



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: January 7th, 2016
Time: 6:30 p.m.

Members: Tom Baird, IV (Chairman), vacant (Vice-Chairman), Matt Edwards, Jason Ray, Cameron Rose, Melissa Cox, David Shuler, Randall Doennig, Andrew Cline

1. ROLL CALL

2. APPROVAL OF MINUTES

December 10th, 2015

Documents: [PNZ MINUTES 12-10-2015.PDF](#)

3. COMMUNICATIONS

City Council Meeting Summary 12-14-15

Documents: [COUNCIL SUMMARY 12-14-15.PDF](#)

4. CONSENT ITEMS

(All items may be approved with a single motion without a public hearing, unless removed from the consent agenda)

5. Relinquishment Of Easement 829

3700 South Farm Road, Mark Hunter, LLC

Documents: [RE 829.PDF](#)

6. Request To Dispose 515

4400 West Junction Street (West Wye), City of Springfield

Documents: [DISPOSE515 SR.PDF](#)

7. UNFINISHED BUSINESS

8. Z-37-2015

2716 & 2736 West Republic St and 4229 South Scenic Ave., St. Thomas the Apostle Orthodox Church

Documents: [Z-37-2015.PDF](#)

9. Z-39-2015 W/COD #103

608, 614 & 618 West Mt. Vernon Street, Mt. Vernon 608, LLC

Documents: [Z-39-2015 COD103 SR.PDF](#)

10. PUBLIC HEARINGS

11. Vacation 783

2700 North Mayfair Avenue, New Prime, Inc.

Documents: [VAC783.PDF](#)

12. Z-1-2016 W/COD #105

1514 West Lark Street and 4346 South Kansas Avenue, R.H. Montgomery Properties, Inc.

Documents: [Z-1-2016 COD 105 SR.PDF](#)

13. Conditional Use Permit 418

1100 & 1110 North Grant Avenue, Jimmy Vanzandt

Documents: [UP418.PDF](#)

14. New Prime Phase 2

2800 North Cedarbrook Avenue and Packer Avenue, Wolverine Land Holdings, LLC

Documents: [NEWPRIMEPH2 TABLING MEMO.PDF](#)

15. Cherry Townhouse Redevelopment Plan

516 East Cherry Street, REthink Capital, LLC

Documents: [CHERRY TOWNHOUSE REDEVELOPMENT PLAN - PZ STAFF REPORT.PDF](#)

16. OTHER BUSINESS

17. ADJOURN

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. **Please fill out a Speaker Card. When you address Commission, please step to the microphone at the podium and state your name and address.** All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

December 10 , 2015
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session December 10, 2015, in the City Council Chambers. Chairman Tom Baird called the meeting to order.

Roll Call: Present: Tom Baird (Chair), Andrew Cline, Randy Doennig, Cameron Rose, David Shuler, Jason Ray, Melissa Cox, and Matthew Edwards. Absent: Gabrielle White (Vice-Chair).

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director of Planning and Development, Tom Rykowski, Asst. City Attorney, Nicholas Woodman, Asst. City Attorney, Dawne Gardner, Public Works Traffic Division, and Rodney Colson, Public Works Stormwater.

Minutes: The minutes of November 5, 2015 were approved unanimously.

Communications:

Mr. Hosmer stated that this is the last meeting for Mr. Thomas Baird and Ms. Gabriella White. Mr. Baird will continue with the meetings until the positions have been filled. Staff presented an award of recognition to Mr. Baird. Mr. Baird thanked the staff.

Mr. Hosmer stated that City Council approved Z-34-2015 w/COD 100 was approved and 2 annexations that were approved also, property around Menards on West Sunshine.

Mr. Hosmer also stated that zoning and subdivision codes are moving to Municode, which is a national service that provides municipal codes online.

Mr. Hosmer stated that staff is requesting that three items to be tabled, item number 11 (Z-37-2015, 2736 West Republic Street), item number 13 (Z-39-2015 COD #103 at 604, 608, 614 & 618 West Mt. Vernon Street), and item number 18 (Conditional Use Permit 417 at 506 West Edgewood Street).

Mr. Baird requests that all three items be put together and have one motion for the three items.

Mr. Cline motioned to **approve** the items to be tabled. Mr. Shuler **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Consent Items:

Request to Acquire 515
2800 South Farm Road 97
Applicant: City Utilities

Relinquishment of
Easement 828
506 West Edgewood Street
Applicant: Mark Hunter,
LLC

Subdivision Variance 352
3900 East Chestnut
Expressway
Applicant: Hickory Land
Co, LLC

COMMISSION ACTION:

Mr. Edwards motioned to **approve** the consent items. Mr. Doenning **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

UNFINISHED BUSINESS:

Z-35-2015 COD #101
6000 South Southwood Avenue
Applicant: City of Springfield

Mr. Hosmer stated that this item was tabled at the November 5, 2015 commission meeting and it is a request to rezone approximately 12 acres of property generally located at 5904 South Southwood Avenue from a Greene County O-2, Office District to a City GI, Governmental and Institutional Use District with a Conditional Overlay District No. 101. Growth Management Plan designates this area appropriate for low density housing. We are requesting a COD that would limit the permitted uses on this property to a GI with an overlay district only allowing hospital uses and accessory uses and structures that are allowed in the GI. Staff recommends approval.

Mr. Baird opened the public hearing.

No speakers as the City is the applicant.

Mr. Baird closed the public hearing.

COMMISSION ACTION:

Mr. Ray motioned to **approve** Z-35-2015 w/COD #101. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

PUBLIC HEARINGS:

Z-38-2015 COD #104
1209 East Holiday Street
Applicant: BBH South Development Holding, LLC

Mr. Hosmer stated that this is a request to rezone approximately 5.52 acres of property generally located at 1209 East Holiday Street from an O-1, Office District to a GR, General Retail District with Conditional Overlay District No. 104. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies the National Avenue and Holiday Street area as appropriate for Medium Intensity Retail, Office or Housing land uses. The property would be limited to a maximum 11,500 sq ft. for retail and restaurant uses and 69,000 sq ft. for office use. If the maximum density of the floor areas over exceeds, then a traffic study will be submitted and be approved. Upon development of the property a buffer yard is required along the north property line adjacent to the Planned Development residential property. The normal buffer yard required between GR and Multi-family zoning would be a Buffer yard "Type C" of at least fifteen (15) feet wide. The minimum fifteen (15) foot wide buffer yard with plantings for

each one-hundred (100) linear feet of buffer yard would be one (1) canopy tree, one (2) understory tree, two (3) evergreen trees and ten (10) shrubs.

Mr. Baird opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst. The owner's intentions are to have a multi-story structure with retail and possibly restaurants on the bottom with office in the upper floors. The neighborhood meeting seemed to be generally supportive. Mr. Baird closed the public hearing.

COMMISSION ACTION:

Mr. Ray motioned to **approve** Z-38-2015 COD #104. Ms Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-40-2015 COD #102

202 East Walnut Lawn & 3410 South Campbell Avenue

Applicant: Westport Management, LLC and St. John's Regional Health Center

Mr. Hosmer stated that this is a request to rezone approximately 10.63 acres of property generally located at 3410 South Campbell Avenue and 202 East Walnut Lawn Street from Planned Development 261, 1st Amendment and Planned Development 30, 1st Amendment to a HC, Highway Commercial District with Conditional Overlay District No. 102. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies the Campbell and Walnut Lawn Street area as appropriate for Medium Intensity Retail, Office or Housing land uses.

The existing uses on this property are a Youngblood KIA car lot, which is on Campbell and Walnut Lawn corner; it is also vacant property that was the Mercy Recreational facility.

The property at Campbell is zoned PD216, which allows for a mixture of GR and HC uses and the property on Walnut Lawn is zoned a PD30 which allows only recreational facilities. The property is located at Campbell Avenue, which is a primary arterial; Walnut Lawn is a collector roadway. There are R-TH zoned properties on the east and RS-F properties on the north across Walnut Lawn. The church property to the east has a pending zoning case, Z-42-2015 presented tonight to go to an Office use. If approved, this request will prohibit a number of uses that would normally have been permitted in the HC district. However, these uses would only be limited to the eastern portion of the property located approximately 392 feet from the R-TH zoned property on the east. This line is similar to the GR, General Retail zoning district line to the north of the subject property. The property at 3410 South Campbell Avenue and approximately 160 feet of the property at 202 East Walnut Lawn Street would allow all the permitted uses in the HC district. The applicant is also proposing to limit the total square footage of retail sales space to 14,000 square feet of which 7,000 square feet can be utilized for eating and drinking establishments in the eastern portion of the subject property. They are a 25 foot Type E buffer yard with four (4) high earthen berm along the north property line adjacent to Walnut Lawn Street. Normally, there would not be a buffer yard or even a

Type S1 buffer yard requirement for a parking lot adjacent to a street across from any residential zoned property since the Walnut Lawn Street is wider than 70 feet.

The owner will keep all existing driveway locations and no new driveway locations would be permitted. A Traffic study would be required for the property at 202 East Walnut, if it exceeds the fitness center uses.

No vehicular garage door openings on any building shall be located within 200 feet of any residential district and no motor vehicle repair or maintenance work shall take place outdoors within one-hundred fifty (150) feet of the boundary of any residential district.

The applicant had two neighborhood meetings, at the first meeting they talked about some issues and resolved those at the second meeting. Staff recommends approval with the COD district and the provisions.

Ms. Cox asked why Z-40-2015 w/COD 102 and Z-42-2015 are not combined and presented as one zoning case.

Mr. Hosmer replied that if there was a formal protest we would like for them to be separated and with an overlay district there has to be a separate ordinance.

Mr. Baird opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, representing Kia Youngblood, they currently service their vehicles on the west side of Campbell and they would like to service their vehicles on the dealership lot. They will need to expand their dealership. Mr. Youngblood plans on selling the remaining property. The HC zoning is the only zoning that allows a car dealership. At the 1st neighborhood meeting was well attended and there were a lot of comments, there were two neighborhood meetings. At the 1st neighborhood meeting, they were primarily concerned, i.e., too much traffic and we looked at its fitness center it allows for a high traffic count use, another concern was a list of items the neighborhood did not want was eliminated. The service center has the door facing away from the neighborhood and has put restrictions with distances and also agreed to keep the 4' berm that is along the fitness center and the buffer yard is 25' wide.

Mr. Baird asked if the owner's intention is to sell the area/land to the east of this property.

Mr. Lee acknowledged that it is correct.

Mr. Baird's concerns are that HC zoning that will impact the neighborhood. Mr. Lee states that they have reduced the retail and restaurant portions down to the bottom floor of the existing building.

Mr. Lee states that the commercial real estate developer thinks that the highest and best use for this building is an office.

Mr. Baird requested to hear the neighborhood concerns.

Mr. Lee stated that another comment were the lights. Neighbors concerned with

spotlights shining in their direction. I referred them to the existing light ordinances that requires the lights to shine down and not to have spill over. There were a number of people who were concerned about the fence, it had fallen into disrepair. The fence has been fixed. The last concern was the location of the entrances. The owner will keep the existing entrance locations. No new entrances will be permitted.

Patricia Scott, 3252 S. Ridgewood Court. I own a property near this location and have two concerns. I have an issue of 10 acres of HC zoning when Mr. Youngblood only wants the west half of the property. She passed out photos and mentions that the back of Don Wessel is also HC zoning and one pictures shows a drainage issue. She states that there is a huge drainage problem in the area or Mercy would have expanded their fitness center years ago. Walnut Lawn serves Kickapoo High School, Cox Hospital as well as a dozen streets. The traffic is horrendous, 25 to 30 cars are backed up going west. The City's plan going on Walnut Lawn, there will be a right turn added to take you north on Campbell and a right turn that will take you east on Walnut Lawn.

Mr. Baird closed the public hearing.

Mr. Hosmer wanted to clarify that the applicant is reducing or pulling out approximately 18 uses of the HC district.

Mr. Baird asked Ms. Scott to come back up to the podium.

Mr. Baird asked Ms. Scott as to what she is specially concerned with on the uses or are their other specific uses that Ms. Scott may have with this being rezoned or just the potential of what could develop with HC commercial.

Ms. Scott wanted to state that 10 acres are being rezoned HC and we don't know what may become of the other 8 acres. There are concerns with the drainage issue and would like these issues be addressed later on how they would use the property.

Mr. Carson addressed storm water / drainage issues. Any increase in impervious area will require the development to meet current detention and water quality requirements. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems. If detention/water quality basin as previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the original design of the basin. If runoff from the proposed development exceeds the original design criteria, additional detention and water quality must be provided based on current requirements. 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.

Mr. Doenning asked if the developer will have a 25' buffer yard across the north line of the entire of the property, i.e., all the way down Walnut Lawn?

Mr. Hosmer said that it would be from the driveway into Mercy fitness center and then continuing east to the property line. There will be landscaping and plantings in those areas to meet the requirements.

COMMISSION ACTION:

Mr. Ray thanked Mr. Lee and Mr. Youngblood with working with the neighborhood and motioned to **approve** Z-40-2015 COD #102. Ms Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-42-2015

216 East Walnut Lawn

Applicant: St. John's Regional Health Center

Mr. Hosmer stated that this is to rezone approximately 0.88 acres of property generally located at 216 East Walnut Lawn Street from R-TH, Residential Townhouse District to an O-1, Office District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for low density housing uses. However, this property is surrounded by Medium or High Density Housing and Medium Intensity Retail, Office or Housing. This area is also adjacent to the James River Freeway and Campbell Activity Center as described in the plan. The requested office zoning can be used as a transition and buffer between higher intensity uses such as commercial and residential developments. The property is located on Walnut Lawn Street which is classified as a collector roadway. Direct driveway accesses are discouraged on collector roadways. Office uses are an appropriate use along collectors and create a buffer between R-TH uses and more intense non-residential uses. Staff recommends approval.

Mr. Baird opened the public hearing.

Neither the applicant or their representative were present. The Commission exercised its discretion and call for public comment. No one spoke in favor or against the change. The commission continued the matter for one meeting to allow the applicant an opportunity to comment.

During Z-43-2015, the next agenda item, the applicant's representative returned and **moved the matter be removed from the table. The Commission removed the matter** from the table and thereafter Mr. Derek Lee, 1200 E. Woodhurst spoke on behalf of the **owner.**

Mr. Ray asked a question regarding a fence that was brought up for Z-40-2015 wCOD #105.

Mr. Lee stated that the fence was repaired.

COMMISSION ACTION:

Mr. Edwards motioned to **approve** Z-42-2015 Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-43-2015

1300 & 1332 East Republic Road

Applicant: John & Rosa Lee Haik

Mr. Hosmer stated that this is to rezone approximately 4.05 acres of property generally located at 1300-1332 East Republic Street from a Planned Development No. 84 to an HC, Highway Commercial District. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested HC, Highway Commercial zoning is consistent with the recommendation. Approval of this application will facilitate redevelopment of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure. These properties are located near the James River Freeway and National Avenue area which is identified as a Community Activity Center. The Plan recommends these areas be developed with greater intensity. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning however, it will provide for a more streamlined process for development of the property. A traffic study was not warranted by Public Works Traffic Division since the rezoning from PD 84 to the HC District will not generate a significant amount of additional traffic between uses permitted in the PD to the uses permitted in the HC district. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis Street. This is a zoning case that matches across the street and kind of existing uses that are to the east and west. It is not out of line with the Growth Management states and what existing uses surrounding it.

Mr. Baird closed the public hearing.

COMMISSION ACTION:

Mr. Edwards motioned to **approve** Z-43-2015 and Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-44-2015

1329 East Lark Street

Applicant: St. John's Regional Health Center

Mr. Hosmer stated that this is to rezone approximately 3.28 acres of property generally located at 1329 East Lark Street from a Planned Development No. 84 to a GR, General Retail District. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested GR, General Retail zoning is consistent with the recommendation. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning, however, it will provide for a more streamlined process for development of the property. Approval of this application will facilitate development of this property and promote infill development where investments have already been made in public services and infrastructure.

Mr. Baird opened the public hearing.

Mr. James McDonald, 1730 E. Republic Road representing Wilhoit Properties. This property is under contract and the intention is to build a new office for relocation.

Mr. Baird closed the public hearing.

COMMISSION ACTION:

Mr. Doenning motioned to **approve** Z-44-2015 and Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

OTHER BUSINESS

Approval of the 2016 calendar with the removal of the November 24 and December 22, 2016 dates

Mr. Cline motioned to **approve** the 2016 Planning and Zoning Calendar with the removal of November 24 and December 22, 2016 and Mr. Doenning **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White



Noted Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Justin Burnett, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi Fulnecky, General C
Ken McClure, General D

**Upcoming Council Meeting Agenda
December 14, 2015 - 6:30 p.m.**

Speakers must sign up with the City Clerk to speak to an issue on the agenda.
Speakers are to limit their remarks to three to five minutes.

Note: Sponsorship does not denote Council member approval or support.

ROLL CALL.

Approved as Presented

APPROVAL OF MINUTES. November 23, 2015

Approved as Amended

FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

Added

CEREMONIAL MATTERS.

Swear in Matthew Suarez as a member of the Tree City USA Citizen Advisory Committee.

CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.

26669

Council Bill 2015-304. (Fishel)

A special ordinance vacating a portion of Prairie Lane, generally located at the northwest corner of the intersection of Prairie Lane and 1983 East Seminole

Persons addressing City Council are asked to step to the microphone and clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864 -1443 at least 3 days prior to the scheduled meeting.

Street, as described on Exhibit "B." (Planning and Zoning Commission recommends approval and staff recommends approval.)

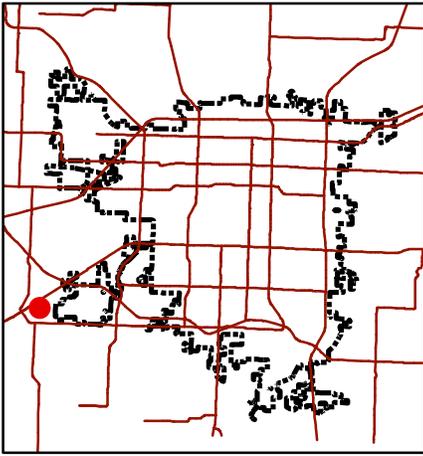
6243

Council Bill 2015-305. (Fishel)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 5 acres of property, generally located in the 6000 block of South Southwood Avenue from a Greene County R-1, Suburban Residence District to a City R-SF, Single Family Residential District. (By: City of Springfield for Mercy Hospital; 6000 Block of South Southwood Avenue; Z-29-2015.)

Development Review Staff Report

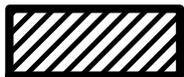
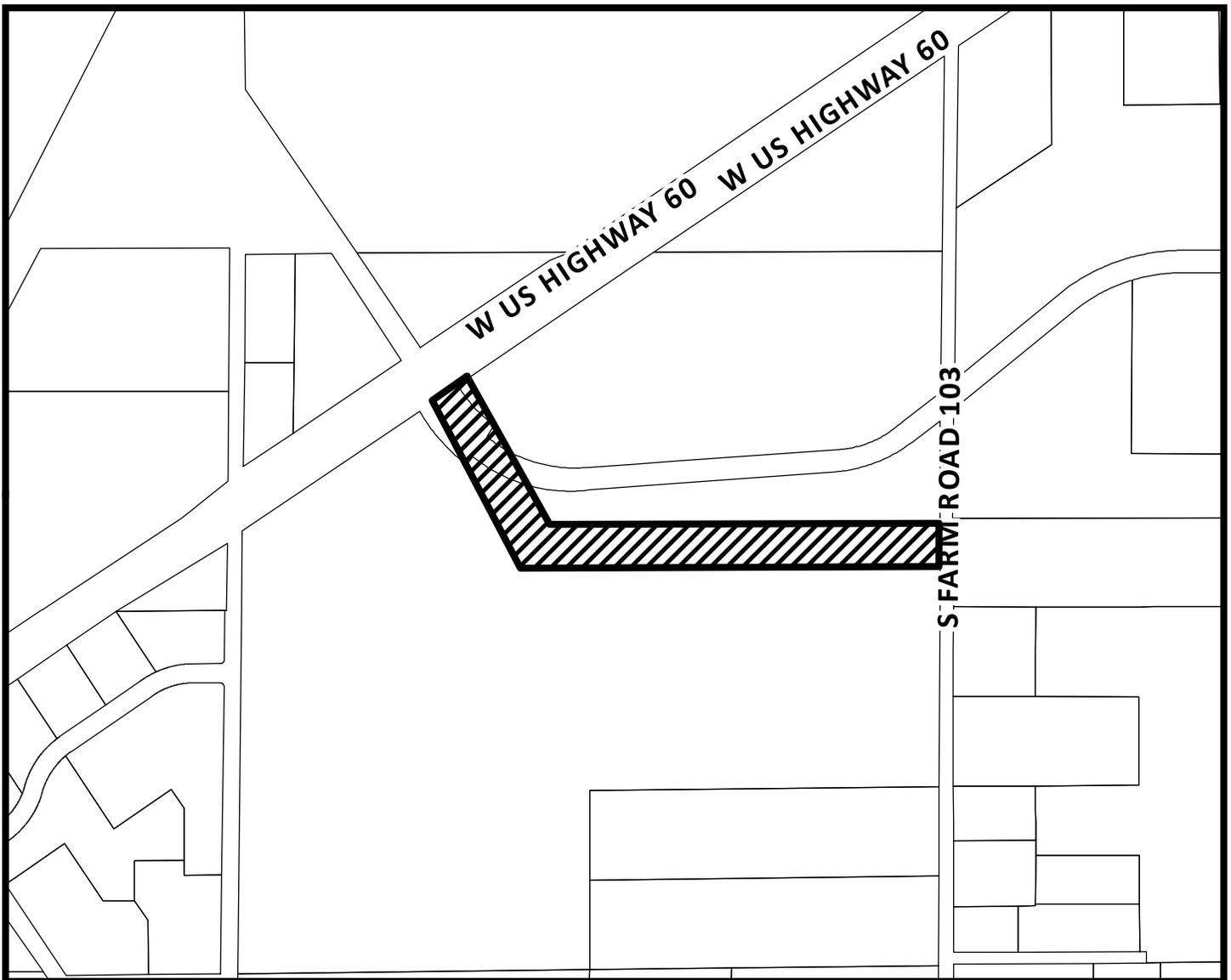
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Relinquish Easement 829

LOCATION: 3700 block S. Farm Road 103, westside

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 829

PURPOSE: To relinquish an electric line easement

REPORT DATE: December 21, 2015

LOCATION: 3700 block of South Farm Road 103, west side

APPLICANT: City Utilities

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Senior Planner

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Drawing

ATTACHMENT A
RELINQUISH EASEMENT NO. 829
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

City Utilities is requesting to relinquish an electric line easement to facilitate electric line improvements. The existing easement will be replaced by a new easement that will allow adequate area for a new 161kV power line to be added to the existing power line facilities.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. City Utilities is requesting to relinquish an electric line easement to facilitate electric line improvements. A replacement easement is being provided.
3. City Utilities is the only agency using the existing easement.
4. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 829
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of this easement.

STAFF RESPONSE:

No one has objected to relinquishing the subject easement to date.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide service.

STAFF RESPONSE:

All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement.

3. That the retention of the easements no longer serves any useful public purpose.

STAFF RESPONSE:

The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 829
EXHIBIT 1

ALL OF THE NORTH HALF OF THE SOUTHWEST QUARTER EXCEPT THE S 1/2 OF THE NE 1/4 OF THE SW 1/4, AND THE SOUTH HALF OF THE NORTHWEST QUARTER, ALL IN SECTION ELEVEN (11), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-THREE (23) IN GREENE COUNTY, MISSOURI, EXCEPT THAT PART LYING NORTH AND WEST OF U.S. HWY. 60, ALSO EXCEPT ANY PART USED FOR ROAD AND RAILROAD RIGHT-OF-WAY, SUBJECT TO EASEMENTS OF RECORD, CONTAINING 117.3 AC±.

