

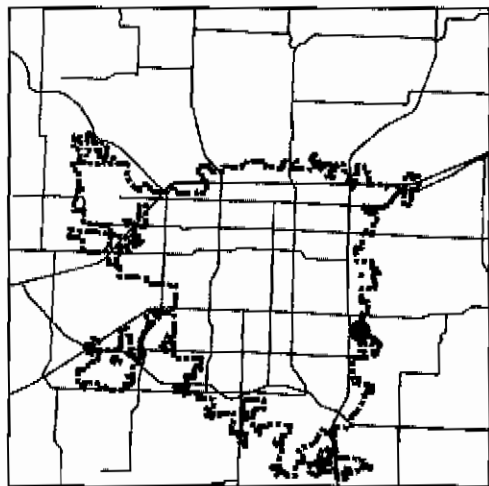
Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

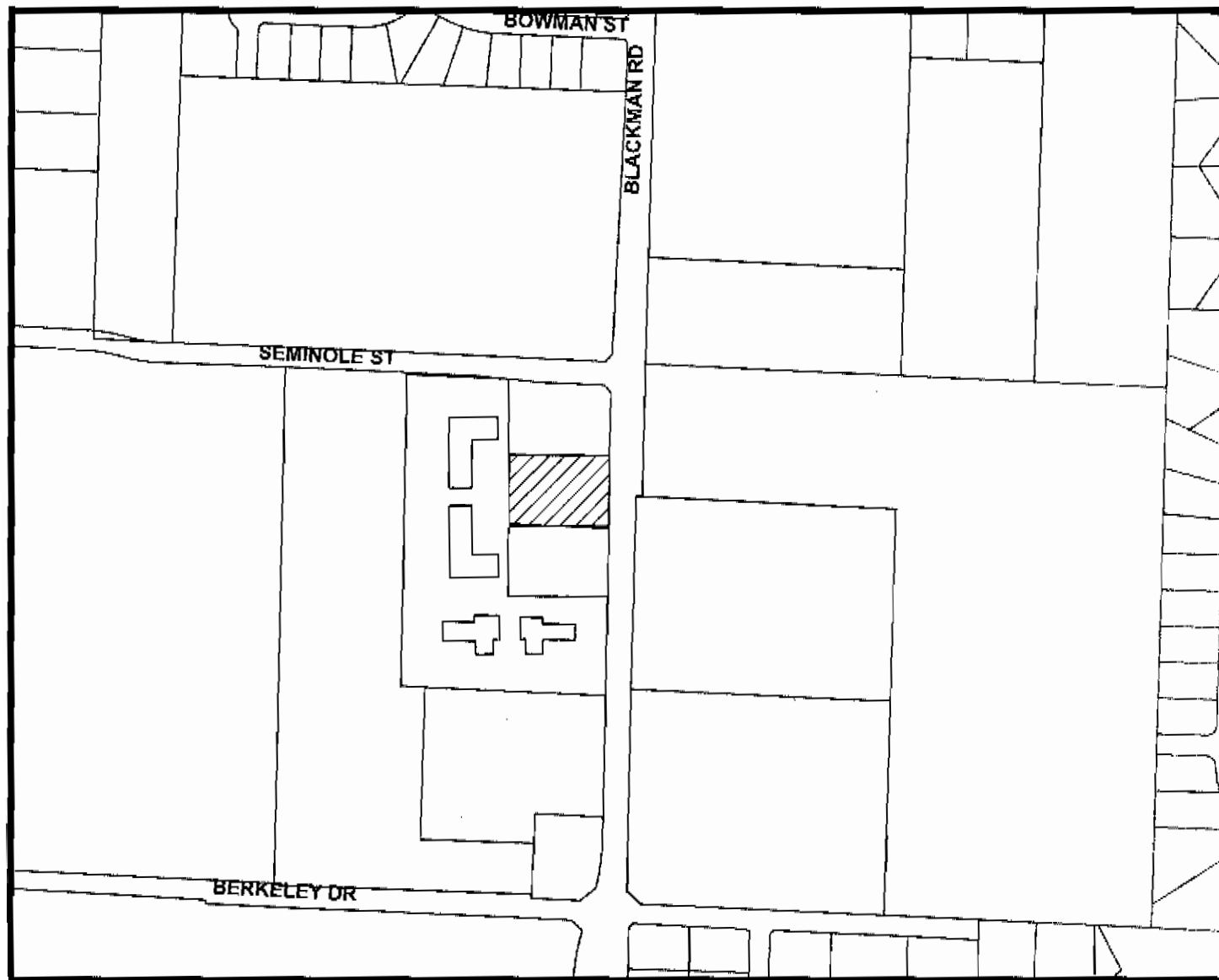
Final Development Plan - Planned Development 313

