



Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

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

Upcoming Council Meeting Agenda October 3, 2016 - 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.

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES. September 19, 2016 – Regular, September 20, 2016 – Special, And September 27, 2016 - Special**

Documents:

[09-19-2016.PDF](#)
[09-20-2016 SPECIAL.PDF](#)
[09-27-2016 SPECIAL CITY COUNCIL MEETING.PDF](#)

3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
4. **CEREMONIAL MATTERS.**
Swear in **Kelly Guenther** and **Nick Baker** to the Tree City USA Citizen Advisory Committee.
5. **CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS.**

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

7. **Council Bill 2016-220. (Hosmer)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.90 acres of property, generally located at 222 East Primrose Street, from Planned Development 21 Amendment 1 District, to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Lipscomb Properties LLC; 222 East Primrose Street; Z-13-2016.)

Documents:

[2016-220.PDF](#)

8. **Amended Council Bill 2016-221. (Fishel)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.6 acres of property, generally located at 1811 East Sunset Drive, from Planned Development No. 97, to O-1, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: 1811 E. Sunset, LLC; 1811 E. Sunset Drive; Z-11-2016 Conditional Overlay District No. 112.)

Documents:

[2016-221AMENDED.PDF](#)

9. **Council Bill 2016-222. (Fulnecky)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.4 acres of property, generally located at 1606 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: John Peterson; 1606 East Blaine Avenue; Z-14-2016 & Conditional Overlay District No. 110.)

Documents:

[2016-222.PDF](#)

10. **RESOLUTIONS.**

11. **EMERGENCY BILLS.**

12. **PUBLIC IMPROVEMENTS.**

13. **GRANTS. Citizens May Speak. May Be Voted On.**

14. **Council Bill 2016-225. (McClure)**

A special ordinance authorizing the City Manager, or their designee, to apply for and accept a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, in an amount not to exceed \$2,000,000, with funds to be used for the development and implementation of a coordinated community plan to end youth homelessness; to execute any sub-grant agreements that may be necessary or convenient, and to exercise any and all powers necessary or convenient to implement the grant; and declaring that this bill qualifies for approval in one reading.

Documents:

[2016-225.PDF](#)

15. **AMENDED BILLS.**
16. **COUNCIL BILLS FOR PUBLIC HEARING.**
17. **FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.**
18. **Council Bill 2016-226. (Ferguson)**

A special ordinance establishing a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects.

Documents:

[2016-226.PDF](#)

19. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

Ms. Madison Weiler wishes to address City Council.

20. **NEW BUSINESS.**

The Mayor recommends the following appointments to the Tree City USA Citizen Advisory Committee: Zach Clapper with term to expire December 1, 2016 and Mindy Spitz with term to expire December 1, 2017.

The City Manager recommends the following appointment, who has been serving as an alternate, to the Board of Adjustment: Derek Lee with term to expire January 1, 2017.

The City Manager recommends the following reappointments to the Park Board: Sarah McCallister with term to expire June 1, 2018, and Sidney Needem with term to expire June 1, 2019.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

21. **UNFINISHED BUSINESS.**
22. **MISCELLANEOUS.**
23. **CONSENT AGENDA – FIRST READING BILLS. See Item #3.**
24. **Council Bill 2016-227. (Fisk)**

A general ordinance amending the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, 'When permit is required'; and 36-146 'Fees,' to correct inaccurate cross-references.

Documents:

[2016-227.PDF](#)

25. **CONSENT AGENDA – ONE READING BILLS. See Item #3.**
26. **Council Bill 2016-228. (Schilling)**

A resolution declaring the intent of the City of Springfield to annex approximately 4.7 acres of Greene County right-of-way; which annexation has been petitioned by the property owners, generally located between the 2800 and 3000 blocks of West Republic Street, and is more fully described in this resolution, generally referenced as Annexation A-2-16.

Documents:

[2016-228.PDF](#)

27. **CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On.**

28. **Council Bill 2016-213. (Stephens) Due To The Zone 2 Vacancy, This Bill Was Republished With New Sponsorship.**

A special ordinance approving the transfer of the City's interest in real property located at 1436 North Rogers Avenue to Springfield Community Gardens.

Documents:

[2016-213.PDF](#)

29. **Council Bill 2016-223. (Ferguson)**

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Andy Land Subdivision, generally located at 3830 South Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements).

Documents:

[2016-223.PDF](#)

30. **END OF CONSENT AGENDA.**

31. **CLOSED SESSION:**

City Council will hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

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.

September 19, 2016
Springfield, Missouri

The City Council met in regular session September 19, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling and Bob Stephens. Absent: None. Vacant Seat: Zone 2.

Minutes

There being no additions, deletions or corrections, the minutes of September 6, 2016 were approved as presented.

Consent Agenda

The Consent Agenda was finalized and approved as presented.

Anita Cotter, City Clerk, stated Item #22 was a recommendation for Keith Chaffin who contacted the City Clerk's Office and asked to be removed from consideration for appointment to the Land Clearance for Redevelopment Authority due to other obligations.

Councilman Hosmer moved to remove the recommendation of Keith Chaffin to the Land Clearance for Redevelopment Authority from the New Business item. Councilman Schilling seconded the motion. The recommendation of Keith to the Land Clearance for Redevelopment Authority was removed from the agenda by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Mayor Pro Tem McClure, at the request of the applicant, moved to remove Council Bill 2016-221 Substitute #1 from the agenda and from further consideration. Councilwoman Ferguson seconded the motion. Council Bill 2016-221 Substitute #1 was removed from the agenda by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, provided updates on questions raised from the previous Council Meeting. Mr. Burris stated eight Springfield citizens have applied for the vacant City Council Zone 2 seat. Mr. Burris noted the meeting to review and interview candidates will take place tomorrow at noon at the Springfield-Greene County Public Safety Center. Mr. Burris stated more than 60 leaders in Springfield's business, education, nonprofit and public sectors recently returned from Greenville, South Carolina where they had a chance to hear about some of that City's best practices and learn how those ideas might be incorporated in Springfield. Mr. Burris noted the City's Department of Public Information won a

National Savvy Award from the City-County Communications & Marketing Association. Mr. Burris stated the Zone Blitz projects continue as we enter the official third month of the 18-month initiative in Northwest Springfield. Mr. Burris noted the Springfield Jazz Festival will be held on September 24, 2016 at 7:30 p.m. Mr. Burris made himself available for questions.

Mayor Pro Tem McClure asked for information on the Together Springfield Initiative. Mr. Burris responded Together Springfield is the implementation of a collective impact model, which is intended to bring a number of different projects to bear on a single focus. Mr. Burris stated many projects are currently happening in our community and noted the model has been drafted and a presentation will be brought forward to Council soon.

Councilwoman Fulnecky asked if Together Springfield will require funding. Mr. Burris responded it is funded through private donations and the money that has already been approved through Zone Blitz.

The following bills appeared on the agenda under Second Reading Bills:

RESOLUTIONS.

Payday Loans and Car Title Loans

Sponsor: Schilling. Council Bill 2016-218. A resolution requesting that the Consumer Financial Protection Bureau address the potential deficiencies contained in its proposed rule regarding payday loans and car title loans, and providing public comment concerning revisions necessary to remedy deficiencies in the proposed rule.

Mr. Burris stated the proposed is a resolution as requested by Councilman Schilling. Mr. Burris stated the proposed is in response to a number of faith leaders in the community expressing concerns for existing protocols for the handling and regulation of payday and car title loans. Mr. Burris noted the proposed is to allow Council to send communication to the Consumer Financial Protection Bureau (CFPB) stating the concerns heard from within the faith community.

Mayor Pro Tem McClure asked if the proposed was for proposed rule making. Mr. Burris responded in the affirmative.

Mayor Pro Tem McClure asked if the proposed is in the comments phase and if the resolution was passed would the comments be offered to CFPB. Mr. Burris responded in the affirmative.

Robert Perry spoke in favor of the proposed. Mr. Perry expressed his belief predatory loans are out of control and many are owned by out of state companies. Mr. Perry expressed his belief the rules and regulations need to be strengthened.

Mary Kay Glunt spoke in favor of the proposed. Ms. Glunt expressed her belief well meaning and hard working people find themselves trapped in these loans. Ms. Glunt stated banks no longer issue short loans and payday loans are often their only option to make ends meet.

Councilwoman Fulnecky asked if consumer information should be given to the person who walks in to get a loan. Ms. Glunt responded in the affirmative and suggested including in the paperwork ways to pay back the loan or organizations that can assist them in a time of need.

Councilwoman Fulnecky asked where people go for smaller loans if payday loan companies are put out of business. Ms. Glunt responded in states where regulations have been placed, some companies did go out of business, however some stayed in business and continued to provide payday loans with restrictions and still make a profit.

Councilwoman Fulnecky asked how local state representatives feel about the issue. Ms. Glunt responded several were in favor of lowering the rate and stated others were concerned about limiting business.

Councilwoman Ferguson asked what was decided as a Council previously for legislative priorities. Mr. Burris responded it is to take a position to ask local delegation to limit the interest rate charged on predatory loans.

Jeff Munzinger spoke in favor of the proposed. Mr. Munzinger stated there are over 70 payday loan companies in Springfield. Mr. Munzinger expressed his belief payday loan companies take millions of dollars from our economy from some of our most vulnerable citizens including veterans and the elderly. Mr. Munzinger thanked Council for their work on the proposed.

Susan Schmalzbauer, Congregational Coordinator for Faith Voices of Southwest Missouri, spoke in favor of the proposed. Ms. Schmalzbauer thanked Councilman Schilling for his work on the proposed. Ms. Schmalzbauer read a letter from Alicia who was unable to attend the meeting. Ms. Schmalzbauer spoke on behalf of Alicia who asked Council to protect consumers like her with the strongest rules possible to regulate this industry and noted it took only one payday loan to get her trapped in debt.

Councilman Schilling asked how many people get trapped in payday loans within this community. Ms. Schmalzbauer stated there is no way to get an exact number and stated it is a rare instance when people can pay back the loan in full.

Councilwoman Fulnecky asked if payday loan company disclosed the interest rate. Ms. Schmalzbauer responded most of the time it is small print.

Danny Chisholm, Pastor for University Heights, spoke in favor of the proposed. Mr. Chisholm stated his church is providing opportunities to help people pay off their payday loans using funds their church has provided. He expressed his belief people should be held accountable, but should not be exploited in their time of need.

Mark Struckoff spoke in favor of the proposed. Mr. Struckoff stated there are more payday loan companies than McDonalds, Wal-Marts and Starbucks combined in the state of Missouri. Mr. Struckoff thanked Councilman Schilling for his work on the proposed and thanked Council for facing this problem head on.

Councilwoman Fulnecky asked if the payday loan companies in Springfield are locally-owned. Mr. Struckoff responded he was unsure and stated based on what he has read, they are almost all owned primarily out of state.

Marla Marantz spoke in favor of the proposed. Ms. Marantz, Co-Chair for the Community Engagement Committee for the NAACP, expressed her belief as the poverty rates have increased, so have predatory payday loans. Ms. Marantz stated it is time to end this predatory model that destroys families, neighborhood and communities. Ms. Marantz noted payday loan companies goal is to trap people in a cycle of debt and expressed her belief people should not be exploited because they are in need of help.

Councilwoman Ferguson asked if the lenders are in or out of state. Ms. Marantz stated the top two in our state are located out of state, including Kansas and Michigan.

Jennifer Trogdon spoke in favor of the proposed. Ms. Trogdon stated she is a victim of payday loans. Ms. Trogdon noted her and her family needed a repair on their vehicle and took out two separate payday loans. Ms. Trogdon stated it took three years to pay off the two payday loans and paid over \$6,000 in interest.

Councilwoman Ferguson asked for the amount of the two original loans. Ms. Trogdon responded they were \$500 each.

Dorothy Kaiser spoke in favor of the proposed. Ms. Kaiser stated many people pay twice as much as their loan and expressed her belief payday loans are exploitative of the poor.

Councilwoman Fulnecky asked if anyone was at the meeting to represent the payday loan industry. Mr. Burris responded in the negative.

Councilman Schilling stated the testimony illustrates the many issues with payday loans and expressed his belief the proposed will be beneficial to the community.

Councilman Hosmer stated he is in favor of the proposed and expressed his belief it is good to bring this issue forward to the Federal government.

Councilwoman Ferguson spoke in favor of the proposed and stated in Zone 1 she hears many stories of families falling behind due to payday loans.

Councilwoman Fulnecky expressed her belief the proposed is for a noble cause and sees the need for the proposed. Councilwoman Fulnecky stated before she can make a decision on the proposed she would need to hear both sides of the issue.

Mayor Stephens stated the resolution is asking the Consumer Financial Protection Bureau to tighten up the language for payday loans and to make a recommendation during the comment phase.

Mayor Pro Tem McClure asked if the resolution as drafted expresses the support for modifications on regulating payday loans. Mr. Burris responded in the

affirmative.

Mayor Pro Tem McClure commended the University Heights Baptist Church and Credit Union on their efforts to help those trapped in payday loans. Mayor Pro Tem McClure thanked Councilman Schilling for sponsoring the proposed.

Councilman Fishel spoke in favor of the proposed. Councilman Fishel expressed his belief it is incomprehensible for people to take out a \$50 loan and pay \$50 worth of interest month after month.

Councilwoman Fisk thanked the speakers for telling their stories.

Council Bill 2016-218. Resolution 10287 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Ferguson, Schilling and Stephens. Nays: Fulnecky. Absent: None. Abstain: None. Vacant Seat: Zone 2.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

**Sanitary Sewer District
No. 91**

Sponsor: Fisk. Council Bill 2016-219. A special ordinance accepting the bid of Flat Creek Excavating, LLC, in the amount of \$198,858.84 for the construction of sanitary sewers in Sanitary Sewer District No. 91 of Section No. 1, located in the vicinity of College Street and Broadway Avenue, as indicated on “Exhibit A;” declaring the work to be necessary; stating the intention to pay for all or part of the improvements from the proceeds of bonds; specifying those costs and expenses to be assessed against the properties in the district and the method by which the costs will be apportioned; setting forth the manner of payment, the lien of the assessments, and the duration of the lien; setting forth the interest rate to be charged on the tax bills; authorizing the City Manager, or his designee, to enter into a contract and to approve the bond for said improvement; and authorizing progress payments to be made to the contractor; and declaring that this bill qualifies for approval in one reading.

Steve Meyer, Director of Environmental Services, provided a brief overview of the proposed. Mr. Meyer stated the proposed was awarded the standard way accepting a bid that selects the lowest bidder and recommends approval. Mr. Meyer made himself available for questions.

Council Bill 2016-219. Special Ordinance 26796 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

**222 East Primrose
Street**

Sponsor: Hosmer. Council Bill 2016-220. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.90 acres of property, generally located at 222 East Primrose

Street, from Planned Development 21 Amendment 1 District, to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Lipscomb Properties LLC; 222 East Primrose Street; Z-13-2016.)

Mary Lilly Smith, Director of Planning and Zoning, provided a brief overview of the proposed. Ms. Smith stated the proposed is to request rezoning for a piece of property from Planned Redevelopment to General Retail. Ms. Smith noted the current use of the property is for medical offices and is requesting the addition of a pharmacy, however, the current zoning does not allow for a pharmacy. Ms. Smith stated the proposed is near the James River Freeway and Campbell Avenue Activity Center. Ms. Smith made herself available for questions.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

Removed from the Agenda

Sponsor: Fishel. Council Bill 2016-221. Substitute No.1. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.6 acres of property, generally located at 1811 East Sunset Drive, from Planned Development No. 97, to LB, Limited Business District Conditional Overlay District No. 112; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend denial).

1811 East Sunset Drive

Sponsor: Fishel. Council Bill 2016-221. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.6 acres of property, generally located at 1811 East Sunset Drive, from Planned Development No. 97, to O-1, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: 1811 E. Sunset, LLC; 1811 E. Sunset Drive; Z-11-2016 Conditional Overlay District No. 112.)

Mary Lilly Smith provided a brief overview of the proposed. Ms. Smith stated the proposed is a vacant tract of land and allows for a variety of uses. Ms. Smith stated the proposed is for new office buildings and no access is currently allowed on the primary arterial.

Mayor Pro Tem McClure moved to add the supplemental explanation sheet provided to Council and on file in the office of the City Clerk to Council Bill 2016-221. Councilman Fishel seconded the motion.

Supplemental explanation sheet was added to Council Bill 2016-221 by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Councilman Fishel asked if there is a center median on Sunset and how do people get into the lot if they are turning off of Glenstone into the lot. Ms. Smith responded the median is short of that and would allow entrance.

Councilman Fishel asked if Public Works would need to work on the proposed. Dan Smith, Director of Public Works, responded he was unsure and can provide that information to Council.

Mayor Stephens asked if stormwater control would be needed for the proposed. Ms. Smith responded in the affirmative.

Rick Muenks spoke in favor of the proposed. Mr. Muenks stated he is the Attorney for the Contractor and Buyer of the proposed. Mr. Muenks noted the site is for office use and stated based on the recommendations of City Staff, they have supported the amendment of the proposed. Mr. Muenks stated there is enough right-of-way to accommodate widening the intersection in the future.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

1606 East Blaine Avenue

Sponsor: Fulnecky. Council Bill 2016-222. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.4 acres of property, generally located at 1606 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (John Peterson; 1606 East Blaine Avenue; Z-14-2016 & Conditional Overlay District No. 110.)

Mary Lilly Smith provided a brief overview of the proposed. Ms. Smith stated the proposed is to retain single-family dwelling and construct multi-family apartments at a maximum of 11 dwelling units per acre. Ms. Smith noted there is adequate dry weather sewer capacity and stated there are some downstream overflow and backup issues. Ms. Smith stated Environmental Services is available for questions concerning downstream overflow and backup issues.

Councilwoman Ferguson asked if there was previously a clean-up zoning in the Weller neighborhood. Ms. Smith stated she could not remember and will provide information.

Councilman Hosmer asked for clarification on density allowance. Ms. Smith responded it will allow 11 dwelling units per acre and can be developed as multiple units in one structure.

Councilman Hosmer asked why the proposed could not be zoned as Residential Townhouse (RTH). Ms. Smith responded in RTH you can only have one structure on a single lot.

Councilman Hosmer expressed his concern for the proposed being surrounded by single family residential properties.

Councilwoman Ferguson stated the Weller Neighborhood clean-up may have come from the Neighborhood Conservation Planning area and noted Brendan Greisemer may have more information in reference to the Weller Neighborhood clean-up. Ms. Smith responded she would look into it.

Councilwoman Fulnecky asked if the surrounding properties on the East, West and South are residential. Ms. Smith responded in the affirmative and said some of the properties are duplexes, while the remainder is zoned as single-family

dwelling.

Councilwoman Fulnecky asked what the structures on the left of the proposed are. Ms. Smith responded the location is Weller Elementary.

John Peterson, Owner of 1606 East Blaine, spoke in favor of the proposed. Mr. Peterson stated the proposed will be rezoned to add duplexes to the property and will be done to code. Mr. Peterson made himself available for questions.

Councilwoman Ferguson asked if there is 24 units total, would there be three duplexes. Mr. Peterson responded nothing is solid yet until it has been approved and would like an entrance and exit off of Fairway and Blaine as well as one-level duplexes.

Councilwoman Ferguson asked for the width of Fairway. Dan Smith, Director of Public Works, responded it is 27 feet from curb to curb.

Councilman Fishel asked if everything will be single level. Mr. Peterson responded in the affirmative.

Betty Dickensheet spoke against the proposed. Ms. Dickensheet stated she was the Secretary/Treasurer for the Weller Neighborhood Clean-up and noted it was done through Brendan Griesemer. Ms. Dickensheet noted she has contacted Bob Hosmer about the sewer backup issues. Ms. Dickensheet stated she got an email back from Matt Taylor stating the existing public sanitary sewer system has adequate capacity for the proposed during dry weather. Ms. Dickensheet expressed her belief if 24 more units are added to the location it will cause even further sewer issues in the area.

Neil Stenger spoke in favor of the proposed. Mr. Stenger stated Planning and Zoning expressed concerns for the children in the area and their safety. Mr. Stenger expressed his belief the proposed will not put children in danger and will require them to use the church lot instead of using Mr. Peterson's lot. Mr. Stenger noted people have said they like to walk their dogs on the current property. Mr. Stenger stated people will still be able to walk their dogs on the church lot. Mr. Stenger expressed his belief the issues concerning sewer is not a sewer issue, but a stormwater issue and expressed his belief the additional 24 units will not create further sewer issues.

Councilwoman Ferguson asked for clarification on walking dogs and the safety of the children. Mr. Stenger stated it was a recap from the issues brought up during the Planning and Zoning meeting.

Bobby Hall spoke against the proposed. Mr. Hall stated he has watched families grow up in the neighborhood for 27 years and expressed his concern for drainage and stormwater issues. Mr. Hall noted many people cut through his property and expressed his concern for increased traffic on Fairway.

Councilman Fishel asked how traffic will be increased on Fairway. Mr. Hall responded the line between the church and Blaine street is an easement and people cut through there. Mr. Hall expressed his concern for adding more people into the area, there will be increased traffic.

Chris Miller spoke against the proposed. Mr. Miller stated there are endangered species of Heron and Cranes that live in the proposed area. Mr. Miller noted there is stormwater that runs through his garage and expressed his belief the neighborhoods care for each other and believes the proposed will hinder that. Mr. Miller stated the neighborhood isn't trying to prevent development in the area, but draw attention to the current issues that will grow if additional properties are built in the area.

Councilman Hosmer asked where Mr. Miller lives. Mr. Miller illustrated on the map where he lives.

Councilman Hosmer asked if he has issues with his sewer system. Mr. Miller responded it happens on the occasion.

Councilman Hosmer asked if the proposed is passed, would its sewer system tie into the current sewer system. Steve Meyer, Director of Environmental Services, responded in the affirmative.

Councilman Schilling asked where the Heron lives and feeds in the area. Mr. Miller stated it likes to hang out in the field where the proposed is located.

Councilman Fishel asked if the area is on the plan for overflow. Mr. Meyer responded in the affirmative.

Councilwoman Ferguson asked for a timeline for the neighborhood sewer issues to be fixed. Mr. Meyer responded the basic pipelining and iodine removal from private property are set to be completed after 2020.

Councilman Fishel asked if the stormwater retention on the proposed will be adequate enough to not add to the stormwater problem. Mr. Smith responded the proposed will have to meet current stormwater requirements.

Councilman Fishel asked if the proposed will add to the stormwater problem. Mr. Smith responded in the negative.

Eric Kirklin spoke against the proposed. Mr. Kirklin expressed his belief the back flow prevention device is not a cure or a mandate. Mr. Kirklin stated he is not against Mr. Peterson developing the proposed and expressed his concern for fixing the single-family residential backflow issues before beginning work on the proposed.

Cindy Kirklin spoke against the proposed. Ms. Kirklin stated there have been 20 years worth of problems in the area. Ms. Kirklin asked Council to not pass the proposed until the water issues are corrected.

Dennis Stewart spoke against the proposed. Mr. Stewart expressed his concern for the proposed with its current flooding issues. Mr. Stewart stated the water issues did not occur until construction was done on Delaware. Mr. Stewart expressed his concern for the proposed and lack of development plan.

Councilwoman Ferguson asked for the lot dimension for 1606 E. Blaine. Ms.

Smith responded it is 2.4 acres and 185 feet from East to West.

Ric Ashe spoke against the proposed. Mr. Ashe stated most properties are single-family residential and expressed his belief there were no water issues on the upper end until they built the townhouses. Mr. Ashe noted the proposed will create 5 acres of concrete and remove the natural space of the land.

Councilman Fishel asked if there is a stormwater infrastructure in the area. Mr. Smith responded in the negative.

Councilman Fishel asked if Division Street has a stormwater infrastructure. Mr. Smith responded in the affirmative, but stated it is inadequate and has plans for improvements in the future.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

The following bills appeared on the agenda under First Reading Bills:

**Contract of Obligation
with the Missouri
Department of Natural
Resources**

Sponsor: Stephens. Council Bill 2016-210. A special ordinance authorizing the City Manager, or his designee, to enter into an amended Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill by adding \$178,304 to its existing Contract of Obligation to account for inflation. Mr. Romines stated the second reading will be a week from October.

Mayor Stephens noted Council Bill 2016-210 is being read as a First Reading Bill due to it originally being sponsored by Mr. Burnett, who has since resigned; causing need for new sponsorship.

Frank Romines, City Attorney, stated the second reading of the proposed will be held on next Tuesday, September 27, 2016 to hit the correct timeline and will be voted on at that time.

Anita Cotter, City Clerk, clarified a Special City Council Meeting will be held to vote on the proposed before or after Council Lunch on September 27, 2016.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

Removed from Agenda

The Mayor recommends the following appointment to the Land Clearance for Redevelopment Authority: Keith Chaffin with term to expire May 1, 2017.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

1436 North Rogers Avenue

Sponsor: Stephens. Council Bill 2016-213. A special ordinance approving the transfer of the City's interest in real property located at 1436 North Rogers Avenue to Springfield Community Gardens.

3830 South Glenstone Avenue

Sponsor: Ferguson. Council Bill 2016-223. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Andy Land Subdivision, generally located at 3830 South Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements).

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

Missouri Highways and Transportation Commission

Sponsor: McClure. Council Bill 2016-224. A special ordinance authorizing the City Manager, or his designee, to execute a contract between the City of Springfield and the Missouri Highways and Transportation Commission, providing for a grant of funds under Section 305.230, RSMo, to the City, by and through the Springfield-Branson National Airport Board in the amount of \$89,334.00 for development of an Airport Business Plan for the Springfield-Branson National Airport, and amending the budget of the Airport Board in the amount of \$99,260.00; and declaring that this bill qualifies for approval in one reading.