THE EASEMENT GRANTED WILL BE 150 FEET WIDE AND LIE ALONG AND 75 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE WHERE SAID CENTERLINE RUNS ACROSS, ADJOINS, OR TOUCHES THE AFOREMENTIONED TRACT. COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 23 WEST; THENCE SOUTH 07°35'33" EAST, 805.10 FEET TO CENTERLINE STATION 549 + 24.46 FOR A POINT OF BEGINNING; THENCE SOUTH 34° 20' 55" EAST, 2097.24 FEET; THENCE NORTH 89°52'38" EAST, 6313.19 FEET; THENCE NORTH 10°53'49" EAST, 2223.57 FEET; THENCE NORTH 70°31'57" EAST, 1052.09 FEET TO CENTERLINE STATION 671 + 10.55; THENCE FROM AFORESAID CENTERLINE NORTH 89°53'32" EAST, 1084.67 FEET TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH, MISSOURI STATE PLANE COORDINATE SYSTEM, WEST ZONE.

ALSO ADJACENT TO AND CONTIGUOUS WITH THE AFOREDESCRIBED EASEMENT, BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF ABOVE DESCRIBED EASEMENT, SAID POINT LYING SOUTH 34°20'55" EAST, 2097.24 FEET; THENCE SOUTH 31°05'12" EAST, 87.46 FEET FROM THE ABOVE POINT OF BEGINNING; THENCE SOUTH 00°07'22" EAST, 35.00 FEET; THENCE SOUTH 89°52'38" WEST, 45.00 FEET; THENCE NORTH 00°07'22" WEST, 35.00 FEET; THENCE SOUTH 89°52'38" WEST, 40.00 FEET; THENCE NORTH 34°20'55" WEST, 40.00 FEET; THENCE SOUTH 55°39'05" WEST, 35.00 FEET; THENCE NORTH 34°20'55" WEST, 45.00 FEET; THENCE NORTH 55°39'05" EAST, 35.00 FEET; THENCE SOUTH 34°20'55" EAST, 85.00 FEET; THENCE NORTH 89°52'38" EAST, 85.00 FEET, TO THE POINT OF BEGINNING.

TIMOTHY D. WALKER
BOOK 2014,
PAGE 028404-14
TRACT 7

TRACT 6

PIG FARM LLC
BOOK 2003, PAGE 085636-03

NEW 150' 345kV ROW
150' ELECTRIC LINE ESMT.
BOOK 1992, PAGE 1509

NEW 50' 161kV ROW

Relinquished
9-21-88

150' ELECTRIC LINE ESMT.
BOOK 2009, PAGE 910

150' ELECTRIC LINE ESMT.
BOOK 1992, PAGE 1509

SE 1/4, NW 1/4, SEC. 11, T28N, R23W

150' ELECTRIC LINE ESMT.
BOOK 2016, PAGE 1687

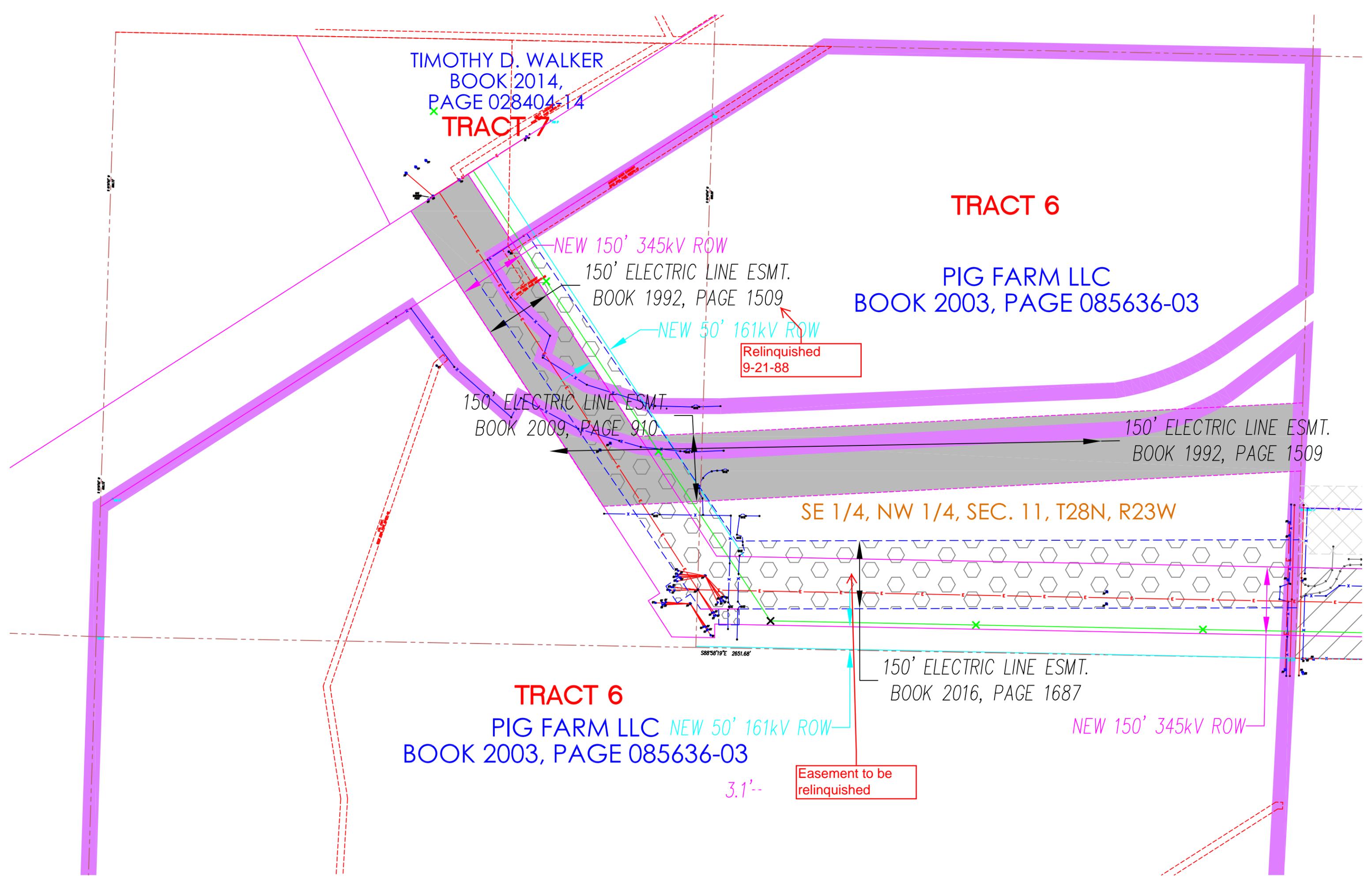
TRACT 6
PIG FARM LLC
BOOK 2003, PAGE 085636-03

NEW 50' 161kV ROW

NEW 150' 345kV ROW

3.1'-

Easement to be
relinquished

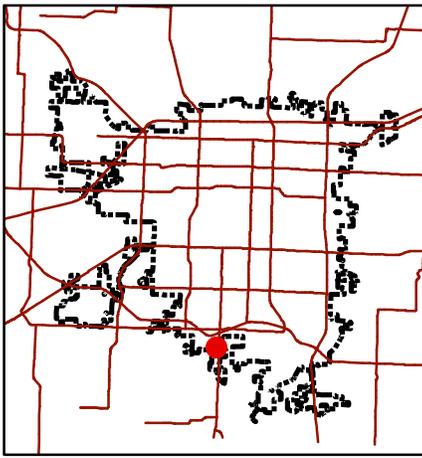


Development Review Staff Report

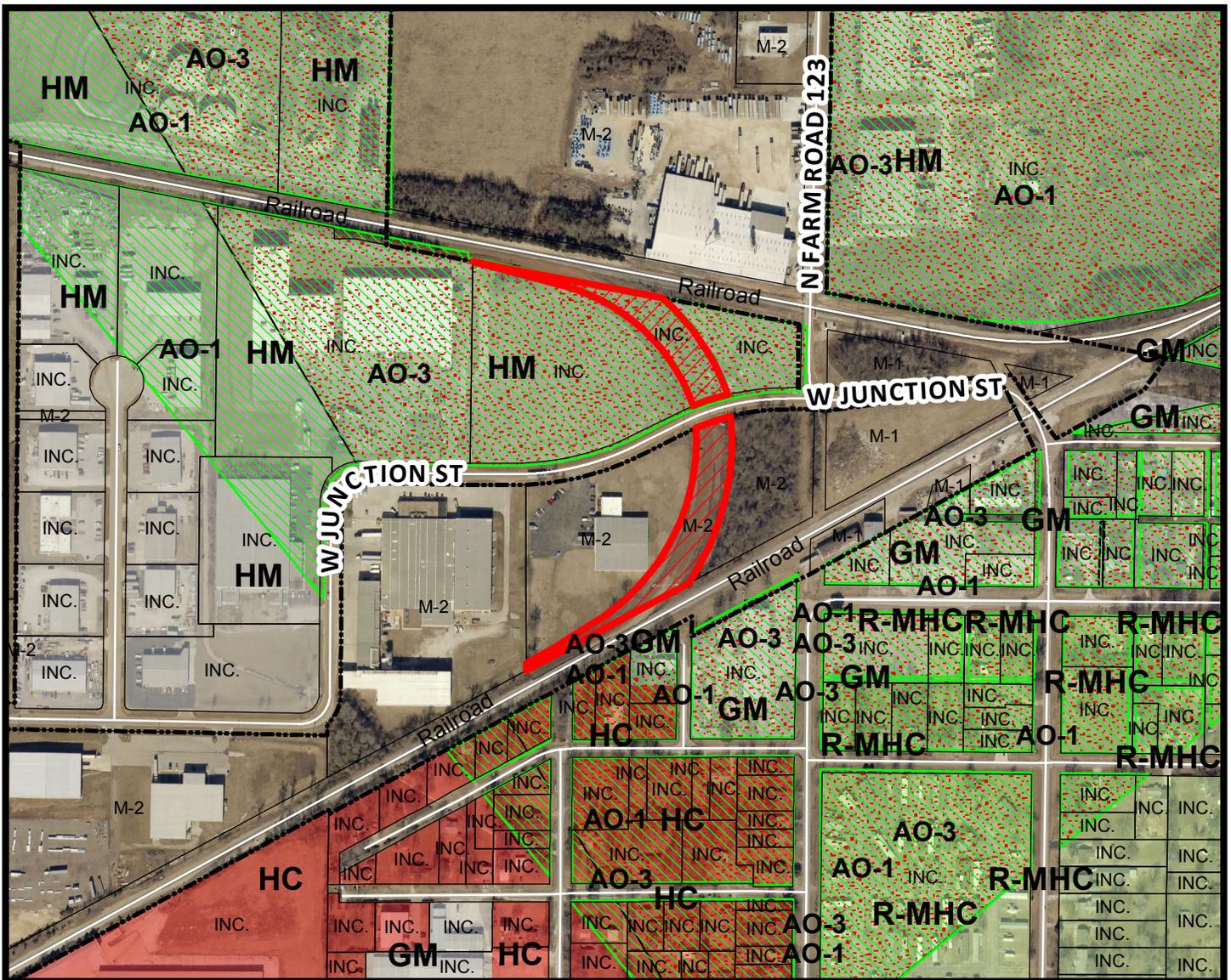
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Dispose 515

LOCATION: 4400 Block of West Junction Street
CURRENT ZONING: HM and County M-2
PROPOSED ZONING: Railroad right of way



LOCATION SKETCH



- Area of Proposal



1 inch = 450 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO DISPOSE NO. 515

DATE: December 15, 2015
LOCATION: 4400 block West Junction Street
APPLICANT: City of Springfield
EXISTING USE: None, undeveloped land
RECOMMENDATION: The request be **approved**.

FINDINGS:

1. The subject property south of Junction Street is outside the City limits of the City of Springfield. The property to the north of Junction Street and the right of way of Junction Street are inside the City of Springfield.
2. The proposed disposal will not adversely affect the City of Springfield operations.
3. The proposed disposal will allow the development of the West Wye railroad connector to be utilized by and transferred to the Burlington Northern Railway.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT 1
BACKGROUND REPORT
REQUEST TO DISPOSE NUMBER 515

APPLICANT'S PROPOSAL:

City of Springfield proposes to dispose of 2.47 acres of property to facilitate the development of the West Wye railroad connector. The property is proposed to be transferred to BNSF Railway. BNSF Railway will construct a railroad connector tract between the two BNSF rail subdivisions and the previously vacated right of way of Junction Street. The vacated right of way was retained as an access easement.

STAFF COMMENTS:

1. The City purchased the property located north of Junction Street on June 28, 2013 and the property south of Junction Street April 4, 2013 to facilitate the West Wye Connector project.
2. The City will transfer the property to the BNSF Railway and will serve as a railroad connector between the Fort Scott and Cherokee rail subdivisions of the BNSF Railway.
3. There is an existing sanitary sewer easement on the north side of Junction Street and crosses the subject property. This easement will be maintained once the property is conveyed to BNSF Railway.
4. The property is currently zoned HM, Heavy Manufacturing District with an Airport Overlay District in the City and M-2, Manufacturing District in Greene County. Once the property is conveyed to BNSF the property will revert to railroad right of way.
5. The proposed disposal will not adversely affect City operations.

ATTACHMENT 2
REQUEST TO DISPOSE NUMBER 515
LAND DISPOSAL POLICY

Planning and Zoning Commission adopted the following policy statement for land disposals by public bodies:

1. Where is property located?

4400 block West Junction Street (formerly Farm Road 130 and Maple St). Approximately 1,600 linear feet by 100 foot wide corridor crossing Junction Street and connecting the Fort Scott and Cherokee rail subdivisions of the BNSF Railway.

2. Please include a copy of the legal description.

The legal description of the property is attached (Tract A and Tract B)

3. Why doesn't city need the property anymore?

BNSF Railway will construct a railroad connector tract between the two BNSF rail subdivisions on the property. The City is required to deed this property along with the previously vacated Junction Street road crossing to BNSF to facilitate the West Wye connecting tract project. The City will continue to use the Junction Street crossing for roadway purposes.

4. When did city purchase property?

The City purchased the corridor located north of Junction Street June 28, 2013 and the corridor south of Junction Street April 4, 2013.

5. Why was property acquired? What did city originally intend to do with the property?

The property was acquired to facilitate the West Wye Connector project.

6. Who will purchase property?

The property will be deeded to BNSF Railway.

EXHIBIT A
REQUEST TO DISPOSE NUMBER 515
LEGAL DESCRIPTION

TRACT "A"

A tract of land located in the Northeast Quarter of the Southeast Quarter of Section 18, Township 29 North, Range 22 West, Greene County, Missouri, and being a portion of the lands of Multifoods Distribution Group, Inc. as per deed recorded in Book 2711 at Page 558 and Multifoods Distribution Inc. as recorded in Book 2342 Page 1642 all in the official records of Greene County, Missouri, the tract being described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 18; thence South 87°38'03" East along the North line thereof a distance of 56.59 feet to the Southerly right-of-way line of the BNSF Railroad; thence South 77°46'20" East along said right-of-way line a distance of 321.76 feet to the Point Of Beginning; thence South 73°56'41" East a distance of 207.99 feet; thence South 73°38'02" East a distance of 22.84 feet to the beginning of a curve concave to the Southwest having a radius of 523.69 feet; thence Easterly and Southeasterly along said curve a distance of 534.36 feet (through an angle of 58°27'51") to a point on the Northerly right-of-way line of Junction Street, formerly known as Maple Street (Farm Road 130,) said point being on a non-tangent curve from which the radius point bears South 22°06'44" East at a distance of 746.20 feet; thence along a segment of said curve and right-of-way line a distance of 100.20 feet (through an angle of 7°41'37") to a point on a non-tangent curve from which the radius point bears South 74°20'01" West at a distance of 623.69 feet; thence Northwesterly along said curve a distance of 344.97 feet (through an angle of 31°41'27") to the Southerly right-of-way line of the BNSF Railroad; thence North 77°46'21" West along said right-of-way line a distance of 508.26 feet to the Point Of Beginning. The above described tract contains 1.04 acre more or less.

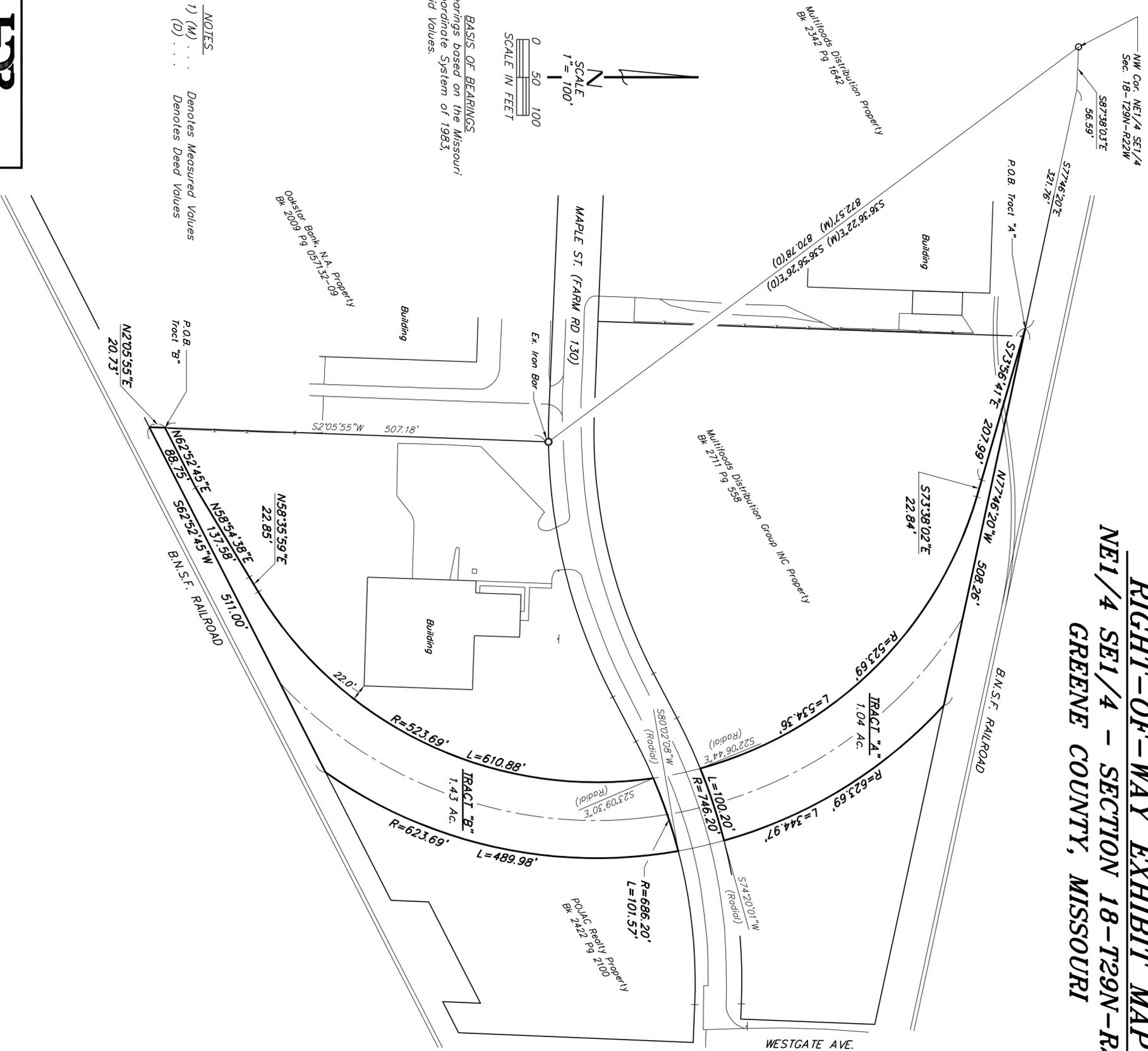
TRACT "B"

A tract of land located in the Northeast Quarter of the Southeast Quarter of Section 18, Township 29 North, Range 22 West, Greene County, Missouri, and being a portion of the lands of Pojac Realty Inc. as per deed recorded in Book 2422 at Page 2100 in the official records of Greene County, Missouri, the tract being described as follows: Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 18; thence South 36°36'22" East a distance of 872.57 feet measured (870.78 deed) to an existing iron bar marking the Northwest corner of the land of Pojac Realty Inc.; thence South 2°05'55" West along the west line of said Pojac Realty Inc. a distance of 507.18 feet to the Point Of Beginning; thence North 62°52'45" East a distance of 88.75 feet; thence North 58°54'38" East a distance of 137.58 feet; thence North 58°35'59" East a distance of 22.85 feet to the beginning of a curve concave to the Northwest having a radius of 523.69 feet; thence Northeasterly, Northerly, and North along said curve a distance of 610.88 feet (through an angle of 66°50'09") to a point on the South right-of-way line of Junction Street, formerly known as Maple Street (Farm Road 130), said point being on a non-tangent curve from which the radius point bears South 23°09'30" East at a distance of 686.20 feet; thence easterly along said right-of-way line and segment of said curve a distance of 101.57 feet (through an angle of 8°28'50") to a point on a non-tangent curve from which the radius point bears South 80°02'08" West at a distance of 623.69 feet; thence South, Southerly, and Southwesterly along said curve a distance of 489.98 feet (through an angle of 45°00'47") to the north right-of-way line of the BNSF Railroad; thence South 62°52'45" West along said right-of-way line a distance of 511.00 feet to the Southwest corner of said Pojac Realty Inc.; thence North 2°05'55" East along the west line of said Pojac Realty Inc. a distance of 20.73 feet to the Point Of Beginning. The above described tract contains 1.43 acres more or less.

RIGHT-OF-WAY EXHIBIT MAP

NE1/4 SE1/4 - SECTION 18-T29N-R22W

GREENE COUNTY, MISSOURI



DESCRIPTIONS

TRACT "A"

A tract of land located in the Northeast Quarter of the Southeast Quarter of Section 18, Township 29 North, Range 22 West, Greene County, Missouri, and being a portion of the lands of Multifoods Distribution Group, Inc. as per deed recorded in Book 2711 at Page 558 and Multifoods Distribution Inc. as recorded in Book 2342 Page 1642 all in the official records of Greene County, Missouri, the tract being described as follows:

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TRACT "B"

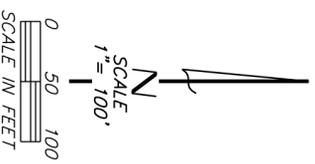
A tract of land located in the Northeast Quarter of the Southeast Quarter of Section 18, Township 29 North, Range 22 West, Greene County, Missouri, and being a portion of the lands of Projac Realty Inc. as per deed recorded in Book 2422 at Page 2100 in the official records of Greene County, Missouri, the tract being described as follows:

Commencing at the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section 18; thence South 36°36'22" East a distance of 872.57 feet measured (870.78 feet) to an existing iron bar marking the Northwest corner of the land of Projac Realty Inc.; thence South 2°05'55" West along the west line of said Projac Realty Inc. a distance of 507.18 feet to the Point Of Beginning; thence North 62°52'45" East a distance of 88.75 feet; thence North 58°54'38" East a distance of 137.58 feet; thence North 58°35'59" East a distance of 22.85 feet to the beginning of a curve concave to the Northwest having a radius of 523.69 feet; thence Northeasterly, Northerly, and North along said curve a distance of 610.88 feet (through an angle of 66°50'09") to a point on the South right-of-way line of Maple Street (Farm Road 130) said point being on a non-tangent curve from which the radius point bears South 23°09'30" East at a distance of 686.20 feet; thence easterly along said right-of-way line and segment of said curve a distance of 101.57 feet (through an angle of 8°28'50") to a point on a non-tangent curve from which the radius point bears South 80°02'08" West at a distance of 623.69 feet; thence South, Southerly, and Southwesterly along said curve a distance of 489.98 feet (through an angle of 45°00'47") to the north right-of-way line of the BNSF Railroad; thence South 62°52'45" West along said right-of-way line a distance of 511.00 feet to the Southwest corner of said Projac Realty Inc.; thence North 2°05'55" East along the west line of said Projac Realty Inc. a distance of 20.73 feet to the Point Of Beginning. The above described tract contains 1.43 acres more or less.

