing and proposed PD language references the bulk, area and height requirements for the GR, General Retail District. The GR District requires that new structures shall remain below a 30 degree bulk plane as measured from the boundary of any R-SF or R-TH district.
  5. Approval of this application will facilitate development of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure.

6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting in accordance with the Zoning Ordinance requirements on October 19, 2016. A summary of this meeting is attached (Attachment 2).

**PUBLIC COMMENTS:**

The property was posted by the applicant 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. Fifty-nine (59) property owners were notified by mail of this request and are within one hundred eighty-five (185) feet of the subject property. Staff has received no objections to date.

**CITY COUNCIL MEETING:**

November 28, 2016

**STAFF CONTACT PERSON:**

Daniel Neal  
Senior Planner  
864-1036

# ATTACHMENT 1

## DEPARTMENT COMMENTS PLANNED DEVELOPMENT 352

### TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies National Avenue as a Primary Arterial roadway. The standard right of way width for National Avenue is 50 feet from the centerline. Additional right of way is not needed. National Avenue is a City maintained street. The most recent traffic counts on National Avenue is 12,628 vehicles per day. There are two existing driveway access points along National Avenue. There is a sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There are no bus stops along this area of National Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along National Avenue.

Public Works Traffic Division	Response
Street classification	National Avenue - Primary Arterial
On-street parking along streets	No
Trip generation - existing use	480 vehicles per day
Trip generation change - proposed use	480 vehicles per day
Existing street right of way widths	National Avenue - 50 feet from the centerline
Standard right of way widths	National Avenue - 50 feet from the centerline
Traffic study submitted	Not required
Proposed street improvements	None required

### BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with rezoning to Planned Development.

### STORMWATER COMMENTS:

The property is located in the Ward Branch 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 not applicable since regional detention is provided. Since the project will be will disturbing more than one (1) acre there will be a land disturbance permit required. There is existing regional detention southwest of the development available to discharge into. 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. 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. Water quality will be required if disturbing more than 1 acre.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Ward Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	NA

**SANITARY SERVICES COMMENTS:**

No objections to rezoning. Public sewer is available to development. Any further review of the existing sewer system capacity will require proposed flow rates and site plan.

**CITY UTILITIES COMMENTS:**

No issues with planned development. CU will need to approve the construction of the access easement where it crosses the existing utility easement containing natural gas mains. Keep in mind that signs are not allowed in utility easements so plan accordingly with sign placement along National Ave.

**FIRE DEPARTMENT COMMENTS:**

No issues.

## ATTACHMENT 2

### AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 306 to PD  
*(existing zoning)* *(proposed zoning)*
2. Meeting Date & Time: October 19, 2016 from 4-6:30 PM
3. Meeting Location: Residence Inn Hotel (1301 E. Kingsley St. SGF, MO 65804)
4. Number of invitations that were sent: 126
5. How was the mailing list generated: City Provided
6. Number of neighbors in attendance (attach a sign-in sheet): 4
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.)

No negative comments were voiced. Neighbors felt the exiting commercial uses allowed and constructed would affect their home values. They preferred the property to remain undeveloped.

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

None were received.

I, Jared Rasmussen (*print name*), attest that the neighborhood meeting was held on 10-19-2016 (*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."

  
\_\_\_\_\_  
*Signature of person completing affidavit*

Jared Rasmussen  
\_\_\_\_\_  
*Printed name of person completing affidavit*

# Neighborhood Meeting

S. National and E. Weaver Rezoning

October 19, 2016

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
JARED RASMUSSEN	550 Saint Louis St. Sgf, MO 65806	417-990-8802
Peter Stattery	icanlaff43@gmail.com	
→ Lisa Stattery	4856 S. Chrydget 65810	417-414-4894
DEBRA SHECTERLE dshecterle1@gmail.com	1104 E. LAKEWOOD ST 65810	417-315-8334
Dean Hustos dean.hustos@jeaseniorliving.com	Maple Wood 1146 E Lakewood St Springfield, MO 65810	Personal Call 417 693 2263

# Exhibit D

## Requirements and Standards Applicable to Planned Development District No. 352

### A. APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

All requirements of the *Springfield Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

### B. INTENT

Mixed use development with retail, office and nursing home uses.

### C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance. For purposes of this ordinance, the following definitions shall also apply.

Nursing home: An extended or intermediate care facility licensed or approved to provide full-time convalescent or rehabilitation care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of the exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor areas shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage or other activities incidental to the building.