Council Bill 2016-224. Special Ordinance 26797 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

820 West Brower Street

Sponsor: Ferguson. Council Bill 2016-212. A special ordinance approving the transfer of the City's interest in real property located at 820 West Brower Street to the Springfield Community Land Trust.

Council Bill 2016-212. Special Ordinance 26798 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

1839 Tyler Avenue

Sponsor: Ferguson. Council Bill 2016-214. A special ordinance approving the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

Council Bill 2016-214. Special Ordinance 26799 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 7:29 pm.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham

DRAFT

**September 20, 2016
Springfield, Missouri**

The City Council met in special session September 20, 2016 at the Public Safety Center, 330 W. Scott at noon. The meeting was called to order by Mayor Bob Stephens.

Roll Call

Present: Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, and Bob Stephens. Absent: None. Vacant Seat: Zone 2.

**Comments by
Candidates**

Mayor Stephens announced the purpose of this meeting was to hear the presentations from the candidates who had applied to fill the vacant Zone 2 Council seat. The following candidates spoke to City Council regarding their experience, their community involvement, and their qualifications for filling this position:

Dr. Tom Prater (Via web conference)
Jennifer Capler
Kenneth Hopper
Jesse Coulter
David Trippe
Michael Hines
Mike Brothers
Robert "Bob" Sweere

Following the presentations each candidate was asked the following four questions:

- 1) How would you approach staying engaged and connected with Zone 2 constituents in order to assure their representation on the City Council?
- 2) Economic development and public safety have been said to go hand in hand. Discuss whether you agree or disagree.
- 3) What do you consider to be the particular needs of neighborhoods in Zone 2.
- 4) For several years, bringing jobs to Springfield and helping existing businesses create new jobs has been a priority for City Council. Discuss whether you feel this is still a priority.

**Selection of Zone 2
Councilmember**

Following the presentations, City Council was presented with ballots and asked to vote for the candidate they felt should serve as the Zone 2 Councilmember until the certification of the April 2017 election.

The ballots were collected and tallied by Anita Cotter, City Clerk. Ms. Cotter noted Dr. Thomas Prater received 5 votes, Kenneth Hopper received 1 vote, David Trippee received 1 vote, and Mike Brothers received 1 vote. Ms. Cotter noted based on Dr. Prater receiving 5 votes, he was selected to serve as the Zone 2 Councilmember. Dr. Prater will be sworn-in at the September 27, 2016 Special City Council meeting.

With no further business to come before City Council, the meeting adjourned at approximately 1:10 p.m.

Anita J. Cotter, CMC/MRCC
Acting City Clerk

**September 27, 2016
Springfield, Missouri**

The City Council met in regular session September 27, 2016 in the Mill Classroom, located at 216 W. Central Street. The meeting was called to order by Mayor Bob Stephens.

Swearing in Dr. Tom Prater

Anita Cotter, City Clerk, swore in Dr. Tom Prater to serve as the Zone 2 Councilmember.

Roll Call

Present: Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Mike Schilling, Tom Prater, and Bob Stephens. Absent: Phyllis Ferguson.

MINUTES.

CONSENT AGENDA.

CEREMONIAL MATTERS.

CITY MANAGER'S REPORT.

SECOND READING BILLS.

Sanitary Landfill Contract of Obligation

Sponsor: Stephens. Council Bill 2016-210. A special ordinance authorizing the City Manager, or his designee, to enter into an amended Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill by adding \$178,304 to its existing Contract of Obligation to account for inflation.

Mayor Stephens noted the aforementioned bill was reread at the September 19, 2016 Council meeting due to the loss of sponsorship with the resignation of Justin Burnett, Zone 2 Councilmember.

Council Bill 2016-210. Special Ordinance 26800 was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Schilling, Prater, and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

PUBLIC HEARING.

FIRST READING BILLS.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

NEW BUSINESS.

UNFINISHED BUSINESS.

MISCELLANEOUS.

CONSENT AGENDA FIRST READING BILLS.

CONSENT AGENDA ONE READING BILLS.

CONSENT AGENDA SECOND READING BILLS.

Closed Session

Councilwoman Ferguson joined the meeting via telephone.

Councilman Hosmer move to hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman Fishel seconded the motion and it was approved by the following vote: Ayes: Fishel, McClure, Fisk, Hosmer, Fulnecky, Schilling, Prater, and Stephens. Nays: None. Absent: None. Abstain: None. By phone conference (No vote taken): Ferguson.

Anita J. Cotter, CMC/MRCC
City Clerk

One-rdg. _____
P. Hrngs. _____
Pgs. 24
Filed: 09-13-16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 220

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 0.90 acres of property, generally located at 222
3 East Primrose Street, from Planned Development 21 Amendment 1
4 District, to a GR, General Retail District; and adopting an updated Official
5 Zoning Map. (Staff and Planning and Zoning Commission recommend
6 approval).
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 described on "Exhibit A" of this Ordinance, generally located at 222 East Primrose
11 Street, from Planned Development 21 Amendment 1 District to GR, General Retail
12 District; and
13

14 WHEREAS, following proper notice, a public hearing was held before the
15 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
16 hearing being attached hereto as "Exhibit B," and said Commission made its
17 recommendation; and
18

19 WHEREAS, proper notice was given of a public hearing before the City Council
20 and said hearing was held in accordance with the law.
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 – The property described in "Exhibit A" is hereby, rezoned from
26 Planned Development 21 Amendment 1 District to GR, General Retail District; and the
27 Springfield Land Development Code, Section 36-306 thereof, Zoning Maps, is hereby
28 amended, changed and modified accordingly.
29

30 Section 2 – The City Council hereby directs the City Manager, or his designee, to
31 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
32 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided
33 for in the Springfield Land Development Code, Section 36-306, Official Zoning Map and

34 Rules of Interpretation.

35

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

38

39 Section 4 – This ordinance shall be in full force and effect from and after
40 passage.

41

42 Passed at meeting: _____

43

44

45 _____

Mayor

46

47

48 Attest: _____, City Clerk

49

50 Filed as Ordinance: _____

51

52

53 Approved as to form: Achalee T. Weder, Assistant City Attorney

54

55

56 Approved for Council action: Greg Bunn, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 220

FILED: 09-13-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.90 acres of property generally located at 222 East Primrose Street from a Planned Development 21 Amendment 1 District, to a GR, General Retail District. (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-13-2016

The applicant is proposing to rezone the subject property from a Planned Development 21 Amendment 1 District, to a GR, General Retail District.

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category.

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

REMARKS: The Planning and Zoning Commission held a public hearing on, September 1, 2016, and recommended approval, by a vote of 5 to 0, of the proposed zoning on the tract of land described in "Exhibit A" (see the attached Record of Proceedings "Exhibit B").

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report, "Exhibit C").

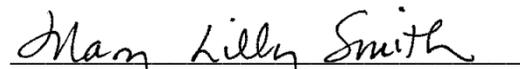
FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category.
2. Approval of this application will provide for the continued productive use of the subject property which is already served by public facilities and services.

Submitted by:


Michael Sparlin, Senior Planner

Recommended by:


Mary Lilly Smith, Director

Approved by:


Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Legal Description
- Exhibit B, Record of Proceedings
- Exhibit C, Development Review Staff Report

ATTACHMENTS:

- Attachment 1: Department Comments
- Attachment 2: Neighborhood Meeting Summary

Exhibit A

LEGAL DESCRIPTION
ZONING CASE Z-13-2016

All of Lot One (1), Final Plat of Kickapoo Prairie Estates East 6th Addition, in the City of Springfield, Greene County, Missouri.

Exhibit B

**RECORD OF PROCEEDINGS
ZONING CASE Z-13-2016
Planning and Zoning Commission September 1, 2016**

Z-13-2016
222 East Primrose Street
Applicant: Lipscomb Properties, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.90 acres of property generally located at 222 East Primrose Street from a Planned Development 21 Amendment 1 District to a GR, General Retail District.

The Growth Management and Land Use Plan Element of the Comprehensive Plan identify this area appropriate for medium intensity retail, office or housing. The Plan identifies the General Retail district as appropriate for this land use category. The subject property is near the James River Freeway and Campbell Avenue Activity Center. The property is located at the corner of Primrose Street, a secondary arterial roadway and South Avenue, a collector roadway, both of which are appropriate for GR, General Retail uses. A traffic study was not warranted. The PD has similar uses to the GR. Buyout in lieu of on-site stormwater detention is not an option. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst representing the owner and to answer any questions. This is an existing strip center and they want to add the use of a pharmacy that will primarily serve the Pain Management Center currently located in the strip center.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned that we approve Z-13-2016 (222 East Primrose Street). Mr. Coltrin seconded the motion. The motion **carried** as follows: Ayes: Doennig, Shuler, Ogilvy, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ray, Cline, Edwards, and Rose.

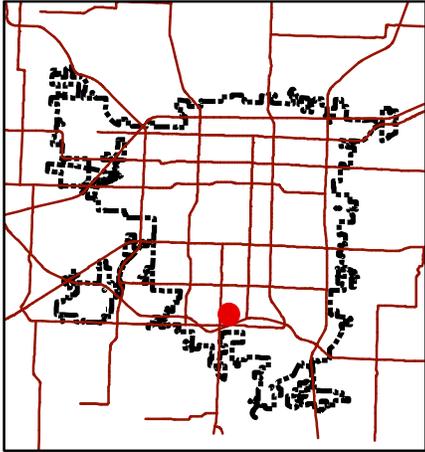
**Bob Hosmer, AICP
Principal Planner**

Development Review Staff Report

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

Z-13-2016

LOCATION: 222 East Primrose Street
CURRENT ZONING: Planned Development 21 Amendment 1
PROPOSED ZONING: GR, General Retail



LOCATION SKETCH



 - Area of Proposal



1 inch = 150 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-13-2016

PURPOSE: To rezone approximately 0.90 acres of property generally located at 222 East Primrose Street from a Planned Development 21 Amendment 1 District to a GR, General Retail District

REPORT DATE: August 18, 2016

LOCATION: 222 East Primrose Street

APPLICANT: Lipscomb Properties LLC

TRACT SIZE: Approximately 0.90 acres

EXISTING USE: Medical Offices uses

PROPOSED USE: Medical Office uses with pharmacy

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category.
2. Approval of this application will provide for the continued productive use of the subject property which is already served by public facilities and services.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Office Uses
East	PD 21 Amd. 1	General Office use
South	PD 21 Amd. 1	Financial Office and Bank use
West	PD 21 Amd. 1	General Office and Financial Office use

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. The subject property is near the James River Freeway and Campbell Avenue Activity Center as shown in the *Growth Management and Land Use Plan* element.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a Planned Development 21 Amendment 1 District to a GR, General Retail District. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category. The subject property is near the James River Freeway and Campbell Avenue Activity Center as shown in the *Growth Management and Land Use Plan* element. Activity Centers are identified as areas of significant business and high-density housing. It is intended that additional development be concentrated in and around these activity centers to optimize transportation investments, citizen convenience, investor confidence and a compact growth pattern. Properties within Activity Centers are to be intensively and efficiently used.
2. Approval of this application will provide for the continued productive use of the subject property which is already served by public facilities and services.
3. Approval of this application will allow compatible and consistent commercial uses with the surrounding zoning and development in this area.
4. The subject property is located on a corner of Primrose Street, a secondary arterial roadway and South Avenue, a collector roadway, both of which are appropriate for GR, General Retail uses.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 9, 2016 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. Eleven (11) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

September 19, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-13-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Primrose Street as a Secondary Arterial and South Avenue as a Collector. The standard right of way width for Primrose Street is 70 feet and 60 feet for South Avenue. Both are City maintained streets. The most recent traffic counts on Primrose Street are 12,876 vehicles per day and 2,245 vehicles per day on South Avenue. There is one existing driveway/access point along Primrose and one along South. There are sidewalks along both Primrose and South. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There is one bus stop along Primrose Street in proximity to the property. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are not any proposed improvements along Primrose Avenue or South Street. Traffic is not opposed to this zoning request.

Public Works Traffic Division	Response
Street classification	Primrose - Secondary Arterial; South - Collector
On-street parking along streets	No
Trip generation - existing use	240 ADT
Trip generation - proposed use	240 ADT
Existing street right of way widths	Primrose - 90 ft; South - 60 ft
Standard right of way widths	Primrose - 70 ft; South - 60 ft
Traffic study submitted	Not Required
Proposed street improvements	No

FIRE DEPARTMENT COMMENTS:

No issues with Fire Department

STORMWATER COMMENTS:

The property is located in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding

problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not an option. Since the project will not be disturbing more than one acre a land disturbance permit required will not be required. There are no existing detention ponds, retention basins, stream channels, pipes, culverts, or ditches available for this development to discharge into. There are no known sinkholes on the proposed property.

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

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

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

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is currently available.

CITY UTILITIES:

No objection to rezoning. All utilities are available.

ATTACHMENT 2
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD-21 to GR
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: August 9th, 2016 4:00-6:30 PM
3. Meeting Location: 222 E. Primrose
4. Number of invitations that were sent: 38
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

All verbal comments given during the meeting were in favor of the rezone.

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

Written comments are attached.

I, Dalton Patterson (*print name*), attest that the neighborhood meeting was held on 8/9/16 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Dalton Patterson

Printed name of person completing affidavit



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting
Tuesday, August 9, 2016

Re: Proposed Rezone
222 E. Primrose
Springfield, Missouri

NAME	ADDRESS	PHONE
ERIC ROBERTS	3734 South Avenue	881-1533 ext 2

COMMENTS: This is fine for our neighborhood
Eric Roberts

Jared Enterprises | Jared Management | Jared Properties | Jared Development | Jared Commercial

2870 S. Ingram Mill Rd., Suite A

Springfield, MO 65804

Work: 417.877.7900 | Fax: 417.877.7689

cjared@jaredenterprises.com www.jaredenterprises.com

August 2, 2016

Lee Engineering and Associates
1200 E Woodhurst Drive Suite D200
Springfield, MO 65804

RE: Proposed Rezoning

Dalton,

We are in receipt of your letter in regards to the proposed rezoning at 222 Primrose Springfield, MO.
Please let this letter serve as a letter of support in regards this project. Please let us know if you have any questions.

Sincerely

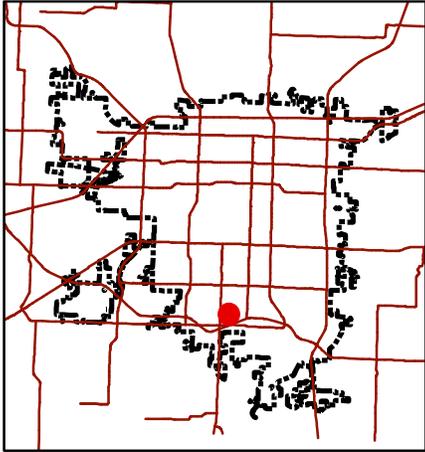
Curtis Jared, President
Jared Enterprises

Development Review Staff Report

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

Z-13-2016

LOCATION: 222 East Primrose Street
CURRENT ZONING: Planned Development 21 Amendment 1
PROPOSED ZONING: GR, General Retail



LOCATION SKETCH



 - Area of Proposal



1 inch = 150 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-13-2016

PURPOSE: To rezone approximately 0.90 acres of property generally located at 222 East Primrose Street from a Planned Development 21 Amendment 1 District to a GR, General Retail District

REPORT DATE: August 18, 2016

LOCATION: 222 East Primrose Street

APPLICANT: Lipscomb Properties LLC

TRACT SIZE: Approximately 0.90 acres

EXISTING USE: Medical Offices uses

PROPOSED USE: Medical Office uses with pharmacy

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category.
2. Approval of this application will provide for the continued productive use of the subject property which is already served by public facilities and services.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Office Uses
East	PD 21 Amd. 1	General Office use
South	PD 21 Amd. 1	Financial Office and Bank use
West	PD 21 Amd. 1	General Office and Financial Office use

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. The subject property is near the James River Freeway and Campbell Avenue Activity Center as shown in the *Growth Management and Land Use Plan* element.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a Planned Development 21 Amendment 1 District to a GR, General Retail District. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The *Plan* identifies the General Retail district as appropriate for this land use category. The subject property is near the James River Freeway and Campbell Avenue Activity Center as shown in the *Growth Management and Land Use Plan* element. Activity Centers are identified as areas of significant business and high-density housing. It is intended that additional development be concentrated in and around these activity centers to optimize transportation investments, citizen convenience, investor confidence and a compact growth pattern. Properties within Activity Centers are to be intensively and efficiently used.
2. Approval of this application will provide for the continued productive use of the subject property which is already served by public facilities and services.
3. Approval of this application will allow compatible and consistent commercial uses with the surrounding zoning and development in this area.
4. The subject property is located on a corner of Primrose Street, a secondary arterial roadway and South Avenue, a collector roadway, both of which are appropriate for GR, General Retail uses.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 9, 2016 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. Eleven (11) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

September 19, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-13-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Primrose Street as a Secondary Arterial and South Avenue as a Collector. The standard right of way width for Primrose Street is 70 feet and 60 feet for South Avenue. Both are City maintained streets. The most recent traffic counts on Primrose Street are 12,876 vehicles per day and 2,245 vehicles per day on South Avenue. There is one existing driveway/access point along Primrose and one along South. There are sidewalks along both Primrose and South. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There is one bus stop along Primrose Street in proximity to the property. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are not any proposed improvements along Primrose Avenue or South Street. Traffic is not opposed to this zoning request.

Public Works Traffic Division	Response
Street classification	Primrose - Secondary Arterial; South - Collector
On-street parking along streets	No
Trip generation - existing use	240 ADT
Trip generation - proposed use	240 ADT
Existing street right of way widths	Primrose - 90 ft; South - 60 ft
Standard right of way widths	Primrose - 70 ft; South - 60 ft
Traffic study submitted	Not Required
Proposed street improvements	No

FIRE DEPARTMENT COMMENTS:

No issues with Fire Department

STORMWATER COMMENTS:

The property is located in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding

problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not an option. Since the project will not be disturbing more than one acre a land disturbance permit required will not be required. There are no existing detention ponds, retention basins, stream channels, pipes, culverts, or ditches available for this development to discharge into. There are no known sinkholes on the proposed property.

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

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

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

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is currently available.

CITY UTILITIES:

No objection to rezoning. All utilities are available.

ATTACHMENT 2
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD-21 to GR
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: August 9th, 2016 4:00-6:30 PM
3. Meeting Location: 222 E. Primrose
4. Number of invitations that were sent: 38
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

All verbal comments given during the meeting were in favor of the rezone.

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

Written comments are attached.

I, Dalton Patterson (*print name*), attest that the neighborhood meeting was held on 8/9/16 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Dalton Patterson

Printed name of person completing affidavit



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting
Tuesday, August 9, 2016

Re: Proposed Rezone
222 E. Primrose
Springfield, Missouri

NAME	ADDRESS	PHONE
ERIC ROBERTS	3734 South Avenue	881-1533 ext 2

COMMENTS: This is fine for our neighborhood
Eric Roberts

Jared Enterprises | Jared Management | Jared Properties | Jared Development | Jared Commercial

2870 S. Ingram Mill Rd., Suite A

Springfield, MO 65804

Work: 417.877.7900 | Fax: 417.877.7689

cjared@jaredenterprises.com www.jaredenterprises.com

August 2, 2016

Lee Engineering and Associates
1200 E Woodhurst Drive Suite D200
Springfield, MO 65804

RE: Proposed Rezoning

Dalton,

We are in receipt of your letter in regards to the proposed rezoning at 222 Primrose Springfield, MO.
Please let this letter serve as a letter of support in regards this project. Please let us know if you have any questions.

Sincerely

Curtis Jared, President
Jared Enterprises

One-rdg. _____
P. Hrngs. _____
Pgs. 18
Filed: 09-13-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

AMENDED
COUNCIL BILL NO. 2016- 221

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 0.6 acres of property, generally located at 1811
3 East Sunset Drive, from Planned Development No. 97, to O-1, Office
4 District; and adopting an updated Official Zoning Map. (Staff and Planning
5 and Zoning Commission recommend approval).
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 described in "Exhibit A" of this Ordinance, generally located at 1811 East Sunset Drive,
10 from Planned Development No. 97, to O-1, Office District; and
11

12 WHEREAS, following proper notice, a public hearing was held before the
13 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
14 hearing being attached hereto as "Exhibit B"; and said Commission made its
15 recommendation; and
16

17 WHEREAS, proper notice was given of a public hearing before the City Council,
18 and said hearing was held in accordance with the law.
19

20 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
21 SPRINGFIELD, MISSOURI, as follows, that:
22

23 Section 1 –The property described in "Exhibit A" is hereby rezoned from Planned
24 Development No. 97, or such zoning district as is designated on the Official Zoning Map
25 adopted by the City Council, to O-1, Office District; and the Springfield Land
26 Development Code, Section 36-306 thereof, Zoning Maps, is hereby amended,
27 changed and modified accordingly.
28

29 Section 2 – The City Council hereby directs the City Manager, or his designee, to
30 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
31 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided
32 for in the Springfield Land Development Code, Section 36-306, Official Zoning Maps
33 and Rules of Interpretation.

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

Section 4 – This ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Richard J. Wieden, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

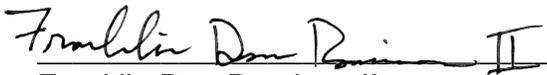
SUPPLEMENTAL EXPLANATION TO COUNCIL BILL NO: 2016-221

FILED: 09-13-16

ORIGINATING DEPARTMENT: Law

REMARKS: The applicant originally requested a rezone of the property to LB, Limited Business District. After hearing before the Planning and Zoning Commission, the request was denied. However, during the hearing the request was amended to allow a rezone to O-1, Office, which was agreed to by the applicant and passed unanimously by the Commission. The applicant requested the Substitute bill containing the LB request be withdrawn from consideration which was accomplished at the beginning of this meeting, with the motion to remove from the Agenda. The Planning and Zoning Commission and Staff recommend approval.

Recommended by:


Franklin Don Romines II

Approved by:



Greg Burris, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-221

FILED: 09-13-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.6 acre of property generally located at 1811 East Sunset Drive from Planned Development No. 97 to a O-1, Office District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-11-2016

The intent of this application is to facilitate the redevelopment of the site for a new office building. The applicant's original request was to rezone the subject property from Planned Development No. 97 to a LB, Limited Business District and establishing Conditional Overlay District No. 112; however, at the Planning and Zoning Commission meeting the request was recommended for denial and the Commission amended the rezoning request to O-1, Office District. The Planning and Zoning Commission unanimously recommended approval of the amended rezoning request from Planned Development No. 97 to an O-1, Office District.

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area along the Glenstone Avenue corridor as appropriate for medium-intensity retail, office and residential uses. Office is one of the zoning districts recommended in these areas. Since these land uses may have differing impacts on adjacent low-density housing and on traffic generation, the site planning guidelines of this plan and the regulations of the zoning ordinance must be observed during the site planning process.

The O-1, Office District is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas.

The existing Planned Development No. 97 allows for many of the same uses and site restrictions as the O-1, Office District and staff believes it is consistent with the Comprehensive Plan and intent of the O-1, Office District.

The subject property is located at the intersection of Glenstone Avenue, a primary arterial roadway, and Sunset Drive, a collector roadway, which is an appropriate location for the O-1, Office District.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridor.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 1, 2016 and recommended denial of the original request to rezone to LB, Limited Business District, by a vote of 4 to 1, but then unanimously voted to amend the request to rezone the subject property to O-1, Office District by a vote of 5 to 0, on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be approved (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area along the Glenstone Avenue corridor as appropriate for medium-intensity retail, office and residential uses. Office is one of the zoning districts recommended in this area.
2. The subject property is located at the intersection of Glenstone Avenue, a primary arterial roadway, and Sunset Drive, a collector roadway, which is an appropriate location for the O-1, Office District.
3. This proposed O-1, Office District use is comparable to the existing Planned Development No. 97 and does not intensify what is currently permitted.

REMARKS:

The Planning and Development staff recommends the application be approved (see the attached Zoning and Subdivision Report).

Submitted by:

Daniel Neal, Senior Planner

Recommended by:


Mary Lilly Smith, Director

Approved by:


Greg Burris, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Neighborhood Meeting Summary

Exhibit A

LEGAL DESCRIPTION
ZONING CASE Z-11-2016 CONDITIONAL OVERLAY DISTRICT NO. 112

A TRACT OF LAND AS BEING ALL OF LOT 7 AND A PART OF LOTS 8 AND 9 OF THE SECOND AMENDED PLAT OF BRENTWOOD TERRACE, PLAT BOOK N, PAGE 24, AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2013, PAGE 0041808-13 AND IN BOOK 2016, PAGE 004210-16 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 9 OF THE SECOND AMENDED PLAT OF BRENTWOOD TERRACE, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT-OF-WAY SUNSET DRIVE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, 83.06 FEET ALONG A 428.44 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 75°55'13" WEST FOR A DISTANCE OF 82.93 FEET TO THE SOUTHWEST CORNER OF LOT 9; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY AND ALONG THE WEST LINE OF LOT 9, NORTH 01°30'56" EAST, 82.93 FEET; THENCE LEAVING SAID WEST LINE, NORTH 89°06'37" WEST, 26.01 FEET; THENCE NORTH 00°58'48" EAST, 99.65 FEET TO A POINT LYING ON THE SOUTH LINE OF LOT 7; THENCE ALONG SAID SOUTH LINE, NORTH 88°13'33" WEST, 15.00 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF GLENSTONE AVENUE; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID EAST RIGHT-OF-WAY, NORTH 01°15'39" EAST, 81.05 FEET TO A POINT LYING ON THE NORTH LINE OF LOT 7; THENCE LEAVING SAID EAST RIGHT-OF-WAY AND ALONG SAID NORTH LINE, SOUTH 86°39'33" EAST, 122.41 FEET TO THE NORTHEAST CORNER OF LOT 7; THENCE LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF LOT 7, SOUTH 01°33'27" WEST, 79.92 FEET TO THE NORTHEAST CORNER OF LOT 9; THENCE ALONG THE EAST LINE OF LOT 9 AND CONTINUING SOUTH 01°33'27" WEST, 157.30 FEET TO THE POINT OF BEGINNING. CONTAINING 0.599 ACRES, MORE OR LESS. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-506.