NOTES

- 1) (M) Denotes Measured Values
- (D) Denotes Deed Values

BASIS OF BEARINGS
Bearings based on the Missouri
Coordinate System of 1983,
Grid Values.



HDR
P.O. BOX 969
187 EAST DAWD
FORSYTH, MISSOURI 65653
(417) 546-3218

JOB NO. 151643

One-rdg. _____
P. Hrngs. _____
Pgs. 86
Filed: 08-04-15

Sponsored by: McClure

First Reading: August 10, 2015

Second Reading: August 24, 2015

COUNCIL BILL NO. 2015- 200

SPECIAL ORDINANCE NO. 26611

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Construction and
2 Maintenance Agreement with BNSF Railway Company (BNSF) for the
3 purpose of improving safety, efficiency, and promoting economic
4 development in central Springfield by constructing the West Wye
5 Connector project, which will relocate a BNSF railroad line connecting
6 the Fort Scott and Cherokee Subdivisions.
7
8

9 WHEREAS, the City and BNSF desire to coordinate the relocation and
10 modification of BNSF facilities to construct the embankment for a new West Wye
11 Connector between BNSF's Fort Scott and Cherokee Subdivisions and to construct the
12 new tracks and West Wye facility; and
13

14 WHEREAS, the City will contribute the full cost of the construction project,
15 estimated to be \$2,351,528.
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 SPRINGFIELD, MISSOURI, as follows, that:
19

20 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
21 a Construction and Maintenance Agreement with BNSF, said agreement to be
22 substantially in the form and content as that document attached hereto and incorporated
23 herein by reference as “Exhibit 1.”
24

25 Section 2 – This ordinance shall be in full force and effect from and after
26 passage.
27

28 Passed at meeting: August 24, 2015

29

30

31

32

Robert H. Stephen
Mayor

33

34

35

Attest: Antia J. Cotter, City Clerk

36

37

Filed as Ordinance: August 24, 2015

38

39

40

Approved as to form: Sarah Kerner, Assistant City Attorney

41

42

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2015- 200

FILED: 08-04-15

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Construction and Maintenance Agreement with BNSF Railway Company (BNSF) for the purpose of improving safety, efficiency, and promoting economic development in central Springfield by constructing the West Wye Connector project, which will relocate a BNSF railroad line connecting the Fort Scott and Cherokee Subdivisions.

BACKGROUND INFORMATION: The West Wye construction project authorized by this ordinance is the first step in a program to create a more efficient and safe rail system through the City and will support the redevelopment of Central Springfield. Ultimately, when the overall program goal is reached, there will be an expanded open space system; safer pedestrian and vehicular environment; improved railcar interchange between BNSF and the Missouri & Northern Arkansas (M&NA) railroad; improved coal delivery to the Southwest Power Plant; and enhanced economic development within the City center.

The project involves construction of new embankment, tracks, and West Wye facility. The Cost Estimate for the project is \$2,351,528. The project is funded by two Federal Rail Administration grants, matching funds from the City in the form of 1/4-cent sales tax, matching funds from a MoDOT grant, and additional City 1/4-cent sales tax funds of up to \$50,000 to pay for the construction and construction oversight by our third-party consultant.

This project 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.

REMARKS: It should be noted that the cost of this project was originally estimated to be approximately \$1.5 million more than the amount of the current Cost Estimate, but it was brought into a much more reasonable range with the hard work of all parties involved.

The agreement does contain a not-to-exceed amount that is established by BNSF's cost estimate, but it clearly states that all costs incurred in the construction shall be paid for by the City. Change orders or amendments to the contract, signed by both parties, will still be required to encumber the funds, but the contract unequivocally states that BNSF's construction costs must be fully reimbursed by the City. A certain amount of risk exists due to the unknown nature of the construction costs.

A separate agreement will cover the terms under which the City will transfer to BNSF all ownership in the new embankment and railroad right-of-way currently located between BNSF's Fort Scott and Cherokee Subdivisions. This is still being negotiated and will be presented to Council separately.

City Council has approved several previous bills in support of the West Wye project:

Resolution No. 10161, approved September 8, 2014: A resolution authorizing the City Manager, or his designee, to apply for a grant from the Federal Rail Administration (FRA), for the purpose of funding the deployment of positive train control on the West Wye project.

Special Ordinance No. 26327, approved November 4, 2013: A special ordinance authorizing the City Manager, or his designee, to accept a State Freight Enhancement Grant from the Missouri Department of Transportation (MoDOT) in the amount of \$150,000, for the purchase of funding the construction of the new west connecting and turning wye track, between the Burlington Northern Santa Fe (BNSF) Fort Scott and Cherokee Subdivisions.

Special Ordinance No. 26205, approved February 26, 2013: A special ordinance authorizing the City Manager, or his designee, to accept a grant in the amount of \$1,898,444.00 from the Federal Rail Administration (FRA), for the purpose of funding, in part, the design and construction of a new west connection and turning wye between the Fort Scott and Cherokee Subdivisions of the Burlington Northern Santa Fe (BNSF) railway

Resolution No. 10087, approved October 7, 2013: A resolution approving the plans, specifications, and bid of Hartman & Company, Inc., for the construction phase of the West Wye connecting track project, Plan No. 2012PW0063.

Resolution No. 9824, approved October 18, 2010: A resolution authorizing the City Manager, or his designee, to apply for a grant in the amount of \$1,899,000 from the Federal Rail Administration (FRA), for the purpose of funding, in part, the acquisition, design and construction of a new west connection and turning wye between the Fort Scott and Cherokee Subdivisions of the Burlington Northern Santa Fe (BNSF) Railway.

Special Ordinance No. 25794, approved July 12, 2010: A special ordinance authorizing the City Manager, or his designee, to cooperate with the Ozarks Transportation Organization to apply for and accept a Tiger II grant up to \$6,110,756 from the US Department of Transportation for the purpose of funding a portion of "The Link" project and the West Wye Relocation project.

Special Ordinance No. 25788, approved June 28, 2010: A special ordinance authorizing the City Manager, or his designee, to apply for and accept a grant in the amount of \$500,000.00 from the Federal Rail Administration (FRA), for the purpose of funding, in part, the acquisition, design and construction of a new west connection and turning wye between the Fort Scott and Cherokee Subdivisions of the Burlington Northern Santa Fe (BNSF) Railway.

Special Ordinance No. 25350, approved January 28, 2008: A special ordinance authorizing the City Manager, on behalf of the City of Springfield, to enter into a non-binding agreement through a Memorandum of Understanding between the City of Springfield and BNSF Railway Company to address development of the West Meadows portion of Jordan Valley Park within Springfield, Missouri.

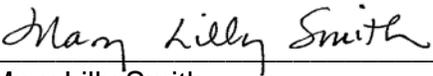
Special Ordinance No. 25349, approved January 28, 2008: A special ordinance authorizing the City Manager, on behalf of the City of Springfield, to enter into a cooperative non-binding agreement through a Memorandum of Understanding between the City of Springfield, Union Pacific Railroad, and the Missouri & Northern Arkansas Railroad to address development of the West Meadows portion of Jordan Valley Park within Springfield, Missouri.

Submitted by:



Sarah Kerner, Assistant City Attorney

Recommended by:



Mary Lilly Smith,
Director of Planning and Development

Approved by:



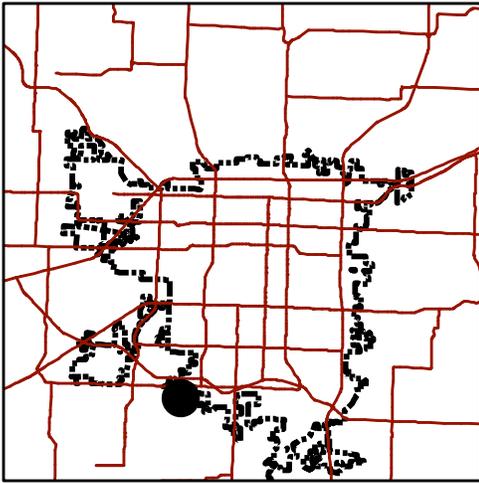
Greg Burris, City Manager

Development Review Staff Report

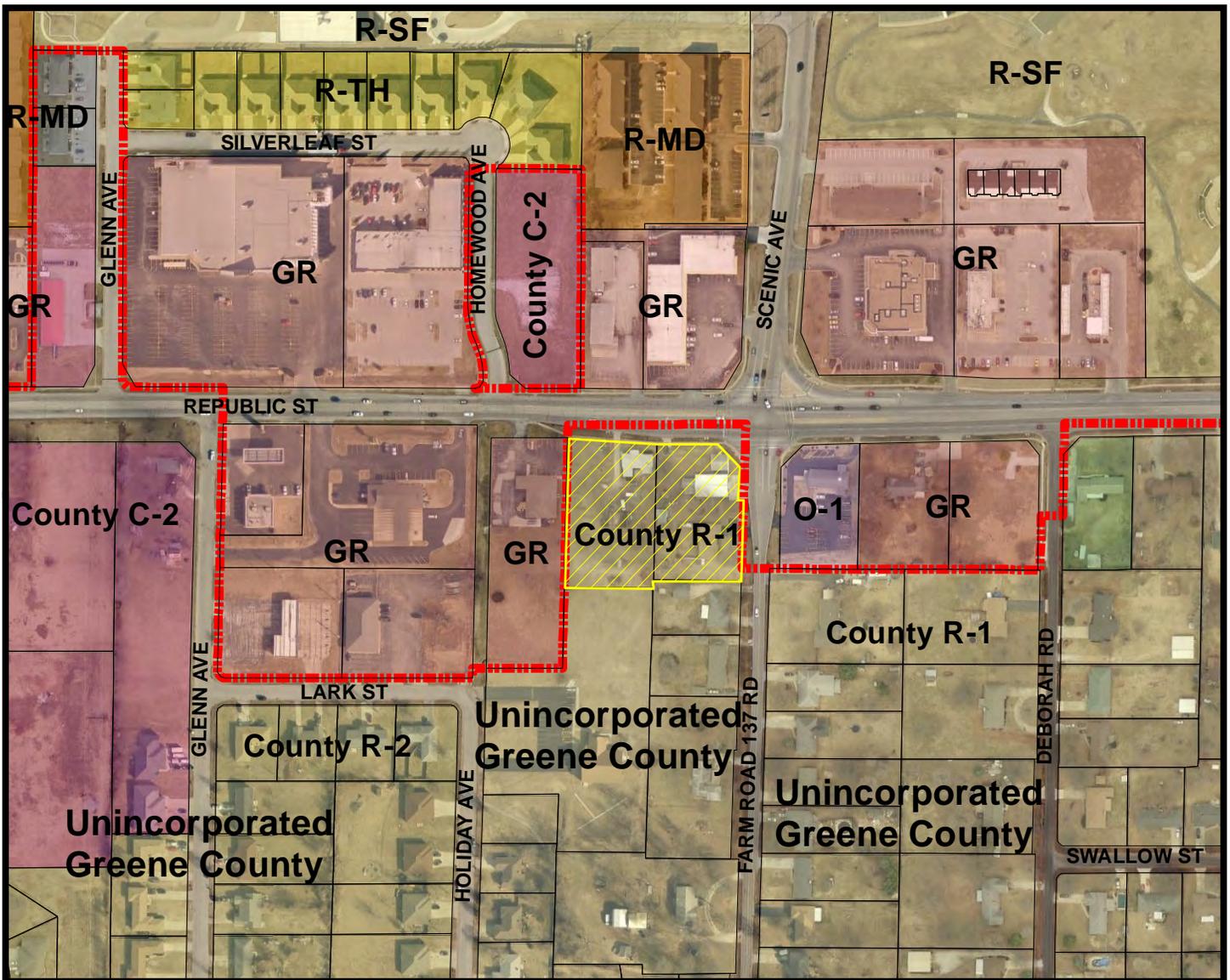
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-37-2015

Location: 2716-2736 W. Republic & 4229 S. Scenic Ave.
Current Zoning: County R-1, Suburban Residence District
Proposed Zoning: GR, General Retail District



LOCATION SKETCH



 - Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-37-2015

PURPOSE: To rezone approximately 1.88 acres of property generally located at 2716-2736 West Republic Street and 4229 South Scenic Avenue from a County R-1, Suburban Residence District to a GR, General Retail District.

REPORT DATE: December 28, 2015

LOCATION: 2716-2736 W. Republic St. and 4229 S. Scenic Ave.

APPLICANTS: Thomas & Lee Ann Conway, Tom's Lawn Maintenance, LLC and St. Thomas the Apostle Orthodox Church

TRACT SIZE: Approximately 1.88 acres

EXISTING USE: County R-1, Suburban Residence uses

PROPOSED USE: Uses permitted in the GR, General Retail District.

FINDINGS FOR STAFF RECOMMENDATION:

1. This area is located at the intersection of Republic and Scenic, which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterials and near intersections of primary and secondary arterials.
2. The proposed GR, General Retail zoning is consistent with the depth of adjacent commercial zoning and uses that front along Republic Street.
3. Approval of this application will facilitate redevelopment of these properties and promote infill development and increased intensity where investments have already been made in public services and infrastructure.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	General Retail uses
East	O-1	Church
South	County R-1	Single-family residence and Church uses
West	GR	Mercy Clinic

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing; however these properties are located at the intersection of two arterial streets (Republic and Scenic). This area is also located near a Community Activity Center at James River Freeway and Kansas Expressway. The *Plan* recommends these areas be developed with greater intensity.

The *Plan* further recommends commercial areas of different intensities throughout the community. Commercial areas should be sited in areas that are well served by transportation facilities and sited and designed to have a minimal effect on the adjacent lower-intensity development.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject properties from a County R-1, Suburban Residence District to a GR, General Retail District. The intent of this application is to rezone and combine the subject properties which will facilitate the redevelopment of the site for commercial uses. All three lots and adjacent right-of-way were initiated for annexation by City Council on November 23rd and a public hearing at City Council is set for January 11th.
2. 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 at a major intersection of two arterial streets (Republic and Scenic). This area is also located near a Community Activity Center at James River Freeway and Kansas Expressway. Community-Scale Businesses are recommended on primary arterials and near intersections of primary and secondary arterials. These land uses should be sited to minimize the effect on the environment and surrounding land uses by providing adequate utilities, storm water management, parking, landscaping and buffering and design practices. The subject property is located along Republic Street which is classified as a primary arterial roadway and Scenic Avenue which is classified as a secondary arterial.

3. A traffic study was not warranted by Public Works Traffic Division since the rezoning from County R-1 to GR on such small lots will not generate a significant amount of additional traffic.
4. Upon development of the property a bufferyard is required along the south property line adjacent to the County R-1 zoning which is comparable to the City's R-SF. The normal bufferyard required between GR and R-SF zoning would be a Bufferyard "Type F"; at least twenty (20) feet wide with a six foot solid wood fence, masonry/brick wall or evergreen hedge. For each one-hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, two (4) evergreen trees and twenty (20) shrubs. If lots are combined as suggested, there will be no narrow or shallow lot exemptions. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF district.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on November 16, 2015. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on December 17, 2015 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. Thirteen (13) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 25, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-37-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed zoning classification.

CITY UTILITIES:

City Utilities has no objection to the requested rezoning. The existing structures are served by Ozark Electric Coop.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. All three existing lots shown on the uploaded survey have access to public sewer.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with the proposed zoning request. The requested rezoning will not generate a significant amount of traffic to trigger a traffic study. Please note, sidewalks will be required to be constructed along the property frontage on Scenic at the time of development based on *Section 36-471* of the Zoning Ordinance.

STORMWATER COMMENTS:

There are no stormwater issues with rezoning this property. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Any increase in impervious area will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
2. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
3. 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.

ATTACHMENT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Single Family Residential County to General Retail
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Monday November 16, 2015 4 pm to 6:30 pm
Chesterfield Family Center Community Room - West Republic Road
3. Meeting Location: _____
4. Number of invitations that were sent: 65
5. How was the mailing list generated: City generated
6. Number of neighbors in attendance (attach a sign-in sheet): none
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.)

None

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

NA



Architecture
 Engineering
 Planning
 Project Management

YOUR VISION. OUR FOCUS.

October 12, 2015

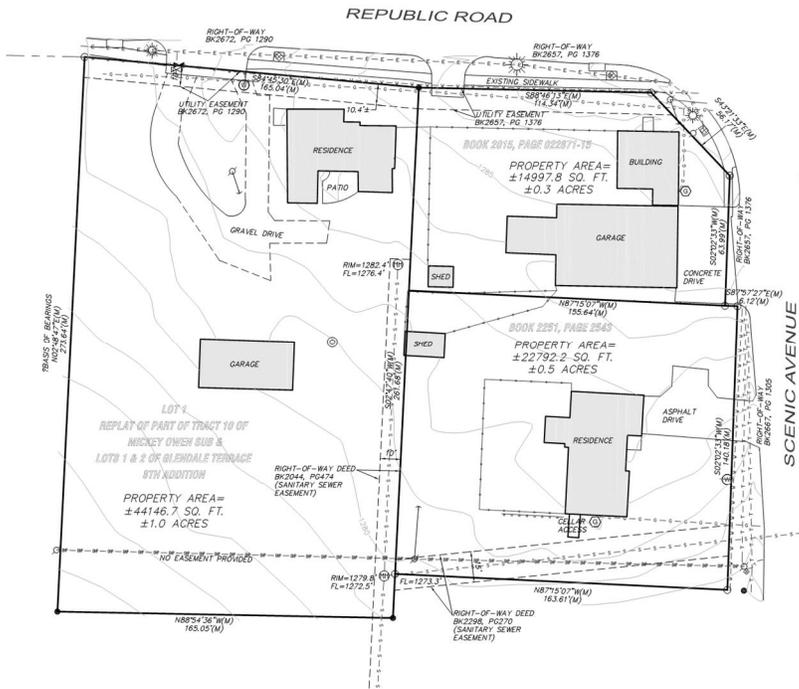
To: Nearby Neighbors of the property Scenic and Republic Road

Re: Proposed Rezoning

Greetings,

I am representing the property owners of the properties at the SW corner of Republic Road and Scenic. There are three lots there which they want to rezone from single family residential to General Retail. Those tracts are also outside the City Limits and they want to annex them into the City as well.

The three lots in question are shown below:



The purpose of this letter is to let you know of the upcoming zoning process and to invite you to a Neighborhood meeting that we are holding on **Monday evening November 16th between 4:00 PM and 6:30 PM.** The meeting will be held at **Chesterfield Family Center, 2511 West Republic Road in the South Community Room.** There will be no formal presentation so you can come by any time during that period and I will be there to answer any questions you might have.

Geoffrey H. Butler, AIA
 Architect & Partner
 Direct Line: 417.521.6106
 Mobile: 417.848.6000
 Email: butler@brpae.com

319 North Main, Suite 200
 Springfield, MO 65806
 Phone: 417.865.6100
 Fax: 417.865.6102
 www.brpae.com

At this time the property owners do not have any plans for the property and they just want to get it in the city and rezoned so that they can sell the property.

If you do not have time to come by please feel free to call me to discuss your concerns. My contact information is at the bottom of the first page of this letter.

Sincerely,

BUTLER, ROSENBURY & PARTNERS, INC.

A handwritten signature in red ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

CC: City of Springfield – Planning and Zoning Commission



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December 4, 2015

To: Nearby Neighbors of the property Scenic and Republic Road
4229 S Farm Rd 137, 2716 West Republic Road & 2736 West Republic Road

Re: Proposed Rezoning

Greetings,

I am representing the property owners of the properties at the SW corner of Republic Road and Scenic. There are three lots there which they want to rezone from single family residential to General Retail. Those tracts are also outside the City Limits and they want to annex them into the City as well.

The purpose of this letter is to let you know of a change in the schedule. We have had to delay the public hearing at the Planning and Zoning Commission from December 10th to January 7th at 6:30. We had inadvertently failed to include a City provided Notice letter in your last mailing and we need to still do that. You will find that attached hereto.

At this time the property owners do not have any plans for the property and they just want to get it in the city and rezoned so that they can sell the property.

Please feel free to call me with any questions you might have.

Sincerely,

BUTLER, ROSENbury & PARTNERS, INC.

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Architect & Partner

GHB

CC: City of Springfield – Planning and Zoning Commission

Geoffrey H. Butler, AIA
Architect & Partner
Direct Line: 417.521.6106
Mobile: 417.848.6000
Email: butler@brpae.com

319 North Main, Suite 200
Springfield, MO 65806
Phone: 417.865.6100
Fax: 417.865.6102
www.brpae.com

NOTICE

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A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits, an application for a change in land use or zoning the property will be posted, there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

- 1. Application
- 2. Neighborhood Meeting (500 feet notification from subject property)
- 3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
- 4. 1st City Council Public Hearing (185 feet notification from subject property)
- 5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

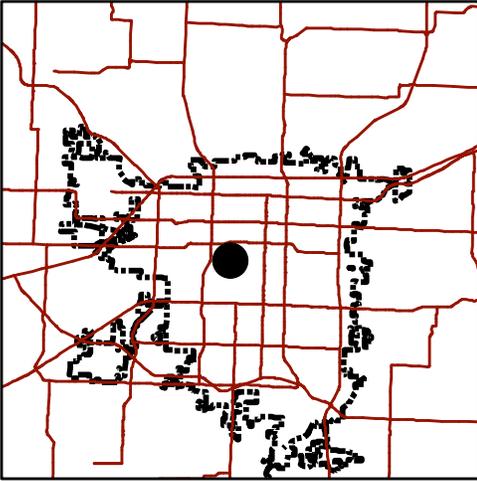
Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:		Telephone No.	
YOUR NAME:			
YOUR ADDRESS:			
PROJECT ADDRESS:			
COMMENTS:			

Development Review Staff Report

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



Z-39-2015/Conditional Overlay District No. 103

Location: 608, 614 & 618 W. Mount Vernon Street

Current Zoning: R-SF, Single-Family Residential

Proposed Zoning: R-LD, Low-Density Multi-Family Residential
& COD #103

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

PURPOSE: To rezone approximately 0.81 acres of property generally located at 608, 614 and 618 West Mount Vernon Street from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 103.

REPORT DATE: December 30, 2015

LOCATION: 608, 614 and 618 West Mount Vernon Street

APPLICANT: Mount Vernon 608, LLC

TRACT SIZE: Approximately 0.81 acres

EXISTING USES: Two existing legal non-conforming duplexes and a single-family residence

PROPOSED USES: Retain existing duplexes and multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for Medium or High Density Housing. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure. The request will change the status of two non-conforming uses and make them conforming. This will provide investment security for improvements on the property.
4. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.

- The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District. The R-TH District is the least dense zoning district that allows duplexes. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-TH & R-MD	Public School and single-family residence uses
East	R-SF	Duplex and single-family residences
South	R-SF	Single-family residences
West	R-SF	Single-family residence

COMPREHENSIVE PLAN:

- The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Medium or High Density Housing uses. The plan recommends townhouses and all multi-family apartment buildings in this category, which are located where there is good traffic access, located between low-density housing and non-residential land uses, and at high-amenity locations. The Major Thoroughfare Plan classifies Mount Vernon between Grant and Campbell as a collector roadway which supports the proposed land use. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.