Floor Area Ratio (FAR): The gross floor area of all buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Total Site Area}}$$

Impervious Surface: Any part of a lot that is covered by buildings, structures, parking areas, driveways and any other surfaces which reduce or prevent absorption of storm water.

Impervious Surface Ratio (ISR): The proportion of the site covered by impervious surfaces, and shall be determined as follows:

$$\text{ISR} = \frac{\text{Area covered by impervious surfaces}}{\text{Total Site Area}}$$

Open Space Ratio (OSR): The proportion of a site covered by open space which shall be determined as follows:

$$\text{OSR} = \frac{\text{Area covered by open space}}{\text{Total site area}}$$

Vehicular Use Area: That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprised the total of circulation areas, loading and unloading areas, and parking areas.

#### **D. USES PERMITTED**

The following uses shall be permitted:

Nursing Homes

Churches and Government/Civic Buildings

Administrative and Professional Office. Office or firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, travel agencies, law offices, architectural and engineering offices, and general business and administrative, corporate offices and artist and photographic studios.

Finance, Insurance and Real Estate Services. Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities, including automatic teller machines. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.

Medical Offices and medical Support Activities. Establishments such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

Retail Uses. For purposes of this ordinance, the following uses shall be classified as retail:

General Retail Sales. Establishments involved in the onsite retail sales of goods and merchandise for personal or household use. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Typical uses include department stores, apparel stores, antiques shops, bicycle shops, bookstores, cosmetic shops, candy stores, confectionery stores, costume rental, dry goods stores, drugstores, florist or flower shops, furniture stores, garden supply shops, hardware stores, hobby shops, jewelry stores, pet stores, photographic supply stores, radio and television sales, shoe stores, sporting goods stores, stationery stores, toy shops, variety stores, wallpaper stores, wig shops and other similar retail sales.

Food and Beverage Retail Sales. Establishments primarily engaged in the retail sale of food and beverages for off-site consumption. Such activities are to be conducted within

the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include grocery stores and liquor stores.

Convenience Sales and Personal Services. Establishments primarily engaged in the provision of frequently needed goods and services. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include barber shops, beauty shops, bakeries, delicatessens, pharmacies, dry cleaning and laundry establishments, self-service laundries, newsstands, repair shops and other similar uses.

Eating and Drinking Establishments. Establishments or places of business primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Drive-thru facilities designed to expedite customer services are permitted. Curb services facilities are prohibited. Typical uses include restaurants, cafeterias, coffee shops, bars and taverns.

Parking. Parking of motor vehicles on a temporary basis within an off-street parking area with or without a fee. Typical uses include commercial parking lots, parking garages or structures and supplementary parking space for nearby land uses.

#### **E. USE LIMITATIONS**

1. All uses shall operate in accordance with the noise standards contained in *Section 36–485 of the Springfield Zoning Ordinance*.
2. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.
3. No dust, particulate matter or noxious or toxic matter of any sort shall be emitted or discharged at any time.
4. All activities or permitted uses shall be conducted within a completely enclosed building, except:
  - a. Parking uses
  - b. Permitted drive-in, pick-up, and drive-thru facilities;
  - c. Seasonal outdoor sales and related storage and temporary uses as provided in *Section 36-452 of the Springfield Zoning Ordinance*;
  - d. Accessory outdoor garden supply sales and storage; and
  - e. Outdoor eating and drinking areas.
5. Storage may be maintained outside a building in side yards or rear yards if such storage area is screened from public streets, designed arterials or greater street classifications, and from other property.
6. All outdoor storage shall be at least one hundred (100) feet from any residential district boundary.

**F. INTENSITY OF DEVELOPMENT**

The maximum floor area ratio (FAR) shall not exceed 1.0 for office and retail uses

**G. BULK, AREA AND HEIGHT REQUIREMENTS**

1. The bulk regulations and open space requirements provision of the General Retail District as stated in the *Springfield Zoning Ordinance* in effect at the time of development shall apply on each buildable lot, when not specified herein.
2. Minimum greenspace to be twenty percent (20%) of each buildable lot.