Exhibit B

RECORD OF PROCEEDINGS
ZONING CASE Z-11-2016 CONDITIONAL OVERLAY DISTRICT NO. 112

(The Record of Proceedings will be prepared for the City Council meeting)

Development Review Staff Report

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

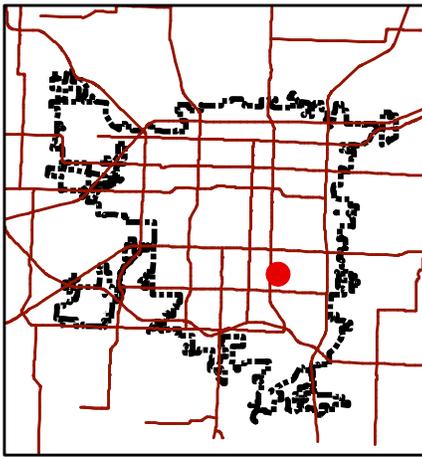
Z-11-2016 with Conditional Overlay District

No. 112

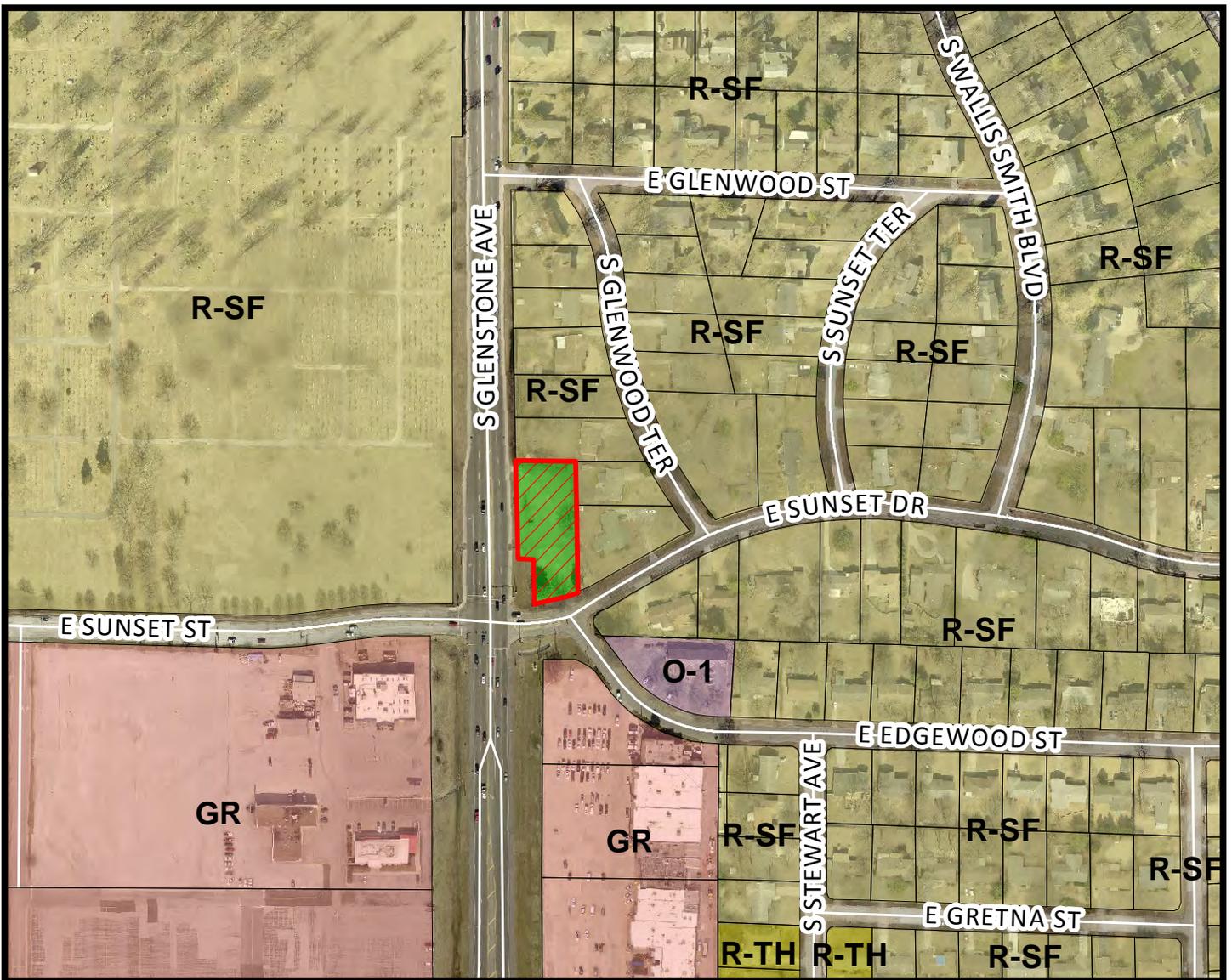
LOCATION: 1811 E. Sunset Drive

CURRENT ZONING: Planned Development 97

PROPOSED ZONING: LB, Limited Business District
with COD #112



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-11-2016 CONDITIONAL OVERLAY DISTRICT NO. 112

PURPOSE: To rezone approximately 0.6 acre of property generally located at 1811 East Sunset Drive from a Planned Development No. 97 to a LB, Limited Business District and establishing Conditional Overlay District No. 112

DATE: August 19, 2016

LOCATION: 1811 E. Sunset Drive

APPLICANT: 1811 E. Sunset, LLC

TRACT SIZE: Approximately 0.6 acre

EXISTING USE: Vacant lot

PROPOSED USE: LB permitted uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the intersection of Glenstone Avenue, a primary arterial roadway, and Sunset Drive, a collector roadway. The addition of a retail sales use could potentially create traffic safety and congestion issues.
2. This request for LB, Limited Business zoning will allow for retail uses which could potentially intensify the use of this location, which may not be compatible with adjacent R-SF, Single-Family Residential zoning.
3. The proposed Conditional Overlay District will restrict some of the high traffic generators such as eating and drinking establishment uses; however, the applicant has retained the retail sales use group, excluding convenience stores with gas pumps and any other retail sales.
4. Staff does not support retail sales uses and thus the LB District at this location because of its access restraints, lot configuration and proximity to R-SF, but would support O-1, Office District which has comparable uses to the existing PD.

RECOMMENDATION:

Staff recommends **denial** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residence
East	R-SF	Single-family residence
South	GR	Brentwood shopping center
West	R-SF	Springfield National Cemetery

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area along the Glenstone Avenue corridor as appropriate for medium-intensity retail, office and residential uses. The Office and Limited Business Districts are two of the zoning districts recommended in these areas. Since these land uses may have differing impacts on adjacent low-density housing and on traffic generation, the site planning guidelines of this plan and the regulations of the zoning ordinance must be observed during the site planning process.

STAFF COMMENTS:

1. This is a request to rezone the subject property from Planned Development No. 97 to a LB, Limited Business District and establish a new Conditional Overlay District No. 112. The accompanying Conditional Overlay District would prohibit many high traffic generating uses, such as convenience stores with gas pumps, retail sales uses with drive-in, pick up window and drive-thru facilities, banks and financial institutions with ATMs and drive-thru facilities, etc (Attachment 3).
2. The current Planned Development No. 97 only permits for administrative and professional offices, finance, insurance and real estate services and medical offices and medical support activities. It also requires any building to be a maximum of 5,000 square feet of gross floor area and to not exceed the height of a single story. Access, parking, setbacks and bufferyards were to be in substantial conformance to the Preliminary Development Plan; however, the plan was based off a driveway access onto Glenstone Avenue. Since no access to Glenstone Avenue is allowed, it is very difficult to bring a new site plan in substantial conformance to the Planned Development No. 97. Staff is supportive of rezoning this property; however, staff believes that the LB, Limited Business

District is too intense for this location. Staff has recommended the O-1, Office District as a better choice for this location.

3. This request for LB, Limited Business zoning will allow for retail uses which could potentially intensify the use of this location, which may not be compatible with adjacent R-SF, Single-Family Residential zoning. The retail sales use group lists many uses including, but not limited to, pawn shops, stores selling, leasing or renting consumer, home, and business goods, including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; food sales,.
4. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts. The district should be located along or at the intersections of collector or higher classification streets.
5. The subject property is located at the intersection of Glenstone Avenue, a primary arterial roadway, and Sunset Drive, a collector roadway. No driveway accesses will be allowed along the Glenstone frontage. The City's spacing standards require that driveways be at least 200 feet from the intersection of an arterial and a collector. The subject property only has about 80 feet of frontage along Sunset Drive. Any driveway access to this property will not meet the City's spacing standards. The driveway location will conflict with the Edgewood Street intersection across from Sunset Drive from the subject property point of access. Traffic from the residential areas to the east along Sunset Drive and Edgewood Street combined with commercial traffic from the Brentwood Shopping Center create safety and congestion concerns. The addition of a retail sales use could potentially create additional traffic safety and congestion within this area.
6. A traffic study was not warranted by Public Works Traffic Division since the rezoning from Planned Development No. 97 to LB on such a small lot will not generate a significant amount of additional traffic. Although the trip generation change with the rezoning did not significantly increase the number of vehicles per day or during the a.m. or p.m. peak to trigger a traffic study, the Traffic Department does have concerns with the driveway access on Sunset Drive and

its impact on the existing congestion on Sunset Drive at the intersection with Glenstone Avenue.

7. If the property is rezoned to the LB District, a bufferyard is required along the north and east property lines adjacent to the R-SF District. The normal bufferyard required between LB and R-SF zoning would be a Bufferyard "Type D" at least fifteen (15) 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 two (2) canopy tree, two (2) understory tree, two (2) evergreen trees and fourteen (14) shrubs. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF district. A portion of this lot may qualify for a narrow or shallow lot exemption which would allow the bufferyard width to be reduced to as low as 5 feet with a fence. The current Planned Development No. 97 requires a Bufferyard "Type E" adjacent to the R-SF Districts which is 20 feet wide with landscaping and a fence.
8. 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 July 25, 2016. 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. Ten (10) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to date.

CITY COUNCIL MEETING:

September 19, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-11-2016 & CONDITIONAL OVERLAY DISTRICT NO. 112

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to the proposed rezoning.

CITY UTILITIES:

City Utilities has no objection to the proposed rezoning. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is currently available and there is adequate capacity for the proposed development.

MODOT COMMENTS:

This property has no access to Glenstone Avenue. The existing drive on Glenstone will have to be removed and replaced with curb and gutter and sidewalk. This work will be required to be done at night.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Sunset Street as a Collector roadway and Glenstone Avenue as a Primary Arterial. The standard right of way width for Sunset Street is 60 feet and for Glenstone Avenue is 100 feet. Sunset is a City maintained street while Glenstone is State maintained. The most recent traffic count on Sunset Street is 5,720 vehicles per day and 30,029 on Glenstone Avenue. There is one existing driveway access point along Sunset and no existing access on Glenstone. There is not sidewalk along Sunset, but sidewalk does exist along Glenstone. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There is one bus stop along the property frontage on Glenstone Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are not any proposed improvements along Sunset Street.

Although the trip generation change with the rezoning did not significantly increase the number of vehicles per day or during the a.m. or p.m. peak to trigger a traffic study, the Traffic Department does have the following concerns:

1. The existing congestion on Sunset Dr. at the intersection with Glenstone Ave.

- Minimum driveway access on a collector from a primary arterial is 200 feet. Due to the width of the lot and right-of-way available, driveway access on Sunset will only be 110 feet from the Glenstone intersection.

Public Works Traffic Division	Response
Street classification	Sunset - Collector; Glenstone - Primary Arterial
On-street parking along streets	No
Trip generation - existing use	480 average daily trips
Trip generation - proposed use	470 average daily trips
Existing street right of way widths	Sunset - 115 ft; Glenstone - 119 ft
Standard right of way widths	Sunset - 60 feet; Glenstone - 80 ft
Traffic study submitted	n/a
Proposed street improvements	n/a

STORMWATER COMMENTS:

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

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

- Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
- 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.
- Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Galloway Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Maybe depending on development

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

- 1. Request change to zoning from: PD-97 to LB
(existing zoning) (proposed zoning)
- 2. Meeting Date & Time: July 25, 2016 - 4:00 p.m. to 6:30 p.m.
- 3. Meeting Location: Springfield Fire Station - #12 Blackhawk Road
- 4. Number of invitations that were sent: 43 - 500 feet from property
- 5. How was the mailing list generated: Assessor records by Rick J. Muenks, Attorney
- 6. Number of neighbors in attendance (attach a sign-in sheet): 2

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

1. Did not find the modern design of building attractive, traffic congested at ~~Edge~~ redwood/sunset/Glenstone - cannot change traffic intersection.

2. wanted to make sure it was not a c-store

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

I, Rick J. Muenks (print name), attest that the neighborhood meeting was held on 7/25/2016 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Rick J. Muenks
Signature of person completing affidavit

Subscribed and sworn to
me 7/26/2016

Rick J. Muenks
Printed name of person completing affidavit

My Commission expires: 06/16/2018
SARA R. DAVIS

SARA R. DAVIS
Notary Public - Notary Seal
State of Missouri
Commissioned for Greene County
My Commission Expires: June 16, 2018
Commission Number: 14627988

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-11-2016 & CONDITIONAL OVERLAY DISTRICT NO. 112

The requirements of *Section 36-420. Limited Business District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. Prohibits the following permitted uses:
 - a. Eating and drinking establishment use group, excluding drive-in, pick up window, or drive-thru facilities.

2. Prohibits the following Conditional uses:
 - a. Eating and drinking establishment use group, including drive-in, pick up window, or drive-thru facilities.
 - b. Funeral homes and mortuaries (crematoriums are permitted as accessory use).
 - c. General office use group, including banks and financial institutions with automatic teller machines and drive-thru facilities.
 - d. Public service and public utility uses.
 - e. Residential uses on the first floor frontage of a building.
 - f. Retail sales use group, including convenience stores with gas pumps.

One-rdg. _____
P. Hrngs. _____
Pgs. 22
Filed: 09-13-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 222

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 2.4 acres of property, generally located at 1606
3 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-
4 LD, Low-Density Multi-Family Residential District with Conditional Overlay
5 District No. 110; and adopting an updated Official Zoning Map. (Staff and
6 Planning and Zoning Commission recommend approval).
7
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 described in "Exhibit A," generally located at 1606 East Blaine Avenue, from R-SF,
11 Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District
12 with Conditional Overlay District No. 110; and
13

14 WHEREAS, the proposed Conditional Overlay District No. 110 will limit the uses
15 on the property to allow a maximum density of eleven dwelling units per acre; and
16

17 WHEREAS, following proper notice, a public hearing was held before the
18 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
19 hearing being attached hereto as "Exhibit B;" and said Commission made its
20 recommendation; and
21

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

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

28 Section 1 – That the property described in "Exhibit A" of this Ordinance be, and
29 the same hereby is, rezoned from R-SF, Single-Family Residential District, or such
30 zoning district as is designated on the Official Zoning Map adopted by the City Council,
31 to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District
32 No. 110; that the requirements of Conditional Overlay District No. 110, said
33 requirements being attached to this Ordinance as "Attachment 3 of Exhibit C," which is

34 hereby incorporated by reference as if set out verbatim herein, shall apply to the subject
35 property, and the Springfield Land Development Code, Section 36-306 thereof, Zoning
36 Maps, is hereby amended, changed and modified accordingly.

37
38 Section 2 – The City Council hereby directs the City Manager, or his designee, to
39 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
40 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided
41 for in the Springfield Land Development Code, Section 36-306, Official Zoning Maps
42 and Rules of Interpretation.

43
44 Section 3 – The Official Zoning Map herein adopted shall be maintained and
45 archived in the same digital form in which this Council has approved its adoption.

46
47 Section 4 – This ordinance shall be in full force and effect from and after
48 passage.

49
50 Passed at meeting: _____

51
52 _____
53 Mayor

54
55 Attest: _____, City Clerk

56
57 Filed as Ordinance: _____

58
59 Approved as to form: *Richard J. Wieden*, Assistant City Attorney

60
61 Approved for Council action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 222

FILED: 09-13-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-14-2016/CONDITIONAL OVERLAY DISTRICT NO. 110

The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110. The proposed Conditional Overlay District will restrict the residential density to 11 dwelling units per acre or less, similar to a R-TH, District. A 15 feet wide landscaped buffer yard "Type B," is required adjacent to any R-SF and R-TH District property. No portion of a structure shall be higher than forty-five (45) degree bulk plane where the property adjoins any R-SF District. This is a one to one relationship, for every 1 foot of height there is an equal 1 foot required building setback.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area as appropriate for Low Density Housing uses. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourage a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents. The Major Thoroughfare Plan classifies Blaine Avenue as a residential local roadway.

REMARKS: The Planning and Zoning Commission held a public hearing on September 1, 2016, and recommended approved, by a vote of 5 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings, "Exhibit B").

The Planning and Development staff recommends the application be approved with the requirements of Conditional Overlay District No. 110 (see the attached Development Review Staff Report "Exhibit C.")

FINDINGS FOR STAFF RECOMMENDATION:

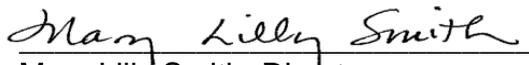
1. The Growth Management and Land Use Plan of the Comprehensive Plan identify this property as an appropriate area for Low Density Housing. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourage a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors.
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.
4. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local residential roadway.
5. The proposed conditional overlay district will lower the residential density similar to the adjacent R-TH, Residential Townhouse District to the west. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

Submitted by:



Bob Hosmer, AICP Principal Planner

Reviewed by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Legal Description
- Exhibit B, Record of Proceedings
- Exhibit C, Development Review Staff Report

ATTACHMENTS:

- Attachment 1, Department Comments
- Attachment 2, Neighborhood Meeting Summary
- Attachment 3, Conditional Overlay District Provisions

Exhibit A

LEGAL DESCRIPTION
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

TRACT 26:

ALL OF BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION (7), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), THENCE SOUTH 36 RODS, THENCE EAST ONE HUNDRED SEVENTY-NINE AND SEVENTY-FIVE HUNDREDTHS (179.75) FEET, THENCE NORTH 36 RODS, THENCE WEST ONE HUNDRED SEVENTY-NINE AND SEVENTY-FIVE HUNDREDTHS (179.75) FEET TO THE PLACE OF BEGINNING, EXCEPT A STRIP OF LAND ONE (1) ROD WIDE OFF THE NORTH SIDE FOR ROADWAY, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. [COMMONLY KNOWN AS 1606 EAST BLAINE STEET] SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

Exhibit B

**RECORD OF PROCEEDINGS
Planning and Zoning Commission September 1, 2016**

Z-14-2016 w/COD #110
1606 East Blaine Street
Applicant: John Peterson

Mr. Hosmer stated that this is a request to rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110.

The Growth Management and Land Use Comprehensive Plan identify this property as an appropriate area for Low Density Housing. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #110 will not generate a significant amount of additional traffic. 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 to the west. The R-TH and R-LD Districts both 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.

There is a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right-of-way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right-of-way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right-of-way will have to be dedicated from the property owners.

A landscaped bufferyard "Type B" at least 15 feet wide is required between any adjacent R-SF and R-TH District property. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. This is a one to one relationship, for every one foot of height there is an equal one foot required building setback. Buyout in lieu of on-site stormwater detention is not an option. There is an existing 8 inch sewer main along the east side of the property and has adequate dry weather capacity for the 24 unit proposed development however there are downstream overflow and backup issues. There have been wet weather flow overflows to the south of Division which cause backups along Fairway north of Division. Staff recommends approval limiting the maximum density for the subject property to eleven (11) dwelling units per acre.

Mr. Coltrin questioned the report (page 7, item number 2, RL-D) that the intent of all vehicular access from a collector or higher classified streets without traversing minor streets in adjoining residential neighborhood streets, but then the next paragraph talks about whether putting a cul-de-sac in and taking access or where they can extend to Fairway. Can they extend Fairway based on the zoning because it would not be a collector's street?

Mr. Hosmer noted that there is a collector street to the south (Division) and if access is allowed through Fairway this is classified as a local street. Staff believed that reducing the density similar to the R-TH with the COD that this not increase traffic significantly.

Mr. Doennig opened the public hearing.

Mr. John Peterson, 1611 N. Campbell, would like to rezone this property.

Mr. Chris Miller, 1605 N. Fairway, representing owners at 1626 and 1619 N. Fairway. Stated that there are 27 people on this street that are not in favor of this proposal. Concerns are traffic and people turning around at the dead-end as well as parking along side the road. He also mentioned about problems with rainwater and sewer and that several people south of his residence have water backing up in their basement as well as native wildlife, foxes, turkey's and a crowned yellow night heron nests yearly in the trees and the local ornithology people study it. He stated that he would feel that he would have to sell his house if the proposal moves forward.

Mr. Coltrin asked if he is opposed to the traffic coming through and if he wanted the access off of Blaine to the north.

Mr. Miller stated that it is one of the main concerns and if the access would come off of Blaine that it would be much better.

Mr. Doennig asked for clarification about extending Fairway and getting right-of-way (ROW) from two property owners in addition to the subject property of the zoning request.

Mr. Hosmer stated that it is correct and there is a one foot line of property extending from the north of 1625 and 1626 N. Fairway which blocks 1606 S. Blaine from getting access. There would have to purchase the right-of-way (ROW) for access as well as from the church property.

Mr. Doennig noted that at this present time the traffic from the town-homes would exit to Blaine Street and not be moving south on Fairway unless they can purchase additional right-of-way (ROW).

Ms. Cox asked if are they are only looking at the rezoning and asked if any preliminary plat or future development would come in front of the commission again.

Mr. Hosmer stated that this is a certified tract and they would not have to go forward to the commission unless platted, but if there are no streets or extensions than they would not go back to commission.

Mr. Neil Stenger, 1615 E. Primrose talked about the Fairway issue and stated that the plat called for the cul-de-sac to be built but it was not. At the time of being platted they reserved one foot of property at the end of the subdivision and the design was a technique to prevent development of adjacent properties. Mr. Peterson and I originally thought that another driveway to access the duplexes made sense coming from Fairway and the balance of the project to go to Blaine in order to split the traffic. To be clear, Mr. Peterson does not care about access on Fairway versus Blaine. If he does not get access on Fairway he will do the access to Blaine.

Ms. Betty Dickensheet, 1530 N. Fairway and stated that her house was built in 1942. Her concerns are that they are doing R-LD when the street over on Delaware and also Evangel Court are R-TH and does not agree with some of the options on R-LD for the area and wanted to know why it was done as R-LD.

Mr. Dennis Stewart, 1613 N. Fairway and stated that his concerns are the traffic, and water drainage, noting that Jordan Valley Creek is at the end of street as well as the integrity of the neighborhood. There is a lot of water drainage at the end of the street in the spring and fall which completely floods. It floods enough to push the man-holes up and it started when they did the development with the cul-de-sac on Delaware. When Mr. Peterson had the neighborhood meeting he stated that he wanted an entrance from Fairway and Blaine Street but has not seen the plans yet.

Ms. JoAnn Ash, 1625 N. Fairway stated that her concerns are her property values, traffic, sewer, and water run-off and not knowing what type of housing is being considered.

Ms. Linda Snider, 1619 N. Fairway stated that her concerns are water run-off, sewer, traffic, and wildlife. This is a nice, safe and quiet area. We have Weller Gardens that is behind the church that the neighborhood uses and what will happen to the neighborhood garden once the housing goes in.

Mr. Doennig closed the public hearing.

Mr. Doennig asked about the direction of the slope on the property and the buffer requirements on the south end of the property.

Mr. Hosmer noted that the slope is to the south and that there will be a 15' bufferyard with a 45 degree bulk plane on the south as well as along the church property.

Mr. Doennig asked stormwater if there is known flooding in this area.

Mr. Chris Dunnaway noted that they are aware of the problems and will be required to provide detention.

Mr. Coltrin asked stormwater if there is a drainage system and where will the discharge be located.

Mr. Dunnaway noted that the initial impression would be on Fairway and it would not have any increase of peak rate of run-off so it would not be any worse than it is today however the one foot section of land might a problem.

Ms. Cox asked if they would have to provide detention.

Mr. Dunnaway stated they would have to provide detention and required to retain the water quantity volume for 24 to 48 hours, noting that the discharge rate would have to remain the same as it is today and not increase stormwater problems in the area.

Mr. Doennig asked if the detention basin is to discharge onto the street, but noted the one foot of land that goes across the entire area.

Mr. Dunnaway noted that this is a common problem where there is no right-of-way (ROW), easement, or drainage channel for someone to discharge into. Public Works will allow that it to be spread it back out to what it is today or condemn the one foot area.