HISTORY:

- These properties were originally zoned as C-3, Commercial District, prior to the 1995 City-wide reclassification. This district allowed for both commercial and all types of residential uses. The 1995 reclassification rezoned these properties to R-MD, Medium-Density Multi-Family Residential District. In 1998, the West Central Neighborhood Strategic Plan was adopted and identified these properties as appropriate for R-SF zoning. In 1998-99, the City rezoned this area to R-SF. In 2001, the City adopted the Growth Management and Land Use Element of the Comprehensive Plan that identified these properties as appropriate for Medium-to High-Density Housing.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 103. The proposed Conditional Overlay District (Attachment 3) will restrict the residential density to 11 dwelling units per acre or less. The applicant is also proposing to combine the subject properties at 608, 614 and 618 West Mount Vernon Street. The proposed rezoning to R-LD will make the two existing duplexes conforming uses and allow the property at 618 West Mount Vernon to be redeveloped for higher density. The existing structures at 608 and 614 West Mount Vernon St. were converted to duplexes around 1998, but were being used as 4-plexes before then. The applicant also owns the property at 604 West Mount Vernon which was initially a part of this request but has since been removed from consideration.
2. The R-LD District is intended to accommodate multi-family developments at densities up to approximately eighteen (18) units per acre and is intended to have all vehicular access from a collector or higher classified street without traversing minor streets in adjoining residential neighborhoods. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. The Multi-Family Location and Design Guidelines are not required for multi-family developments at eleven (11) dwelling units per acre or less. The current R-SF, Single-Family Residential District allows for a maximum residential density of 7 du/ac. The proposed conditional overlay district will restrict the residential density to 11 dwelling units per acre which is similar to the R-TH, Residential Townhouse District. This is a difference of 4 du/ac. While both the R-TH and R-LD Districts allow duplexes, the primary difference is that the R-TH District only allows one duplex per lot while the R-LD allows for multiple duplexes or units on a single lot.
3. If the existing duplexes are not rezoned and brought into a conforming status, then in the event that any building or structure is damaged or destroyed, by any means, to the extent of more than seventy-five (75) percent of the replacement cost of the building or structure at the time such damage occurred, such building or structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located.
4. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #103 on such small lots will not generate a significant amount of additional traffic. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.
5. The property to the east, south and west of the subject property is zoned R-SF, Single Family Residential. The normal bufferyard required between R-LD and R-SF zoning would be a landscaped Bufferyard "Type B" at least 15 feet wide. For

each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, one (1) evergreen trees and six (6) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in Bufferyard "B". The subject property qualifies for narrow and shallow lot exemptions because it is less than 200 feet wide and deep, however, the landscaping and structure requirements for the alternative bufferyard are more restrictive. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. The property to the north is zoned R-TH and R-MD, therefore no bufferyards are required across Mount Vernon Street.

6. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. No portion of a multi-family structure shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-SF District. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.
7. The proposed rezoning was reviewed by City departments and comments are attached (Attachment 1).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on November 18, 2015. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on December 17, 2015 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. Thirty-one (31) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 25, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. Building Development Services does not have any issues with R-LD zoning with the COD to reduce the density.

TRAFFIC DIVISION COMMENTS:

1. No traffic issues with the proposed zoning request. The requested rezoning will not generate a significant amount of traffic to trigger a traffic study.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development.
2. Any increase in impervious area will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
3. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
4. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or drainage easement.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning

CITY UTILITIES:

1. No objection. CU has all facilities available to provide service.

ATTACHMENT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: **R-SF** to **R-LD with COD (11 units per Acre)**
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: **November 18, 2015 4:00 - 6:30 pm**
3. Meeting Location: **618 W Mt Vernon**
4. Number of invitations that were sent: **190**
5. How was the mailing list generated: **By City**
6. Number of neighbors in attendance (attach a sign-in sheet): **11**
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.)

See attached

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

See attached

November 18, 2015

Neighborhood Meeting Notes

Rezoning 604, 608, 614, 618 W Mount Vernon

Below is a summary of concerns expressed:

They do not want renters. They want Homeowners. They said that renters don't take care of the properties and in the past let the property run down and then the druggies and prostitutes move in.

Our response: We are investing in the area and improving property values in the area and with that investment comes higher rents and a better more affluent renter. Zoning does not address ownership. It merely addresses whether the tract of land can have one dwelling or more than one. A multifamily residential building could have four or five units in it and all could be owned under a condominium ownership.

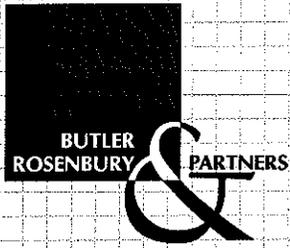
They would prefer that the three existing duplexes be converted to single family homes rather than rezone them to allow multifamily housing which they already are.

Our Response: These are already legal non conforming uses but if they get damaged by a storm or a fire, they could not be rebuilt as anything other than a single family home without the rezoning. This property was zoned C-3 Commercial prior to 1995 when the new zoning went into effect. However, they were remapped as R-SF incorrectly and should have been zoned multifamily at that time. This corrects that mistake.

They are opposed to removing the 618 property (which is an older single family property) from the zoning application so that the others could be properly zoned.

Our Response: We offered to just rezone the three duplexes and they would not consider it. The 618 property is in very poor shape. It is a one bedroom home and the floors sag, the roof leaks and sags and it cannot be renovated to make it a desirable property without spending more money than it is worth. It would never sell or rent in a manner that the investment could be returned.

We could not find any common ground on things which would satisfy them except leaving it all RSF and converting the duplexes to single family homes.



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NEIGHBORHOOD MEETING
 REZONING - 604 - 618 MT VERNON
 NOV 18 2015
 4:00 - 6:30 PM

NAME	ADDRESS	PHONE #
S. David Carr	500 W Mt Vernon St	849-3941
PAT Nott	632 W. Mt Vernon	864-5700
Alan Jeff	632 W Mt Vernon	
Brandy Roberts	626 W. Mt. Vernon	417-894-7849
Phyllis Aetzer	845 S MISSOURI	866-8776
Kathleen Cowens	741 S Market Ave	865-7427
Tammy Ann Kaye	931 W. Memorial Terrace	865-3158
Rusty Worley	807 W Walnut	569-8866
Caron Parnell	800 W. Walnut	314.825.6498
John Dukewits	941 W LOMBARD	417 766 6818
KARL JASINSKI	626 S. MARKET AVE. 626, 630, 630.	810-922-4556

BRANDON DICKMAN | ROZA HOMES
 DIXIE VAUGHN

GEOFF BUTLER | BUTLER ROSENBERG



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October 28, 2015

To: Nearby Neighbors of the properties at 604, 608, 614 and 618 West Mount Vernon

Re: Proposed Rezoning

Greetings,

I am representing the property owners of the above properties on West Mount Vernon. There are three lots there which they want to rezone from R-SF single family residential to R-LD Residential low density. 608 and 614 Mount Vernon are existing duplex units which are being rehabbed. The property at 618 Mount Vernon will be demolished and a new multi-family building with five units is planned there. 604 Mount Vernon is an existing single family house which will eventually be combined with 608 and 614 when that needs to be redone.

The purpose of this letter is to let you know of the upcoming zoning process and to invite you to a Neighborhood meeting that we are holding on **Wednesday evening November 18th between 4:00 PM and 6:30 PM.** The meeting will be held at **618 Mount Vernon.** There will be no formal presentation so you can come by any time during that period and I will be there to answer any questions you might have.

If you do not have time to come by please feel free to call me to discuss your concerns. My contact information is at the bottom of the first page of this letter.

Sincerely,

BUTLER, ROSENbury & PARTNERS, INC.

A handwritten signature in red ink, appearing to read "Geoffrey H. Butler", written over a red circular stamp or seal.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

CC: City of Springfield – Planning and Zoning Commission

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December 4, 2015

To: Nearby Neighbors of the properties at 608, 614 and 618 West Mount Vernon

Re:: Proposed Rezoning

Greetings,

I am representing the property owners of the above properties on West Mount Vernon. There are lots there which they want to rezone from R-SF single family residential to R-LD Residential low density with a Conditional Overlay District limiting the density to 11 units per acre. 608 and 614 Mount Vernon are existing duplex units which are being rehabbed. The property at 618 Mount Vernon will be demolished and a new fourplex multi-family building is planned there. Previously 604 Mount Vernon was a part of this zoning but it has been removed from the application.

The purpose of this letter is to let you know that 604 Mount Vernon was removed from the request and that the zoning public hearing has been tabled until January 7th. Also please find the Notice form which was inadvertently omitted from our last letter to the neighborhood. We apologize for any inconvenience this might have caused.

Please feel free to call me any time to discuss your concerns. My contact information is at the bottom of the first page of this letter.

Sincerely,

BUTLER, ROSENbury & PARTNERS, INC.

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Architect & Partner

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ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

The requirements of *Section 36-382.* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. Use Limitations:

- a. The maximum density for the subject properties are eleven (11) dwelling units per acre.
- b. All subject properties shall be combined into one lot following the Subdivision Regulations if there are any existing non-conformities.

ATTACHMENT 4
NOTICE

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5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12-9-2015	Telephone No.	417-689-0341
YOUR NAME:	Phyllis Netzer		
YOUR ADDRESS:	845 S Missouri Ave		
PROJECT ADDRESS:	600 blk of Mount Vernon St.		

COMMENTS: The people of this neighborhood have fought, argued for at least 15 years to have single family zoning as much as possible. There have been multiple RFD and above constructed in the last several years.

~~The~~ WC N has been a blighted neighborhood for several years. Until we, everyone, make efforts for more home ownership and less multi-family we will never be able to crawl out of this "Blighted" label. IT is a shame to have these beautiful old homes upgraded in Density.

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611 Phone / 417.864.1882 Fax

So someone, who doesn't live in the neighborhood, can make a few more bucks,

Can you mail another form to me?

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City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12-21-15	Telephone No.	863-1205
YOUR NAME:	Peggy J. Patrick		
YOUR ADDRESS:	619 West Harrison St, Springfield, MO 65806		
PROJECT ADDRESS:	608, 614, & 618 West Mt. Vernon St.		
COMMENTS:	<p>I believe that the duplexes at 608 & 614 W. Mt. Vernon should remain as R-SF - single family residential.</p> <p>I believe the home at 618 W. Mt. Vernon should be rehabbed and remain as R-SF - single family residential.</p> <p>Peggy J. Patrick</p>		

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Bob Hosmer, AICP Principal Planner
 City of Springfield Development Review Office
 840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	DEC 30 2015	Telephone No.	417-8645700
YOUR NAME:	PATRICIA NEFF & Alan NEFF		
YOUR ADDRESS:	632 632 W. MT Vernon St. Spd, MO 65806		
PROJECT ADDRESS:	608, 614 & 618 W. MT Vernon St. Springfield, MO 65806		
COMMENTS:	We are the property owners of 638, 632, 626 MT Vernon - IN 1995 I spoke before the City Council on the zoning to R-SF. Our Home at 632 was a 3 unit, our property at 626 was a 2 unit the were changed to Single Family we reside at 632 W MT Vernon this has been our dwelling for the past 35 years. We wish to see this neighborhood over come its current reputation I believe leaving the current properties as R-SF is the only hope for this block Please DO NOT Rezone		

Patricia Neff
Alan Neff

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City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12/30/15	Telephone No.	417-894-7849
YOUR NAME:	Brandy Roberts		
YOUR ADDRESS:	620 W. Mt. Vernon		
PROJECT ADDRESS:	1118-1114-1108 W. Mt. Vernon		

COMMENTS: I am concerned about the current density of our neighborhood. I am also concerned about the high crime rate in direct correlation to the density. I am not in favor of the rezoning of 1118-1114-1108 W. Mt. Vernon. The duplexes 1114 & 1108 have been constant culprits of rotating crime & violence. 1118 W. Mt. Vernon is a nice livable home that should not be demolished to build a multi-dwelling unit. It's absurd. In the 8 years I have lived next door to 1118 it has never been an issue. ~~about~~ This block doesn't need anymore Density!

RECEIVED
 DEC 18 2015
 BY: *Ashley Clowers* - 3:50 pm

**ZONING PROTEST PETITION TO THE
 CITY COUNCIL OF SPRINGFIELD, MISSOURI**

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. 2-39-2015 Capitol, City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Alan Neff	632 West Mt Vernon	626 Mt. Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>
Alan Neff	"	638 West Mt Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>
Alan Neff	"	632 W. Mt. Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
 COUNTY OF GREENE ss.

On this 2nd day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Judy K. White

 Notary Public

(SEAL)

JUDY K. WHITE
 Notary Public - Notary Seal
 State of Missouri
 Commissioned for Greene County
 My Commission Expires: October 20, 2019
 Commission Number: 16897552

My Commission Expires: October 20, 2019

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
DEC 30 2015
BY: Anita Climer 9:29am

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 w/COD #103, City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Peter Hendricks	630 W. Harrison ST		
Carolyn Hendricks	630 W. Harrison ST		

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 29 day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)



Notary Public

My Commission Expires: 5-31-2019

SHIRLEY J. ALLEN
Notary Public - Notary Seal
State of Missouri
Commissioned for Polk County
My Commission Expires: May 31, 2019
Commission Number: 15439482

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
DEC 30 2015
BY: *Chris Meyer* 2:25pm

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 COD#103 City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
<i>Jeffrey DAVID O'Neill</i>	<i>632 S GRANT AVE</i>		<i>Jeffrey D O'Neill</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 22nd day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Shirley J. Allen
Notary Public

My Commission Expires: 5-31-2019

SHIRLEY J. ALLEN
Notary Public - Notary Seal
State of Missouri
Commissioned for Polk County
My Commission Expires: May 31, 2019
Commission Number: 15439482

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
DEC 30 2015
BY: *Richie* 2:25pm

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 COD#103 City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
<i>Peggy J. Patrick</i>	<i>619 W. Harrison St.</i>	<i>—</i>	<i>Peggy J. Patrick</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 17th day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Robin Lynn McDaniel
Notary Public

My Commission Expires: November 08, 2019

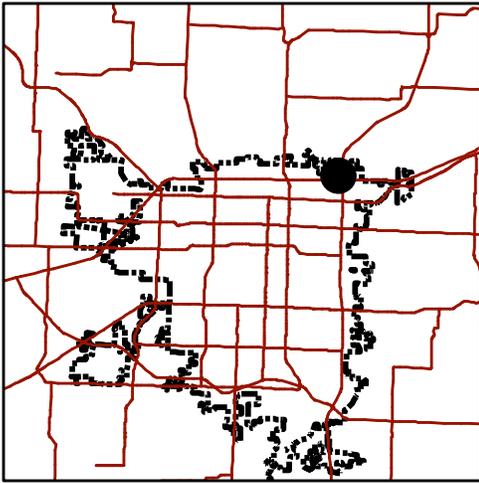
ROBIN LYNN McDANIEL
Notary Public - Notary Seal
State of Missouri
Commissioned for Greene County
My Commission Expires: November 08, 2019
Commission Number: 15548377

Development Review Staff Report

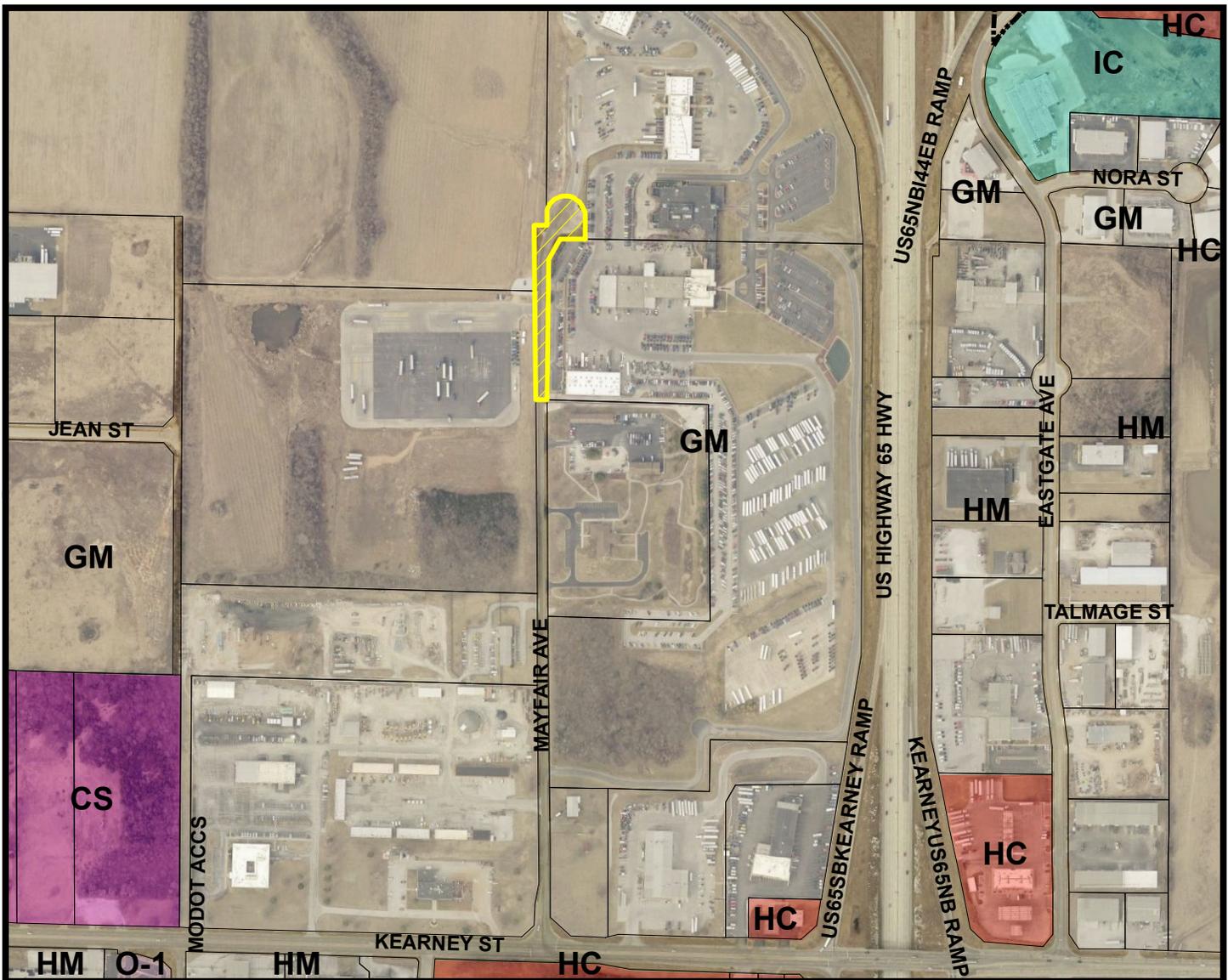
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Vacation 783

Location: 2700 block N. Mayfair Ave.



LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

DEVELOPMENT REVIEW STAFF REPORT
VACATION 783

REPORT DATE: December 29, 2015

LOCATION: 2700 block North Mayfair Avenue

APPLICANT: New Prime, Inc.

VACATION AREA: Approximately 1.23 acres

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested vacation meets the approval criteria listed in Exhibit 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

ADJACENT PROPERTY OWNER COMMENTS:

Three (3) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received any comments.

STAFF COMMENTS:

1. This is a request to vacate all of the public right-of-way of Mayfair Avenue, north of the Missouri Department of Conservation (MDC) property. The applicant, New Prime, Inc., has constructed a turnaround at the end of the proposed Mayfair Avenue vacated right-of-way. Prime Inc. or one of their affiliated corporations (New Prime Inc., Wolverine Land Holdings, LLC, etc.) owns all of the property adjacent to the proposed vacation area. The approval of this request will facilitate the development of the surrounding property for Prime trucking company.
2. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation. The vacation of the right-of-way does not relinquish any existing easements.
3. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

EXHIBIT 1
DEPARTMENT COMMENTS
VACATION 783

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Turnaround has been constructed. Traffic has no issues with this vacation request.

STORMWATER COMMENTS:

1. Drainage easement provided as requested. Please, provide the original drainage easement to the city for recording.

CLEAN WATER SERVICES COMMENTS:

1. No public sewer within proposed vacation.

CITY UTILITIES:

1. Everything looks ok. Just need to coordinate the recording of the easement with Planning and Development.

FIRE DEPARTMENT COMMENTS:

1. No comments.

AT&T COMMENTS:

1. AT&T supports the request. AT&T will retain its existing easement since the vacation only affects public right-of-way. Furthermore, AT&T has existing facilities on the east side of Mayfair within the gray shaded utility easement that will continue to be maintained. If the proposed utility easement on the east side of Mayfair is to be moved to the west side of Mayfair, these facilities will need to be relocated at the developer's expense, or show the existing utility easement on the east side of Mayfair to remain.

EXHIBIT 2
APPROVAL CRITERIA
VACATION 783

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.

1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.

STAFF RESPONSE:

New Prime, Inc. and Wolverine Land Holdings, LLC, which are the only adjacent properties to this public street, are run by the same company, Prime, Inc., and have alternate access to the public street system.

2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.

STAFF RESPONSE:

New Prime, Inc. is the applicant and owns more than two-thirds of the area adjacent to the proposed vacation.

3. That the retention of the street, alley, public way or subdivision serves no useful purpose.

STAFF RESPONSE:

The street and cul-de-sac was platted to serve multiple lots. The surrounding owners and development are the same and make the public right-of-way unnecessary.

4. That the vacation will not affect the ability to use utilities, public or private.

STAFF RESPONSE:

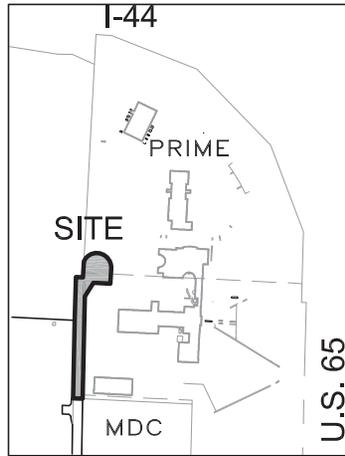
The applicant has submitted replacement easements which have been reviewed and approved by City staff prior to the meeting. All necessary utilities will be retained.

EXHIBIT 3
LEGAL DESCRIPTION
VACATION 783

DESCRIPTION FOR STREET VACATION:

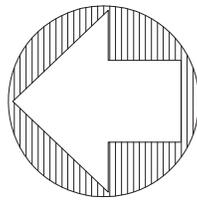
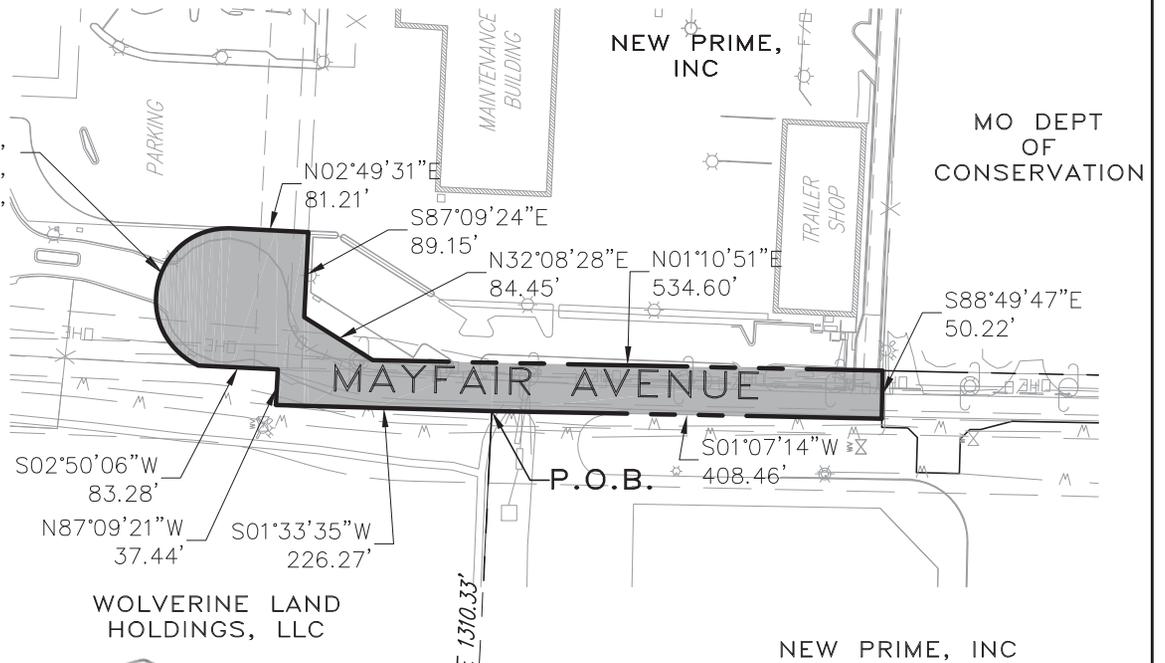
All that part of the East Half of Section 4, Township 29 North, Range 21 West of the Fifth Principal Meridian in the City of Springfield, Greene County, Missouri, being more particularly described as follows: Commencing at the Center of Section 4, Township 29 North, Range 21 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, said corner also being the Northwest corner of the Southeast Quarter of said Section 4; thence, South 01°33'32" West, along and with the West line of the Southeast Quarter of said Section 4, also being the East line of North Creek Industrial Park First Addition, a distance of 226.70 feet to the Southwest corner of a parcel of land described in Book 1596 at Page 335 of the Greene County Deed Records; thence, South 87°10'33" East, along and with the South line of said parcel, a distance of 1310.33 feet to the existing West right-of-way line of Mayfair Avenue and the POINT OF BEGINNING; thence, South 01°07'14" West, along and with said West line, a distance of 408.46 feet; thence, South 88°49'47" East, leaving said West right-of-way line of Mayfair Avenue, a distance of 50.22 feet to a point on the East right-of-way line of Mayfair Avenue; thence, along and with said East line, the following five (5) courses: North 01°10'51" East, a distance of 534.60 feet; thence, North 32°08'28" East, a distance of 84.45 feet; thence, South 87°09'24" East, a distance of 89.15 feet; thence, North 02°49'31" East, a distance of 81.21 feet; thence, Northwesterly on a 75.08-foot radius non-tangent curve to the left, having a chord bearing of North 76°35'08" West and chord length of 147.56 feet, an arc distance of 207.84 feet to a point on the West right-of-way line of Mayfair Avenue, said West right-of-way line also being one and the same as the East line of property described in Book 2012 at Page 28620-12; thence South 02°50'06" West, along and with said West right-of-way line, a distance of 83.28 feet; thence North 87°09'21" West, along and with said West right-of-way line, a distance of 37.44 feet; thence South 01°33'35" West, along and with said West right-of-way line, a distance of 226.27 to the POINT OF BEGINNING, containing 53,670 square feet, more or less.