Location: 2245 South Blackman Road

Current Zoning: Planned Development 313



LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801

FINAL DEVELOPMENT PLAN - PLANNED DEVELOPMENT 313

DATE: October 1, 2009

PURPOSE: To approve the final development plan with a primary surface material the Administrative Review Committee cannot approve due to its lack of conformity to the approved planned development but which merits approval despite this lack of conformity.

BACKGROUND

LOCATION: 2245 South Blackman Road

APPLICANT: Bauer Orthodontics

RECOMMENDATION:

The request be **approved**.

FINDINGS FOR STAFF RECOMMENDATION:

1. The final development plan lacks substantial conformity to the Planned Development Ordinance approved by City Council but merits approval notwithstanding such lack of conformity.
2. The applicant may amend the existing planned development district in the future to address the design requirement issue.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
FINAL DEVELOPMENT PLAN -
PLANNED DEVELOPMENT 313

HISTORY:

Planned Development 313 was approved by City Council on January 29, 2007. The requirements and standards for Planned Development 313 are attached (Exhibit 1).

ZONING ORDINANCE:

Section 4-2509.D. states in part:

- D. **Action by Administrative Review Committee.** If the Administrative Review Committee shall find that the Final Development Plan lacks substantial conformity to the Preliminary Development Plan, but merits approval notwithstanding such lack of conformity, it shall transmit such plan to the Planning and Zoning Commission together with its recommendation that the Final Development Plan be approved.

STAFF COMMENTS:

1. Planned Development 313 was approved by City Council in January of 2007. It allows the Final Development Plan (FDP) to be approved by the Administrative Review Committee (ARC) provided it is in substantial conformance with the PD 313 Exhibit. The proposed Final Development Plan is not in substantial conformance to the requirements of the approved Planned Development ordinance and cannot be approved administratively. The Administrative Review Committee has reviewed the proposed Final Development Plan and finds that the plan merits approval despite its lack of conformity.
2. The applicant has proposed to use standing seam metal siding as a primary surface material. The planned development language specifically states that metal cannot be used as a primary surface material; however, it may be used as a trim material covering no more than ten (10) percent of the facade. The Administrative Review Committee (ARC) determined that the standing seam metal siding was not trim and rather a primary surface material and thus could not be approved administratively. A similar Final Development Plan was approved by Commission and Council in June 2008 for a proposed office building within this same development. Approval of this application would be consistent with approval of that Final Development Plan.
3. The intent of the planned development design requirements was to prevent an all metal structure. It was not intended to prevent a contemporary mixed-material building as proposed by the applicant. The building elevations have been provided for Commission and Council review.
4. The applicant has stated that they may submit an amendment to the planned development ordinance in the future to correct this issue.
5. All other requirements of Planned Development 313 Amended have been met with this final development plan.

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 313

A. APPLICATION

Building or other permits cannot 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* apply unless modified by the requirements and standards that follow.

B. INTENT

The intent of this PD is to construct a low-intensity, environmentally sensitive development containing modified uses of the O-1 and LB zoning districts. Retail sales of products associated with the businesses will be allowed. The PD specifies setback, parking and buffer requirements. Lots 1-3 will be platted conventionally, with two access points to Blackman Road. Lot 5 will have access to Seminole Street. Lot 4 will be platted as one lot, with access to Blackman Road.

C. DEFINITIONS

The definitions contained in the *Springfield Zoning Ordinance* apply to this ordinance.

D. USES PERMITTED

1. Accessory Uses, as permitted by *Section 5-1000* of the *Zoning Ordinance*.
2. Banks and financial institutions, including automatic teller machines and drive-thru facilities **for one lane only**.
4. Community centers, nonprofit.
5. Educational, religious, cultural, public, or nonprofit institutions such as churches, museums, art galleries and libraries, but not including correctional institutions or hospitals.
6. Governmental buildings and uses.
7. Medical and dental clinics.
8. Medical and dental laboratories and research facilities, not including the manufacture of pharmaceutical or other products for general sale or distribution, provided no toxic substances, explosives, radioactive material, highly flammable substances or other materials that pose a threat to the public health and safety, due to their quantities or location, are utilized in the research operations.
9. Offices, administrative, business, finance and professional.
10. Offices, medical and dental.
11. Public and private parks, and playgrounds.
12. Public service and public utility uses, as listed in G.O. 5094 (7/9/2001).