Mr. Doennig asked if they can mandate the flow over someone else's property.

Mr. Dunnaway stated that as long as it mimic's what it is today and that the stormwater already drains south over that one foot strip.

Mr. Shuler asked for any drawings of where any possible streets would be because the proposed property appears narrow.

Mr. Peterson brought up a current draft drawing of what he proposing.

Mr. Hosmer noted that they are not required to build a street with a R-LD because they put all the structures on one lot which is the difference between R-TH, which requires individual lots, and a street and R-LD, would not require a street.

Ms. Cox asked if they would only require one access and not necessarily from Fairway.

Mr. Hosmer stated that this is correct because it is under 35 units and the Fire Department does not require two access points.

Ms. Cox asked if there is a quantity requirement for stormwater.

Mr. Dunnaway stated that there is not a requirement for quantity, they would restrict the rate and suggested that it would be better if they got an easement to discharge to the street.

Ms. Cox stated that she understands the ramifications of taking an open plot of land that is within Springfield city limits, they are few and far between where you can take your pets and allow your children to run across a field, but is in the middle of Springfield and would expect this piece of land to develop.

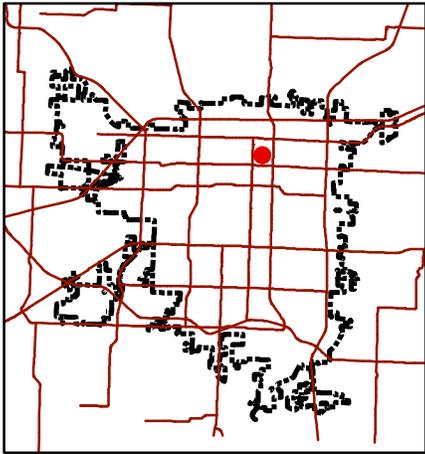
COMMISSION ACTION:

Mr. Coltrin motioned that we approve Z-14-2016 w/COD #110 (1606 East Blaine Street). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Doennig, Shuler, Ogilvy, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ray, Cline, Edwards, and Rose.

Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

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



Z-14-2016 Conditional Overlay District #110

LOCATION: 1606 E BLAINE
CURRENT ZONING: R-SF Single Family Residential District
PROPOSED ZONING: R-LD Multi-Family Residential
Low Density with a COD # 110

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

PURPOSE: To rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110.

REPORT DATE: August 15, 2016

LOCATION: 1606 East Blaine Avenue

APPLICANT: John Peterson

TRACT SIZE: Approximately 2.4 acres

EXISTING USES: One existing single-family residence and vacant land

PROPOSED USES: Multi-family apartments restricting property to the same density as the R-TH property to the west, 11 dwelling units per acre and retain the existing single-family residential dwelling.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this property as an appropriate area for Low Density Housing. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation to limit the density. This property is adjacent to the Center City (Evangel University) Activity Center. 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.
4. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway.

5. The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District to the west. The R-TH District density is 11 dwelling units per acre which could equate to approximately 26 dwelling units on 2.4 acres of property. The R-SF District which allows 7 dwelling units per acre would allow a total of 17 dwelling units for 2.4 acres. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

6. The standard development requirements in the R-LD District are adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.

RECOMMENDATION:

Staff recommends **approval** of this request

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residence
East	R-SF	Single-family residence
South	R-SF	Single-family residence
West	R-TH	Duplex and single-family residence

COMPREHENSIVE PLAN:

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Low Density Housing uses. The plan recommends single family in this category. The subject property is adjacent to the Center City (Evangel University) Activity Center. 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. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone Avenue and Weller Street as a local roadway.

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. 110. The proposed Conditional

Overlay District (Attachment 3) will restrict the residential density to 11 dwelling units per acre or less. The applicant intends to leave the existing single-family home on the property and develop the southern portion of the property for 22 multi-family apartments.

2. The R-LD District is intended to accommodate multi-family developments at densities up to 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 to the west. 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. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #110 on such small lots will not generate a significant amount of additional traffic. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway. There appears to be a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right of way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right of way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right of way will have to be dedicated from the property owners.
4. A landscaped bufferyard "Type B" at least 15 feet wide is required between any adjacent R-SF and R-TH District property. A bufferyard "Type B" requires for each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, one (1) evergreen tree and six (6) shrubs.
5. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. This is a one to one relationship, for every 1 foot of height there is an equal 1 foot required building setback. 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 such as noise, lighting, odor and signage will be covered by the Zoning Ordinance.

6. 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 August 3, 2016. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative 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-nine (39) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received 4 calls and emails from one property owner inquiring about this project.

CITY COUNCIL MEETING:

September 19, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

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. The City's Transportation Plan classifies Blaine Street as a local residential roadway. The standard right of way width for Blaine Street is 50 feet. This is a City maintained street. The city does not have a recent traffic count on Blaine Street as it is classified as a local street. There is one existing driveway access point along the property frontage. There is existing sidewalk along Blaine Street. On-street parking is allowed along the adjacent streets. There is not a greenway trail in the area. There are no bus stops along this portion of Blaine Street. The proposed development is in an area that provides for limited direct street connections and does not provide for good connectivity in the area. North South intersecting streets within the area exceeds the block length of 1,320 feet between Glenstone and Weller Ave (1,900 feet). There are not any proposed improvements along Blaine Street. City GIS shows a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right of way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right of way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right of way will have to be dedicated from the property owners.

Public Works Traffic Division	Response
Street classification	Local Residential
On-street parking along streets	Yes
Trip generation - existing use	48 average daily trips
Trip generation - proposed use	120 average daily trips
Existing street right of way widths	50 feet
Standard right of way widths	50 feet
Traffic study submitted	Not required
Proposed street improvements	Not required

STORMWATER COMMENTS:

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

subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

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

CLEAN WATER SERVICES COMMENTS:

No objections to the rezoning however we have the following comments;

1. The existing 8 inch main along the east side of the property has adequate dry weather capacity for the 24 unit proposed development however there are downstream overflow and backup issues. There have been wet weather flow overflows to the south of Division which cause backups along Fairway north of Division. We do not have any records of backflow occurring north of Fairway, however backflow preventers are being installed along Fairway and might be recommended for this development.
2. There are multiple 4 inch tees available along the main. If a bigger lateral is required for the proposed development, the main will have to be tapped. If an 8 inch lateral is required, it will have to connect to a manhole. All new laterals will require cleanouts and tracer wire within the sewer easement. All new connections will have to be inspected and be done according to city standards.
3. Any further comments will require a site plan and proposed flows rates for the development.

CITY UTILITIES:

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

FIRE DEPARTMENT COMMENTS:

1. Fire has no issues with rezoning.

ATTACHMENT 2

Summary of rezoning meeting

On August 3rd from 4:00pm to 6:30pm a public neighborhood meeting was held concerning the rezoning of the property at 1606 E. Blaine St. in Springfield Mo. 65803. Ten people were in attendance at the meeting which took the format of a presentation and open house. At the meeting the following were the discussion topics of those in attendance.

Question: Will the street in the development be a through street from Fairway to Blaine?

Answer: There are no plans to build a through st.

Question: The sanitary sewer and storm sewers on Fairway are at capacity and back up into residents basements and homes on different occasions. Are re there any plan to improve this by the city?

Answer: For any plans of the sewer and sanitary system you will need to contact the City of Springfield.

Question: Our area has experienced a rise in crime Do you think there will be a rise after the development goes in?

Answer: I don't anticipate there will be a rise in crime and the criteria to live in the development should help not to have crime. That would be a number of references, criminal background checks, credit checks and only name or names on the lease can reside at the residence.

Question: Would you consider putting up a privacy fence around the entire development to create a barrier between the Fairway residents?

Answer: If the city thinks it is a good idea for a fence on the southside of development there will be one.

Thanks, John Peterson

Sign up sheet for neighborhood meeting
Rezoning 1606 E Blaine St.

Print NAME ^{doc} ~~doc~~@ceoradio.net

- 1 Mark Maynard (Weller Assoc) →
- 2 Betty Dickensheet Fairway Ave
- 3 Eric Kirklin Fairway PVE
- 4 William J. Spurrard Kentwood Ave
- 5 DENNIS STEWART 1613 N FAIRWAY (417) 880-3047
- 6 Chris Miller 1605 N. FAIRWAY Ave ←
- 7 Ben & Fay Ely 1650 E. COMMERCIAL ST. 65803
- 8 Cynthia Baldwin 1524 ~~St.~~ Fairway 65803
- 9 Donna Belcher 1524 N Fairway 65803
- 10 Jeramy Jackson 3145 S. Arcadia 65804
- 11
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AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-BF to R-LD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 397 E Central St 5-6:30 pm
3. Meeting Location: LIBRARY, E CENTRAL, Springfield, Mo
4. Number of invitations that were sent: _____
5. How was the mailing list generated: by City staff
6. Number of neighbors in attendance (attach a sign-in sheet): 10
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

I, John Peterson (print name), attest that the neighborhood meeting was held on 8/9/16 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

John Peterson
Signature of person completing affidavit

John Peterson
Printed name of person completing affidavit

John Peterson
1606 E. Blaine Street
Springfield, MO 65803

Re: Neighborhood Rezoning Meeting August 3, 2016

Dear Neighbor:

John Peterson is requesting the rezoning of the property located at 1606 E. Blaine Street. Mr. Peterson is requesting a change from the current zoning of R-1 (Residential Single Family) to R-LD (Residential Low Density). You are invited to attend the Neighborhood Rezoning Meeting on August 3, 2016 from 4:00 pm to 6:30 pm at the Midtown Carnegie Branch Library located at 397 East Central Street in Springfield, Mo 65803 for more information.

Sincerely,



John Peterson

From: bsdickens@mchsi.com
To: Zoning@springfieldmo.gov
Subject: rezoning of 1606 E. Blaine St
Date: Tuesday, August 02, 2016 5:53:48 PM

Dear Mr. Hosmer,

I have lived at 1530 N. Fairway Ave. since 1991. Of the 20 houses on our two block long dead-end street, only 3 are rentals and 2 of those houses have been rented to the same family for 5-6 years. This is an owner occupied area.

When Weller Neighborhood Association was established by the City of Springfield (with help from Caring Communities), the city advised us and assisted us with zoning this neighborhood single family residential. This was to establish a sense of community.

Was the current owner of the property aware of the single family classification when the property was purchased? What is he planning to build?
What has been built on the current RLD properties in the city and are they in the middle of single family properties?

I drove down Blaine St. from National Ave. to Weller Ave. There are nine vacant lots in this area. There are also 3 new houses being built at the corner of Weller and Commercial and it looked like a vacant set of duplexes east of those new houses. This seems to be a lot of opportunity for housing without disturbing the single family residential zoning area.

The townhouse district on Evangel Ct is patrolled by Evangel University personnel. Delaware Ave. has duplexes (and a vacant lot) at the end of their dead-street, but I know people that have owned houses on that street for a long time, too.

I looked at the city crime maps and it looks like this neighborhood of single family residential has less crime than most areas of the city.

At this time also, our area is having problems with overload of the sanitary sewer/storm sewer on our street. Until the problem has been found by the city and it is corrected, additional building will only make it worse.

After looking at the permitted uses and structures for the RLD district, I do not think it would be a good fit in the middle of this single family area.

Thank you for your time. I look forward to talking with you tomorrow.

Sincerely,

Betty Dickensheet
1530 N. Fairway Ave.
417-827-1552

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

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 property is eleven (11) dwelling units per acre.

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed: 09-27-16

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 225

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or their designee, to apply for and accept a Youth
2 Homeless Demonstration Program Grant from the Department of
3 Housing and Urban Development, in an amount not to exceed
4 \$2,000,000, with funds to be used for the development and
5 implementation of a coordinated community plan to end youth
6 homelessness; to execute any sub-grant agreements that may be
7 necessary or convenient, and to exercise any and all powers
8 necessary or convenient to implement the grant; and declaring that
9 this bill qualifies for approval in one reading.

10 _____

11
12 WHEREAS, the City of Springfield, Missouri, has the opportunity to apply for a
13 Youth Homeless Demonstration Program Grant from the Department of Housing and
14 Urban Development (HUD), to develop and implement a coordinated community plan to
15 end youth homelessness, and

16
17 WHEREAS, the City intends to work with the Kitchen, Inc., the Ozarks Alliance to
18 End Homelessness, and One Door, to carry out the grant activities.

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

22
23 Section 1 – The City Manager, or his designee, is hereby authorized to apply for
24 and accept a Youth Homeless Demonstration Program Grant from HUD, in an amount
25 not to exceed \$2 million, and to do all things necessary or convenient to carry out the
26 grant, including the execution of contracts and sub-grant agreements, provided that the
27 form of the contract or agreement is approved by the City Manager and the City
28 Attorney.

29
30 Section 2 – The City Council hereby finds and declares this ordinance relates to
31 the acceptance of grant funds from a federal agency and as such may be passed as a
32 one-reading ordinance pursuant to Section 2.16(25) of the City’s Charter. Therefore,
33 this ordinance shall be in full force and effect from and after passage.

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Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Achalee T. Wiedner, Assistant City Attorney

Approved for Council action: Greg Burns, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 225

FILED: 09-27-16

ORIGINATING DEPARTMENT: Planning and Development Department

PURPOSE: To adopt an ordinance authorizing the City Manager, or his designee, to apply for a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development (HUD), in an amount not to exceed \$2 million to develop and implement a coordinated community plan to reduce youth homelessness.

BACKGROUND INFORMATION: In 2010, the Opening Doors: Federal Strategic Plan to End Homelessness set the goal of ending youth homelessness by 2020. This demonstration grant funding will assist communities in identifying strategies to attain this goal. This grant, if awarded, will be used to develop and implement a coordinated community plan to reduce youth homelessness. The City will work with The Kitchen, Inc., Ozarks Alliance to End Homelessness and One Door to carry out grant activities. The City of Springfield will be the applicant and The Kitchen, Inc., will be the lead agency due to their experience with homeless youth. If Springfield is chosen, HUD will provide grant funding to our community based on our poverty rate and youth population. As part of this grant, a national technical assistance provider will assist in development of the Community Plan.

Supports the following Field Guide 2030 goal: Chapter 7, Housing; Major Goal 7, Pursue and expand assistance programs for residents to obtain and maintain housing that is affordable.

REMARKS: Access to this grant funding would assist the Ozarks Alliance to End Homelessness goal of preventing and ending youth homelessness by 2020.

Submitted by:



Brendan K. Griesemer, AICP
Planning and Development Manager

Recommended by:



Mary Lilly Smith
Planning and Development Director

Approved by:



Greg Burris, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 36
Filed: 09-27-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 226

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 ESTABLISHING a budget for the Commercial Street Tax Increment Financing District
2 Special Allocation Fund for Fiscal Year 2016-17 in the amount of
3 \$570,035.53; approving expenditures from said Special Allocation
4 Fund for property acquisition costs and certain public improvement
5 projects within the Commercial Street Increment Financing District in
6 an amount not to exceed \$400,000.00; and also using certain rail
7 credits obtained in the sale of the West Wye to BNSF in the amount of
8 \$707,849.57 to partially fund the acquisition of a portion of Frisco
9 Lane in connection with the aforementioned public improvement
10 projects.

11 _____
12
13 WHEREAS, on April 7, 2008, the City Council adopted the Commercial Street
14 Tax Increment Financing (TIF) District Plan by Special Ordinance No. 25373, and
15 designated the Redevelopment Area, described therein, as a blighted area; and
16

17 WHEREAS, said Plan requires that City Staff seek input and comment from
18 property owners, business owners, and residents in the Redevelopment Area on the
19 use of the Special Allocation Fund, and that City Staff then make recommendations to
20 City Council on the use of the Special Allocation Fund; and
21

22 WHEREAS, after two public stakeholder meetings, which occurred on August 11,
23 2016 and September 8, 2016, City staff has made certain recommendations, based on
24 input received which is more fully described in Exhibits "A," "B," and "C;" attached
25 hereto and incorporated herein by this reference.

26
27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:

29
30 Section 1 –City Council hereby approves the following expenditures and projects
31 in the following amounts:
32

- 33 a) Acquisition of property for proposed Frisco Lane as identified on “Exhibit
34 C” (“Frisco Lane Property”) from Burlington Northern Santa Fe, LLC,
35 (BNSF) and relocation of rail lines on the acquired property. Estimated
36 cost of \$976,000, shall be paid for by City rail credits obtained in the sale
37 of the West Wye to BNSF (\$707,849.57) and funds from the Special
38 Allocation Fund (not to exceed \$268,150.43).
39
40 b) Construction work needed in Frisco Lane after acquisition in order to
41 stabilize and secure the property for use as a service lane and employee
42 parking area, which work shall be paid for using funds from the Special
43 Allocation Fund (not to exceed \$80,000.00).
44
45 c) Improvements to the alleyway which connects Commercial Street and
46 Blaine Street located between Campbell Avenue and Boonville Avenue,
47 that will provide an accessible pedestrian walkway from Commercial
48 Street to the public parking lot at Campbell and Blaine, which work shall
49 be paid for with funds from the Special Allocation Fund (not to exceed
50 \$50,000.00).
51

52 Section 2 – The City Manager, or their designee, is hereby authorized to do all
53 things necessary or convenient to carry out the intent of this ordinance, including the
54 execution of any required contracts, provided that said contracts have been approved
55 by the City Manager’s and the City Attorney’s respective offices.
56

57 Section 3 – A budget adjustment for said Special Allocation Fund is hereby
58 submitted for Fiscal Year 2016-17, in the accounts and in the amounts as shown on
59 Budget Adjustment No. 0011, a copy of which is attached hereto and incorporated
60 herein by reference as “Exhibit D.”
61

62 Section 4 – The City Council hereby finds that the budget adjustment described
63 in “Exhibit D” has been recommended by the City Manager.
64

65 Section 5 – The City Manager is hereby directed to cause the appropriate
66 accounting entries to be made in the books and records of the City to reflect the budget
67 adjustment described in “Exhibit D.”
68

69 Section 6 - This Ordinance shall be in full force and effect from and after
70 passage.
71

72 Passed at meeting: _____
73

74 _____
75 Mayor

76 Attest: _____, City Clerk
77
78

79 Filed as Ordinance: _____

80
81 Approved as to form: Richard T. Widen, Assistant City Attorney

82
83 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 226

FILED: 09-27-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: to establish a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects. (Staff recommends approval.)

BACKGROUND INFORMATION: The Commercial Street Historic District Strategy for Success was accepted by Council by Resolution No. 7338 on February 6, 2006. The Strategy recommended use of a TIF for sustained redevelopment and revitalization. Council directed city staff to prepare a TIF Redevelopment Plan for the area.

City Council approved the Commercial Street TIF Plan by Special Ordinance No. 25373 on April 7, 2008 ("Commercial Street Plan"). The purpose of the Commercial Street Plan is to establish a process by which public improvements within the area will occur and establish a process and reason for redevelopment to occur. The basic philosophy behind the Commercial Street Plan was that public investment in key projects would provide incentives for sustained private investment and redevelopment in the area.

The Commercial Street Plan outlines the projects the TIF funds may be used for and the process by which funds captured by the TIF may be expended. First, the plan requires that an annual public meeting with Commercial Street property owners, business owners, and residents be held, in which City staff provides information about the Special Allocation Fund balance and makes recommendations for projects based on available funding. At the same meeting, the Commercial Street stakeholders are afforded an opportunity to review the material and identify their recommendations. After this meeting, City staff finalizes recommendations to City Council taking into account stakeholder input, project priorities, projects to be funded, and financing. City Council then makes an annual decision regarding expenditures from the Special Allocation Fund.

REMARKS: City staff held stakeholder meetings on August 11, 2016 and September 8, 2016, in order to gather input from Commercial Street property owners, business owners, and residents prior to making recommendations. Summaries of each meeting as well as copies of comment cards from meeting participants are attached as "Exhibit A" and "Exhibit B."

The overwhelming majority of participants stated their preference was to spend all or some of the funds currently available in the Special Allocation Fund. The top priority

identified in the TIF Plan in 2008 was echoed by participants in the two public meetings in August and September 2016: Acquire property from BNSF Railroad for construction of proposed Frisco Lane.

Staff Recommendations: Based on the input received at the two stakeholder meetings we conducted, city staff recommends that City Council approve expenditure of the Special Allocation Fund for the following projects:

- Acquisition of BNSF property for proposed Frisco Lane (35' wide and approximately 1900 linear feet, see survey attached as "Exhibit C") from BNSF and relocation of rail lines on the property, at an estimated cost of \$976,000, to be paid for by City rail credits obtained in the sale of the West Wye to BNSF (\$707,849.57) and TIF funds (approximately \$268,150.43).
- Construction work needed in Frisco Lane after acquisition in order to stabilize and secure the property for use as a service lane and employee parking area, to be paid for with TIF funds of approximately \$80,000.
- Improve one alleyway, which will provide an accessible pedestrian walkway from Commercial Street to the public parking lot at Campbell and Blaine, to be paid for with TIF funds of approximately \$50,000.

In total, staff recommends projects to be completed with an approximate cost of \$400,000. This will leave approximately \$140,000 in the Special Allocation Fund to be allocated for future projects. City staff plans to hold the next Commercial Street TIF stakeholder meeting in the summer of 2017 to provide an update on these projects, provide information on the balance of the Special Allocation Fund, and discuss additional projects.

Because a budget has never been formally established for the Special Allocation Fund, this bill also adjusts the budget of the Special Allocation Fund for the full amount available in the Fund, in order to establish the Fund's budget.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use Economic Development Incentives to encourage investment in the community and to encourage job creation and retention; Objective 2a, Continue to explore creative and flexible methods of funding infrastructure costs associated with new development. Currently, private developers are responsible for funding major infrastructure costs for new development projects. Limitation of funding to private sources can result in a significant impediment to moving vital projects forward in a timely and economic manner. The City should look at creative ways to assist developers with these large "up-front" costs to spread the financial impact over a longer period of time that mirrors the economic benefit derived from the improvements.

Submitted by:



Sarah Kerner,
Interim Economic Development Director

Recommended by:



Mary Lilly Smith, Director of Planning

Approved by:



Greg Burris, City Manager

Commercial Street TIF District

Summary of Public Meeting August 11, 2016



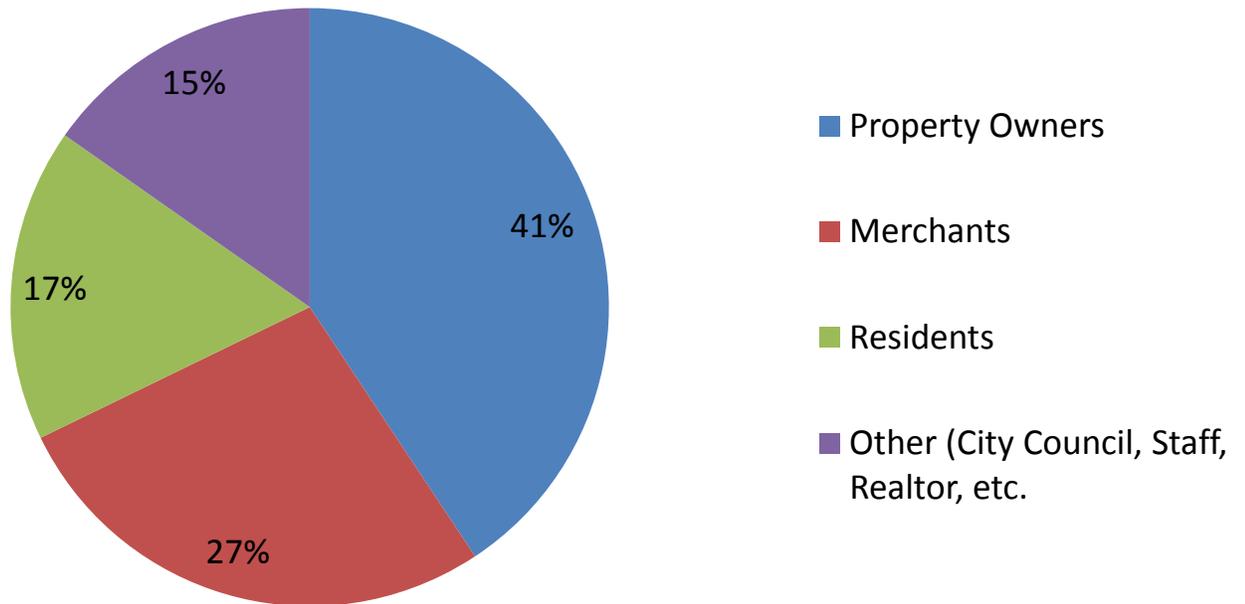
A public meeting was held on Thursday August 11, 2016, from 5:30 to 7:00 PM, at White River Brewing Co, 505 West Commercial Street, to provide information and receive input on the TIF Special Allocation Fund and proposed projects for the Commercial Street TIF District. Approximately 50 people attended the meeting based on an informal head count and 42 people signed the attendance sheet. A Meeting Notice was mailed to property owners, merchants, and residents within the TIF District and the Public Information Office issued a press release the week prior to the meeting resulting in ample media coverage leading up to and during the input session. The Meeting Notice was also posted with the City Clerk and sent to City Council members.