EXHIBIT 4

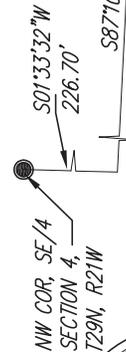
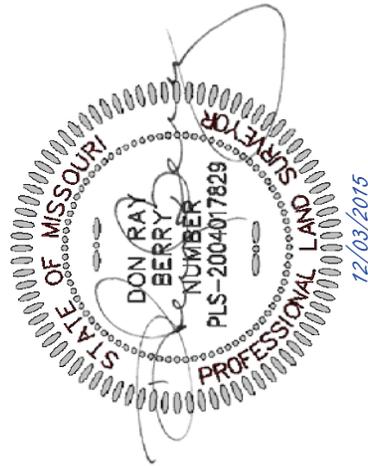


LOCATION MAP
(NOT TO SCALE)

L=207.84', R=75.08'
I=158°36'01"
N76°35'08"W Ch=147.56'



SCALE 1" = 200'



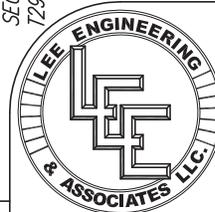
NOTE:

THIS DRAWING HAS BEEN PREPARED ONLY AS AN EXHIBIT TO ILLUSTRATE NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

DATE: 08/24/2015

Mayfair Avenue
Street Vacation Exhibit

PROJECT NO.:
204



Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050

LEE Engineering & Associates, L.L.C.

2101 W. Chesterfield Blvd, Suite C202
Springfield, Missouri 65807
417-886-9100 (phone)
417-886-9336 (fax)
dlee@leeengineering.biz

"Engineering with Integrity"

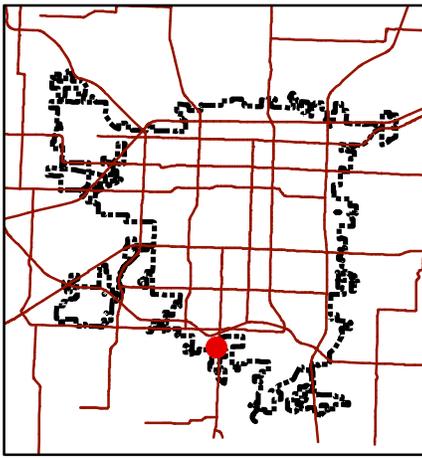
Development Review Staff Report

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

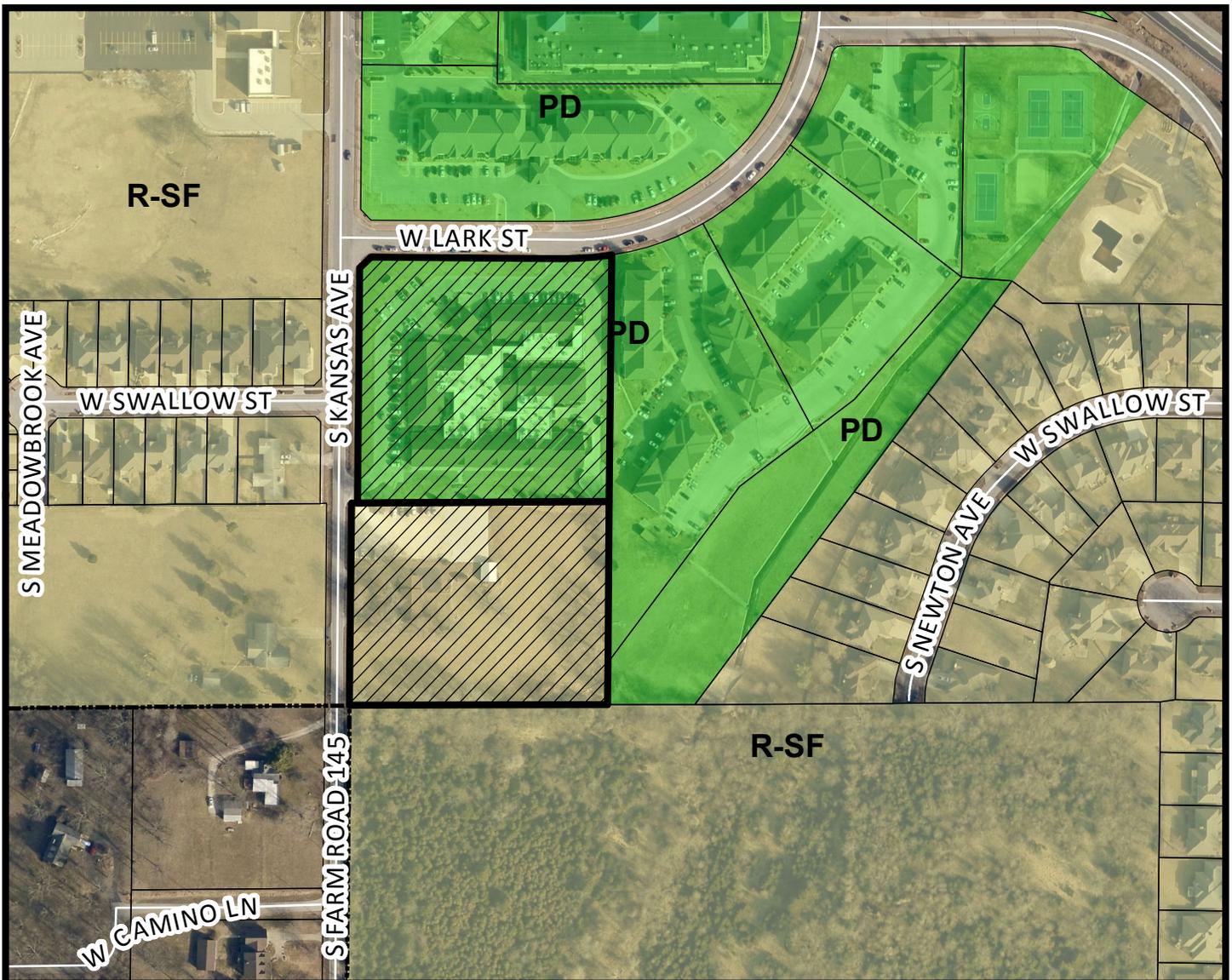
Z-1-2016 Conditional Overlay District 105

LOCATION: 1514 West Lark and 4346 South Kansas Ave
CURRENT ZONING: R-SF Single Family Residential and
Planned Development 88 2nd Amd

PROPOSED ZONING: O-1, Office District with a Conditional
Overlay District No. 105



LOCATION SKETCH



- Area of Proposal



1 inch = 262.650014 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-1-2016 & CONDITIONAL OVERLAY DISTRICT NO. 105

PURPOSE: To rezone approximately 6.83 acres of property generally located at 1514 West Lark Street and 4346 South Kansas Avenue from a Planned Development 88, 2nd Amendment and a R-SF, Single Family Residential District to a O-1, Office District with a Conditional Overlay District No. 105

REPORT DATE: December 18, 2015

LOCATION: 1514 West Lark Street and 4346 South Kansas Ave.

APPLICANT: R.H. Montgomery Properties, INC.

TRACT SIZE: Approximately 6.83 acres

EXISTING USE: Existing nursing and retirement home and vacant house

PROPOSED USE: Nursing and retirement home uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for Low Density Residential Housing. However, there is an existing nursing and retirement home on the northern portion of the subject property
2. The subject property is located along South Kansas Avenue which is classified as a collector roadway and West Lark Street which is classified as a local street roadway. There is an existing nursing and retirement home on the northern portion of the subject property at Kansas Avenue and Lark Street. The proposed O-1 zoning will allow for the existing nursing and retirement home on the northern tract to expand into the southern tract as one development.
3. 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.
4. The standard development requirements in the O-1, Office District along with those required as part of proposed Conditional Overlay District No. 105 are adequate for mitigating any potential impacts of the development of this property on the adjacent residential properties.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 88 3rd Amd	Retirement home
East	PD 88 2nd Amd	Apartments
South	R-SF	Undeveloped single family property
West	R-SF	Single family homes

HISTORY:

The subject property at the corner of Lark Street and Kansas Avenue was zoned to a Planned Development District No. 88 2nd Amendment on October 28, 1996. The southern tract along Kansas Ave. was zoned to a R-SF, Single Family District on March 7, 1995.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for Low Density Residential Housing. However, there is an existing nursing and retirement home on the northern portion of the subject property.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a Planned Development 88 2nd Amendment and R-SF to an O-1, Office District with a Conditional Overlay District limiting the uses to a retirement and nursing home and requiring a traffic study at the time of development. If the results of the traffic study determine that improvements are required, then they must be constructed prior to building permits being issued for the property.
2. If the rezoning is approved, it would have to comply with *Section 36-400, Office District*, in the Zoning Ordinance and any other applicable city codes. All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building.
3. Upon development of the property a bufferyard is required along the south property line adjacent to the Single Family Residential District. The normal bufferyard required between O-1 and R-SF zoning would be a Bufferyard "Type C" of at least fifteen (15) feet wide. The minimum fifteen (15) foot wide bufferyard with plantings for each one-hundred (100) linear feet of bufferyard

would be one (1) canopy tree, two (2) understory tree, two (2) evergreen trees and ten (10) shrubs.

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

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 16, 2015 regarding the rezoning request. A summary of the 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. Eight (8) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-1-2016 & CONDITIONAL OVERLAY DISTRICT NO. 105

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. Building Development Services does not have any objections to this request.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The conditional overlay needs to state the following;

1. A Traffic Study will be required based on actual use at the time of development.
2. Kansas Avenue is classified as a collector which requires 20 feet of right of way from the centerline. An additional 10 feet is required.

As an FYI, a sidewalk is required to be constructed along the property frontage at the time of development.

STORMWATER COMMENTS:

There are no stormwater issues with rezoning this property. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Current detention and water quality requirements must be met for any increase in impervious area. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat.
2. Public improvement plans will be required for stormwater improvements on the adjacent lot to the east. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat.
3. Since the existing detention basin was not sized for the additional runoff from the proposed detention basin, I suggest relocating the outlet pipe/rip-rap to the existing common area so no new drainage easement is needed and discharge immediately south of the existing detention basin. Please note, it appears that the existing detention basin outlet is eroding the ground immediately downstream and the erosion will need to be corrected.

CLEAN WATER SERVICES COMMENTS:

1. No objection to rezoning however the existing tract to the south, covered by AS6235, does not have direct access to sewer.
2. Review Plan - Sheet 2 shows an 8 inch offsite sewer extension. This will require public improvement plans be submitted for review and approval. The public improvements will have to be approved and constructed or escrowed before a building permit can be issued. If interested in escrow, submit the Request for Escrow available on the Developers Resources website.

3. There is a trunkline connection fee of \$0.004 per square foot required when the engineering and inspection fees are paid for the public improvements.
4. There may be an additional sewer impact permit fee required if adding an additional water meter or increasing the size of the existing meter.
5. Submit proposed flow rates to check for adequate sewer capacity.

CITY UTILITIES:

No objection to rezoning. A water main will have to be extended to provide service unless the new facility will be sub-fed from the existing building.

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-1-2016 & CONDITIONAL OVERLAY DISTRICT NO. 105

The requirements of Section 36-400 of the Springfield Zoning Ordinance shall be modified herein for development within this district.

Design Requirements– The following improvements are necessary to accommodate the proposed development of this property:

A traffic study shall be provided at the time of development which shall be based on the actual use of the property.

Kansas Avenue is classified as a collector roadway which requires 20 feet of right of way from the centerline of the street for a total of 40 feet of right of way. There appears to be an additional 10 feet required.



Americare™

*****Neighborhood Meeting*****

December 2, 2015

RE: Rezoning of property at 1514 W. Lark St. (The Neighborhoods at Quail Creek)

Attention Neighbors,

We will be hosting a neighborhood meeting to answer any questions pertaining to the proposed rezoning request by the property owner of The Neighborhoods at Quail Creek.

We ask that anyone with any questions or concerns to attend this meeting in order to address those items before the Planning & Zoning Commission Meeting.

The neighborhood meeting is scheduled at The Neighborhoods at Quail Creek on Wednesday, December 16th from 4:00 – 6:00 pm. Please enter the main entrance of the facility off Lark Street and a receptionist will be there to guide you to the meeting room.

If there are any questions, please call our office (573) 442-5188. We look forward to seeing you at this meeting to describe the purpose of this proposed rezoning request.

Americare Systems, Inc.
Project Development
915 E. Ash St.
Columbia, Mo. 65201
Ph: 573-442-5188
Fx: 573-442-5277



Americare™

THE NEIGHBORHOODS AT QUAIL CREEK
NEIGHBORHOOD MEETING
Wednesday, December 16, 2015

NAME	ADDRESS	PHONE NUMBER
June Porter	1609 W. Swallow St.	417) 883-6522
Roseanne Posson	1618 W. Swallow St	417) 887-6306
Garry + Penny Glossip	4349 S. Kansas Ave	417-860-7426
BOB SAMUELS	4462 S. Quail Cr. Ave.	417 839 6646
JOHN BARBER	4656 S. Woodpointe Ave	417-353-5131
Paula Quinn	1219 W Swallow	505 258 2267
DEE HOUSER	4506 S QUAIL CREEK 65810	417-425-3468
BILL HOUSER	4506 S QUAIL CREEK 65810	417.300.3880
JOHN F BROWN	1669 W CAMINO SW 65810	417 882-1666
Jeff Young	4413 S. Farm Road 145	417-848-8588

185-FOOT LIST

	OWN1	Own_Addr	CITYNAME	STATECODI	ZIP1
1	ALEXANDER FAMILY TRUST (4/17/01)	1746 W RIVERFORK DR	NIXA	MO	65714
2	BUSSEY, LEWIS E TR ETAL	3384 W 33RD AVE	DENVER	CO	80211
3	DESKIN, HOWARD A TRUSTEE	1605 W SWALLOW ST	SPRINGFIELD	MO	65810
4	GLOSSIP FAMILY TRUST	4349 S KANSAS AVE	SPRINGFIELD	MO	65810
5	PORTER, NEIL F	1609 W SWALLOW ST	SPRINGFIELD	MO	65810
6	PRUDE, KELLY S	4365 S NEWTON AVE	SPRINGFIELD	MO	65810
7	QUAIL CREEK PROP OWNERS ASSOC	4205 S QUAIL CREEK AVE	SPRINGFIELD	MO	65810
x/A	R H MONTGOMERY PROP INC	214 N SCOTT ST	SIKESTON	MO	63801
8	ROWDEN PROP MGT LLC	2025 E CHESTNUT EXPY	SPRINGFIELD	MO	65802
9	SOUTHLAND CHRISTIAN CHURCH	1630 W REPUBLIC RD	SPRINGFIELD	MO	65807
10	STERLING QUAIL CREEK LLC	1711 S GOLD DR	FARGO	ND	58103
11	VILLAS AT QUAIL CREEK LP	1730 E REPUBLIC RD	SPRINGFIELD	MO	65804
12	WALKER, CHRISTOPHER C	1615 W SWALLOW ST	SPRINGFIELD	MO	65810
13	YOUNG, JEFFREY M	PO BOX 14096	SPRINGFIELD	MO	65814

COMMISSION & COUNCIL MAILING LIST
2 SETS OF STAMPED ENVELOPES

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: SF Single Family to O-1 w/Conditional Overlay
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: December 16, 2015, 4:00 - 6:30 pm
3. Meeting Location: The Neighborhoods at Quail Creek
4. Number of invitations that were sent: 45
5. How was the mailing list generated: CITY STAFF
6. Number of neighbors in attendance (attach a sign-in sheet): 11
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.)

"SEE ATTACHED"

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

"NONE RECEIVED"



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THE NEIGHBORHOODS AT QUAIL CREEK
NEIGHBORHOOD MEETING
Wednesday, December 16, 2015

- Answers in Red

Note : The proposed project was presented on a Theater screen displaying a Power Point presentation and renderings of the building elevations and overall site layout on foam display boards.

1) Where is the south property line of the overall property.

Response: Utilizing the aerial images from the Green County website and google the location of the south line was explained to be along the existing tree line of the southern 3.18 acre un-developed tract.

2) Comment about the speed that the traffic sometimes drives along Kansas Avenue. They mentioned that they have seen people going in excess of 45 mph, especially after the intersection with Lark Street and leaving the city limits.

Response: It was explained that both Kansas Avenue and Lark Street are classified as Collector Streets intended handle a slightly higher level of traffic. I indicated that I would check on the posted speeds on both streets and mentioned that it "may" be around 35 mph. After researching this after the meeting it was observed that Lark Street is posted at 25 mph immediately in front of the Quail Creek facility and 30 mph on Kansas Avenue around 330 feet south of the property outside the city limits. Since this un-related to the proposed project itself, I indicated that I would share their feedback with the appropriate individuals on the city staff.

3) What traffic impacts are anticipated with the proposed expansion?

Response: The scope of the project was described as follows:
Existing facility has ~ 70 units (120 beds) of which none will drive
Existing Employees ~ 60 day shift 6:30 am – 2:30 pm
~ 35 evening shift 2:30 pm – 10:30 pm
~ 15 evening shift 10:30 pm – 6:30 am

Typical daily visitors ~ 30 visitors/day

Total daily trips ~ 140 trips per day spread out over the 3 shifts

Proposed building Addition is for 18 residential rooms adding maybe 15 to 20 employees spread over the 3 shifts.

~ Adding maybe 5 visitors/day

Total daily trips after project completion = 140+25=165 trip/day spread out over 3 shifts with the peak times being around 6 to 6:30 in the morning and 2:30 to 3:00 in the afternoon.

-As a comparison this would be equivalent to roughly 16 residential homes where for traffic purposes 10 trips/day per household is often used.

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This facility would be considered something that generates a relatively small amount of traffic onto the adjacent roads when compared to some of the other uses nearby.

- 4) A comment was made on regarding the difficulty on getting access onto Republic Street from Kansas Avenue. Several Individuals in the crowd felt a traffic light was needed at that location. It was mentioned by two attendees that they had contacted the city previously about pursuing that option.

Response: Like the previous comment on the driving speed, I indicated that I would share their feedback with the appropriate individuals on the city staff.

- 5) A gentleman from what sounded like a significant distance south of the project and downstream in the watershed indicated that he personally has experienced some flooding issues in the past. He asked how the stormwater was going to be addressed.

Response: Referring to a colored exhibit on the screen I pointed out a proposed Stormwater Detention Basin that would be installed near the southeast corner of the property where the current stormwater runoff is headed currently. We indicated that the future phase and improvements will be designed to match the current terrain and following the same natural point of discharge. We will design the proposed improvements so that the almost everything from the southern face of the existing building will be routed to the proposed detention basin. The basin will be designed that it will detain the runoff so the water being released from the basin will not exceed pre-development flows. In addition the basin will provide water quality benefits as well. It was indicated that the design of the proposed basin along with all other proposed stormwater measures proposed for the project will be in accordance with the current Stormwater Regulations for the City of Springfield.

- 6) Who will maintain the Stormwater Structure?

Response: It was indicated that this detention basin is to be built on the Neighborhoods at Quail Creek's property and is intended to control the runoff from this site alone. That would mean the owner of this facility would be responsible for maintaining it. It was also indicated that recorded maintenance agreements would be completed to reflect this. To reassure him that the maintenance would occur I referred him to how the overall facility has been maintained over the last 10 years as an example that the owner & facility staff understand the importance of keeping everything on the property in good condition. If at any time, they observed something on the site or at the basin that caused concern or that needed to be addressed to please contact our office directly.

- 7) How is determined to size the stormwater detention basin to ensure that it is designed large enough to keep post-development flows leaving the site so that they do not exceed the pre-development flows?

Response: It was explained for this site a comparison will be made between the amount of existing impervious surface/turf on the site before development versus the amount of

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impervious surface/turf after development. These values develop a runoff coefficient that will be used to determine the amount of runoff as it exists before development and then what it will be after development. The runoff comparisons will be evaluated from the smaller storm events all the way to the larger 100-year storm.

The quick example was given that if the runoff amount was evaluated to be ~ 10 cfs before development and ~20 cfs after development the stormwater basin would be designed to store the difference and release it at or less than the 10 cfs amount. Once again, it was indicated that the design of the proposed basin along with all other proposed stormwater measures proposed for the project will be in accordance with the current Stormwater Regulations for the City of Springfield. And the necessary information would be supplied to the city staff for review and approval.

8) Project Scope?

Response: The project scope was given during the overall presentation but was repeated during the question and answer session. The proposed project consists of adding a two-story building addition to the south on the 3.18 un-developed tract.

The upper level will be 12,072 sf consisting of 18 residential rooms, living rooms, dining rooms, kitchen, spa, etc.

The lower level will be an 6569 sf Rehab area, with Hydro Pool, walking track, exercise stations, offices, etc.

9) Proposed Uses?

Response : Like the previous question, it was explained that the reason for the proposed zoning change to O-1 with the Conditional Overlay is that the northern 3.63 acre tract was already zoned to allow the Skilled Nursing use but the southern 3.18 acre tract was zoned R-SF. The proposed addition would extend into the southern tract. Because of this we were following the recommendation to rezone the entire 6.18 acre tract to the O-1 district which allows the Nursing and Retirement Homes. We displayed all the permitted uses allowed in O-1 district and emphasized that we were only asking for the permitted uses associated with the Nursing and retirement homes and restricting all others shown on the list.

10) Project Schedule?

Response: We described that our goal was to complete the rezoning process, plan review process with the intent of starting construction around May/June of 2016.

The length of Construction should be around 12 to 15 months with an approximate completion date of late summer 2017.

11) It was mentioned that the Veterans Administration was considering a location relatively close to the Kansas Avenue/ Republic Street location as one of several possible options.

Response: It was mentioned that the V.A.'s tentative plans would not impact Americare's decision to expand their facility.

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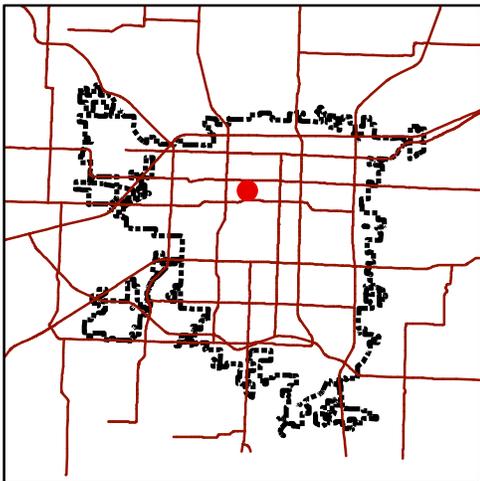
- 12) A neighbor to the west of Kansas Avenue asked to describe the extent of the improvements on the tract to the south and the location of the proposed entrance.