13. Personal service establishments including beauty parlors, barber shops, dry cleaning and laundry pick-up, shoe repair, express or mailing offices, and hearing aid and eyeglass shops. Laundromats are prohibited.
14. Studios for art, dancing, drama, music, photography, interior decorating, or similar courses of study.
15. Schools or development centers for persons with handicaps or development disabilities.
16. Schools, professional, business and trade.
17. Temporary Uses, as permitted by *Section 5-1200*.
18. Retail and personal services uses located in an office building, such as newsstands, cigar stores, barber shops, beauty parlors, tailor shops, shoe repair shops and restaurants, provided the total floor area of such uses does not exceed ten (10) percent of the gross floor area of the office building.

E. USE LIMITATIONS

1. All uses must operate in accordance with the noise standards contained in *Section 6-1500* of the *Springfield Zoning Ordinance*.
2. No use may emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.

F. INTENSITY OF DEVELOPMENT

Development must adhere to the following standards.

1. The maximum floor area ratio: 0.3.
2. The maximum building coverage (including accessory buildings): Fifty (50) percent.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development must adhere to the following standards.

1. The maximum structure height allowed: All structures will shall have a maximum height of thirty-five (35) feet as measured from the ground floor of the building.
2. The following setbacks will apply:

Building setbacks:

- Front yards: Twenty-five (25) feet;
- Rear yards: Ten (10) feet;
- Side yards: Ten (10) feet, except that no side yard is required for a building having a common wall on a side lot line.

Parking/vehicle area setbacks:

In front yards: Five (5) feet, with landscaping consisting of a row of boxwoods or similar hedges at least 30 inches tall at maturity;
In rear yards not bordering a R-SF district: None;
In rear yards bordering a R-SF district: Fifteen (15) feet;
In side yards: None.

No headlight screening is required.

H. DESIGN REQUIREMENTS

The Blackman Office Park is conceived of as a set of office buildings with designs that have a low impact on the site, the community's public services, and the environment. At the same time the buildings will have a high impact on building efficiency and employee productivity. All of the buildings will be sited in a way that minimizes site impact by terracing with the natural slope of the land.

1. **Building Façades.** All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design. Two or more of the following design elements shall be incorporated for each fifty (50) horizontal feet of a building façade or wall.

- a. Changes in color, texture and material.
- b. Projections, recesses and reveals expressing structural bays, entrances or other aspects of the architecture.
- c. Groupings of windows or fenestration.

2. **Building materials and colors.**

- a. Metal shall not be used as a primary exterior surface material. It may be used as a trim material covering no more than ten (10) percent of the façade.
- b. Façade colors shall be earth tones in nature. Natural and recycled materials may be utilized to enhance the building façade and promote sustainable development. Fluorescent colors are prohibited.

3. **Service and Loading Arcas.** Off-street loading shall be regulated in accordance with Sections 5-1600 and 6-1302 of the Springfield Zoning Ordinance. The following requirements are supplementary.

- a. All service and loading areas shall be located in the side or rear yard of buildings.
- b. Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site and shall be integrated into the building architecture. The visibility of service and loading from public streets shall be minimized or eliminated.

I. OPEN SPACE, LANDSCAPING & SCREENING

Any matters concerning landscaping issues not covered by the provisions of this Section I. will be resolved by applying the landscaping and bufferyard provisions of *Section 6-1200* of the *Springfield Zoning Ordinance* in effect at the time of development.

1. Bufferyards.

a. Required bufferyards.

(1) There must be two bufferyards, ten (10) feet in depth, one along the south and one along the west property line. See this Exhibit's Open Space Landscaping section for the required plantings.

b. Bufferyard standards.

(1) Required bufferyards on a lot or tract must be installed when the lot or tract is developed.

(2) Bufferyards will be landscaped in conformance with the Open Space Landscaping requirements listed below, at section I.3.

(3) No structures, signs, mechanical equipment, vehicle use area (except driveways required to provide access to adjacent public streets) are permitted within the bufferyards. The surface of the bufferyards or other required landscaped areas will be maintained with a living ground cover. Any utility lines will be located underground.