Meeting Format

The Meeting format consisted of a welcome by Zone 1 Councilwoman Phyllis Ferguson followed by a City Staff presentation that included an overview of the TIF Redevelopment Plan and status of the Special Allocation Fund. Revenues collect to date total \$564,072.53. The list of projects and options for use of funds were presented with an update on the Frisco Lane project and cost estimates. The second portion of the meeting was to gauge the current priorities for stakeholders in the district. Comment Cards were provided to all participants and a question and answer period allowed for discussion of alternatives and verbal input. A summary of the discussion is included in a following section along with results from the Comment Cards. The Comment Card was also posted on the City website and Staff allowed until August 25th to complete and return the cards. 24 Comment Cards were completed at the meeting and one property owner provided comments via phone call and another interested party mailed in written notes attached to the August 6th newspaper article. **1 card** was submitted following the meeting. Public Works also provided a two page Project Update publication about the Streetscape and Roundabout construction including the historic brick discovery, Jefferson Avenue Footbridge rehabilitation, and the Reverse-angle Parking Pilot. An aerial photo showing the TIF boundary was on display and a power point was used for the staff presentation.



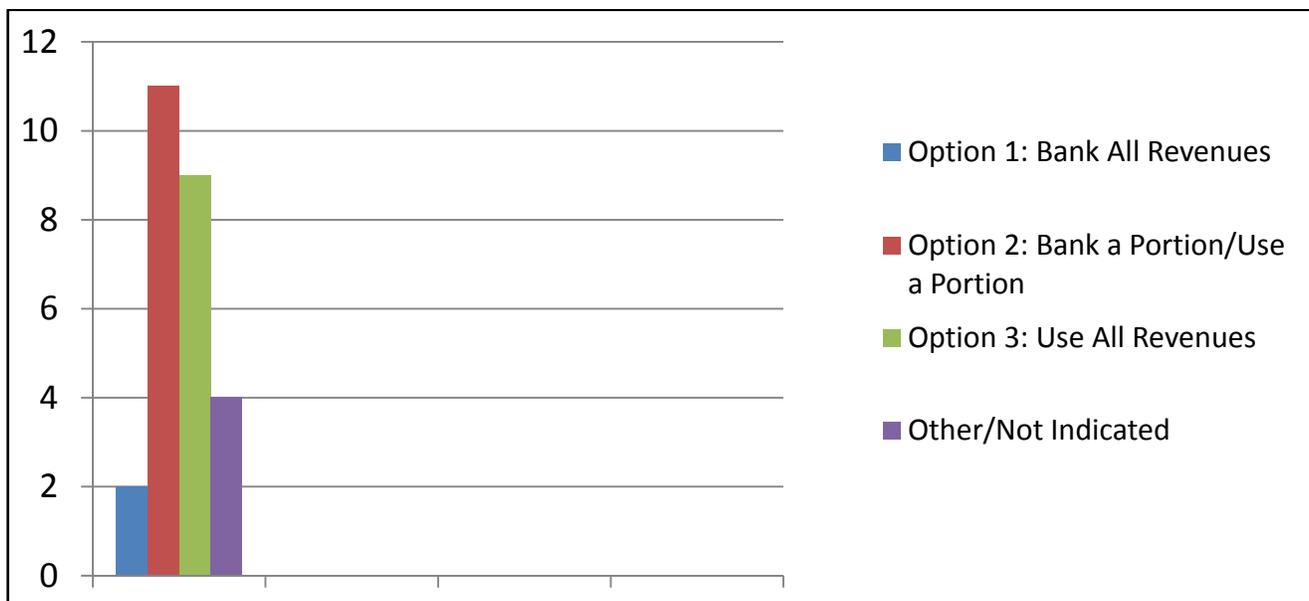
Meeting Attendance



Results of Public Comment

Participants were asked to choose which of the following options for expending revenue that they were most likely to support:

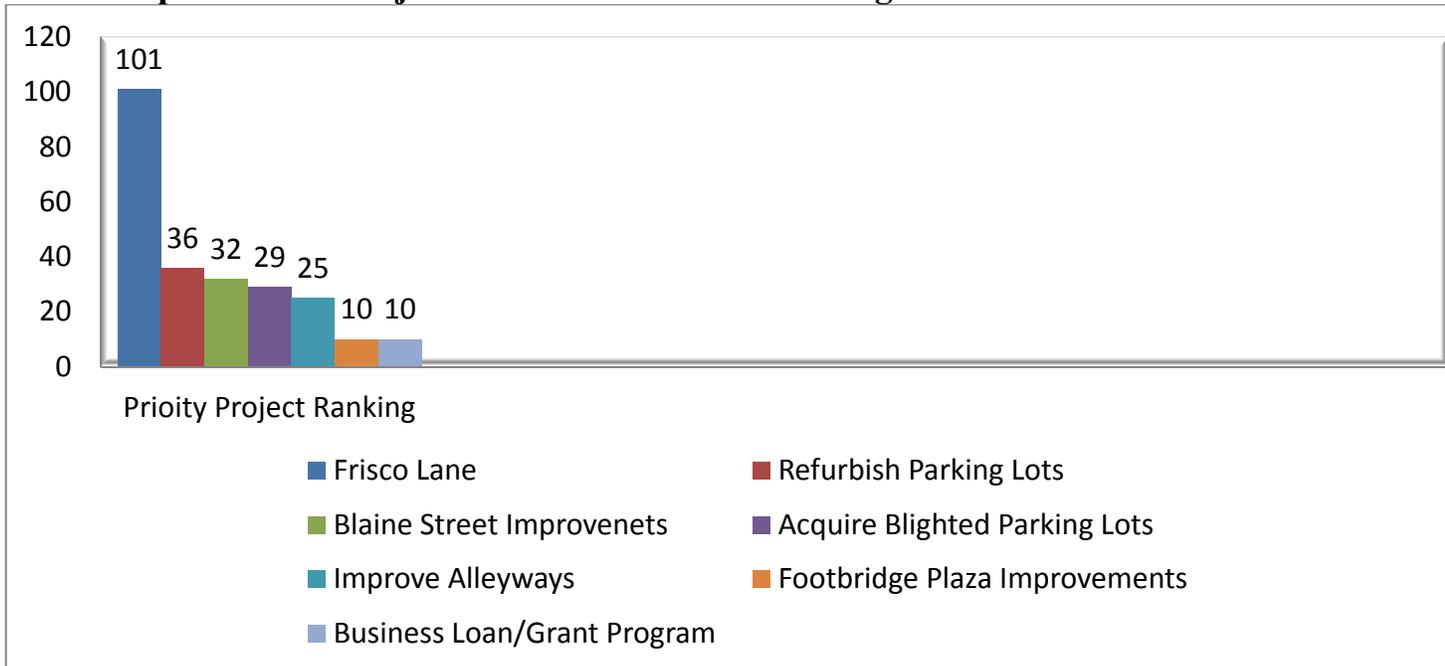
- Option 1: Bank all of the revenues for a project(s) to be completed in the future
- Option 2: Bank a portion of the revenues for future project(s) and use a portion of revenue to complete one or more project(s)
- Option 3: Use all of the revenues collected to-date on project(s)



Option 2 was the most popular, followed by Option 3, indicating the popular choice is to spend revenues rather than banking them for the future. The chart above shows the breakdown of results. Several people did not indicate their preference, while a few wrote in their own option, left this question blank, or added notes about using Bond Financing or other financing with TIF as the repayment method to accomplish projects faster.

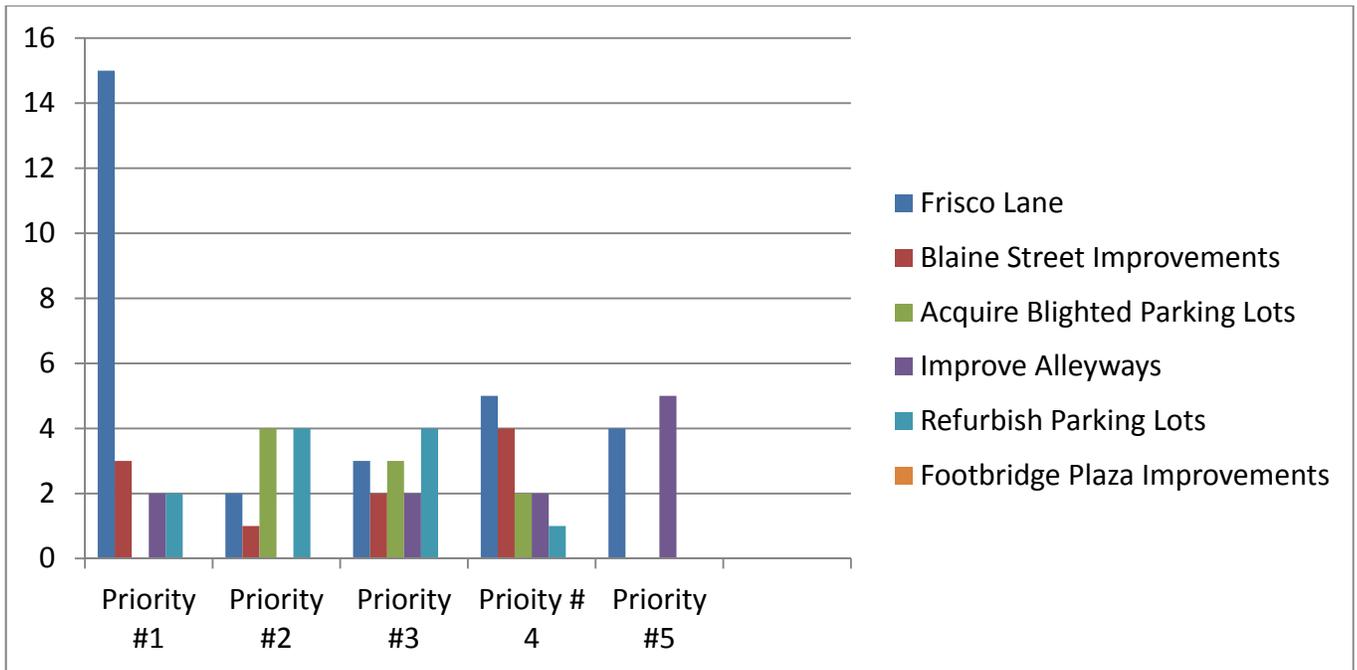
Next stakeholders were asked to rank their Top 5 projects from the TIF Redevelopment Plan they support in priority order. The following chart shows the results, with the Frisco Lane project continuing to be the highest priority project for the district. Parking is the greatest concern overall as the second highest priority was to refurbish existing parking lots and the fourth highest was to acquire blighted parking lots for public parking. Blaine Street improvements and alleyway improvements received similarly high rankings.

Public Improvement Projects: Comment Card Ranking*



*Participants ranked projects with a #1 indicating their highest priority followed by #2 for second highest and so on. Projects receiving a #1 were allocated five points, number 2 were given a four point value, three received three points, four rankings received two points and a fifth priority received one point, thus the values were determined for the above chart.

The following table shows the breakdown of how many #1 rankings each project received, #2 rankings, and so on through the 5th priority. As the chart below illustrates, the Frisco Lane project received the most #1 priority rankings as well as the most priority #4 rankings, and also received several priority 2, 3, and 5 rankings. Blaine Street Improvements received the second most #1 priority #1 rankings followed by Improve Alleyways and Refurbish Parking Lots.



The following projects are eligible for funding with TIF revenues:

<u>Public Improvement Projects</u>	<u>2007 Estimated Cost</u>
Frisco Lane (pave, add 60 parking spaces, landscaping and fencing)	\$1,200,000
Streetscapes	\$1,350,000
Refurbish Parking Lots	\$200,000
Business Loan Grant Program	\$250,000
Public Restrooms	\$30,000
Acquire Blighted parking Lots (willing seller)	\$150,000
Renovate Commercial Club Building	\$250,000
Blaine Street Improvements	\$470,000
Public Art	\$30,000
Acquire Blighted Buildings (willing seller)	\$600,000
Footbridge Plaza Improvements (stage, lighting, landscaping, sound system, etc.)	\$150,000
Public Radio Station	\$30,000
Improve Alleyways	\$500,000
Planters	\$10,000
Gateways/Entryways (3)	\$220,000
Directional Signage	\$7,000

Park Benches (10)	\$5,000
Cab Stands (4)	\$4,000
Total Estimated Project Costs	\$5,456,000

Summary of Written Comments from Comment Cards

Below is a summary of the main points from the comment cards collected. Comment Cards will be attached to the City Council report. The overall consensus appears to be that Frisco Lane should be purchased and the rail lines relocated, but additional improvements should either be funded under another source or completed in the future. Remaining TIF funds should be used to improve existing parking lots and/or Blaine Street and the adjoining alleyways.

1. Regarding Frisco Lane – Purchase and acquire land along with relocation of the rail lines, but no development at this time.
2. I like the option of purchasing the railroad property but leaving a portion of the TIF for other C-Street projects.
3. What benefits the north side of Commercial Street will benefit the south side of the street. Frisco Lane is a priority as long as it goes forward and doesn't get delayed in negotiations with the railroad for many more years. However, I wouldn't want to see funds held for Frisco Lane for years and other items on the list waiting for more TIF to accrue. Can we get the land deal done asap?
4. Creating more parking for public use is very important, and to develop existing and to make sure these are plenty of signs to inform the public they can park in the back space.
5. It's about time that we finished paving the alleys to make the parking behind the south buildings more attractive.
6. Parking and alleys should be prioritized because parking and c-street has been hard to find especially on Saturday mornings with the Market. At night the alleyway improvements would make me, as a resident, feel safer about parking further from my home. Better lighting on Blaine and in alleyways. I believe that it would be extremely beneficial to local businesses to have Frisco Lane. It would also solve some parking issues on the street as well.
7. I am strongly in favor of purchasing Frisco Lane and developing it to the point that it is usable by workers and residents. It really doesn't need to be pretty, so I'd rather not see all of the TIF money spent on the project.
8. Need a MIC for speakers in the future – could not hear public improvement projects.
9. From hearing all the comments, we should acquire Frisco Lane and relocate the rail. Additional funds should be used to improve the image of the south parking lots and Blaine St. this is the most visible entrance to the street.
10. Blaine is the “Front” of Commercial Street and looks run down. Aesthetically it is preferential to give the street a new face to south Springfield.
11. Perhaps our fair city council could pony up some matching funds to help make Frisco Lane happen.
12. Acquire blighted buildings – solar power! Increase property value, 30% tax in MO, local solar power installation business “Missouri Sun Solar”, provide electricity to Jefferson Ave Footbridge and Stage. Looks good for businesses to be more progressive. Push forward green living. Can be rooftop or ground. Rooftop agriculture. Community co-op gardens can be lit with solar power. Recirculation rain water.
13. How much parking becomes available if we refurbish existing lots? Enough for local businesses? Would this give time to decide on Frisco Lane? Could we rent parking lots?

14. Should acquire Frisco Lane and make businesses eligible for opening, but should not put all our eggs in one basket – hold off on construction.
15. With removal of the center turn lane, consideration needs to be made for how property owners/businesses/residents/visitors circulate through the district. Though parking at the front of businesses is efficient, with more people visiting the district focus should be made on existing city-owned lots to the south. Improvements to Blaine and alleyway pass-through to C-Street. This is the “Front Door” to C-Street. For people traveling from the South it looks shabby and not the image we want to portray. This would also incentivize people to walk the streets for exercise and enjoyment rather than parking at the front door. We are installing art in one alleyway so there is obvious benefit to their redevelopment.
16. Frisco Lane is a huge benefit to the north side of the street. I am curious about banking a portion of the funds and then seeking further funding elsewhere. Would this qualify for grants?

TIF Schedule and Next Steps

Meeting participants were informed of the following next steps in the process during the staff presentation:

1. **A follow-up public meeting will be held in one month** to present the results of this public input and to solicit feedback on staff recommendations for use of TIF revenues. This will be another opportunity for input planned for early September.
2. **Staff will make a formal recommendation to City Council** following stakeholder input at an open public hearing. Stakeholders are invited to speak at the public hearing tentatively planned for early October.
3. **City Council Votes** on the allocation of funds.
4. **Staff implements projects** as directed by Council.

Summary of Q&A at the Public Meeting

The following are some of the questions and comments raised at the public meeting along with responses. These do not necessarily include all of the questions raised at the meeting due to space.

Question: How likely is it that BNSF will agree to sell the property to the City?

Question: Could we consider Bond Financing to allow projects to be completed faster?

Question: What other funding is available to meet the financing gap for Frisco Lane?

Question: Who makes the decision on which TIF projects to fund?

Question: Parking is a huge need and there are plenty of parking lots south of Commercial Street, so why can't we acquire and renovate some of those lots. What would the cost comparison be on doing that versus Frisco Lane which requires the rail relocation?

Question: When was the Frisco Lane Plan created/where did this recommendation come from?

Question: Does Staff have a recommendation on how to proceed with allocating funds?

Question: How long do we have to complete the TIF Projects?

Question: How accurate are the 2007 project cost estimates?

Question: Can Frisco Lane be purchased without relocating the rail lines?

Question: Does Frisco Lane qualify for Brownfields Grants?

Comment: I don't believe Frisco Lane benefits properties on the south side of the street. Could property owners on the north help finance the Frisco Lane project?

Comment: We need Frisco Lane so that the buildings on the north side can get building permits and be compatible with City code for emergency exits and have parking and access from the rear.

Question: Shouldn't we consider purchasing blighted building for environmentally sustainable rehabilitation with the TIF?

Question: What planning has taken place for Commercial Street?

Question: What public input was there to create the TIF District?

Question: Where is Blaine Street located?



PUBLIC MEETING NOTICE

THURSDAY, AUG. 11

Commercial Street Tax Increment Financing Plan

White River Brewing Co.

505 W. Commercial St, Event Room

5:30 – 7:00p.m.

AGENDA

1. Gathering Time & Open House – 5:30 – 5:45 p.m.
 - a. Maps and other information about the TIF will be available for review
2. Welcome from Zone 1 City Council Member, Phyllis Ferguson – 5:45 p.m.
3. Presentation - 6:00 - 6:30 p.m.
 - a. Overview of TIF
 - b. Overview of Commercial Street TIF
 - c. Update on Balance of C-Street TIF Special Allocation Fund
 - d. Proposed Use for C-Street TIF Special Allocation Fund
4. Public Comment Period & Collection of Comment Cards 6:30 – 7:00 p.m.
 - a. All interested parties will be given an opportunity to provide verbal or written comments on the proposed use of TIF revenues collected to date

For questions please contact Sarah Kerner at (417) 864-1035 or skerner@springfieldmo.gov

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.



COMMERCIAL STREET TIF



Commercial Street TIF Public Meeting August 11, 2016

Participant Comment Card

Name: _____ Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Bank all of the revenues for a project(s) to be completed in the future.
- Option 2:** Bank a portion of the revenues for future project(s) and use a portion of revenue to complete one or more project(s).
- Option 3:** Use all of the revenues collected to-date on project(s).

Instructions: Please rank the **TOP 5 Projects** you support in priority order, using “1” for your first priority, “2” for your second priority, and so on.

Public Improvement Projects	Priority Ranking
Frisco Lane	
Streetscapes	
Refurbish Parking Lots	
Business Loan Grant Program	
Public Restrooms	
Acquire Blighted Parking Lots	
Renovate Commercial Club Building	
Blaine Street Improvements	
Public Art	
Acquire Blighted Buildings	
Footbridge Plaza Improvements	
Public Radio Station	
Improve Alleyways	
Planters	
Gateways/Entryways (3)	
Directional Signage	
Park Benches (10)	
Cab Stands (4)	

**Comment Cards need to be submitted
to the City at the address below by
Thursday, August 25, 2016**



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF District

Summary of 2nd Public Meeting
September 8, 2016



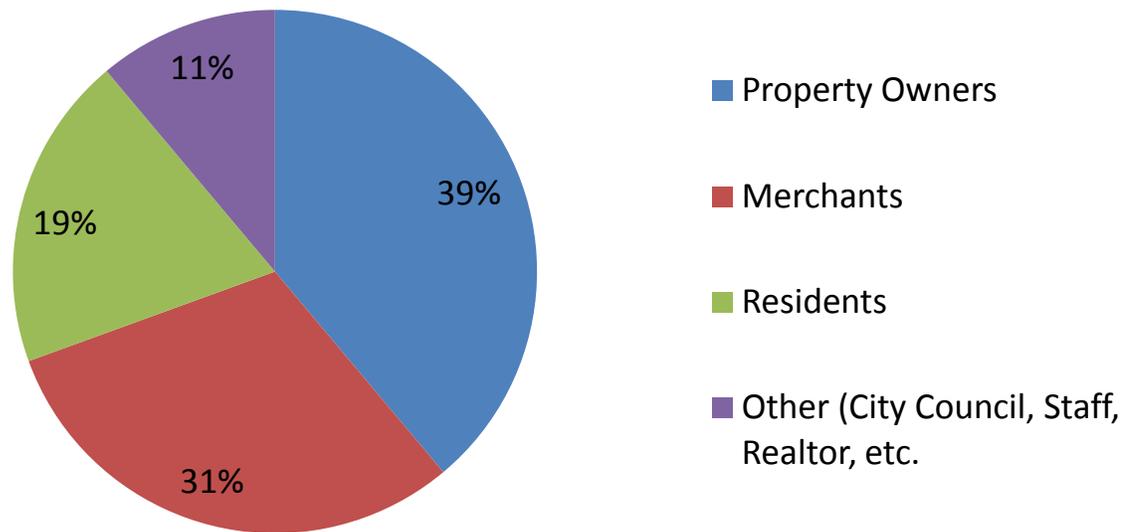
A public meeting was held on Thursday September 8, 2016, from 5:30 to 7:30 PM, at White River Brewing Co, 505 West Commercial Street, to provide information and receive input on the TIF Special Allocation Fund and proposed projects for the Commercial Street TIF District. Approximately 30 people attended the meeting based on an informal head count and 23 people signed the attendance sheet. A Meeting Notice was mailed to property owners, merchants, and residents within the TIF District along with a summary of the input results from the first meeting on August 11th. The Public Information Office issued a press release the week of the meeting. News outlets posted the meeting information and KY3 attended the event and interviewed staff and stakeholders. The Meeting Notice was also posted with the City Clerk and sent to City Council members.

Meeting Format

The meeting format consisted of Welcome Remarks by Zone 1 Councilwoman Phyllis Ferguson, followed by a City Staff presentation that included the results of the public input received via comment cards and statements resulting from the August 11th meeting. Staff presented three options for use of TIF funds and distributed comment cards to determine preferences. The list of projects for use of funds was posted on a board, along with a map showing the proposed Frisco Lane acquisition, which was the highest priority identified by the public. The second portion of the meeting Public Works Staff discussed reverse angle parking and provided an update on the footbridge conditions. Comment cards were provided to all participants and a question and answer period allowed for discussion of alternatives and verbal input. A summary of the discussion is included in a following section along with results from the comment cards. Participants were given until September 15 to complete and return the comment cards to the city. 11 Comment Cards were completed at the meeting and one pre-written statement was provided from the Commercial Club and two comment cards were received on the 15th.



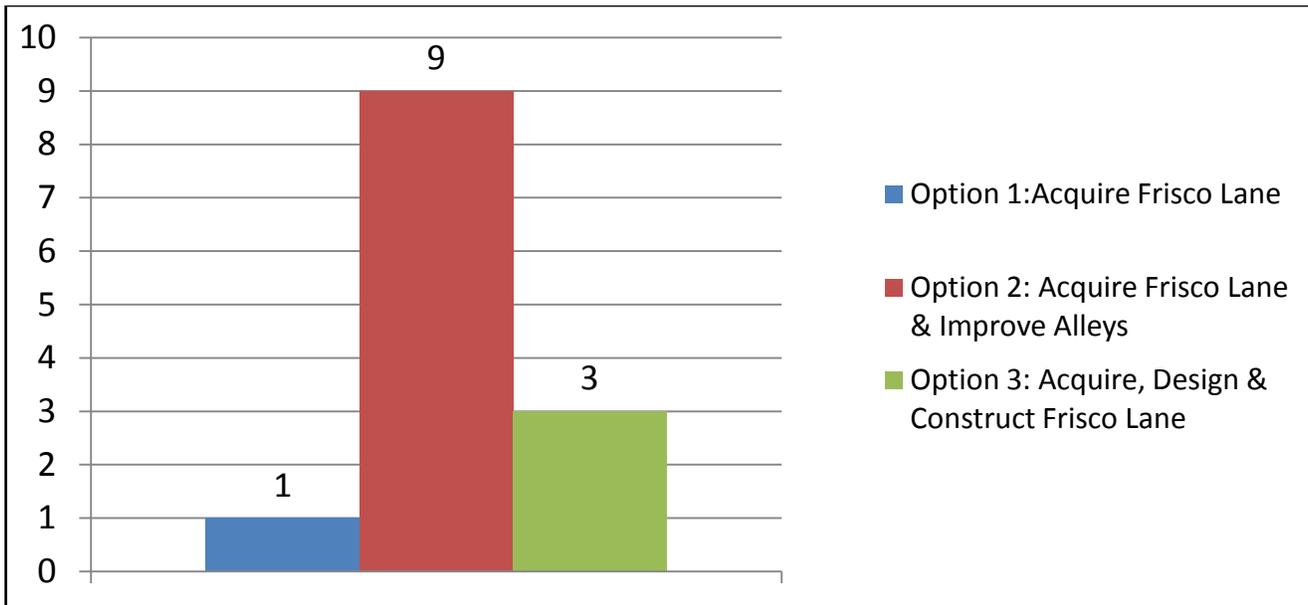
Meeting Attendance



Results of Public Comment

Participants were asked to choose which of the following options for expending revenue that they were most likely to support:

- Option 1: Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
- Option 2: Acquire Frisco Lane and improve alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways
- Option 3: Acquire, design, and construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane



Option 2, to Acquire Frisco Lane and relocate the rail lines and also improve alleyways was the most popular. Participants would like to see Frisco Lane improvements completed, but do not want to dedicate all of their TIF funds to the second phase of the project. Comments focused on considering alternative funding and also focusing on ways to address the stormwater issues caused by runoff from the railroad property to the rear of the building on the north side of the street. The chart above shows the breakdown of results.