Response: Referring to a colored exhibit on the Theater screen it was pointed out that the proposed building addition and parking lot would extend to approximately the half way point of the existing house. The proposed entrance would be very close to the northern side of existing "loop" entrance to the house.

In addition, that after the proposed improvements were completed it would leave roughly 1.5 acres that would remain as open space.

- After the meeting the impression was that those in attendance were supportive of the proposed improvements presented to them for the Neighborhoods at Quail Creek.

The comments related to the driving speed on Kansas Avenue and the difficulty of accessing Republic Street from Kansas Avenue are beyond the scope of this project. This project should not have any significant impact to those two issues. They are being included to help make the appropriate city staff aware of the these issues in behalf of those neighbors who attended this meeting.



Development Review Staff Report

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

Conditional Use Permit 418

LOCATION: 1100 & 1110 N. Grant Avenue

CURRENT ZONING: GR, General Retail

PROPOSED ZONING: GR, General Retail with a Conditional Use Permit to allow an Automobile Service Garage

LOCATION SKETCH



- Area of Proposal



1 inch = 125 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 418

PURPOSE: To allow an automobile service garage within a GR, General Retail District generally located at 1100 & 1110 North Grant Avenue

REPORT DATE: December 16, 2015

LOCATION: 1100 & 1110 North Grant Avenue

APPLICANT: Jimmy Vanzandt, Walter & Debra Rosseau

TRACT SIZE: Approximately 0.49 acres

EXISTING USE: Automobile service garage use at 1100 North Grant & commercial use at 1110 North Grant.

PROPOSED USE: Automobile Service Garage

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this property as an appropriate area for medium intensity retail, office or housing. This land use category would accommodate a variety of commercial uses
2. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. The existing automobile service garage at 1100 North Grant is considered a legal conforming use in the GR district because it existed prior to the current Zoning Ordinance. Approval of the Conditional Use Permit will allow the existing viable business to expand onsite and continue to offer neighborhood services.
4. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for a variety of commercial uses.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 shall govern and control the use and development of the land in Use Permit Number 418 in a manner consistent with the attached site plan (Attachment 6).

2. The proposed automobile service garage shall be located and constructed in substantial conformance to the attached site plan.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Retail and Commercial Uses
East	R-SF	Single-family residences
South	R-SF	Single-family residences
West	R-SF	Duplex and single-family residences

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, 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* element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. This mixed category indicates that a variety of commercial uses are appropriate.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for a Automobile Service Garage on the subject property within a GR, General Retail District. The subject property was identified by the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* as an appropriate area for medium intensity retail, office or housing. This land use category would accommodate a variety of commercial uses. Approval of this application will provide for the productive use of the subject property which is already served by public facilities and services.
2. The applicant is requesting to expand an existing automobile service garage at 1100 North Grant Avenue to an adjacent existing structure at 1110 North Grant Avenue. The existing automobile service garage is considered a legal conforming use in the GR district because it existed prior to the current Zoning Ordinance. The expansion of the use requires the conditional use permit. The GR district allows an automobile service garage by a conditional use permit provided the development meets the provisions of Section 36-363 (10).
3. The approval of this request will provide for the productive use of an underutilized commercial structure and allow for the adjacent automobile service garage an opportunity for a moderate expansion of the business. All redevelopment of the site will be limited to existing structures. No additional structures are being proposed.
4. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10) of the Zoning Ordinance. Any development of this property must also follow the GR, General Retail District requirements.
5. 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 December 15, 2015 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 December 27, 2015 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. Twenty-five (25) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING: January 25, 2016

STAFF CONTACT PERSON:

Michael Sparlin

Senior Planner

864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 418

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the Conditional Use Permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No issue with the conditional use permit. The remaining driveway approaches will need to be brought up to city standard ST-9.

STORMWATER COMMENTS:

No stormwater issues with proposed use. No increase in impervious area/runoff.

CLEAN WATER SERVICES COMMENTS:

No objection to use permit. Both lots are currently served by public sewer.

CITY UTILITIES:

No objections with Conditional Use Permit.

FIRE DEPARTMENT:

No issue with use. Must provide a knox box, knox switch or knox padlock for gate across the drive entrance. Additionally a man gate with knox access must be provided on the west fence as well for fire access.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 418

1. An automobile service garage is permitted in substantial conformance with Attachment 6.
2. All redevelopment will be limited to existing structures.
3. The eastern access to Scott Street shall be closed.
4. The development of the property shall meet all requirements of the Fire Code including Knox access to the proposed fence.
5. An Administrative Lot Combination shall be approved for the two properties
6. A six (6) foot solid wood fence will be required along the East property line adjacent to the R-SF, Single Family Residential zoned property.
7. 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 418

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following: (see attached Attachment 5 for the applicant's response)

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.

NEIGHBORHOOD MEETING SUMMARY

1. Conditional Use Permit for: 1110 N. Grant - Conditional Use Permit
2. Meeting Date & Time: December 15, 2015
3. Meeting Location: 1100 N. Grant
4. Number of invitations that were sent: 171
5. How was the mailing list generated: City Planning & Zoning provided it
6. Number of neighbors in attendance (attach a sign-in sheet): 8 - see attached
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.)

See attached

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

There were no written comments given to me

Concern voiced: Anita Kuhns said she PERSONALLY supports the project (see attached) but she was also there to represent the Grant Beach Neighborhood Association because she is their president. She said she had some people come to her in the Neighborhood Association concerned that the proposed use would make the area look "junky". Anita also said that those people misunderstood the location and they thought it was going to be the old grocery store location, which is an empty building. So she took a picture of the site plan I provided to the City and she was going to post it to the Grant Beach Neighborhood Association's Facebook page to explain the location proposed.

Resolution Proposed: Since Jim Vanzandt is proposing to fence 1110 N. Grant with a new privacy fence where there is no fence now (he was planning on leaving the existing chain link fence on the East side of 1110 N. Grant), there should be less visibility to the vehicles that are there now, but it is a vehicle repair shop and it is inevitable that there will be cars on the property. I don't know if that is the specific concern or not.

Anita said she supported it because she would rather have an occupied building than an empty building, in the neighborhood because there are already several unoccupied buildings in that area, such as a grocery store and a restaurant.

1100 N. Grant and 1110 N. Grant – Responses to Section 3-3310.A of the Springfield Zoning Ordinance

- A. State how the proposed conditional use will comply with the applicable standards in Subsection 3-3310 of the zoning Ordinance.
1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;
 - a. *Since there is already an Automotive Service Garage located at 1100 N. Grant, it is zoned the same as that property (GR – General Retail) and is allowed as per a Conditional Use as per the current Zoning Ordinance, I believe the proposed use would be consistent with Springfield’s 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
 - a. *Traffic will not be adversely affected because the only traffic that will be on this property will be those doing business with the establishment. Traffic will enter the building from 1100 N. Grant and exit onto the existing Public Alley. Pedestrians will not be adversely affected by the use of this building, the public will not be allowed inside this building unless they are in their car for a drive-thru inspection. All business transactions would take place at 1100 N. Grant in the existing business area.*
 3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.
 - a. *The existing building has all four walls as concrete block so there is little that can burn of the building at 1110 N. Grant, itself.*
 4. The proposed conditional use will not increase the hazard to adjacent property from floor or water damage.
 - a. *1110 N. Grant, at the present time, is 100% impervious surface, therefore there will not be any additional runoff of flooding due to the use of this building.*
 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 this district.
 - a. *This is a business that will have daytime hours only and will match the use of the building at 1100 N. Grant. The cars will not be running except to move them in and out of the building.*
 6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate glare are proposed.
 - a. *Since this facility will only operate during normal working hours of Monday-Friday 8am – 6pm, so there should be no lights bothering any residential areas after 6:00pm. The same as what is at the Auto Repair shop located at 1100 N. Grant at the present time.*
 7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site.
 - a. *There are no signs or exterior lighting proposed for this site.*
 8. Such signs will not have an adverse effect on any adjacent properties
 - a. *No signs are proposed for 1110 N. Grant. The existing sign at 1100 N Grant will remain.*

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.
 - a. *It was agreed upon at the ARC Committee meeting that one of the existing drives located at 1100 N. Grant would be closed – see the site plan for which location.*
 - b. *At 1110 N. Grant there is one existing drive on W. Scott Street that will be closed and one existing drive on the Public Alley to remain, but will have a gate installed so it is restrict to only authorized access, see the plan for clarification of locations.*
 - c. *Both 1100 N. Grant there is either impervious surface, gravel and a little bit of grass, see the site plan for locations.*
 - d. *1110 N. Grant are 100% impervious surface which is either the buildings or pavement, so there should be plenty of pavement available for traffic circulation.*

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 surround property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affected the public health, safety and general welfare
 - a. *Correct. The proposed use is the same use as 1100 N. Grant therefore the existing activities will continue there and at 1110 N. Grant, therefore it is compatible with the adjacent property. With the building at 1110 N Grant having an active business, it will hopefully deter vandals from the area, especially since there are so many other buildings that are abandoned in this neighborhood.*

11. The proposed conditional use will be constructed, arranged and operated so as to not 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 the buildings, structures, walls and fences on the site; and
 - b. The nature and extend of landscaping and screening on the site.
 - i. *The existing building is being used for only storage by the existing owner, therefore there is not much traffic to the building or within the building, leaving it vulnerable to vandalism and break-ins. With the proposed use, there will be someone at the building Monday-Friday and the new proposed owner will be maintaining the property. The use of this existing building should not hamper development in the immediate vicinity, it should actually enhance development by bringing an active business to the site.*
 - ii. *The existing building is a single story building that is actually shorter than the existing building at 1100 N. Grant. There is a chain link fence already installed between 1110 N. Grant and the residence to the East. At this time the parking lot of 1110 N. Grant is used as a way for vehicles to cut through behind Jim’s existing business, he wants to stop this by restricting access by adding additional chain link fence and a gate to secure his business and his client’s vehicles. This will also keep people of the property who are not authorized to do so.*

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
 - a. *The entire existing site at 1110 N. Grant is impervious with 1100 N. Grant being impervious, gravel and a little grass therefore there are no significant natural topographical or physical features on the site*

13. The proposed conditional use will not rest in the destruction, loss or damage of any natural, scenic or historic feature of significant importance
 - a. *No, it will not.*
14. The proposed conditional use otherwise complies with all applicable regulations or this Article, including lot size requirements, bulk regulations, use limitations and performance standards.
 - a. *Yes it does*
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.
 - a. *Yes, by normally occupying the building it will help keep vandals and break-ins down in the area. It will be a convenience to the public because there will be more places to park for the existing business.*
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 5-1500, 5-1600 and 6-1300 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 effects
 - a. *The area has an existing chain link fence between 1110 N. Grant and the closest residential property, which is to the side of the existing house. There will be more parking than required, if this Conditional Use Permit is granted. The area proposed will be completely fenced off and gated to keep unauthorized people from entering the area, making the area safer.*
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.
 - a. *As per the site plan there will be two drives that will be maintained at 1110 N. Grant, one drive will be closed on 1100 N. Grant and all drives will be brought up to ST-9 standards.*
 - b. *Gating/fencing the area will stop from unauthorized vehicular traffic through this site.*
18. The vehicular circulation elements of the proposed applicate 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 and pedestrian travel
 - a. *As proposed, 1110 N. Grant will be more safe with the area fenced/gated than with the unauthorized traffic cutting through the property, at this time. There are existing continuous sidewalks that will remain for pedestrian traffic*
19. The proposed use, as shown by the application, will not interfere with any easements, roadway, rail lines, utilities and public or private rights-of-way
 - a. *Correct, all will remain as it is today*
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structure must meet all fire, health, building, plumbing and electrical requirements of the City.
 - a. *Yes, the proposed owner will comply.*
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 school; or that the persons or agencies responsible for the establishment of the proposed will provide adequately for such services.

a. With the approval of this Conditional Use Permit, there will be more parking spaces than required by the current Zoning Ordinance, all utilizes are existing and shall remain except the existing gas line that went to the laundromat washer/dryers will be reduced to accommodate only the existing heating system.

B. Provide a written response as to how development and use of neighboring property will not be impaired or adversely affected.

a. Since there is already an established Automobile Service Garage, there will be no additional effect on the neighborhood than there is today. With the proposed use of this building, at least it will be regularly occupied which should cut down on vandalism and break-ins. The existing building is not an active business, it is just being used for storage by the Owner at this time.

C. Provide a written response on any potential adverse effects of the conditional use permit and how you intend to avoid, minimize or mitigate such effects?

a. The proposed property will be fenced and gated to keep unauthorized traffic from cutting through the property, especially at night and on weekends.

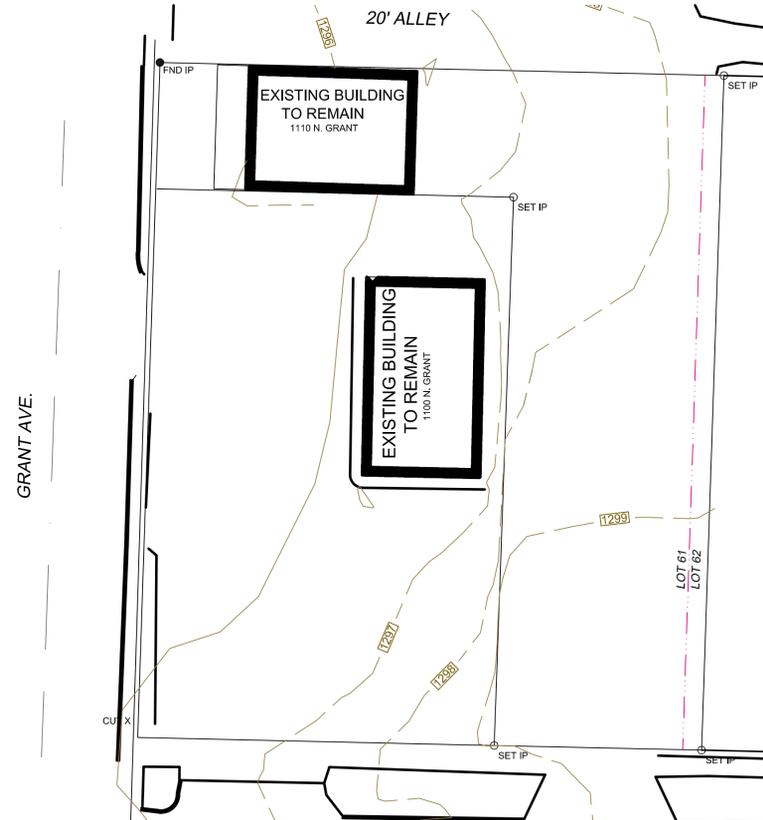
b. The building will be regularly occupied, whereas it is not now.

c. This project will allow a growing business to thrive in an area that could really use more business, especially since the grocery store has moved out, across the street. The more traffic and people in the area, the less vandals and break-ins that should occur.



1 SP-1 LOCATION SKETCH

SCALE = NTS



3 SP-1 SITE PLAN - CONTOURS & SURFACE MATERIALS

SCALE = 1" = 20'

THE SITE INFORMATION SHOWN IS FROM A SURVEY CONDUCTED BY GRAY AND ASSOCIATES ON PAGE 2.

A. APPLICANT: JIM VANZANDT 1100 N. GRANT SPRINGFIELD, MO 65802

JIM IS INTERESTED IN PURCHASING THE PROPERTY, BUT ONLY AFTER HE IS APPROVED TO RUN AN AUTOMOBILE SERVICE CENTER FROM THIS LOCATION, BY THE CITY OF SPRINGFIELD, MO.

B. OWNER: WALTER & DEBBIE ROSSEAU 1902 MICHAEL LN NIXA, MO 65714

C. STREET ADDRESS: 1110 N. GRANT (PROPOSED TO BE PURCHASED) & 1100 N. GRANT (OWNED BY JIM VANZANDT). LEGAL DESCRIPTION IS ON THE SURVEY BY A CERTIFIED LAND SURVEYOR ALONG WITH THE SURVEY ON PAGE 2.

D. SEE SITE PLAN 2/SP-1 FOR ZONING; 1110 N. GRANT - ZONED AS GR (GENERAL RETAIL). PRESENT USE - CURRENT OWNER OF THIS BUILDING IS USING IT FOR STORAGE, NO BUSINESS HAS BEING RUN FROM THIS LOCATION FOR SEVERAL YEARS. POTENTIAL OWNER IS HOPING BY OCCUPYING THIS BUILDING IT WILL DISCOURAGE VANDALS FROM THE AREA.

1100 N. GRANT IS AN EXISTING AUTOMOBILE SERVICE CENTER; ZONED AS GR (GENERAL RETAIL).

E. PROPOSED USE OF 1110 N. GRANT - AUTOMOBILE SERVICE GARAGE AS ALLOWED BY A CONDITIONAL USE PERMIT. THIS IS THE SAME USE AS 1100 N. GRANT, THAT WILL BE OWNED BY THE SAME PERSON, IF APPROVED BY P&Z AND CITY COUNCIL. THE EXISTING BUILDING AT 1110 N. GRANT WILL BE USED FOR DRIVE-THRU INSPECTIONS, TUNE-UPS, BRAKE JOBS AND WHEEL ALIGNMENTS; NONE OF WHICH INCLUDE DEALING WITH GAS, OIL OR OTHER LIQUIDS.

F. PLANNING AND ZONING PROVIDED THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 185' OF THE SUBJECT PROPERTY.

RESPONDING TO 3-3005 CONTENT OF SITE PLAN APPLICATION

A-G SEE ABOVE

H. THERE IS NO PROPOSED GRADING OR RE-GRADING TO THE EXISTING PROPERTY. THERE ARE NO SIGNIFICANT NATURAL, TOPOGRAPHICAL OR PHYSICAL FEATURES OF THE PROPERTY. SEE 3/SP-1 AND THE SURVEY FOR EXISTING CONTOURS.

I. EXISTING BUILDING ON 1110 N. GRANT IS ONE STORY; SIZE IS 29.4' X 40.1' = 1178.94 S.F.; IS APPROXIMATELY 10' TALL. SINGLE SITE IS APPROXIMATELY 10,451 S.F. OF EXISTING 100% IMPERVIOUS SURFACE; MAKING THE F.A.R. = 0.112. SEE THE SITE PLANS FOR LOCATION OF THE EXISTING BUILDING. THE EXISTING BUILDING IS PROPOSED TO BE USED WITH LITTLE MODIFICATION; MODIFICATIONS INCLUDE INSTALLING A COUPLE OVERHEAD DOORS AND CLOSING OFF THE PEDESTRIAN ENTRANCE.

1100 N. GRANT IS ONE STORY; SIZE IS 28.2' X 45.5' = 1283.1 TOTAL S.F., AT TALLEST POINT BUILDING IS APPROXIMATELY 26'-8"; SINGLE SITE IS 11,085 S.F. OF EITHER IMPERVIOUS SURFACE, GRAVEL AND A LITTLE GRASS AS SHOWN ON THE SURVEY; MAKING THE F.A.R. = 0.1157

COMBINED PROPERTIES F.A.R. = 0.20

J. WITH THE EXISTING BUILDING TO REMAIN, YARD DIMENSIONS ARE NOT APPLICABLE.

K. SEE 2/SP-1 FOR VEHICULAR CIRCULATION. THERE WILL BE NO PEDESTRIAN/CUSTOMER ACCESS TO THE BUILDING LOCATED AT 1110 N. GRANT UNLESS THEY ARE INSIDE THEIR CAR FOR A DRIVE-THRU INSPECTION. ALL OTHER CUSTOMER CONTACT WILL BE AT 1100 N. GRANT. REFUSE STORAGE WILL BE ON 1100 N. GRANT.

L. SEE 4/SP-1 FOR LOCATION OF EXISTING UTILITIES

M. SEE 4/SP-1 FOR LOCATIONS OF EXISTING SURFACE AND SUBSURFACE DRAINAGE FACILITIES.

N. NO NEW SIGN IS PROPOSED ON 1110 N. GRANT

O. SEE 2/SP-3 FOR LOCATION OF EXISTING FENCES AND NEW FENCES PROPOSED

P. THERE IS NO EXISTING USABLE OPEN SPACE ON THE SITE.

Q. NO LANDSCAPING EXISTS NOR IS PROPOSED.

R. THERE ARE NO EXISTING TREES ON THIS SITE

S. NO CONSTRUCTION IS PROPOSED THAT REQUIRES SOIL EROSION CONTROL.

T. NO NEW EXTERIOR LIGHTS ARE PROPOSED

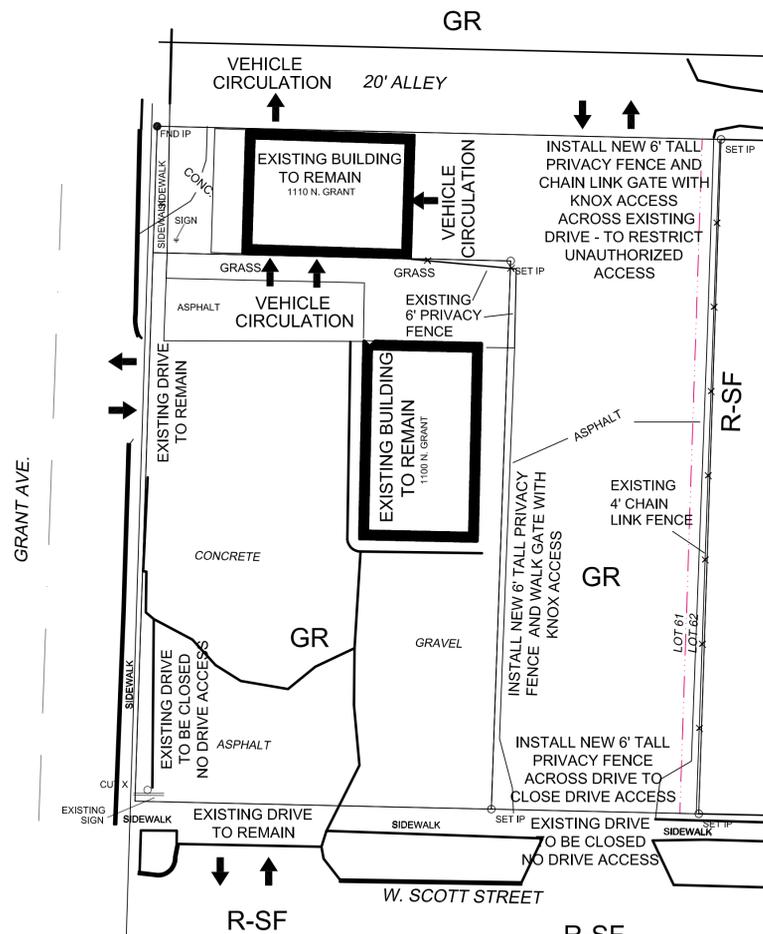
U. CONDITIONAL USE - THE PROPOSED USE IS IN COMPLIANCE WITH THE CONDITIONAL USE LISTED UNDER GR ZONING AND 3-3300.

V. THIS PROJECT WAS VETTED BY THE ARC COMMITTEE WITH NO CONCERNS. ALL ITEMS RECOMMENDED ARE SHOWN ON THESE PLANS. THERE WILL BE NO ADDITIONAL DETRIMENT TO THE AREA BECAUSE OF THE EXISTING AUTOMOBILE SERVICE GARAGE AT 1100 N. GRANT.