**H. OPEN SPACE, LANDSCAPING & SCREENING**

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

1. A bufferyard at least 20 feet deep is required adjacent to the western boundary of this District. Required plantings within the bufferyard are as follows: 3 canopy trees, 3 understory trees, 4 evergreen trees, and 20 shrubs.
2. The interior landscaping and perimeter landscaping requirements of the *Springfield Zoning Ordinance* shall apply.
3. No structures, signs, mechanical equipment, parking lots or drives (except those required to provide access to adjoining public thoroughfares) are permitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover.
4. All utilities within required bufferyards shall be located underground.
5. All other areas which will not be buildings or other form of impervious surface and which are not designated as a bufferyard shall be required to be maintained with a living ground cover.
6. Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the District where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided.
7. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.

**I. EXTERIOR LIGHTING**

The requirements and standards of *Section 36-484* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

**J. ACCESS TO PUBLIC THOROUGHFARES**

Direct access shall not be allowed to National Ave. from Tracts B or C. Access to National Ave. shall be provided via Cross Access Easements through Tract A, as shown. Access easements through

Tracts B and C shall be provided to allow access to Weaver Road. Access is provided to Weaver Road via an existing access easement included on the Final Plat of Iron Bridge Phase VIII. Access shall be dedicated as shown on Exhibit 2.

**K. OFF-STREET PARKING**

*Sections 36–455, 36–456 and 36–483 of the Springfield Zoning Ordinance* in effect at the time of development shall apply, with the following exception:

1. One (1) off-street parking space is required per one thousand (1,000) square feet of non-occupied basement space such as mechanical rooms, storage, utility rooms, etc.

**L. SIGNS**

1. Each platted lot with frontage along National Avenue may have at least one sign depending on the amount of frontage; multiple signs are permitted on a lot with five hundred (500) or more feet of frontage; sign spacing shall be at least two hundred (200) feet. A maximum of six (6) freestanding signs are permitted along National. These signs shall not exceed a maximum height of twenty (20) feet nor a maximum effective area of one hundred fifty (150) square feet. There shall be a minimum of fifty (50) feet of separation from the boundary of any residential development.
2. No internally or externally lit wall or roof signage is permitted that is directed toward the residential development west of this District.
3. Off-premise signs, as defined by the City sign code, are prohibited. All other signage, and signage requirements not changed herein, shall conform with the requirements of the *Springfield Zoning Ordinance* for signage permitted for business areas shall be complied with.

**M. REQUIRED IMPROVEMENTS**

There are no required improvements associated with this PD.

**N. PHASING**

Development may be phased provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

**O. FINAL DEVELOPMENT PLAN**

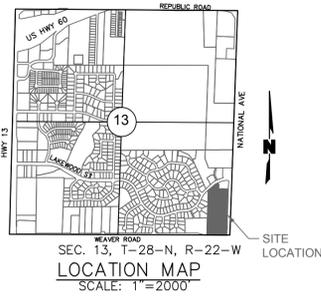
A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. The final development plan may be submitted in the form of a preliminary plat, provided the plat is prepared in accordance with the requirements, standards, and intent of this Exhibit. Development of this District shall be in

accordance with the approved final development plan.

1. The intent of Exhibit 2 is to establish the boundaries of the District and the general locations of driveways to the public thoroughfare system.
2. A final development plan shall only be approved if it is in substantial conformance with Exhibit 1 as defined by *Subsection 36-405 (9) (c)* of the *Springfield Zoning Ordinance*.
3. The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan(s) provided such plan substantially conforms to the provisions of the ordinance. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
  - a. Any uses within the District other than those specifically prescribed by the ordinance.
  - b. Any increase in the intensity of use permitted within the District.

# Exhibit E

## PRELIMINARY DEVELOPMENT PLAN



### DEVELOPMENT & PLANNED DEVELOPMENT NOTES

Total Area: 340,087 Sq.Ft.± or 7.81 Ac.±

Total Number of Tracts: 3

Smallest Tract: Tract B  
45,304 Sq.Ft.± 1.03 Ac.±

Largest Tract: Tract C  
181,235 Sq.Ft.± 4.16 Ac.±

Current Zoning: PD-306

Commercial Floor Area 1.0

Required Open Space 20%

#### Access to Public Thoroughfares:

Direct access shall not be allowed to National Ave. from Tracts B or C. Access to National Ave. shall be provided through Cross Access Easements through Tract A, as shown. Access easements through Tracts B and C shall be provided to allow access to Weaver Road. Access is provided to Weaver Road via an existing access easement included on the Final Plat of Iron Bridge Phase VIII.

### DEVELOPMENT STORM DRAINAGE NOTES

Regional detention is provided offsite. Detention facility was constructed as a part of 7PW5941.