Summary of Written Comments from Comment Cards

Below is a summary of the written comments provided on the cards collected. Comment cards will be attached to the City Council report. The overall consensus appears to be that Frisco Lane should be purchased and the rail lines relocated, but additional improvements should either be funded under another source or completed in the future. Remaining TIF funds should be used to improve alleyways connecting existing public parking lots to Commercial Street which would also address some of the aesthetic concerns raised about Blaine and the view of the district from the south as well as encourage utilization of the parking lots to the south.

1. The alley between Jefferson and Roberson is used as a drive all the time.
2. Thanks for all you do!
3. We want to hear about all the potential funding sources.
4. The Blaine alleyway between Jefferson and Roberson is a major vehicle thoroughfare, including service by delivery vehicles to the C-Street businesses on that stretch. It should not be limited only to pedestrians in the renovation – for example by placing light poles in the center of the alley.

TIF Schedule and Next Steps

Meeting participants were informed of the following next steps in the process during the staff presentation:

1. Comment Cards will be collected through Thursday, September 15, 2016
2. Staff will make a formal recommendation to City Council on **October 3rd** at an open public hearing.

- a. City Council Meeting begins at 6:30p.m.
 - b. Stakeholders are invited to speak at the public hearing
3. City Council will vote on the allocation of funds on **October 17th**.
 4. Staff implements projects as directed by City Council.
 5. Next public meeting, August 2017

Summary of Q&A at the Public Meeting

The following are some of the questions and comments raised at the public meeting along with staff responses. These do not necessarily include all of the questions raised at the meeting due to space.



Question: What is the possibility of using bond financing and what would the cost be? *Several general statements were made in regards to the desire to consider all financing available to help achieve projects and this was the sentiment expressed in the letter provided by the Commercial Club.*
Response: *The City will continue to consider all financing that could be used to further the priority projects for the district. Staff worked with the Finance Department to determine that \$1 million in bond financing for Frisco Lane would likely require 4% interest and 14 annual payments of \$94,669 from the TIF, leaving approximately \$50,000 annually for other projects with a cost in interest of \$325,265.64. Bonding would be subject to City Council and other approvals.*

Question: **Have all the potential projects been considered?**

Response: *Only projects listed in the TIF Redevelopment Plan are eligible for funding. Top priorities were determined following public input at the August 11th meeting and staff has provided three recommendations based on stakeholder priorities.*

Question: **Will the stormwater runoff issue be addressed as part of the first phase of Frisco Lane? This is a problem as rainwater flows from the railroad to the back of the buildings on the north side. Can BNSF fix this?**

Response: *Staff will look into this issue and determine how to best address this. It could potentially be part of the work BNSF does when they relocate the rail lines, or it may need to be done by the City. This will need to be negotiated with BNSF and there will be a cost associated with it.*

Comment: **The alley near Jefferson is used regularly for vehicle traffic. If the light poles are in the center it will cause issues for delivery truck that use it.**

Response: *Staff will consider these comments before changing that alley to pedestrian only and allow for further public input on design.*

Comment: City owned public parking lots still could use some aesthetic enhancements since not everyone feels safe parking there. Consider improved landscaping, lighting, signage and linkages to the alleys and Commercial Street which will help make it safer and more attractive for visitors.

Response: Staff understands your point and will look into this and improving the alley(s) may be a feasible first step toward making the parking and connection more attractive.

Question: How long will it take to relocate the rail lines for Frisco Lane and how long will access be limited during this process (as this is a concern)?

Response: BNSF will relocate the rail lines and based on their past performance on projects like this they move quickly with the actual site-work. One month is a general estimate, but staff will find out and notify folks impacted.

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: MAX HATZ Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

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 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues

- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways

- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Martha A. Cray Business Owner Property Owner Resident Other

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Additional Comments:

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Participant Comment Card

Name: Paul Parker Business Owner Property Owner Resident Other

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Thanks for all you do.



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Participant Comment Card

Name: Gina Business Owner Property Owner Resident Other

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Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: PIZZA HOUSE Business Owner Property Owner Resident Other

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Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: ELLEN MCLEAN Business Owner Property Owner Resident Other

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Participant Comment Card

Name: JOHN HOSFIELD Business Owner Property Owner Resident Other

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Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: MARY COLLETTE Business Owner Property Owner Resident Other

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Additional Comments:

WE WANT TO HEAR ABOUT ADDITIONAL POTENTIAL
FUNDING SOURCES



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Participant Comment Card

Name: Ryan Villgraw Business Owner Property Owner Resident Other

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Participant Comment Card

Name: Ramona Pieron Business Owner Property Owner Resident Other

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Option 2: Acquire Frisco Lane and Improve Alleys
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➤ Use remaining funds to improve 2 alleyways — *Amend to include improving the existing parking lots (lighting, signage etc.)*

Option 3: Acquire, Design and Construct Frisco Lane
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Participant Comment Card

Name: Robin Calmore Business Owner Property Owner Resident Other

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Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Rick Gilmore Business Owner Property Owner Resident Other

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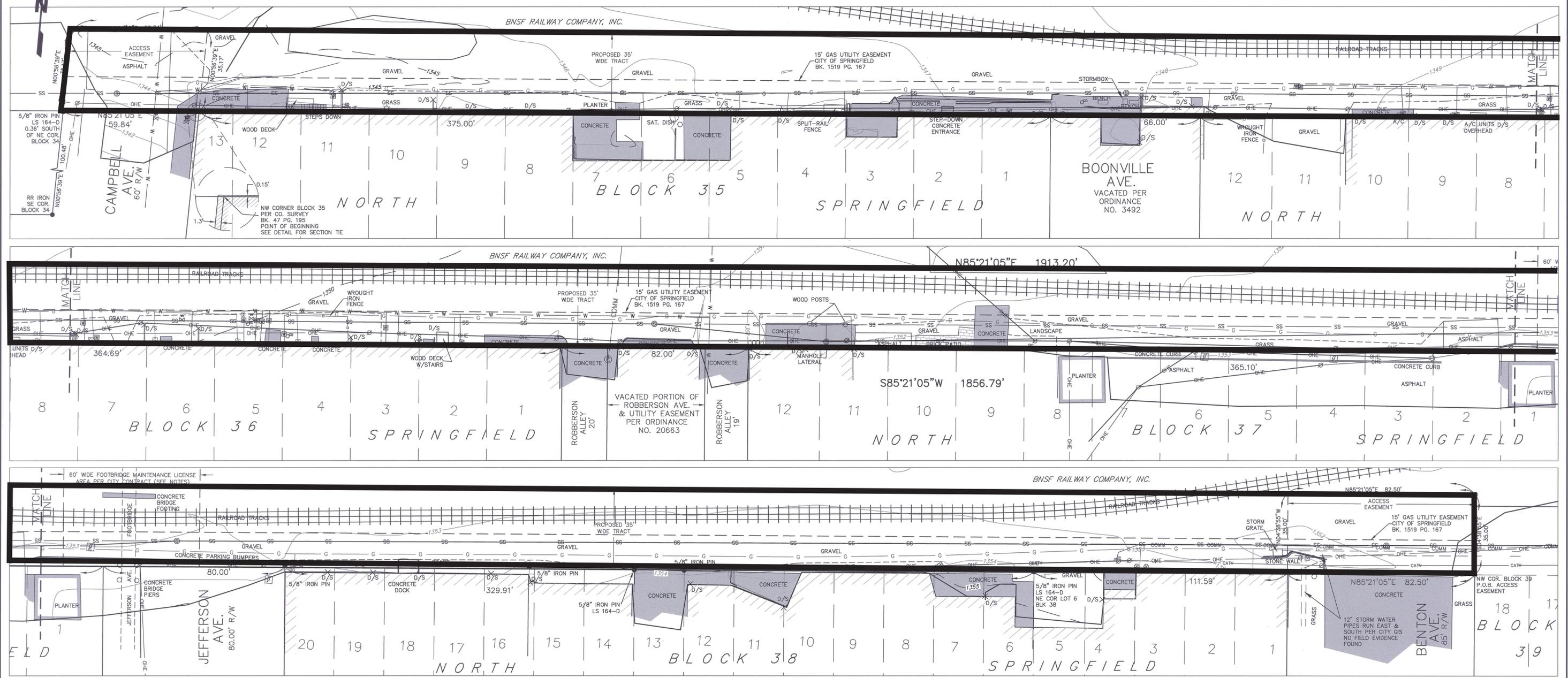
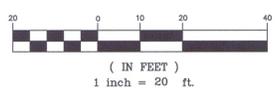
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ALTA/NSPS LAND TITLE SURVEY
FOR
BNSF RAILWAY COMPANY, INC.
NORTH YARD, CUBA SUBDIVISION, PART OF SECTIONS
11 & 12, TWP. 29 N. RNG. 22 W., SPRINGFIELD, GREENE COUNTY, MISSOURI

Exhibit C

VERTICAL DATUM:
NORTH AMERICAN VERTICAL DATUM 1988
PER CITY OF SPRINGFIELD VERTICAL CONTROL NETWORK
CITY BENCHMARK: REED (AT CAMPBELL & ATLANTIC)
ELEVATION = 1357.79'
CONTOUR INTERVAL = 1'

GRID NORTH
MISSOURI COORDINATE
SYSTEM 1983
CENTRAL ZONE



LEGEND

●	EXISTING IRON PIN	⊕	TELEPHONE PEDESTAL
○	SET IRON PIN CAPPED LC-238	⊙	COMMUNICATION MANHOLE
—	WROUGHT IRON FENCE	—	SANITARY SEWER LINE
—	CHAINLINK FENCE	⊙	SANITARY SEWER MANHOLE
☆	LIGHT POLE	○	CLEAN OUT
—	OVERHEAD ELECTRIC LINE	○	EXISTING POST
—	ELECTRIC METER	⊕	AIR CONDITIONER
—	ELECTRIC RISER	⊕	DOWNSPOUT
—	ELECTRIC MANHOLE	⊗	EXISTING BOLLARD
—	POWER POLE		
—	GUY ANCHOR		
—	ELECTRIC PULLBOX		
—	SECONDARY PEDESTAL		
—	OVERHEAD CABLE TV LINE		
—	UNDERGROUND WATER LINE		
—	FIRE HYDRANT		
—	WATER VALVE		
—	WATER METER		
—	UNDERGROUND GAS LINE		
—	GAS VALVE		
—	GAS METER		
—	BUILDING LIMITS		
—	EXISTING CONCRETE		

SECTION TIE DETAIL (N.T.S.)

PROPERTY BOUNDARY DESCRIPTION

A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 02 DEGREES 39 MINUTES TO SECONDS WEST, A DISTANCE OF 3943.97 FEET TO THE NORTHWEST CORNER OF BLOCK 35 OF NORTH SPRINGFIELD, A SUBDIVISION IN GREENE COUNTY, (AS SHOWN ON A COUNTY SURVEY RECORDED IN SURVEY RECORD BOOK 47, PAGE 195), FOR A POINT OF BEGINNING; THENCE SOUTH 85 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 59.84 FEET TO THE NORTHEAST CORNER OF BLOCK 34 OF SAID NORTH SPRINGFIELD SUBDIVISION; THENCE NORTH 00 DEGREES 56 MINUTES 39 SECONDS EAST, A DISTANCE OF 35.17 FEET; THENCE NORTH 85 DEGREES 21 MINUTES 05 SECONDS EAST, A DISTANCE OF 1913.20 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 55 SECONDS EAST, A DISTANCE OF 35.00 FEET TO THE NORTHWEST CORNER OF BLOCK 39 OF SAID NORTH SPRINGFIELD; THENCE SOUTH 89 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 1856.78 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 1.54 ACRES (67,022 SQ. FT.).

ACCESS EASEMENT DESCRIPTION

A PERPETUAL ACCESS EASEMENT, BEING A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 02 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 3943.97 FEET TO THE NORTHWEST CORNER OF BLOCK 35 OF NORTH SPRINGFIELD, A SUBDIVISION IN GREENE COUNTY, (AS SHOWN ON A COUNTY SURVEY RECORDED IN SURVEY RECORD BOOK 47, PAGE 195), FOR A POINT OF BEGINNING; THENCE SOUTH 85 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 59.84 FEET TO THE NORTHEAST CORNER OF BLOCK 34 OF SAID NORTH SPRINGFIELD; THENCE NORTH 00 DEGREES 56 MINUTES 39 SECONDS EAST, A DISTANCE OF 35.17 FEET; THENCE NORTH 85 DEGREES 21 MINUTES 05 SECONDS EAST, A DISTANCE OF 1913.20 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 55 SECONDS EAST, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING A TOTAL OF 0.11 ACRES (4982 SQ. FT.) OF PERPETUAL ACCESS EASEMENT.

NOTES

THIS SURVEY IS FOR THE PURPOSE OF CREATING A NEW TRACT OF LAND THAT WILL BE SPLIT FROM THE BNSF RAILWAY COMPANY'S "CUBA SUBDIVISION, NORTH YARD" PROPERTY (PARENT TRACT), AND CONVEYED TO THE CITY OF SPRINGFIELD, MISSOURI. CITY OF SPRINGFIELD PLANNING DEPARTMENT STATED THAT BECAUSE THE PROPERTY IS CURRENTLY OWNED BY THE RAILROAD, NO ADMINISTRATIVE SUBDIVISION PROCESS WAS REQUIRED FOR THIS NEW TRACT TO BE CONSIDERED A LEGAL TRACT OF RECORD.

TITLE COMMITMENT NO. MS150478 BY MERIDIAN TITLE COMPANY, DATED APRIL 15, 2015, WAS PROVIDED BY THE CITY OF SPRINGFIELD FOR USE ON THIS SURVEY. THE TITLE COMMITMENT SHOWS FEE SIMPLE INTEREST IN THE PARENT TRACT AS BEING HELD BY "BURLINGTON NORTHERN INC.". THE COMMITMENT DOES NOT PROVIDE A PROPERTY DESCRIPTION OF THE PARENT TRACT, BUT EXHIBITS INCLUDED IN THE COMMITMENT INDICATE THAT ALL OF THE SUBJECT PROPERTY IS COVERED BY THIS COMMITMENT.

SCHEDULE B - SECTION II OF THE COMMITMENT HAS BEEN EXAMINED, I MAKE NOTE OF THE FOLLOWING SURVEY RELATED ITEMS:

ITEM 8: A COPY OF THE DOCUMENT RECORDED IN BOOK Z AT PAGE 121 WAS PROVIDED WITH THE COMMITMENT. THE APRIL, 1871 DOCUMENT APPEARS TO CONVEY A PORTION OF THE CURRENT RIGHT-OF-WAY TO THE SOUTH PACIFIC RAILROAD. I FOUND NO OTHER EASEMENT BEING CONVEYED AS INDICATED IN THIS SCHEDULE B. THE "RIGHT-OF-WAY" CONVEYED HAS PRESUMABLY BEEN SPLIT AND TRANSFERRED TO BURLINGTON NORTHERN INC.

ITEM 9: THE GAS UTILITY EASEMENT IS SHOWN HEREON AS DESCRIBED (SEE NOTES CONCERNING ENCROACHMENTS FOR ADDITIONAL INFORMATION ABOUT THE STATUS OF THIS EASEMENT).

A COPY OF A CONTRACT GRANTING A LICENSE FROM THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY TO THE CITY OF SPRINGFIELD WAS PROVIDED BY THE CITY OF SPRINGFIELD. THIS LICENSE ALLOWS ACCESS TO A 60 FEET WIDE STRIP OF LAND ACROSS THE PARENT TRACT FOR MAINTENANCE OF THE JEFFERSON AVENUE FOOTBRIDGE. THE STRIP OF LAND IS SHOWN HEREON AS DESCRIBED IN THE LICENSE.

UTILITIES SHOWN HEREON WERE LOCATED AS OBSERVED IN THE FIELD. UNDERGROUND UTILITIES WERE LOCATED BY MARKINGS OF THE MISSOURI ONE-CALL LOCATOR SERVICE PER CALL TICKET NUMBERS: 153520720, 15352030, 153520734, 153520747, 153520735, AND 153520755. THE LOCATOR SERVICE FAILED TO MARK MANY OF THE EXISTING UNDERGROUND FACILITIES, AND THE DATA WAS SUPPLEMENTED HEREON USING UTILITY MAPPING PROVIDED BY CITY UTILITIES OF SPRINGFIELD, MISSOURI.

NUMEROUS ENCROACHMENTS WERE FOUND ALL ALONG THE SUBJECT PROPERTY. THESE ENCROACHMENTS INCLUDE BUILDINGS EXTENDING OVER THE PROPERTY LINE, LOADING DOCKS, STAIRWELLS TO BASEMENT ENTRANCES, CONCRETE PADS, WOOD DECKS, PLANTERS, BENCHES, AND FENCES. REFER TO THE GRAPHICS HEREON FOR EXTENTS OF THESE ENCROACHMENTS.

APPARENT UTILITY ENCROACHMENTS WERE ALSO FOUND:

A 15' WIDE "GAS UTILITY EASEMENT" TO THE CITY OF SPRINGFIELD IS SHOWN HEREON AS DESCRIBED IN DEED BOOK 1519 PAGE 167. THAT DEED SPECIFICALLY LIMITS THE EASEMENT TO USE FOR GAS FACILITIES. OTHER UTILITIES WERE FOUND WITHIN THE EASEMENT INCLUDING WATER LINES, OVERHEAD ELECTRIC LINES, SANITARY SEWER LINES, AND COMMUNICATION LINES. IT IS RECOMMENDED THAT THE DEED BE REVIEWED TO DETERMINE THE STATUS OF THESE UTILITIES THAT LIE WITHIN THE EASEMENT.

ALSO, NORTH-SOUTH RUNNING UTILITY LINES CROSS THE PROPERTY WITHOUT ANY BENEFIT OF AN EASEMENT, THESE INCLUDE: WATER LINES NEAR CAMPBELL AND ROBBERTSON AVENUES; A COMMUNICATION LINE NEAR ROBBERTSON AVENUE; AND AN OVERHEAD ELECTRIC LINE ABOUT 100 FEET EAST OF ROBBERTSON AVENUE.

CERTIFICATION

TO BNSF RAILWAY COMPANY, INC. AND MERIDIAN LAND TITLE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 4, 5, 8, 11 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 12, 2016.

Peter W. Stevens
PETER W. STEVENS, MISSOURI L.S. No. 2401
CRAWFORD, MURPHY & TILLY, INC.
MISSOURI PROFESSIONAL LAND SURVEYING CORPORATION, LC 238

DATE PREPARED: 6/22/16

UTILITY DISCLAIMER

INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL-INCLUSIVE. CONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. INFORMATION SHOWN IS FROM MAPS PROVIDED OR DISCOVERED FROM UTILITY PROVIDERS.

CMT
Crawford, Murphy & Tilly
Engineers and Consultants
1631 W Ellifdale, Springfield, Missouri 65807
tel 417-869-6009 fax 417-869-8129
06/22/2016 15352-10-00-ALTA.dwg

REV. 6/22/2016 CORRECTED DESC. AREA CITATIONS PWS

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit D

BA Number 0011

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
43050	17	60010	414110	000000	00000	570,035.53	Commercial Street TIF
Net Revenue Adjustment						570,035.53	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
43050	17	60010	502460	000000	00000	570,035.53	Commercial Street TIF
Net Expenditure Adjustment						570,035.53	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: This budget adjustment is to establish a budget for the Commercial Street TIF.

Requested By:

Mary Lill Smith 9/27/16
Department Head Date

Approved By:

DL Hill 9/27/16
Interim Director of Finance Date

Authorization:

Council Bill No. 2016-226
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 09-27-16

Sponsor: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 227

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code Chapter 36 Land Development Code, Article 1 –
2 Administration and Enforcement of Codes, Division 4 Permits and Fees,
3 Section 36-128, ‘When permit is required’; and 36-146 ‘Fees,’ to correct
4 inaccurate cross-references.
5
6

7 WHEREAS, Springfield City Code Section 36-128 and Section 36-146 contain
8 incorrect cross-references; and,
9

10 WHEREAS, the correct cross-reference in said sections should be to "the fee
11 schedule on file with the City Clerk."
12
13
14

15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, that:
17

18 NOTE: Language to be added is underlined and language to be deleted is
19 ~~stricken~~.
20

21 Section 1 – The Springfield City Code, Chapter 36 - Land Development Code of
22 the City of Springfield, Missouri, Article I. - Administration and Enforcement of Codes,
23 Division 4. - Permits and Fees, Section 36-128. - When permit is required, is hereby
24 amended as follows:
25

26 **Sec. 36-128. - When permit is required.**

27 Any person who intends to construct, enlarge, alter, repair, move, demolish,
28 or change the occupancy of a building or structure, or to erect, install, enlarge,
29 alter, repair, remove, convert, or replace any electrical, fuel gas, mechanical,
30 private sewage disposal, or plumbing system, the installation of which is regulated

31 by these codes, or to cause any such work to be done, shall first make application
32 to the building official and obtain the required appropriate permit.

33 Exception:

34 Where equipment repairs and replacements must be performed in an
35 emergency situation, the permit application shall be submitted within the next
36 working business day of the department of building development services.

37 (1)

38 *Annual permit.* In lieu of an individual permit for each alteration to an already
39 approved electrical, gas, mechanical, or plumbing installation, the building
40 official is authorized to issue an annual permit upon application to any
41 person, firm, or corporation regularly employing one or more qualified trade
42 person in the building, structure, or on the premises owned or operated by
43 the applicant for the permit. Qualified trade persons are defined as those
44 meeting the standards established in article IV, Building trades, appeals and
45 licensing.

46 a.

47 *Annual permit records.* The person to whom an annual permit is issued
48 shall keep a detailed record of alterations made under such annual
49 permit. The building official shall have access to such records at all times
50 or such records shall be filed with the building official as designated.

51 b.

52 *Annual permit fee.* The fee for an annual permit shall be determined by
53 the building official by multiplying the estimated number of inspections
54 per year, times four, times the cost of a minimum building permit ~~as~~
55 ~~specified in Article VII of Chapter 2 of the Springfield, City Code~~
56 according to the fee schedule on file with the City Clerk. The estimated
57 number of inspections will be established by the building official and may
58 be changed on an annual basis depending on the extent of work being
59 inspected and the amount of time required to perform those inspections.

60

61 Section 2 – The Springfield City Code, Chapter 36 - Land Development Code of
62 the City of Springfield, Missouri, Article I. - Administration and Enforcement of Codes,
63 Division 4. - Permits and Fees, Section 36-146. - Fees, is hereby amended as follows:
64

65

Sec. 36-146. - Fees.

66 (a) *General.* A building, plumbing, mechanical, fuel gas, or electrical permit
67 shall not be issued until the fees prescribed in this section shall have been paid
68 to the department of building development services or other authorized agency
69 of the jurisdiction, nor shall an amendment to a permit necessitating an
70 additional fee be approved until the additional fee has been paid.

71

72 (b) *Special fees.* The payment of fees to this department for permits shall not
73 relieve the applicant or holder of the permit from the payment of other fees that
74 are prescribed by law or ordinance both within and without the jurisdiction of
75 the department of building development services.

76
77 (c) *Fees.* The fees for permits, plan review, and inspections shall be as
78 prescribed in subsection (d) of this section, and the building official is
79 authorized to establish by approved rules a schedule of unit rates for building
80 and structures of all use groups and types of construction as classified and
81 defined in the building code.

82
83 (d) *Fee schedule.* A fee for each permit, plan review, and inspection shall be
84 paid in full in accordance with the fees prescribed in ~~article VII of this code and~~
85 ~~Chapter 2 of the Springfield City Code~~ the fee schedule on file with the City
86 Clerk prior to a permit being issued, plan reviewed, or inspection made.

87
88 Section 3 – This ordinance shall be in full force and effect from and after
89 passage.

90
91 Passed at Meeting: _____

92
93
94 _____
95 Mayor

96
97
98 Attest: _____, City Clerk

99
100
101 Filed as Ordinance: _____

102
103 Approved as to Form: Duke McDonald, Assistant City Attorney

104
105 Approved for Council Action: Jay Burt, City Manager
107

EXPLANATION TO COUNCIL BILL NO. 2016- 227

FILED: 09-27-16

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

PURPOSE: to amend the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, ‘When permit is required’; and 36-146 ‘Fees,’ to correct inaccurate cross-references.

BACKGROUND AND REMARKS: Springfield City Code Sections 36-128 and 36-146 contain incorrect cross-references. The cross-references should state "the fee schedule on file with the City Clerk."

Submitted by:

Approved by:



Building Development Services



City Manager

36

37 Filed as Resolution _____

38

39 Approved as to form: , Assistant City Attorney

40

41 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-228

FILED: 09-27-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt a resolution to initiate annexation of approximately 4.7 acres of Greene County right-of-way into the City of Springfield generally located in the 2800-3000 blocks of West Republic Street (A-2-16).

BACKGROUND INFORMATION:

Greene County has petitioned the City of Springfield to annex right-of-way to be included within the corporate limits of the City of Springfield, Missouri, pursuant to Section 71.012, RSMo. This request includes the right-of-way of West Republic Street from Glenn Avenue to Golden Avenue. This area was part of a cost share agreement with Greene County in 2014 to widen the street to 5 lanes (see "Exhibit B"). Republic Street in the Annexation Area is currently maintained by Greene County.