REFERRING BACK TO 3-3303

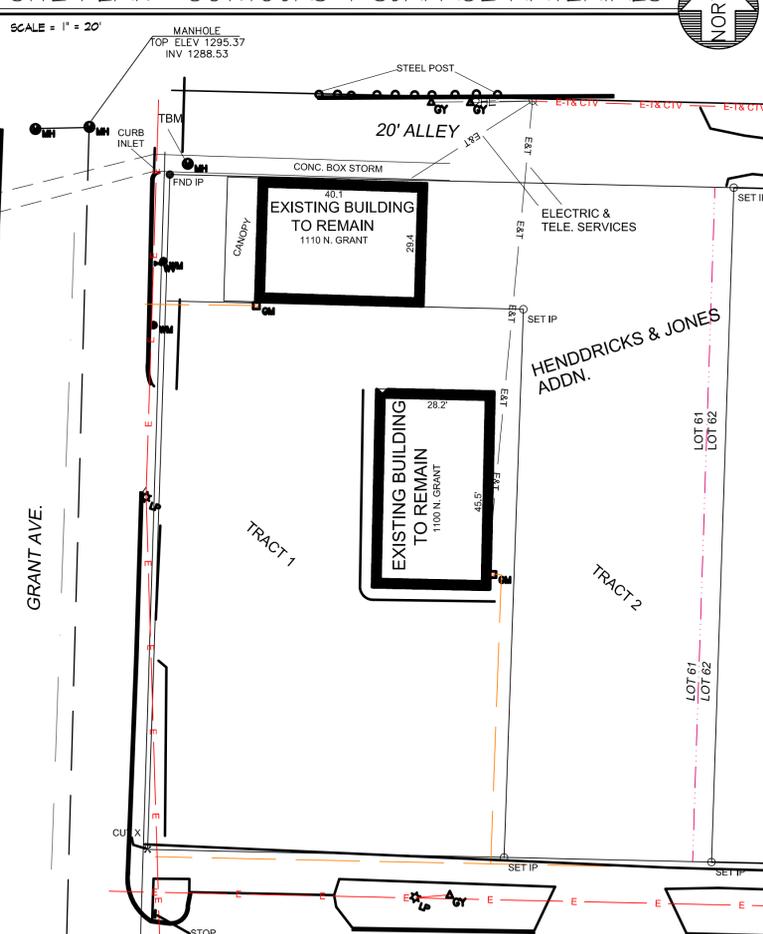
I. THE EXISTING BUILDING AT 1110 N. GRANT IS JUST BEING USED AS STORAGE BY THE OWNER AND NO BUSINESS BEING RUN FROM THE FACILITY, WITH AN ACTIVE BUSINESS THERE IT WILL GIVE ADDED VALUE TO THE PROPERTIES AROUND THIS AREA AND DISCOURAGE VANDALS AND ENHANCE THE ENJOYMENT OF THE AREA.

J. I'M NOT AWARE OF ANY ADVERSE EFFECTS OF HAVING AN ACTIVE BUSINESS, DURING NORMAL WORKING HOURS, ON THIS PROPERTY. THERE WILL BE MORE TRAFFIC, BUT SINCE THERE ARE SO MANY ABANDONED BUILDINGS IN THIS AREA, MORE TRAFFIC IS ACTUALLY A GOOD THING.



2 SP-1 SITE PLAN SHOWING ZONING, VEHICULAR ACCESS & FENCES

SCALE = 1" = 20'



4 SP-1 SITE PLAN SHOWING UTILITIES

SCALE = 1" = 20'

STEPHANIE D. IRELAND, INC. DBA
 ARCHITECTS
IRELAND
 ARCHITECTS
 CONTACT: STEPHANIE D. IRELAND
 PRINCIPAL ARCHITECT
 PHONE EXT. # 100
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 WWW.IRELANDARCHITECTS.COM
 STEPHANIE D. IRELAND, AIA
 ARCHITECT
 MO LIC. # A-007038
 CORP. LIC. # 00407506

NO.	DATE	REVISIONS

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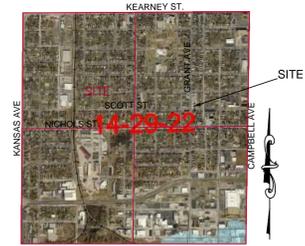
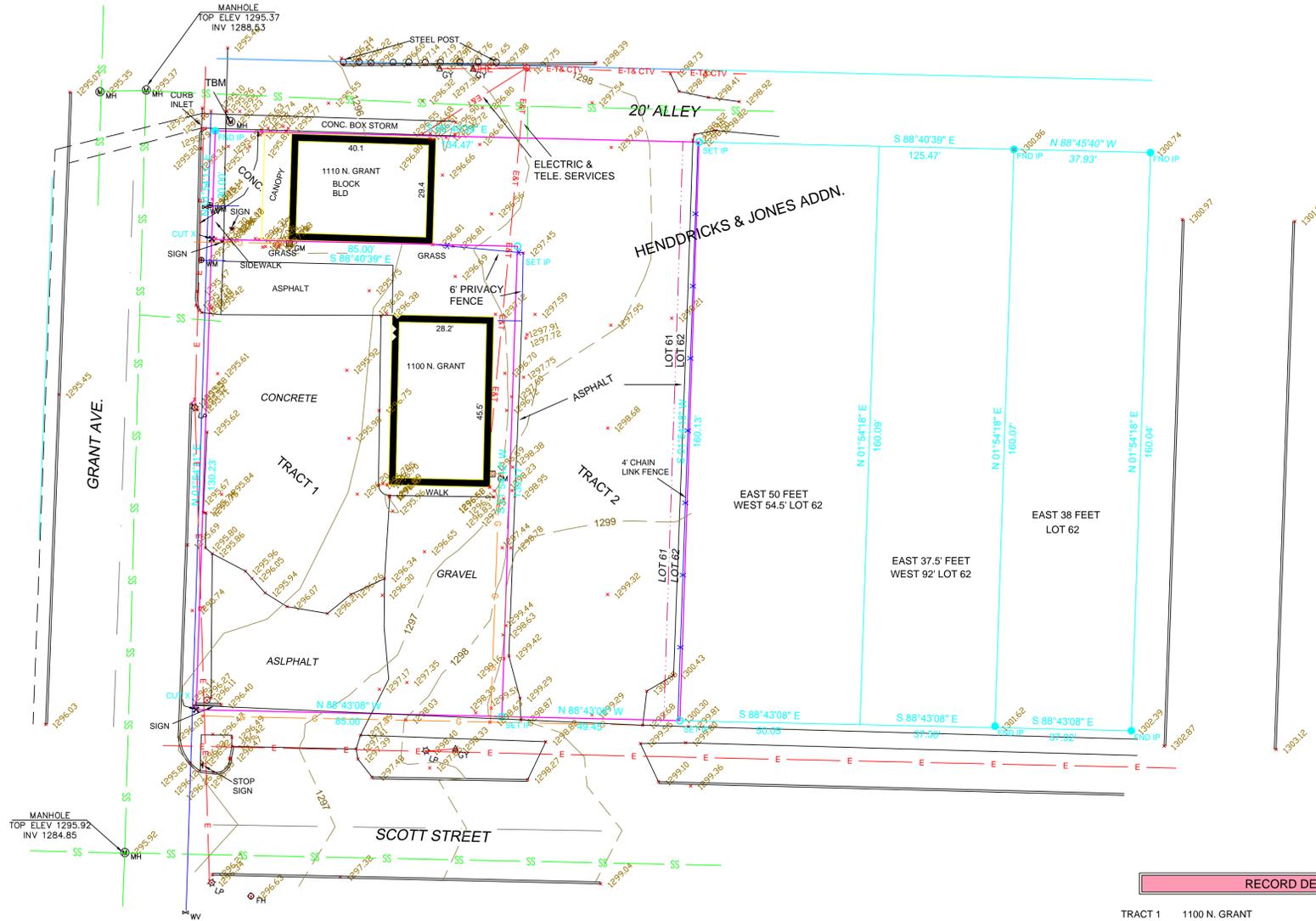
Project Number: P15-037
 Date: 12/18/16
 SEE DRAWING

Building Name: **VANZANDT'S #2 AUTO REPAIR**
 1110 N. GRANT
 SPRINGFIELD, GREENE COUNTY, MO 65802
 Project Name: **CONDITIONAL USE PERMIT SKETCH**
 PLAN
 Street Name: **SITE PLAN**

Floor No. **GROUND**

Sheet No. **SP-1**

BENCHMARK
TOP CENTER STORM MANHOLE ELEV 1295.23
BASED ON CITY BM 137.



LOCATION SKETCH
SEC. 14, T29N, R22W
SCALE: 1"=2000'

LEGEND

- | | | | | |
|-------|---------------------|---|-----------------------|--------------------|
| ● CP | CONTROL POINT | — | PROPERTY LINE | |
| ● IP | FOUND IRON PIN | — | SANITARY SEWER | |
| ○ IP | SET IRON PIN | — | STORM SEWER | |
| △ RWM | RIGHT-OF-WAY MARKER | — | TELEPHONE LINE | |
| PP | POWER POLE W/ GUY | — | UNDERGROUND TELEPHONE | |
| ○ MH | MANHOLE | — | GAS LINE | |
| ○ SCO | SEWER CLEANOUT | — | WATER LINE | |
| □ GM | GAS METER | — | ELECTRIC LINE | |
| □ LP | LIGHT POLE | — | UNDERGROUND ELECTRIC | |
| — | SIGN | — | FENCE LINE | |
| ⊕ WM | WATER METER | — | RETAINING WALL | |
| ⊕ WV | WATER VALVE | — | LINE LABELS | |
| ⊕ GV | GAS VALVE | — | TREELINE | |
| ⊕ FH | FIRE HYDRANT | — | BUSH | |
| △ TR | TELEPHONE RISER | — | □ ER | ELECTRICAL RISER |
| ○ | BUMPER POST | — | □ TS | TRAFFIC SIGNAL BOX |
| ■ | GRATE INLET | — | ○ MB | MAIL BOX |

RECORD DESCRIPTIONS

TRACT 1 1100 N. GRANT
THE WEST 85 FEET OF LOT 61 EXCEPT THE NORTH 30 FEET IN HENDRICKS AND JONES ADDITION, IN SPRINGFIELD, GREENE COUNTY, MISSOURI, SAID PROPERTY BEING APPROXIMATELY 130 FEET BY 85 FEET.
AS RECORDED IN BOOK 2015 PAGE 006584-15 OF THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE.

TRACT 2 1110 N. GRANT
ALL OF THE EAST 45 FEET OF THE SOUTH ONE HUNDRED FEET AND THE EAST 4.5 FEET OF THE NORTH 30 FEET OF LOT 61 AND THE WEST 4.5 FEET OF LOT 62, IN HENDRICKS AND JONES ADDITION, IN SPRINGFIELD, GREENE COUNTY, MISSOURI.
ALL OF THE NORTH 30 FEET OF LOT 61, IN HENDRICKS AND JONES ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT THE EAST 4.5 FEET THEREOF.
AS RECORDED IN BOOK 2743 PAGE 2162 OF THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE.

GENERAL NOTES:

OWNER: JIM VANZANDT
1100 N. GRANT
SPRINGFIELD, MO.

OWNER: WALTER AND DEBBIE ROSSEAU
1110 N. GRANT
SPRINGFIELD, MO.

UTILITY NOTE:
THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FLOOD NOTE
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FIA FLOOD HAZARD BOUNDARY MAP NO. H29 049 1350 01 WITH AN EFFECTIVE DATE OF MAY 17, 1974.



SURVEYOR'S CERTIFICATION

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE BOUNDARY AND TOPOGRAPHIC SURVEY SHOWN HEREON WAS MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THE INFORMATION IS AS SHOWN AND IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY SURVEYS.

GRAY & ASSOCIATES, LLC CA# LS 2007005888-D
BY
Michael D. Gray
MICHAEL D. GRAY, MO, PLS #
REGISTERED LAND SURVEYOR
STATE OF MISSOURI
15-1384

12-14-15
DATE

G&A
GRAY & ASSOCIATES, LLC
PROFESSIONAL SURVEYORS

G & A OFFICE
909 E. REPUBLIC RD. B 204
SPRINGFIELD, MISSOURI 65807
PHONE (417) 891-9982
FAX (417) 893-0704
WWW.GANDALLC.COM

DRAWING INFO.	
FIELD BY:	MC/MG2
DRAWN BY:	MDG2
CHECK BY:	MG
DATE:	12/08/15
FIELD BOOK:	
JOB NUMBER:	

JIM VANZANDT
BOUNDARY SURVEY W/IMPROVEMENTS
1100 & 1110 N. GRANT
SPRINGFIELD, MO.

DRAWING NO.
GA 100-373

SHEET NUMBER
1
OF **1**

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

DATE: December 30, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Preliminary Plat - New Prime Phase II

The applicant has requested that this case be tabled for the meeting on January 7th and be placed on the next Planning and Zoning Commission meeting on February 4th.

DEVELOPMENT REVIEW STAFF REPORT
Redevelopment Plan for the Cherry Townhouse Redevelopment Area

DATE: December 29, 2015

PURPOSE: To approve the Redevelopment Plan for the Cherry Townhouse Redevelopment Area.

LOCATION: Along the south side of East Cherry Street between South Thomas Avenue and South Kimbrough Avenue (516 East Cherry Street).

APPLICANT: REthink Capital, LLC

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Cherry Townhouse Redevelopment Area be approved.

FINDINGS:

The proposed Redevelopment Plan for the Cherry Townhouse Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*, which identifies this area as an appropriate location for medium- or high-density housing.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

Attachment A: Background Report
Exhibit I: Legal Description
Exhibit II: Location Map
Exhibit III: Blighted Area Map
Exhibit IV: Redevelopment Plan

ATTACHMENT A
Background Report
Redevelopment Plan for the Cherry Townhouse Redevelopment Area

Applicant's Proposal:

REthink Capital, LLC has filed an application requesting approval of a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority (LCRA) Law, for a redevelopment project generally located along the south side of East Cherry Street between South Thomas Avenue and South Kimbrough Avenue (*Exhibits I&II*). The Planning and Zoning Commission is required by Statute to review the proposed Redevelopment Plan (*Exhibit IV*) for conformance with the City's general plan for the development of the City as a whole.

The purpose of the Redevelopment Plan for the Cherry Townhouse Redevelopment Area is to remove blight and redevelop the area for multi-family residential use. The Redevelopment Area consists of a single 0.184 acre parcel of land. It is occupied by a dilapidated four-unit apartment building that was originally constructed in 1882 as a single-family residential structure. The Plan proposes to demolish the existing structures within the Redevelopment Area in order to facilitate construction of new townhouse style multi-family residential structure that will contain between three and five dwelling units and have a maximum height of three stories. The development will be constructed according to the requirements of the R-HD, High-Density Multi-Family Residential District.

Comprehensive Plan:

1. The *Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan* designates the land located in and around the Redevelopment Area for Medium- or High-Density Residential Housing. This land use designation includes all types of multi-family residential housing with densities greater than six dwelling units per acre. The Plan recommends this type of land use be located where there is good traffic access, preferably along arterials and collectors. It also recommends that it be located between low-density housing and non-residential land uses, as well as near high-amenity areas. The Redevelopment Plan satisfies these recommendations by proposing new multi-family residential housing along East Cherry Street (secondary arterial) approximately 200 feet west of South Kimbrough Avenue (secondary arterial). Furthermore, the Redevelopment Area is located in a high-amenity area, given its proximity to the Missouri State University Campus; Downtown; and adjacent commercial uses, churches, parks, and transit services.
2. The *Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan* also targets the Missouri State University Campus and surrounding area as a Major Activity Center. One of the Plan's objectives

relating to Activity Centers is to promote additional or new employment, intensified retail business, higher density housing and convenient transit service. The Redevelopment Plan supports this objective by providing new housing adjacent to the Missouri State University campus.

3. The Redevelopment Area is located within the area included in the *Center City Plan Element* of the *Springfield –Greene County Comprehensive Plan*. The Plan mentions the Center City area suffers from physical deterioration and economic obsolescence. It also states that although there are several properties within Center City that have been well maintained or recently constructed, the overall tone is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and redevelop the area into a new multi-family residential development.

Staff Comments:

1. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law ("Chapter 99, RSMo"). Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.

The applicant is required to submit an application that includes a redevelopment plan as well as a blight report if the redevelopment area is not currently declared a blighted area. The Planning and Zoning Commission's responsibility is to review the redevelopment plan for conformance with the City's general plan for the development of the City as a whole and make a recommendation regarding the same to City Council.

2. The Redevelopment Area is located within the South Central "A" Urban Renewal Area (*Exhibit III*). City Council declared the Area a blighted area in 1964 (Resolution No. 4282) and adopted an Urban Renewal Plan for the Area in 1967 (Resolution No. 4794). The Redevelopment Area continues to exhibit various blighting conditions, such as deteriorated site improvements and insanitary and unsafe conditions. However, the requirements of the Urban Renewal Plan have become obsolete and are impractical by today's standards for new multi-family residential construction in Center City. In order to facilitate redevelopment, the Developer has submitted a new redevelopment plan for the Cherry Townhouse Redevelopment Area, which will replace the existing Urban Renewal Plan within said Redevelopment Area.

3. The Redevelopment Plan is consistent with City policy, which encourages off-campus student housing be constructed near college and university campuses. This may help reduce vehicular traffic by allowing more students to walk and bike to class, as opposed to driving.
4. The City of Springfield and Missouri State University have worked collaboratively on plans to direct university and university-related growth to the northwest towards Downtown. The Redevelopment Plan is consistent with those efforts.
5. The location of the proposed multi-family residential development will offer its tenants convenient access to public transit and pedestrian facilities. The Redevelopment Area is located within two blocks of four City Utilities bus stops and two Missouri State University Bear Line Shuttle stops. The Redevelopment Area is also served by sidewalks and is located adjacent to Missouri State University.

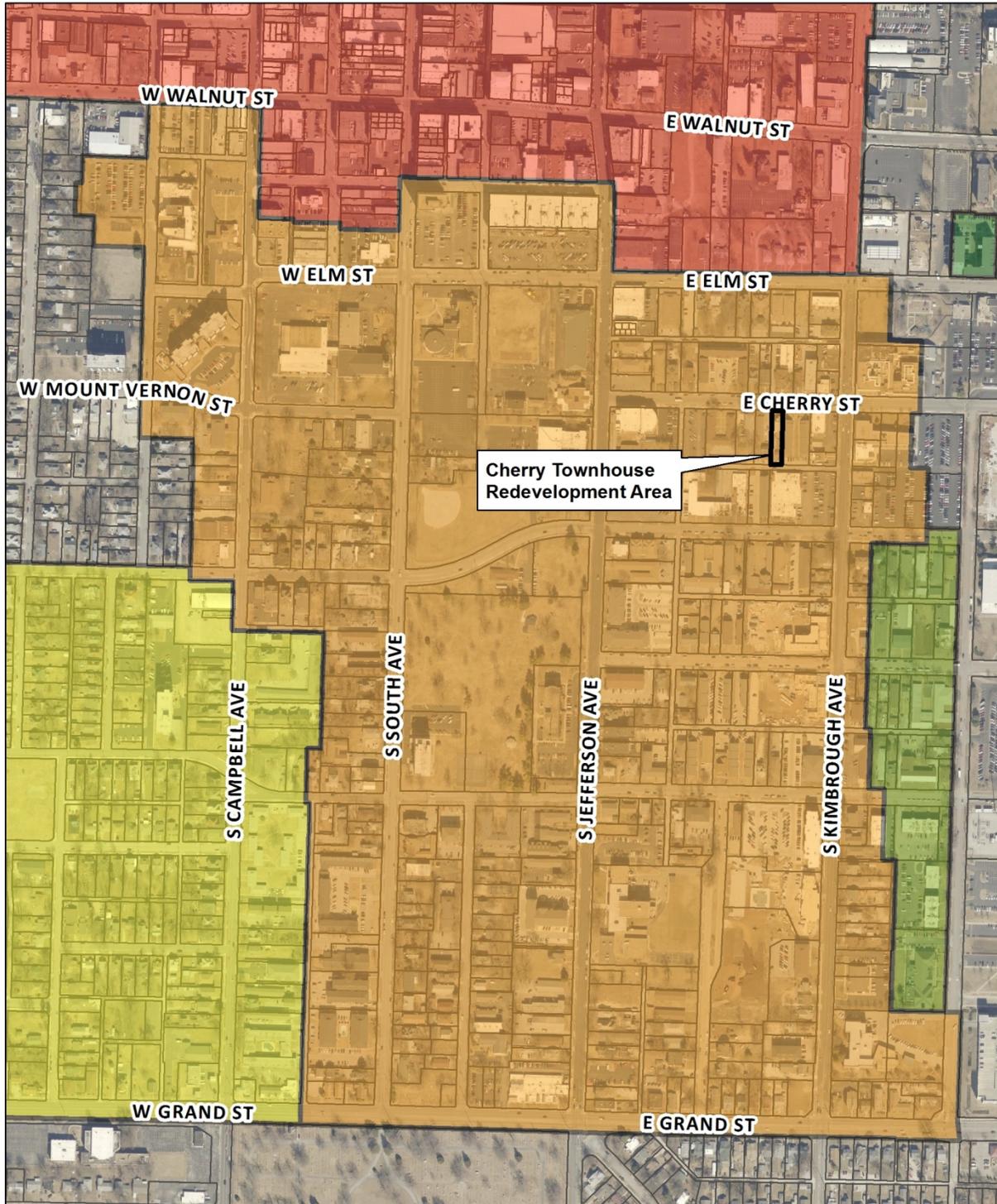
EXHIBIT I
Legal Description
Redevelopment Plan for the Cherry Townhouse Redevelopment Area

THE WEST HALF (W-1/2) OF LOT 73, SOUTHERN ADDITION, CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI.

EXHIBIT II
Location Map
Redevelopment Plan for the Cherry Townhouse Redevelopment Area

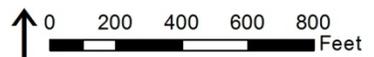


EXHIBIT III
 Blighted Area Map
 Redevelopment Plan for the Cherry Townhouse Redevelopment Area



Blighted Areas (Chapter 99)

- Deep Elm
- Grant Avenue Playground
- Downtown
- (former) SW MO State College
- South Central "A"



12/29/2015

EXHIBIT IV

Redevelopment Plan
Cherry Townhouse Redevelopment Area
Springfield, MO

December 2015

REDEVELOPMENT PLAN

I.	INTRODUCTION	3
II.	BACKGROUND	3
III.	DESCRIPTION OF THE PROJECT	3
	BOUNDARIES OF THE REDEVELOPMENT AREA	3
	THE REDEVELOPMENT	3
IV.	NEED FOR DEVELOPMENT	4
	BLIGHTED AREA	4
	THE REDEVELOPMENT AREA’S ADHERENCE TO THE GROWTH MANAGEMENT AND LAND USE ELEMENT OF THE VISION 20/20 SPRINGFIELD GREENE COUNTY COMPREHENSIVE PLAN	4
	THE REDEVELOPMENT’S ADHERENCE TO THE CENTER CITY ELEMENT OF THE VISION 20/20 SPRINGFIELD GREENE COUNTY COMPREHENSIVE PLAN	5
	CENTER CITY VISION STATEMENT (1-1, CENTER CITY ELEMENT)	5
	ISSUES AND FORCES (2-12. CENTER CITY ELEMENT)	5
V.	REDEVELOPMENT PLAN OBJECTIVES AND STRATEGIES	6
	LAND USE PLAN	6
	OTHER PROVISIONS	7
VI.	PROCEDURE AND CHANGES OR MODIFICATION OF PLAN	8

ADDENDUMS

LEGAL DESCRIPTION	EXHIBIT A
PICTURES OF THE BLIGHTING CONDITIONS	EXHIBIT B
ACTIVITY CENTERS	EXHIBIT C
LINKAGE	EXHIBIT D
SITE PLAN	EXHIBIT E
EXISTING SITE	EXHIBIT F
REDEVELOPMENT AREA WITHIN SOUTH CENTRAL “A” URBAN RENEWAL AREA	EXHIBIT G

Redevelopment Plan

516 E Cherry Redevelopment Area

I. Introduction

REthink Capital LLC, a Missouri Limited Liability Company, has prepared the following plan for the redevelopment of approximately .1837 acres into townhouse-style apartments. The developer proposes to remove the existing deteriorated and dysfunctional structure and replace with three (3) to five (5) units. The units will be leased by-the-bed and will have no more than twelve (12) total bedrooms with no single unit having more four (4) bedrooms.

II. Background

The developer purchased the property at 516 E Cherry in November 2015. The existing structure is approximately 100 years of age and is divided into four (4) residential units. Due to the deterioration of the structure there were no residents in any of the units at the time the developer purchased the property.