2. Vehicular use area open space.

a. Perimeter landscaping along Seminole and Blackman will be in the form of hedges that will be at least thirty (30) inches tall at the time of the plants' maturity.

b. A minimum of five (5) percent of the areas devoted to parking and vehicular use will be covered by living landscaping comprised of grass, ground cover, plants, shrubs, and/or trees. Also, all interior landscaping provisions of *Section 6-1209.A* of the *Springfield Zoning Ordinance* in effect at the time of development will apply.

3. Open space landscaping.

a. Landscaping plantings. (Existing trees approved for preservation will be counted toward satisfaction of this provision.) In the SI-type bufferyards in this District, the following landscaping must be planted and maintained for each one-hundred (100) linear feet of such open space:

- (1) One (1) canopy tree;
- (2) One (1) understory tree;
- (3) Three (3) shrubs.

b. Landscaping standards.

- (1) Tree species, sizes and spacing must be consistent with the City of Springfield's *Arborcultural Design Guidelines* on file with the Planning and Development Director.
- (2) Tree preservation. Preservation of each healthy existing tree of an approved species that is at least four and one-half (4-1/2) inches caliper will count as two (2) trees toward fulfillment of the tree requirements of this District.
- (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures must be taken to ensure their continued health and maintenance. Required materials that do not remain healthy must be replaced consistent with this article.

4. Screening.

a. Screening types. An opaque barrier at least six (6) feet in height will be provided, visually screening the potentially offensive feature from less-intensive uses or districts as follows.

- (1) A solid wood and/or masonry fence or wall at least six (6) feet in height.

b. Screening locations.

- (1) The locations of the screens for refuse collection points will be determined at the time of development.

J. EXTERIOR LIGHTING

The purpose of this section is to regulate the spillover and glare on operators of motor vehicles, pedestrian and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulation contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to the public street lighting, signs or seasonal displays.

1. The light source or luminaire for all exterior lighting shall have a cutoff so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer at ground level at a property line adjacent to a public right-of-way or adjacent property zoned residential or, if a bufferyard is required, at the interior bufferyard line.
2. No flickering or flashing lights shall be permitted.

3. Light sources or luminaries shall not be located within bufferyard areas except on pedestrian walkways.

4. The developer(s) shall submit a lighting plan with the final development plan demonstrating compliance with this section.

K. ACCESS TO PUBLIC THOROUGHFARES

1. The District will have two access points on Seminole Street and two access points on Blackman Road.
2. Regarding other matters of access, the access to the public street system shown on Exhibit 2 will be governed by the existing standards of the City of Springfield for the applicable street classification.

L. OFF-STREET PARKING

Any matters concerning parking issues not covered by the provisions of this Section L. will be resolved by applying the provisions of sections 6-1500, 5-1600, and 6-1300 of the *Springfield Zoning Ordinance* in effect at the time of development.

1. The minimum parking provided will be one (1) parking space per 350 square feet of office space.

M. SIGNS

The requirements and standards of *Section 5-1400 of the Springfield Zoning Ordinance* in effect at the time of development will apply.

N. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued, the applicant, or subsequent owners, shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.

2. Certificate of occupancy. No certificate of occupancy may be issued for any structure within this District, or phase of the development, unless:

- a. the required improvements are completed prior to occupancy of the structures; or
- b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements will have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.

a. Street improvements.

(1) No street improvements are required. No additional right-of-way must be dedicated.

b. Storm water management facilities.

(1) The existing detention basin was originally designed for residential development. The basin will be analyzed and may be modified according to added impervious area added by the development.

c. Sanitary sewer facilities.

(1) Sanitary sewer will be extended through the development. The owner will enter into agreement with the City to extend sewer service to the site in conjunction with Blackman Road improvements.

4. Improvement Standards.

Improvements shall conform to the following standards.

- a. All utilities and utility connections will be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus will be adequately screened and landscaped.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

There are no common areas proposed for this PD.

P. 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.

Q. FINAL DEVELOPMENT PLAN

A final development plan, showing conformance with the requirements of this Exhibit, must 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. Exhibit 2 is the preliminary plat showing proposed lot sizes, layout, and cross access easements Exhibit 1. A final development plan will only be approved if it is in substantial conformance with Exhibit 2 as defined by *Subsection 4-2509.C of the Springfield Zoning Ordinance*.
2. The Administrative Review Committee (ARC) is authorized to approve the Final Development Plan provided such plan substantially conforms to the provisions of the ordinance. The Administrative Review Committee is authorized 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.