The annexation of this right-of-way will fulfill an existing agreement with Greene County while filling in a gap between City boundaries along Republic Street. It will create a more logical boundary between the City and the County and eliminate confusion for emergency responders.

This Resolution 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:

This Resolution initiates the proposed annexation and does not actually annex the subject property. Public hearings and review by the City Council are required before annexation can be approved (see "Exhibit D," Annexation Schedule).

If this request is approved, staff will submit a Council Bill for a public hearing to consider annexation of this property.

RECOMMENDATIONS:

1. The area to be annexed is contiguous to the City of Springfield.
2. The Growth Management and Land Use Plan of the Comprehensive Plan supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.

Staff recommends that Council initiate the annexation of the subject property.

Submitted by:



Daniel Neal, Senior Planner

Reviewed by:



Mary Lilly Smith, Director

Approved by:



Greg Burriss, City Manager

EXHIBITS:

- Exhibit A, Legal Description
- Exhibit B, Location Map, Sketch
- Exhibit C, Annexation Petition
- Exhibit D, Annexation Schedule

Exhibit A

STREET RIGHT-OF-WAY DESCRIBED AS FOLLOWS:

ALL THAT PART OF SECTIONS 9 AND 16, TOWNSHIP 28 NORTH, RANGE 22 WEST, LOCATED IN GREENE COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 9;

THENCE NORTH 88°42'07" WEST, ALONG THE SECTION LINE, A DISTANCE OF 74.68 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 03°29'36" WEST A DISTANCE OF 66.78 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF REPUBLIC ROAD, ALSO KNOWN AS STATE HIGHWAY M, AS IT NOW EXIST;

THENCE NORTH 88°34'45" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 114.34 FEET;

THENCE NORTH 84°34'02" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 165.12 FEET;

THENCE NORTH 89°01'47" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 161.68 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 443.95 FEET;

THENCE SOUTH 46°48'51" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.80 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GLENN AVENUE;

THENCE SOUTH 83°53'54" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.55 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GLENN AVENUE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 43°10'36" WEST, ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 42.05 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 632.60 FEET;

THENCE SOUTH 46°59'30" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.95 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HILLCREST AVENUE;

THENCE NORTH 88°41'50" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 55.01 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HILLCREST AVENUE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 43°00'04" WEST, ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 41.92 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 15.20 FEET;

THENCE SOUTH 81°33'46" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 284.70 FEET;

THENCE WESTERLY A DISTANCE OF 384.76 FEET, ALONG SAID RIGHT OF WAY, ALONG A 1181.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHICH HAS A CENTRAL ANGLE OF 18°40'00" AND A CHORD WHICH BEARS NORTH 89°06'13" WEST A DISTANCE OF 383.06 FEET;

THENCE SOUTH 66°12'05" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 51.91 FEET;

THENCE NORTH 72°07'20" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 6.13 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GOLDEN AVENUE, ALSO KNOWN AS FARM ROAD 135;

THENCE SOUTH 17°52'40" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 53.38 FEET;

THENCE NORTH 89°53'56" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 175.71 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID GOLDEN AVENUE;

THENCE NORTH 43°18'05" WEST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 140.09 FEET TO A POINT OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 03°15'20" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 123.80 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 46°49'03" EAST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 120.64 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GOLDEN AVENUE;

THENCE NORTH 10°55'46" EAST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 19.14 FEET;

THENCE NORTH 89°58'02" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 107.52 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GOLDEN AVENUE;

THENCE SOUTH 43°10'56" EAST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 104.39 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 88°43'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 85.00 FEET;

THENCE SOUTH 74°40'54" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 103.08 FEET;

THENCE SOUTH 88°43'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 500.00 FEET;

THENCE SOUTH 83°00'26" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 82.35 FEET;

THENCE NORTH 45°55'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 39.90 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HILLCREST AVENUE;

THENCE SOUTH 88°36'36" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 60.13 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HILLCREST AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 38°20'18" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 39.16 FEET;

THENCE SOUTH 88°40'12" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 204.91 FEET;

THENCE NORTH 89°27'45" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 147.68 FEET;

THENCE SOUTH 88°38'14" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 84.19 FEET;

THENCE NORTH 46°44'37" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 45.07 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GLENN AVENUE;

THENCE NORTH 87°18'10" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.17 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GLENN AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 43°13'51" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 49.44 FEET;

THENCE SOUTH 88°38'19" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 373.82 FEET;

THENCE NORTH 02°03'55" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 5.63 FEET;

THENCE SOUTH 88°41'50" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 232.56 FEET;

THENCE NORTH 46°33'02" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.03 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HOMEWOOD AVENUE;

THENCE SOUTH 82°28'26" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.58 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HOMEWOOD AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 43°25'11" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 42.36 FEET;

THENCE SOUTH 88°38'14" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 355.85 FEET;

THENCE SOUTH 01°17'53" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 35.09 FEET TO THE **POINT OF BEGINNING**;

EXCEPT THE FOLLOW DESCRIBED PROPERTY PREVIOUSLY ANNEXED INTO THE CITY OF SPRINGFIELD, MISSOURI:

A PART OF THE REPUBLIC ROAD RIGHT OF WAY IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 28 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI, BEING ALL THAT RIGHT OF WAY LYING SOUTH OF THE EXISTING CITY LIMITS OF SPRINGFIELD, MISSOURI, AS DESCRIBED IN CITY OF SPRINGFIELD GENERAL ORDINANCE NUMBER 4889, AND NORTH OF A LINE DESCRIBED FROM THE SURVEYED CENTERLINE OF REPUBLIC ROAD. THE SURVEYED CENTERLINE OF REPUBLIC ROAD, WITHIN THE ANNEXATION, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, TOWNSHIP 28 NORTH, RANGE 22 WEST;

THENCE NORTH 88°35'46" WEST, 524.63 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING DESIGNATED AS STATION 0+00;

THENCE SOUTH 85°32'29" EAST, 217.51 FEET TO STATION 2+17.51;

THENCE SOUTH 88°37'54" EAST, 306.64 FEET TO STATION 5+24.15 FOR A TERMINUS, SAID TERMINUS BEING THE POINT OF INTERSECTION WITH THE SURVEYED CENTERLINE OF SCENIC AVENUE. BEARINGS ARE BASED ON ASTRONOMIC NORTH AS SHOWN ON PLANS FOR REPUBLIC ROAD IMPROVEMENT PROJECTS ON FILE WITH THE DIRECTOR OF PUBLIC WORKS AT CITY HALL IN SPRINGFIELD, MISSOURI, FILE NOS. 8PW4533 AND 8PW4446.

THE SOUTHERLY LINE OF THIS RIGHT OF WAY ANNEXATION AREA IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 46.51 FEET RIGHT OF STATION 1+71.23, ON THE SOUTH RIGHT OF WAY OF REPUBLIC ROAD AND AT THE CURRENT CITY LIMITS OF THE CITY OF SPRINGFIELD;

THENCE DIRECTLY TO A POINT 55.50 FEET RIGHT OF STATION 3+33.61;

THENCE DIRECTLY TO A POINT 55.50 FEET RIGHT OF STATION 4+47.85;

THENCE DIRECTLY TO A POINT 95.50 FEET RIGHT OF STATION 4+87.28, BEING ON THE WEST RIGHT OF WAY OF SCENIC AVENUE;

THENCE SOUTHERLY, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 63.99 FEET TO THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 2251 AT PAGE 2543 OF THE GREENE COUNTY RECORDER'S OFFICE;

THENCE EAST ALONG SAID NORTH LINE, A DISTANCE OF 6.12 FEET TO THE CURRENT CITY LIMITS OF SPRINGFIELD, BEING ON THE WEST RIGHT OF WAY OF SCENIC AVENUE, FOR A TERMINUS.

CONTAINING 371,320 SQUARE FEET MORE OR LESS, INCLUDING EXCEPTION.

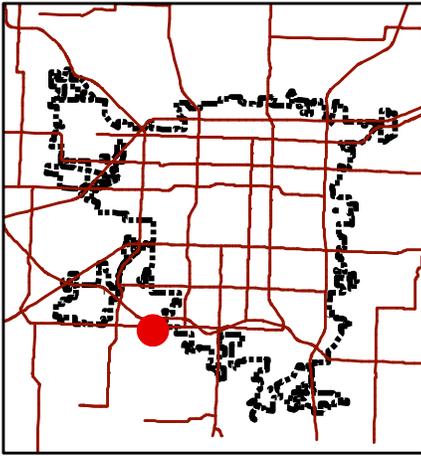
THIS DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.

Development Review Staff Report

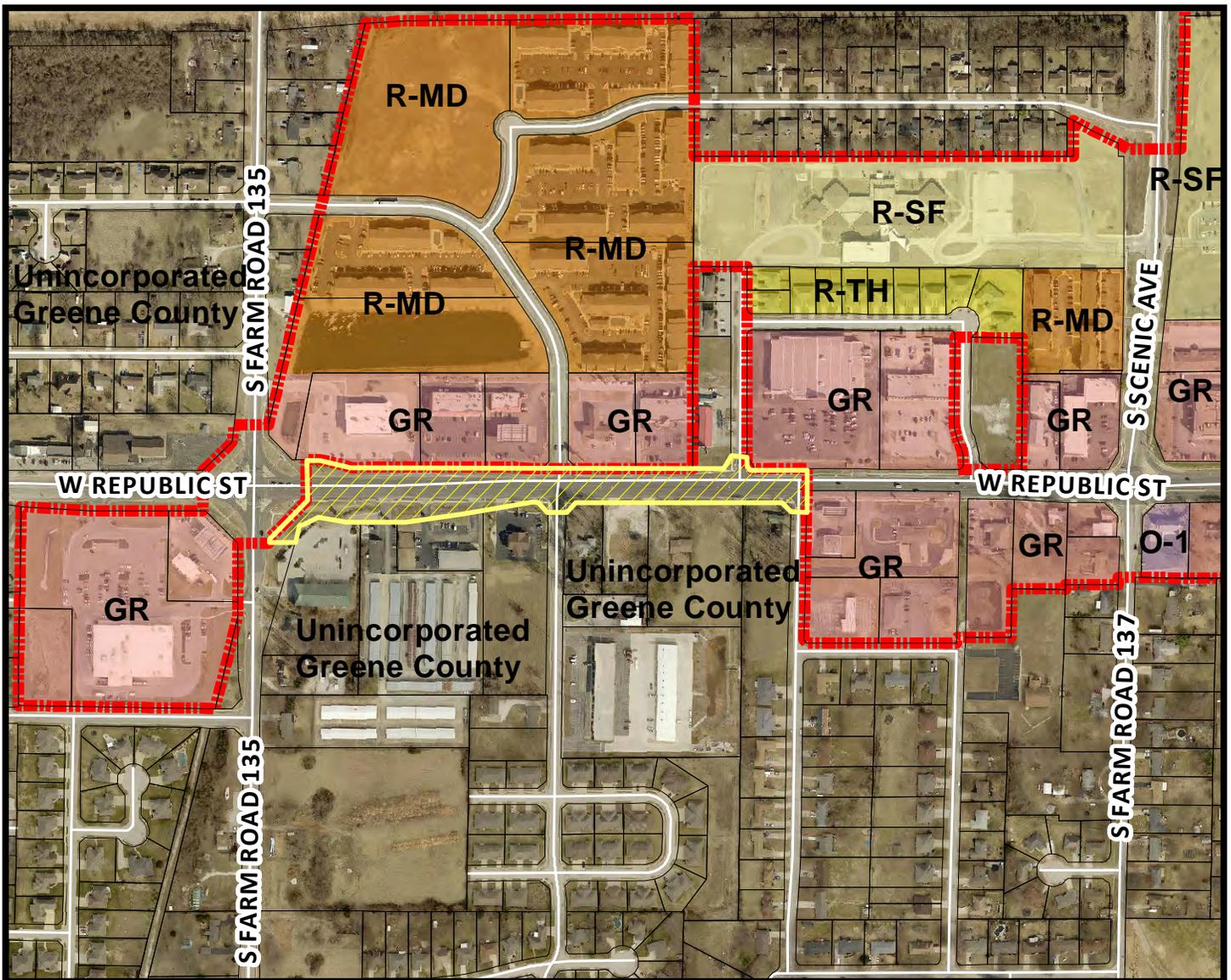
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Annexation A-2-16

LOCATION: 2800-3000 block W. Republic St.
CURRENT ZONING: N/A



LOCATION SKETCH



- Annexation Area



1 inch = 500 feet

Figure 1.

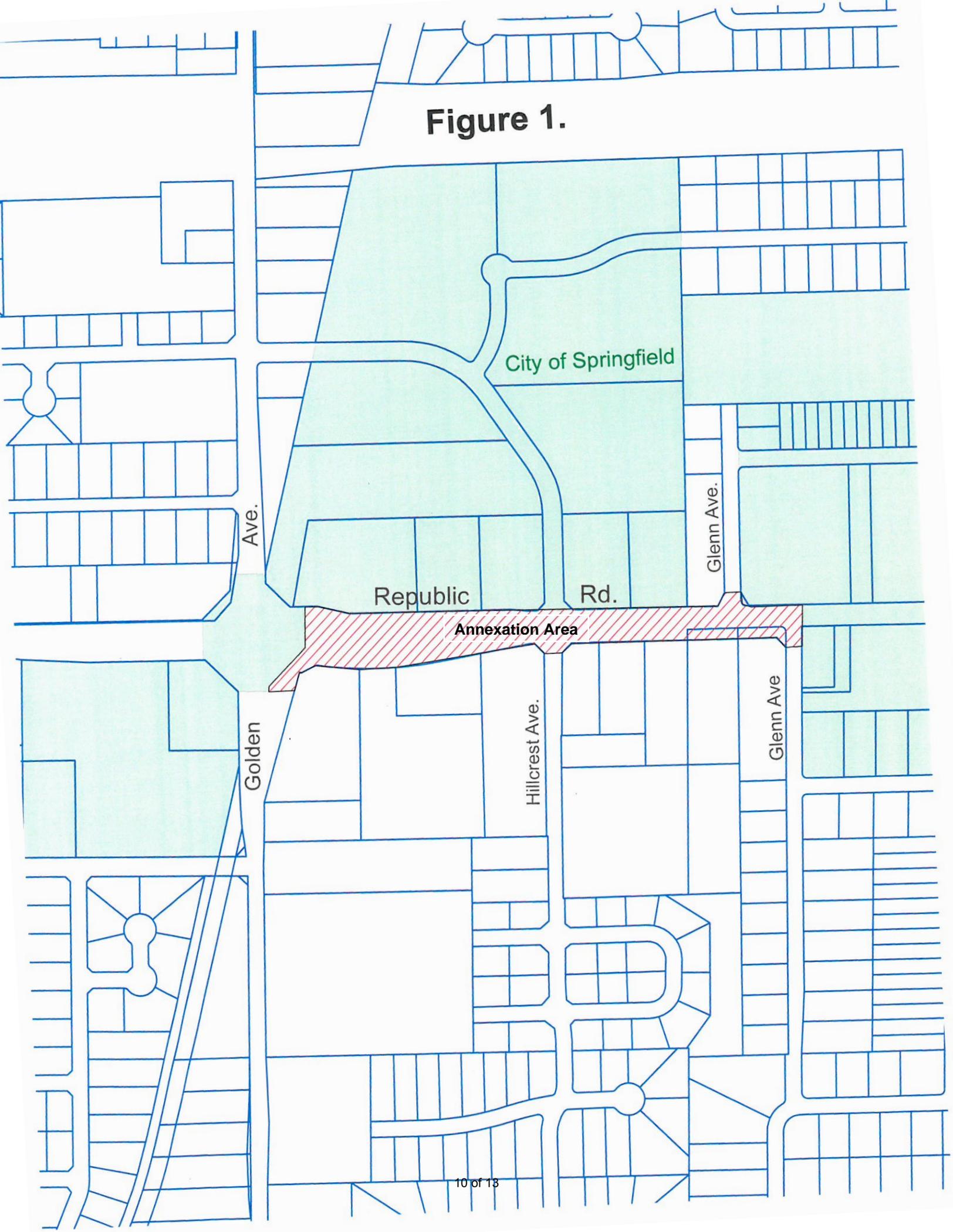


Exhibit C

PETITION FROM GREENE COUNTY HIGHWAY DEPARTMENT REQUESTING
ANNEXATION OF COUNTY ROAD RIGHT-OF-WAY TO THE CITY OF SPRINGFIELD,
MISSOURI.

We, the undersigned, hereinafter referred to as the Petitioners, for our petition to the City Council of the City of Springfield, Missouri state and allege as follows:

1. That the property herein described in Attachment A and shown in Figure 1 is currently and has been used as county road right-of-way.
2. That the said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Springfield, Missouri.
4. That we request that the said real estate be annexed to, and included within the corporate limits of, the City of Springfield, Missouri, as authorized by the provisions of Section 71.012, RSMo.
5. That we request the City Council of the City of Springfield to cause the required notice to be published and to conduct the public hearing required by law and to thereafter adopt an ordinance extending the limits of the City of Springfield to include the above described real estate.

Dated this *1st* day of *March*, 20*16*

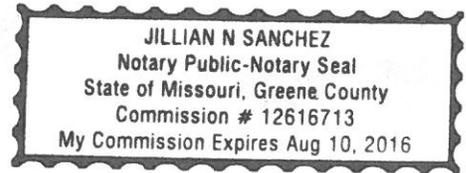
ADMINISTRATOR GREENE COUNTY HIGHWAY DEPARTMENT


Rick Artman, Administrator Greene County Highway Department

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

On this 1st day of March, 2016, before me personally appeared the Greene County Commission, to me personally known, who being duly sworn, did say that the seal affixed to this instrument was signed and sealed in behalf of said Commission and by its authority acknowledge said instrument to be the free act and deed of said Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Springfield, Missouri, the day and year first above written.



Notary Public

A handwritten signature in cursive script that reads "Jillian N Sanchez".

My commission expires:

Aug. 10, 2016

Exhibit D

ANNEXATION
SCHEDULE ANNEXATION
A-2-16

ANNEXATION:

- Initiate annexationOctober 3, 2016
- City Council Public HearingOctober 31, 2016
- City Council second reading and voteNovember 14, 2016

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed 08-30-16

Sponsored by: Stephens

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 -213

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the transfer of the City's interest in real property located at 1436 North
2 Rogers Avenue to Springfield Community Gardens.
3
4

5 WHEREAS, the City assumed ownership of property located at 1436 North
6 Rogers Avenue (the "Property") following demolition of a dangerous building on site;
7 and
8

9 WHEREAS, a small portion of the Property is in a 0.2% annual chance floodplain
10 and a larger portion is in a 1% annual chance floodplain (see "Exhibit A"); and
11

12 WHEREAS, Springfield Community Gardens (SCG) will accept ownership of the
13 Property in its current condition to construct a community garden thereon; and
14

15 WHEREAS, after repeated attempts, the City has been unable to find a buyer for
16 the Property; and
17

18 WHEREAS, disposition of real property owned by the City calls for City Council
19 approval.
20

21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 Section 1 - The City Council hereby approves the transfer of its ownership
25 interest in the real estate located at 1436 North Rogers Avenue , further depicted on
26 "Exhibit A," to SCG at no cost.
27

28 Section 2 - The City Council hereby authorizes the Mayor to execute such
29 documents as are necessary to convey its interest in the property to Springfield
30 Community Gardens.
31

32 Section 3 - This ordinance shall be in full force and effect from and after passage.
33

34 Passed at meeting: _____

35
36
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43
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45
46
47
48

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: *Duke McDonald*, Assistant City Attorney

Approved for Council Action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 213

FILED: 08-30-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To authorize the Mayor, or his designee, to execute necessary documents to convey its interest in real property located at 1436 North Rogers Avenue in Springfield, Missouri, to Springfield Community Gardens (SCG) at no cost to SCG.

BACKGROUND INFORMATION: The City took over title to the property after demolishing a dangerous building located on it. The property sits in a 0.2% annual chance floodplain and a 1% annual chance floodplain (see "Exhibit A"). Due to the flood-plain issues, the City has been unable to sell the property after repeated attempts.

SCG is a local, not-for-profit organization, which will accept the property despite the floodplain issues to develop a community garden. No City department needs the property and it does not have a public purpose. A real-estate conveyance requires City Council's approval.

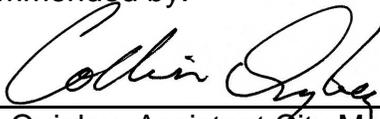
REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus. Any conveyance of the property must contain a deed restriction that the finish-floor elevation must be above the 0.2% annual chance floodplain.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:



Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager

Legend

- Base Flood Elevations
- Effective FEMA Floodway
- 1% ANNUAL CHANCE FLOOD HAZARD
- 0.2% ANNUAL CHANCE FLOOD HAZARD

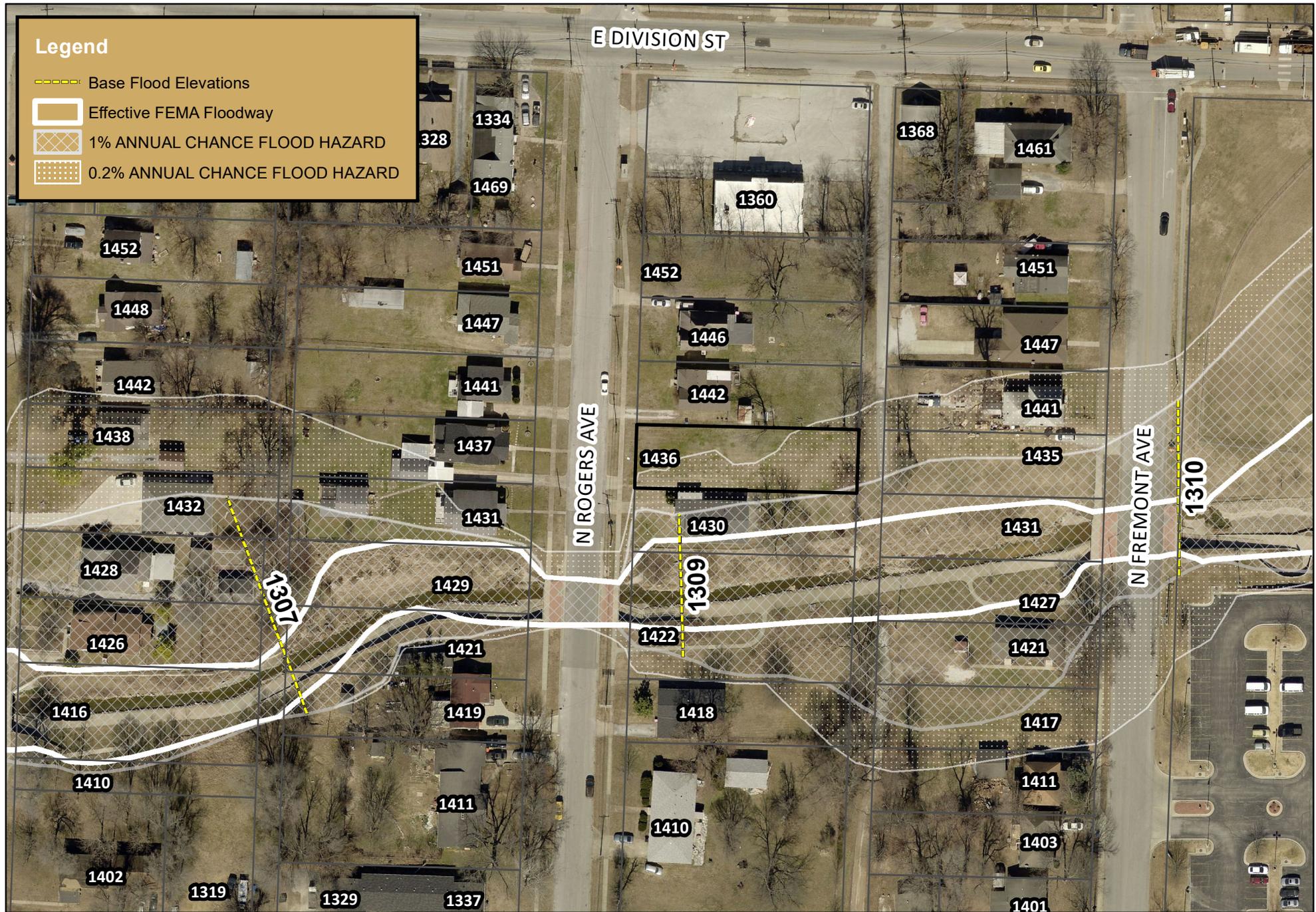


Exhibit A

1436 North Rogers Avenue



DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 09-13-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 223

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 the public streets and easements to the City of Springfield, Missouri,
3 as shown on the Preliminary Plat of Andy Land Subdivision, generally
4 located at 3830 South Glenstone Avenue, upon the applicant filing
5 and recording a final plat that substantially conforms to the preliminary
6 plat; and authorizing the City Clerk to sign the final plat upon
7 compliance with the terms of this ordinance. (Staff recommends that
8 City Council accept the public streets and easements).
9 _____

10
11 WHEREAS, on September 1, 2016, the Planning and Zoning Commission
12 approved the preliminary plat and subdivision of Andy Land Subdivision, generally
13 located at 3830 South Glenstone Avenue, as a subdivision of the City of Springfield,
14 Greene County, Missouri.