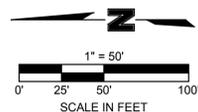
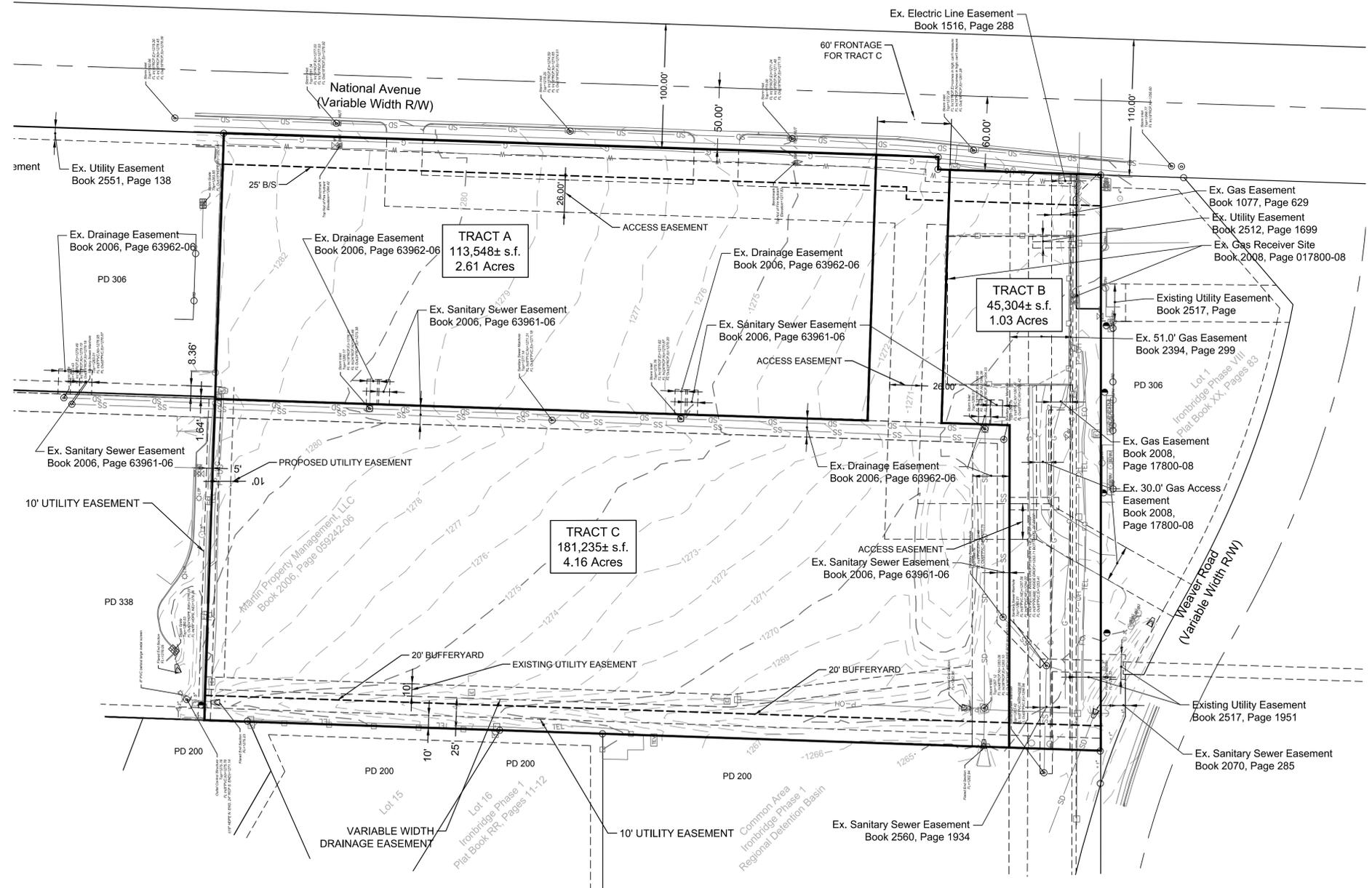
Maximum impervious area for the overall development shall not exceed 80%.