According to the Greene County Assessor's website, the structure is 2,684 square feet. Its appraised value is \$85,700 and its assessed value is \$16,290. Its 2015 property taxes were \$884.66.

There is also a separate structure located on the south of the property which is a carport/shed constructed of corrugated metal.

III. Description of the Project

Boundaries of the Redevelopment Area

The Redevelopment Area is located on the South side of Cherry Street between Kimbrough and Jefferson. This street block is almost entirely made up of older multi-family properties and several of the properties are suffering from a lack of capital improvements. The redevelopment area is in a High-Density Multi-Family Residential District (R-HD). The legal description is attached in Exhibit A.

The Redevelopment

The Redevelopment will be suitable to the High-Density Multi-Family Residential District (R-HD). The existing structures will be removed and replaced with new townhouse style apartments.

The redevelopment area is small at only .1837 acres (8,000 square feet), less than the existing lot minimum requirement within the High-Density Multi-Family Residential District of 15,000 square feet; however, it has been certified as a tract of land prior to 1956, so this lot minimum requirement does not apply.

IV. Need for Redevelopment

Blighted Area

The redevelopment area is located within the South Central "A" Urban Renewal Area. This area was declared a blighted area in 1964 then reaffirmed in 1967. It remains blighted today. Further, the Redevelopment Area itself exhibits a predominance of blighting conditions that render the current structure a menace to public health and safety and an economic and social liability. See attached Exhibit B for pictures of the blighting conditions. See Exhibit G for a map showing the Redevelopment Area within South Central "A" Urban Renewal Area.

The redevelopment area is in great need of redevelopment due to its location within the South Central "A" Urban Renewal Area as well as the predominance of blighting factors it exhibits. The structure does not present a reasonably safe environment to be used as a residence in its current condition. For this reason the property was vacant when the developer purchased it in November 2015. Correcting the blighting factors without demolishing the structure simply wouldn't be a feasible investment. Removing the structure and replacing it with multi-family units is the highest and best use and most closely aligns with the objectives of the Vision 20/20 Springfield-Greene County Comprehensive Plan adopted in November 2001.

The Redevelopment Area's Adherence to the Growth Management and Land Use Element of the Vision 20/20 Springfield Greene County Comprehensive Plan

The redevelopment will closely align with many of the objectives of the City of Springfield's Growth Management and Land Use Plan (GMLUP), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan.

Objective 1 (18-7, GMLUP): "The City of Springfield and Greene County should work together to create a future development pattern that is more geographically balanced and compact than past trends."

The redevelopment is investing in growth within Center City. It will remove dysfunctional units that are not providing an adequate housing option in favor of more dense multi-family housing.

Objective 2 (18-7, GMLUP): "Springfield and Greene County should seek sustainable growth by investing in established areas..."

The redevelopment is located within Center City in the West Central Neighborhood. It is also less than half a block from MSU (SMSU). These are some of the most "established" areas within Springfield.

Objective 9 (18-28, GMLUP): "Springfield and Greene County should target several locations as Activity Centers. In those locations, plans, regulations and public investments should promote... higher density housing."

The redevelopment will be removing uninhabitable and dysfunctional units, which are currently no choice at all for safe housing, in favor of new multi-family units. The redevelopment area is located within the MSU (SMSU) Activity Center and is on the edge of the Center City Activity Center. See Exhibit C for a map of the Activity Centers as laid forth in the GMLUP.

Objective 13 (18-46, GMLUP): “The City of Springfield and Greene County should regulate land development consistent with the Springfield Area Land Use Plan.”

According to figure 18-7 within the GMLUP, the redevelopment plan lies within a “Medium or High Density Housing” area.

“Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between low-density housing and non-residential land uses, and at high-amenity locations such as greenways and parkways. The density is expected to be greater than 6 housing units per net acre (18-48, GMLUP).”

The Redevelopment Area is located on Cherry Street which is a Secondary Arterial providing good traffic access. The Redevelopment area may also be accessed by an alley. It is also located within a few hundred feet of several commercial properties along Kimbrough and a few hundred yards of a park and church along Jefferson Avenue. Furthermore, Downtown, Missouri State University, and Transit Services are within a short walk.

The density of the redevelopment will be approximately 27 units per acre (as many as 5 units within .1837 acres).

The Redevelopment’s Adherence to the Center City Element of the Vision 20/20 Springfield Greene County Comprehensive Plan

The Center City Element of the Vision 20/20 Springfield Greene County Comprehensive Plan defines the redevelopment area as being located within Center City.

Center City Vision Statement (1-1, Center City Element)

“Center City is everybody’s neighborhood; a place to live, work and play. A place where people of all ages, backgrounds and interests are welcome to enjoy a vibrant, dynamic, and growing environment. Center City is an exciting, inviting, livable place. Center City is clean, safe, friendly, and accessible to all (1-1, Center City Element).”

The Redevelopment is removing housing which is not “clean, safe, (or) friendly” and replacing it with by-the-bed residential units which will be “exciting, inviting, (and) livable,” as well as “clean, safe, (and) friendly.” It’s foreseeable that the units will be primarily occupied by students who will likely live, work, and be educated within Center City.

Issues and Forces (2-12, Center City Element)

In Figure 8 on page 2-11 of the Center City Element of the Vision 20/20 Springfield Greene County Comprehensive Plan (See Exhibit D), the Redevelopment Area is identified as being within a neighborhood that is a “Link” between MSU (SMSU) and Greater Downtown.

This area has been identified as an important neighborhood linking two Major activity centers, and presents some suggestions for better “linkage.”

“Least well defined are the paths that psychologically and visually link the residential areas to the commercial or public areas. It may be possible to strengthen these connections with landscaping, lighting, signage, and building placement. Better integration of peripheral housing could support the

businesses, enhance the feeling of living in Center City, and support property values (2-12, Center City Element).”

The Redevelopment will create “better integration of peripheral housing (that) could support the businesses”. There are businesses located within only a few hundred feet of the Redevelopment area, yet the Redevelopment Area is in a High-Density Multi-Family Residential District

The Redevelopment will also do its part to “strengthen these connections with landscaping, lighting... and building placement.” The Redevelopment will be removing antiquated housing, and by nature of new development will be required to abide by all guidelines set forth in the Zoning Ordinance which will improve upon the site’s landscaping, lighting, and building placement (setbacks).

V. Redevelopment Plan Objectives and Strategies

There are two primary objectives of the Redevelopment; (a) to remove deteriorated housing that does not present a safe, clean choice as an environment to live, and (b) to replace with new units to be leased by-the-bed that follow the plans and objectives of the Vision 20/20 Springfield Greene County Comprehensive Plan as set forth in this Redevelopment Plan.

Land Use Plan

A.) Former and Existing Land Use

The Redevelopment Area currently consists of a four (4) unit apartment building that is approximately 100 years old and in unlivable condition. There is also a secondary structure that is a shed/carport.

B.) Proposed Land Use

The proposed land use is for between three (3) and five (5) townhouse-style multi-family units. There will be one (1) structure with a maximum height of three (3) stories. The property will be leased by-the-bed and there will be approximately 8-12 total bedrooms. The Redevelopment will substantially conform to the attached Site Plan in Exhibit E.

C.) Financing

The developer is utilizing conventional financing to finance this project.

D.) Disposition of the Property

No land is proposed to be disposed of within the Redevelopment Area.

E.) Plan for Relocation Assistance

All four (4) units were vacant at the time the developer took ownership of the property. They remain vacant, so no relocation assistance will be necessary.

F.) Redevelopment Schedule and Estimated Date of Completion

- Plans finalized and approved by February 2016
- Demolition and site prep by February 2016
- Construction to begin by March 2016
- Completion of project by June 2016

G.) Taxation

The Developer or its successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief pursuant to sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

H.) Covenants

The Redevelopment Plan shall run with the land for a period of twenty years for the date of final approval (at which point it shall expire and shall be of no further force or effect) and shall, during such time, require the Developer and any successors in interest to redevelop and use the real property within the Redevelopment Area in accordance with the Redevelopment Plan if they wish to benefit from tax relief available under Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

Other Provisions*A.) Compliance with General Plans*

As described herein, the Redevelopment Plan complies with the objectives of the Springfield-Greene County Comprehensive Plan.

B.) Compliance with State and Local Law

The Redevelopment Plan shall be implemented in conformance with the requirements of state and local law.

C.) Population Density

The Redevelopment will provide no more than five (5) units located within the Redevelopment Area of approximately .1837 acres (8,000 square feet) for a density of no more than 27 units per acre. The High-Density Multi-Family Residential District (R-HD) zoning allows a maximum of forty (40) units per acre. This would be a maximum of Fifty-Four (54) residents per acre.

D.) Public Facilities

It is not anticipated at this time that the Redevelopment will require any additional public facilities or utilities.

E.) Codes, Ordinances, and Zoning

There is no anticipated change to zoning ordinances or maps, street layouts, street levels or grades, building codes, or ordinances.

VI. Procedure and Changes or Modification of Plan

Upon application by the Developer or its successors in interest, the Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with consent of the Planning and Zoning Commission. When the proposed amendment or modification substantially changes the Redevelopment Plan, the City Council must also approve the amendment or modification.

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF GREENE, STATE OF MISSOURI, AND IS DESCRIBED AS FOLLOWS:

The West Half (W-1/2) of Lot 73, SOUTHERN ADDITION, City of Springfield, Greene County, Missouri.

EXHIBIT B
PICTURES OF THE BLIGHTING CONDITIONS











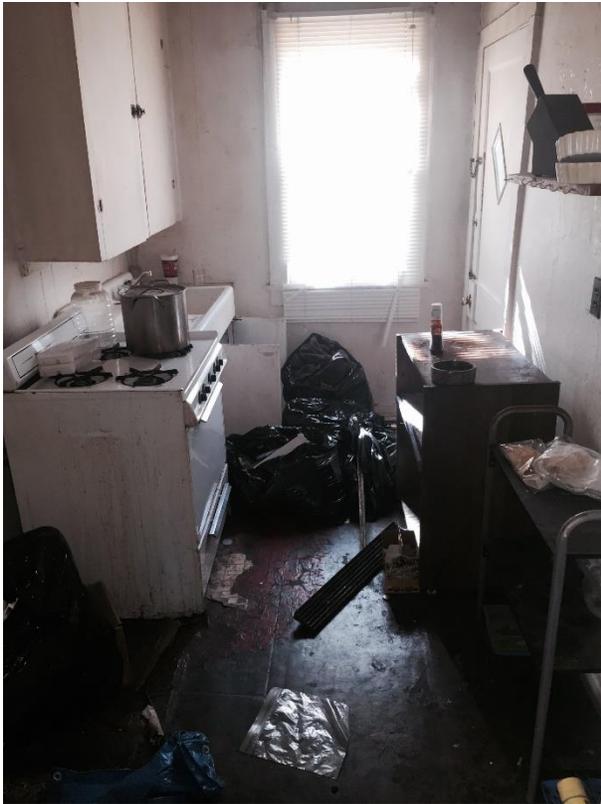
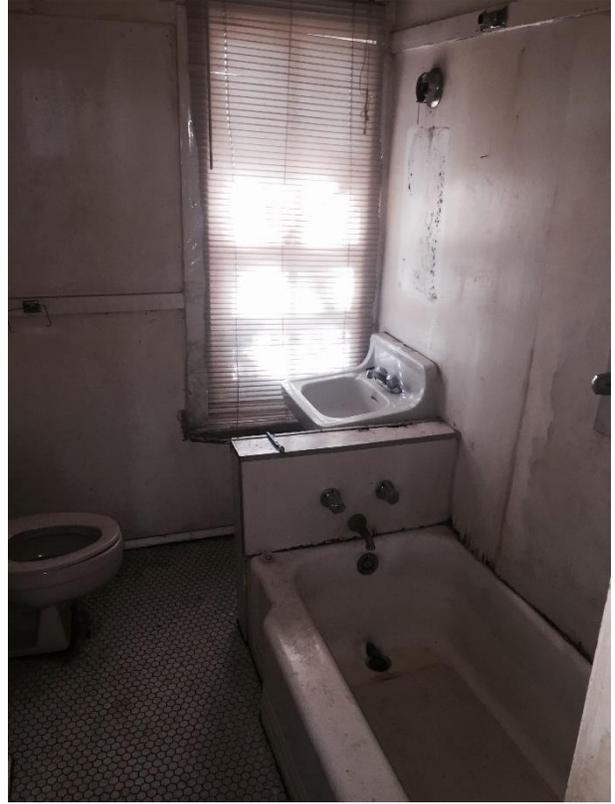
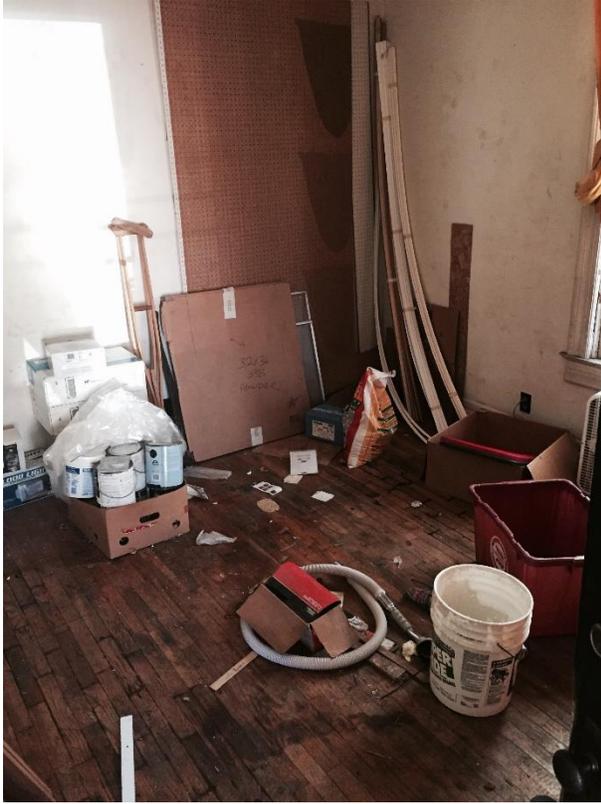




EXHIBIT C ACTIVITY CENTERS

Figure 18.5 of the GMLUP



EXHIBIT D LINKAGE

Figure 8 on Page 2-11 of the Center City Element of the Vision 20/20 Springfield Greene county Comprehensive plan

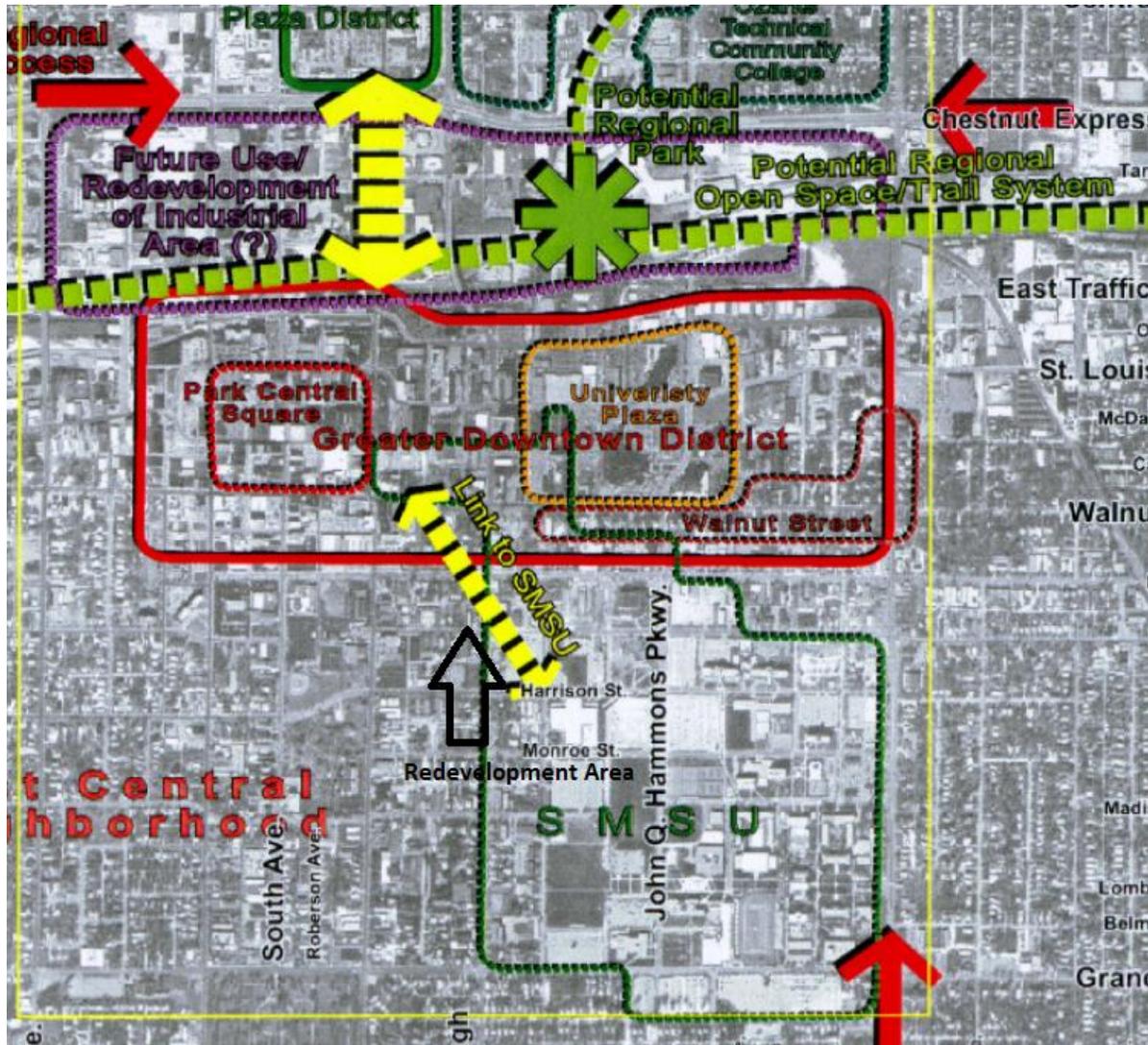
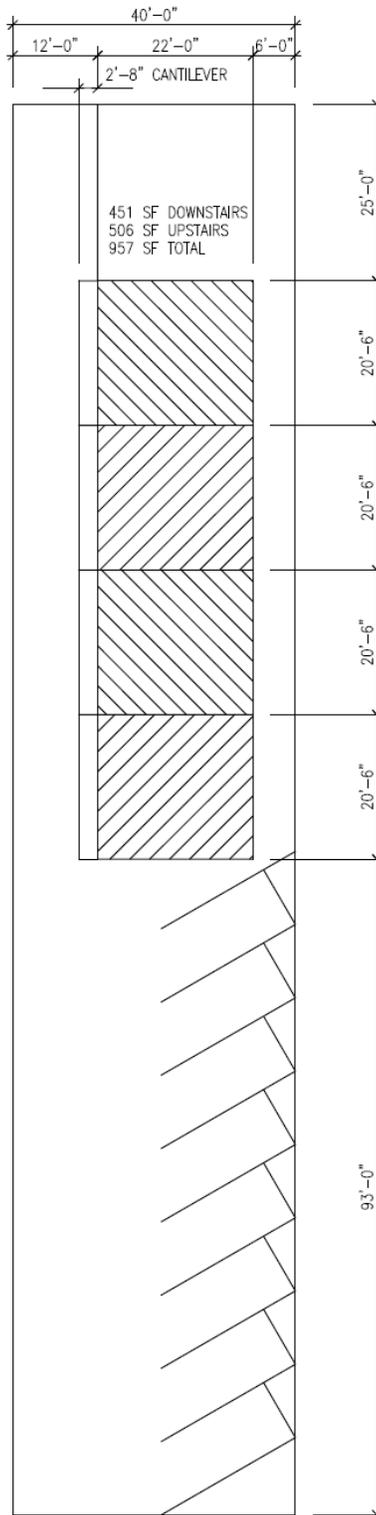


EXHIBIT E

PROPOSED SITE PLAN



516 E CHERRY
1"=20'-0"

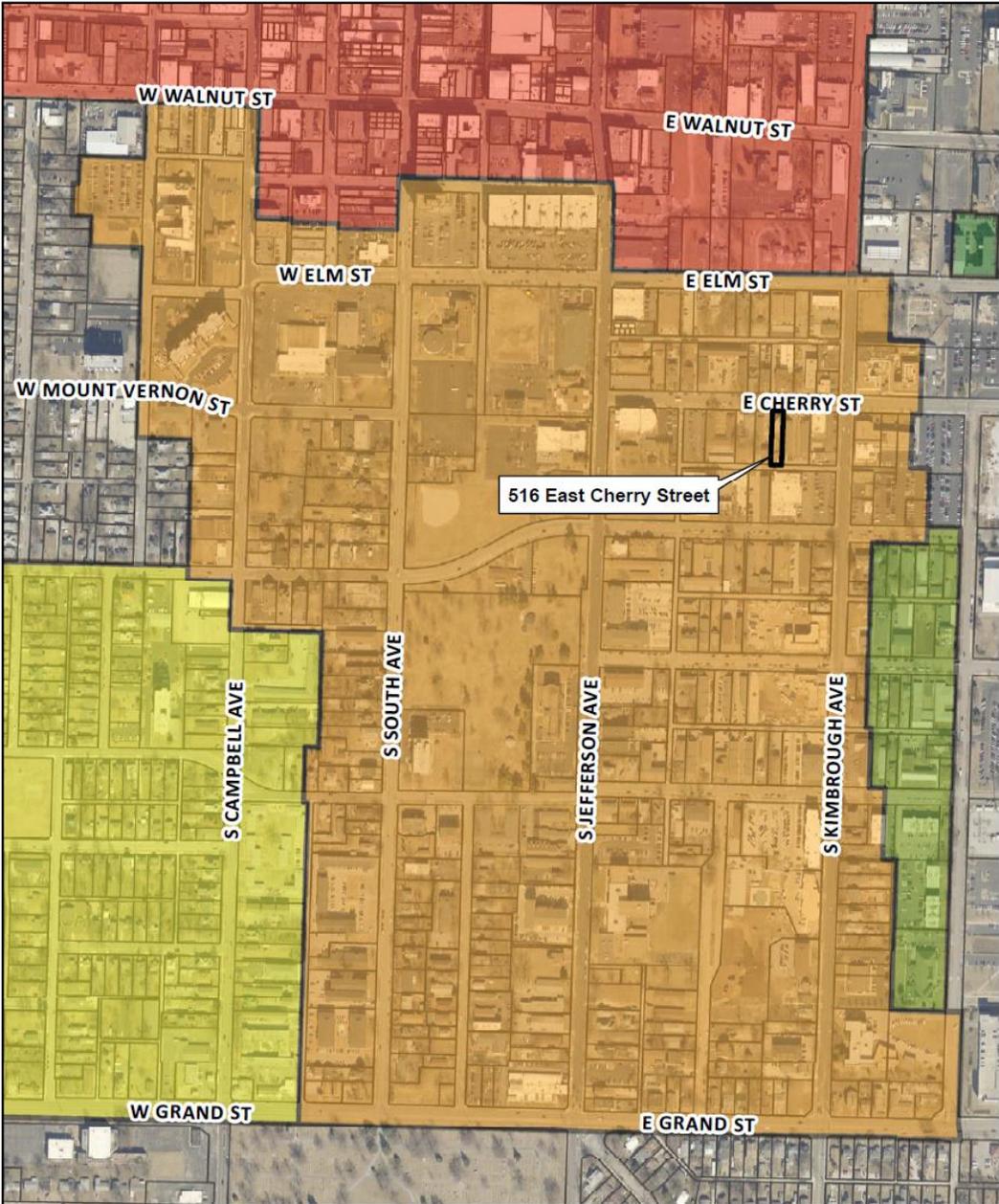
EXHIBIT F EXISTING SITE MAP

From the Green County Assessor's Website



EXHIBIT G

Redevelopment Area within South Central "A" Urban Renewal Area



Blighted Areas (Chapter 99)

- Deep Elm
- Grant Avenue Playground
- Downtown
- (former) SW MO State College
- South Central "A"



10/14/2015