15
16 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
17 SPRINGFIELD, MISSOURI, as follows, that:

18
19 Section 1 – The City Council hereby authorizes the Director of Planning and
20 Development to accept the land and easements dedicated to the City for public use as
21 shown on the Preliminary Plat of Andy Land Subdivision, generally located at 3830
22 South Glenstone Avenue, as approved by the Planning and Zoning Commission, the
23 original of which is on file in the Department of Planning and Development (Approved
24 Preliminary Plat), a reduced version of which is included for general reference as
25 "Exhibit B - Attachment 2," upon the applicant filing and recording a final plat in
26 accordance with the Subdivision Ordinance of the City of Springfield, Missouri, which
27 plat shall substantially conform to the Approved Preliminary Plat, including those
28 conditions established by the Planning and Zoning Commission, which conditions are
29 described in the explanation to this Ordinance, a copy of which is attached hereto and
30 incorporated herein as if copied verbatim, and hereby authorizes acceptance of the
31 public improvements required by this Ordinance and the Subdivision Ordinance of the
32 City, upon the Director of Public Works certifying to the Director of Planning and

33 Development and the City Clerk that the public improvements have been made in
34 accordance with City standards and specifications.

35
36 Section 2 – The final plat shall not be recorded until the public improvements
37 relating to the Approved Preliminary Plat, “Exhibit B - Attachment 2,” as set out in the
38 explanation and Development Review Staff Report, “Exhibit B,” which are attached
39 hereto and incorporated herein by reference, shall have been constructed by the person
40 or party subdividing the property according to the specifications of the City of
41 Springfield, Missouri, and are approved by the Director of Public Works of the City; and
42 provided that said party shall have paid to the City of Springfield engineering fees,
43 permit fees, licenses, and other fees occasioned by the construction of said
44 improvements; or, in lieu of the construction of said improvements, that said parties
45 have filed with the City Manager, according to the terms of the Subdivision Ordinance of
46 the City, the prescribed financial assurances to insure the construction of said
47 improvements, and the payment to the City of all engineering fees, permit fees,
48 licenses, and other fees occasioned or which will be occasioned by the construction of
49 the improvements.

50
51 Section 3 – Upon compliance with all the requirements of this ordinance, the City
52 Clerk is hereby authorized to endorse the Council’s approval upon the final plat
53 pursuant to Section 445.030, RSMo.

54
55 Section 4 – Should said parties fail to submit a final plat for the subdivision or
56 portion thereof which substantially conforms to the preliminary plat within two years from
57 the date of this ordinance, then this ordinance shall be of no effect and shall be
58 considered void.

59
60 Passed at meeting: _____

61
62 _____
63 Mayor

64
65 Attest: _____, City Clerk

66
67 Filed as Ordinance: _____

68
69 Approved as to form: Achalee T. Weder, Assistant City Attorney

70
71 Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 223

FILED: 09-13-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of Andy Land Subdivision generally located at 3830 South Glenstone Avenue. (Staff recommends that City Council accept the public streets and easements).

BACKGROUND INFORMATION:

- A. An original Preliminary Plat of Andy Land Subdivision dated August 21, 2016, is on file in the Department of Planning and Development. A reduced version is included for general reference in "Exhibit B - Attachment 2."
- B. The Planning and Zoning Commission held a public hearing on September 1, 2016 and approved the preliminary plat by a vote of 5 to 0, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer will need to be extended to serve Lots 1 and 2. Public improvement plans will be required to be designed and constructed according to city standards. The public improvements must be approved, constructed and accepted or escrowed before the plat will be approved.
 - b. Sidewalks are required to be constructed along the property frontage on Luster Avenue and Republic Street or a fee-in-lieu of submitted for review through the Administrative Review Committee (ARC).
 - c. There is an existing natural channel that runs along Glenstone that is available for discharge from this development. Buyout in lieu of on-site stormwater detention cannot be determined by the information provided and may be approved on a case by case basis.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No access shall be permitted from any lot to Glenstone or Luster

Avenues.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section No. 300 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond or escrow agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area within an Activity Center.

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.

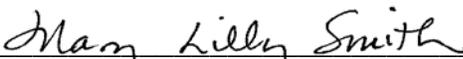
REMARKS: Staff recommends approval.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings
Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments
Attachment 2, Preliminary Plat

Exhibit A

RECORD OF PROCEEDINGS

Planning and Zoning Commission September 1, 2016

Andy Land Subdivision
3830 South Glenstone Avenue
Applicant: Wisdom, LLC

Mr. Hosmer stated that this is a request to approve a preliminary plat Andy Land Subdivision to subdivide approximately 1.48 acres into a two lot commercial subdivision located at 3830 South Glenstone Avenue.

This property is the remnant of Flowerland Subdivision and vacated right-of-way of Luster Avenue from the MoDOT and City intersection improvements. Public sewer will need to be extended to serve Lots 1 and 2. Sidewalks are required to be constructed along the property frontage on Luster Avenue and Republic Street. Buyout in lieu of on-site stormwater detention cannot be determined by the information provided and can be approved on a case by case basis. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations. If Planning and Zoning Commission approves the preliminary plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years. Staff recommends approval

Mr. Doennig opened the public hearing.

Mr. Neil Brady, Anderson Engineering, 2045 W. Woodland. They are actively building the site and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned that we approve Andy Land Subdivision (3830 South Glenstone Avenue). Mr. Shuler seconded the motion. The motion **carried** as follows: Ayes: Doennig, Shuler, Ogilvy, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ray, Cline, Edwards, and Rose.

Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

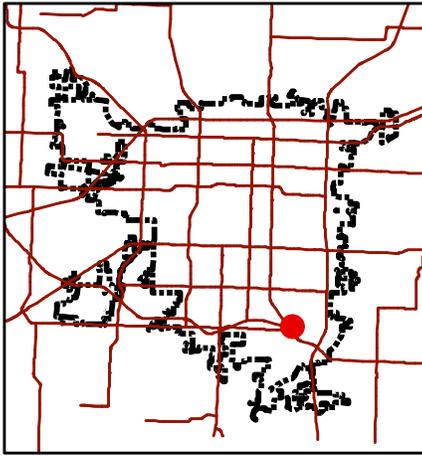
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Andy Land Subdivision

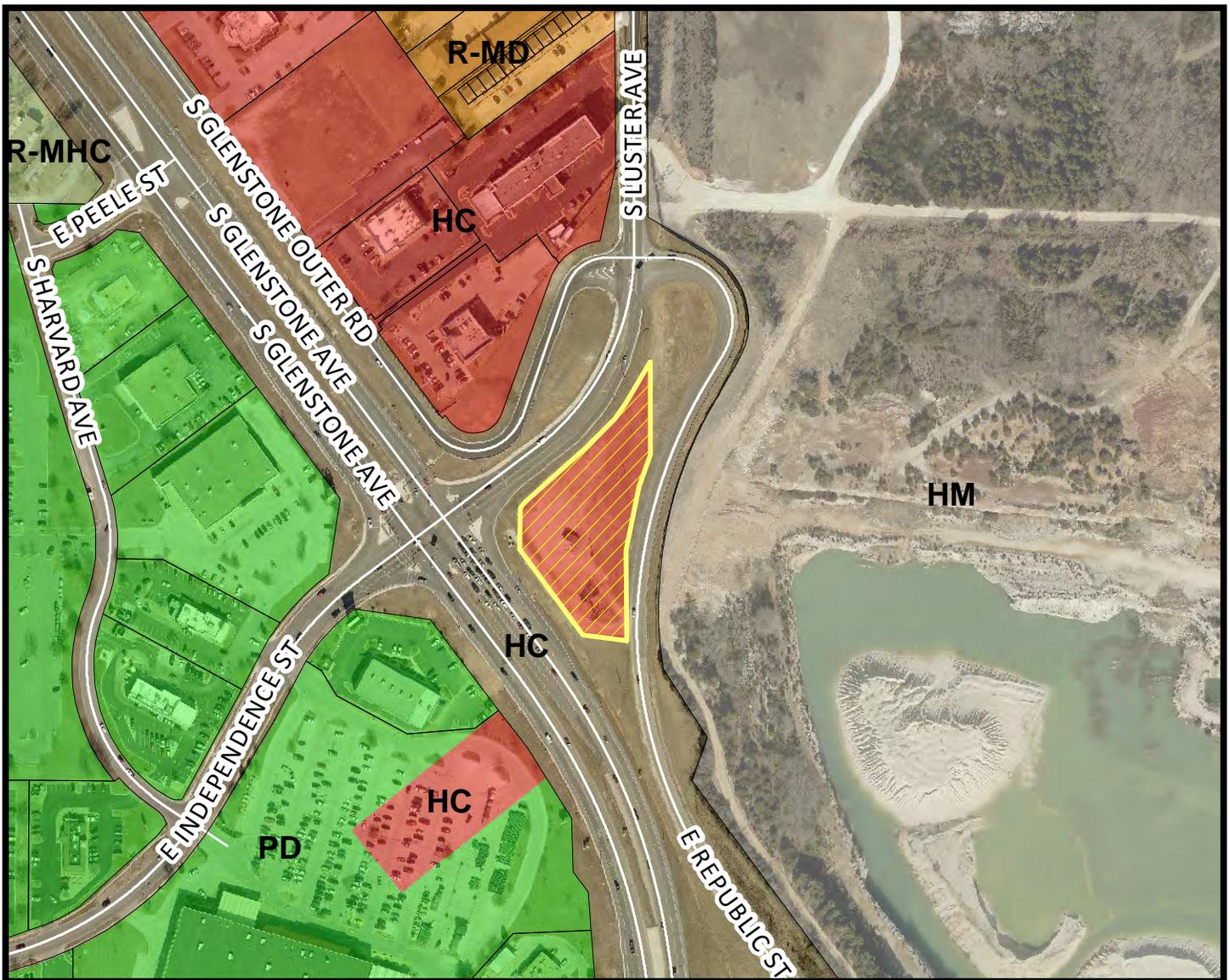
LOCATION: 3830 S. Glenstone Avenue

CURRENT ZONING: HC, Highway Commercial District

PROPOSED ZONING: NA



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
PRELIMINARY PLAT – ANDY LAND SUBDIVISION

PURPOSE: To approve a preliminary plat to subdivide approximately 1.48 acres into a two lot commercial subdivision

REPORT DATE: August 19, 2016

LOCATION: 3830 S. Glenstone Avenue

APPLICANT: Wisdom, LLC

TRACT SIZE: Approximately 1.48 acres

EXISTING USE: Eating and drinking establishment (under construction)

PROPOSED USE: Highway Commercial uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant's proposal, with the conditions listed below, is consistent with the City's *Subdivision Regulations*.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission **approve** the Preliminary Plat, with the conditions listed below:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer will need to be extended to serve Lots 1 and 2. Public improvement plans will be required to be designed and constructed according to city standards. The public improvements must be approved, constructed and accepted or escrowed before the plat could be approved.
 - b. Sidewalks are required to be constructed along the property frontage on Luster Avenue and Republic Street or a fee-in-lieu of submitted for review through the Administrative Review Committee (ARC).
 - c. There is an existing natural channel that runs along Glenstone that is

available for this development to discharge into. Buyout in lieu of on-site stormwater detention cannot be determined by the information provided and can be approved on a case by case basis.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No access shall be permitted from any lot to Glenstone or Luster Avenues.
7. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
8. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
9. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
10. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Restaurant and hotel uses
East	HM	Quarry uses
South	PD 199, 3rd	General Retail uses
West	PD 199, 3 rd	General Retail uses

HISTORY:

This property is the remnant of Flowerland Subdivision and vacated right-of-way of Luster Avenue from recent MoDOT and City intersection improvements.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Park uses. This category shows approximate locations for neighborhood, community and natural resource parks, consistent with the Parks, Open Space and Greenways Plan of Vision 20/20. It is also located within the Battlefield-Glenstone-James River Freeway Activity Center which forms a focal point of what is the most significant Activity Centers today.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 1.48 acres into a 2 lot commercial subdivision named "ANDY LAND SUBDIVISION". The property is currently zoned HC, Highway Commercial District and an eating and drinking establishment is currently under construction on it.
2. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

CITY COUNCIL: September 19, 2016

STAFF CONTACT:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
PRELIMINARY PLAT – ANDY LAND SUBDIVISION

AT&T COMMENTS:

No comments.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The exterior lighting plan for the existing development will need to be modified to reduce the light spillover at the new interior lot line.

CITY UTILITIES COMMENTS:

Easements are shown as requested. All utilities are available to both lots.

FIRE DEPARTMENT COMMENTS:

No issues.

MODOT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

Sidewalks are required to be constructed along the property frontage on Luster Avenue and Republic Street or a fee-in-lieu of submitted for review through the Administrative Review Committee (ARC).

STORMWATER COMMENTS:

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

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious

surfacing will require the development to meet current detention and water quality requirements.

2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Must obtain MoDOT approval to discharge stormwater onto MoDOT right of way.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

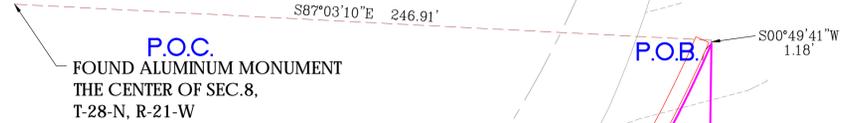
Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Thompson Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No

CLEAN WATER SERVICES COMMENTS:

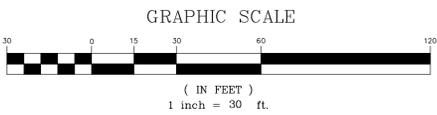
1. The public improvements plans required for this subdivision are currently under review. The subdivision cannot be approved until the public improvements have been approved and constructed or escrowed.

ATTACHMENT 2

ANDY LAND SUBDIVISION BEING A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN GREENE COUNTY, MISSOURI. PRELIMINARY PLAT



BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.



PARKING SUMMARY

LOT 1
BUILDING: 3,474 F²
USE: MEDICAL & DENTAL OFFICES & CLINICS
ONE (1) FOR EACH 250 F² TOTAL BUILDING FLOOR AREA.
REQUIRED = 14 SPACES
PROVIDED = 24 SPACES

LOT 2
BUILDING: 1,950 F²
USE: RESTAURANT, DRIVE-THRU, NO ON-SITE SEATING
ONE (1) FOR EACH EMPLOYEE ON LARGEST SHIFT BUT NOT LESS THAN 6.
REQUIRED = 6 SPACES
PROVIDED = 25 SPACES

NOTES

LOT SIZE
SMALLEST - LOT 1 = 29,775± SQ. FT.
LARGEST - LOT 2 = 34,704± SQ. FT.
TOTAL SQUARE FOOTAGE OF DEVELOPMENT = 64,479± SQ. FT.
TOTAL ACREAGE OF DEVELOPMENT = 1.48± ACRES
TOTAL NUMBER OF LOTS = 2
DATE OF PRELIMINARY PLAT SUBMITTAL =
DATE OF FINAL PLAT SUBMITTAL =
OWNERSHIP = BOOK, PAGE

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

OPEN SPACE SUMMARY

LOT 1
TOTAL LOT AREA: 29,775 F²
OPEN SPACE REQUIRED: 5,655 F²

LOT 2
TOTAL LOT AREA: 34,704 F²
OPEN SPACE REQUIRED: 6,941 F²
OPEN SPACE PROVIDED: 9,238 F² > 20%

SURFACE WATER DRAINAGE STATEMENT

THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE RUNOFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUNOFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.

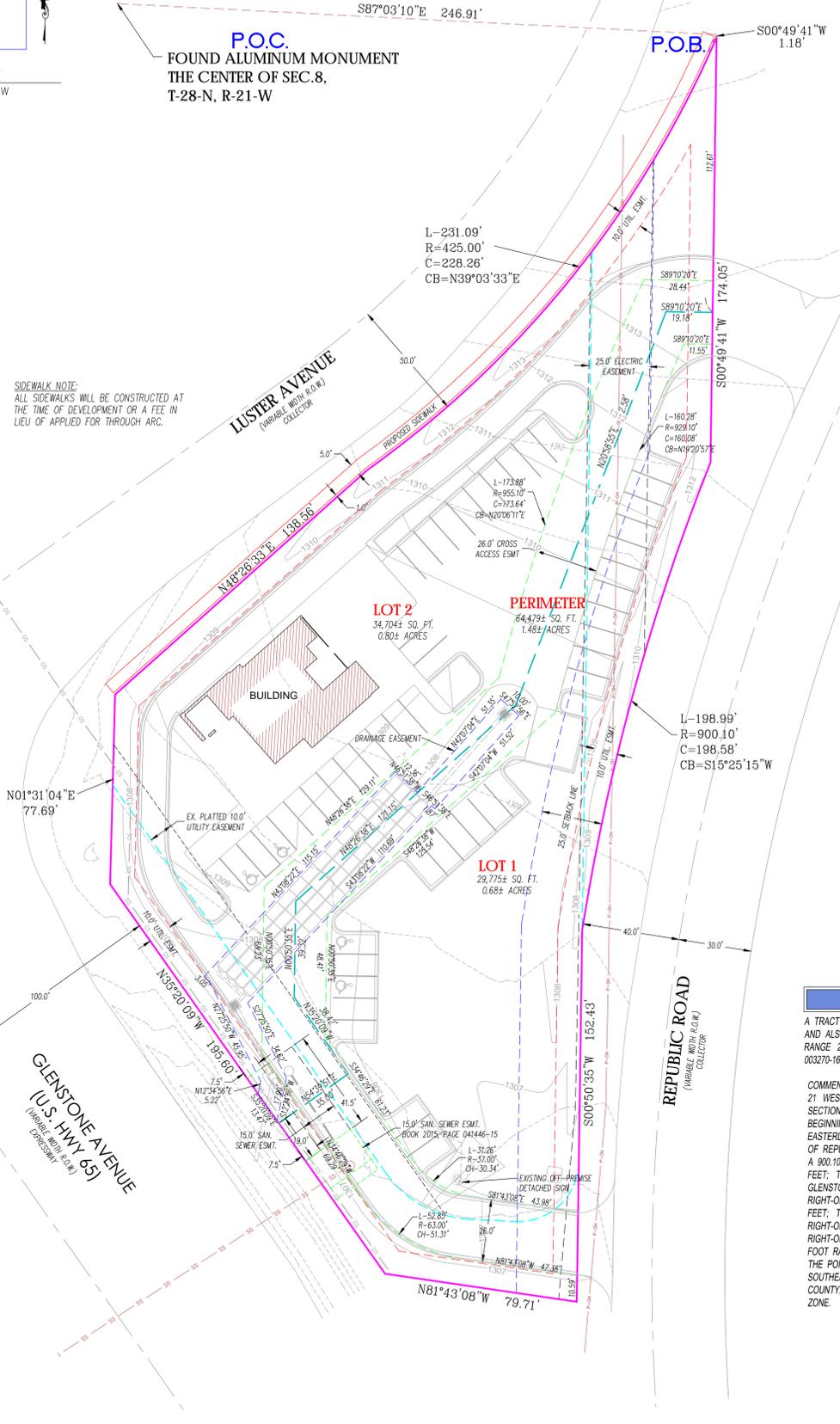
FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 2907203344E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

LEGEND OF SYMBOLS AND ABBREVIATIONS

④	INTERNAL ANGLE # (SEE TABLE)	WV	WATER VALVE
—SS—	SANITARY SEWER LINE	GV	GAS VALVE
—E—	OVERHEAD ELECTRIC	WM	WATER METER
—G—	GAS LINE	TR	TELEPHONE RISER
—W—	WATER LINE	ER	ELECTRIC RISER
—UT—	UNDERGROUND TELEPHONE	RD	ROOF DRAIN
—UE—	UNDERGROUND ELECTRIC	TRANS	TRANSFORMER PAD
—X—	FENCE LINE	MH	SANITARY MANHOLE
⊙	FIRE HYDRANT	RWM	RIGHT-OF-WAY MARKER
⊙ LP	LIGHT POLE	IP	FOUND IRON PIN
P.O.C.	POINT OF COMMENCEMENT	OP	SET IRON PIN
—	MEASURED 100' M	P.O.B.	POINT OF BEGINNING
—	DEED 100' D	⊙	GROUND LIGHT
—	RECORD 100' R	⊙	PERMANENT MONUMENT
		⊙	KEY NOTES

SIDEWALK NOTE:
ALL SIDEWALKS WILL BE CONSTRUCTED AT THE TIME OF DEVELOPMENT OR A FEE IN LIEU OF APPLIED FOR THROUGH ARC.



STATE PLANE COORDINATE THE MISSOURI COORDINATE SYSTEM 1983

CONTROL STATION:	GR-06 RESET	NORTHING - 147168.877 (M)	EASTING - 432226.647 (M)
	GR-37	NORTHING - 145149.372 (M)	EASTING - 433369.156 (M)
		GRID FACTOR - 0.9999313	GRID FACTOR - 0.9999309

COORDINATES EXPRESSED IN METERS.

ZONING DATA

SUBJECT PROPERTY IS ZONED HC (HIGHWAY COMMERCIAL DISTRICT)

MAXIMUM STRUCTURE HEIGHT: NONE, EXCEPT THAT ALL STRUCTURES SHALL REMAIN BELOW A THIRTY DEGREE BULK PLANE AS MEASURED FROM THE BOUNDARIES OF R-S OR R-TH.

MINIMUM YARD REQUIREMENTS:
FRONT YARD: 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 5-1300.
SIDE YARD: NONE, EXCEPT AS REQUIRED BY SECTION 5-1300.
REAR YARD: NONE, EXCEPT AS REQUIRED BY THE BUFFERYARD REQUIREMENTS IN SUBSECTION 4-3208.

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
EXPRESSWAY	(GLENSTONE AVE.) 65 FEET PLUS REQUIRED YARD SETBACK
COLLECTOR	(LUSTER AVE & REPUBLIC RD) 30 FEET PLUS REQUIRED YARD SETBACK

SURVEY DESCRIPTION

A TRACT OF LAND AS BEING A PART OF THE FINAL PLAT OF FLOWERLAND AS DESCRIBED IN PLAT BOOK DD, PAGE 29 AND ALSO LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 28 NORTH, RANGE 21 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2016, PAGE 003270-16 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 28, NORTH, RANGE 21 WEST; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, SOUTH 87°03'10" EAST, 246.91 FEET; THENCE SOUTH 00°49'41" WEST, 1.18 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING AT THE SOUTHERLY RIGHT-OF-WAY OF LUSTER AVENUE; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, SOUTH 00°49'41" WEST, 174.05 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF REPUBLIC ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, 198.99 FEET ALONG A 900.10 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 15°25'15" WEST FOR A DISTANCE OF 198.58 FEET; THENCE SOUTH 00°50'35" WEST, 152.43 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF GLENSTONE AVENUE; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 81°43'08" WEST, 79.71 FEET; THENCE NORTH 35°20'09" WEST, 195.60 FEET; THENCE NORTH 01°31'04" EAST, 77.69 FEET TO A POINT LYING ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY OF LUSTER AVENUE; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 48°28'33" EAST, 138.56 FEET; THENCE 231.09 FEET ALONG A 425.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 39°03'33" EAST FOR A DISTANCE OF 228.26 FEET TO THE POINT OF BEGINNING, CONTAINING 1.48 ACRES, MORE OR LESS, ALL LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CERTIFICATE OF APPROVAL BY THE PLANNING BOARD
APPROVED THIS ____ DAY OF _____, 20____, BY THE PLANNING BOARD OF GREENE COUNTY, MISSOURI.

KENT D. MORRIS, AICP, DIRECTOR

DEDICATION
SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON. ALL STREETS, EASEMENTS AND ACCESS LIMITATIONS ARE RELINQUISHED AND DEDICATED TO THE PUBLIC, IN WITNESS WHEREOF, _____ (CORPORATE OFFICER) OF THE PROPERTY DESCRIBED HEREON, CAUSED THIS PLAT TO BE SIGNED THIS ____ DAY OF _____, 20____.

DATE OF EXECUTION _____ SIGNED _____ NO SEAL
TITLE _____
PRINT NAME _____

ACKNOWLEDGMENT
STATE OF MISSOURI) SS
COUNTY OF GREENE)

ON THIS ____ DAY OF _____ IN THE YEAR 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____ TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE _____ OF _____, A LIMITED LIABILITY COMPANY OF THE STATE OF _____ AND THAT SAID DOCUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS _____ AND SAID _____ ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC: _____ "NOTARY SEAL"
PRINT NAME: _____

SURVEYOR'S CERTIFICATE
KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KEVIN L. LAMBETH DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED JULY 21, 2016 AND SIGNED BY KEVIN L. LAMBETH, PLS NO. 2695 AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KEVIN L. LAMBETH, PLS NO. 2695 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DATE OF LAST REVISION JULY 22, 2016.

ANDERSON ENGINEERING, INC. LC 62 BY:

KEVIN L. LAMBETH, PLS NO. 2695
PROFESSIONAL LAND SURVEYOR
STATE OF MISSOURI
NUMBER LS-2695
8-22-2016
DATE PREPARED

PREPARED BY
KEVIN L. LAMBETH, PLS
ANDERSON ENGINEERING, INC.
2045 W. WOODLAND
SPRINGFIELD, MO. 65807

OWNER AND DEVELOPER
WISDOM, LLC
3830 N. BOONVILLE AVENUE
SPRINGFIELD, MO. 65806

COA #000692

2045 W. WOODLAND
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778

AE ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS - SURVEYORS - LABORATORIES - CONSULTING

FIELD: BH	DATE: 7-21-2016	WB 110-649 SHT. 1 OF 1 REV. _____
DRAWN: BAC	FIELD BK:	
CHECKED: KLL	JOB NO: 10128-16	