Onsite water quality shall be provided for each tract, on said tract, at the time of development

### LEGAL DISCRPTION

A part of the Southeast Quarter of the Southeast Quarter of Section 13, Township 28 North, Range 22 West, City of Springfield, Greene County, Missouri, being more particularly described as follows:

Commencing at the Southeast corner of Section 13, Township 28 North, Range 22 West, City of Springfield, Greene County, Missouri; thence North 89 Degrees 56 Minutes 52 Seconds West (N89°56'21"W, Plat), a platted distance of 77.01 feet to a found 5/8" iron bar marking the Northeast corner of Ironbridge Phase VIII, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book XX, at Page 83, said point being the POINT OF BEGINNING; thence North 89 Degrees 56 Minutes 52 Seconds West (N89°56'21"W, Plat) along the North line of said subdivision, a distance of 464.90 feet to a found 5/8" iron bar with cap, "Bockman LS2334" marking the Southeast corner of Iron Bridge Phase I, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book RR, at Page 11; thence departing said North line North 01 Degrees 57 Minutes 47 Seconds East, (N01°58'34"E, Plat) along the East line of said subdivision, and beyond, along the East line of Ironbridge Phase II, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book SS, at Page 14, a distance of 727.04 feet to a 1/2" iron bar with cap, "LC 366" set at the Southwest corner of Ironbridge Phase XI, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book AAA, at Page 10; thence departing said East line South 88 Degrees 03 Minute 12 Seconds East (S88°02'24"E, Plat) along the South line of said subdivision, and beyond, along the South line of Ironbridge Phase XIII, a subdivision in the City of Springfield, duly recorded in the Greene County Recorder's Office in Plat Book AAA, at Page 221, a distance of 474.00 feet (474.03', Plat) to a found 1/2" iron bar in the West Right-of-Way line of National Avenue, as now established; thence departing said South line South 01 Degrees 54 Minutes 16 Seconds West along said West Right-of-Way line, a distance of 579.46 feet to a found cross cut in concrete; thence continuing along said West Right-of-Way line North 89 Degrees 22 Minutes 23 Seconds West, a distance of 9.87 feet to a found aluminum monument with cap, "COS RW LS2297"; thence continuing along said West Right-of-Way line South 01 Degrees 59 Minutes 48 Seconds West, a distance of 131.99 feet to the POINT OF BEGINNING, and containing 339,843 square feet or 7.802 acres, more or less. EXCEPT any part thereof taken, deeded or used for road or highway purposes. SUBJECT TO easements, rights of way and restrictions of record.



BASIS OF BEARINGS  
NORTH BASED ON MISSOURI STATE  
PLANE COORDINATE SYSTEM 1983  
CENTRAL ZONE

DATUM  
ELEVATIONS BASED ON NAVD 88

### NOTE

THE PLAN IS NOT A BOUNDARY SURVEY OR PLAT.

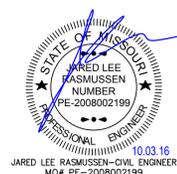
LEGEND	
●	Found Iron Monument (As Noted)
⊙	Set 1/2" Rebar w/Plastic Cap, "LC 366"
⊕	Aluminum Monument
⊞	Electric Box
⊞	Fiber Optic Box
⊞	Gas Valve
⊞	Grate Inlet
⊞	Guy Wire
⊞	Power Pole
⊞	Sanitary Manhole
⊞	Storm Manhole
⊞	Sign
⊞	Telephone Riser
⊞	Bush
⊞	Coniferous Tree
⊞	Deciduous Tree
—SS—	Sanitary Sewer Line
—SD—	Storm Sewer Line
—E—	Underground Electric
—FO—	Fiber Optic Line
—TEL—	Telephone Line
—W—	Water Line
—P-OH—	Overhead Power Line
—GAS—	Gas Line
—□—	Wood Fence
—○—	Iron Fence

PREPARED BY  
OLSSON ASSOCIATES  
550 ST. LOUIS STREET  
SPRINGFIELD, MO 65806

OWNER/DEVELOPER  
MARTIN PROPERTY MANAGEMENT, LLC  
PO BOX 4547, SPRINGFIELD, MO 65808

### PLANNED DEVELOPMENT PLAN

drawn by:	DATE	REVISION	BY
JLR			
surveyed by:			
JLR			
checked by:			
JLR			
approved by:			
JLR			
project no.:	016-2232		
file name:	C_PD Plan		
	10.03.16	Original Preparation	JLR



Olsson Associates - State of Missouri  
Certificate of Authority No. 001592  
550 St. Louis Street  
Springfield, MO 65806  
TEL 417.890.8802  
FAX 417.890.8805  
www.oaconsulting.com