



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: October 13th, 2016
Time: 6:30 p.m.

Members: Jason Ray (Chairman), Randall Doennig (Vice-Chairman), Matt Edwards, Melissa Cox, David Shuler, Andrew Cline, King Coltrin, Dee Ogilvy, and Cameron Rose

1. ROLL CALL

2. APPROVAL OF MINUTES

September 1st

Documents:

[PZ MINUTES 9-1-2016.PDF](#)

3. COMMUNICATIONS

Community Planning Month Proclamation

Documents:

[COMMUNITY PLANNING MONTH PROCLAMATION.PDF](#)

City Council - September 6th

Documents:

[NA09-06-16.PDF](#)

City Council - September 19th

Documents:

[NA09-19-16.PDF](#)

City Council - October 3rd

Documents:

[NA10-03-16.PDF](#)

4. UNFINISHED BUSINESS

5. Z-12-2016 W/COD #111

2832 East Sunshine Street, Robert L. O'Block, Trust

Documents:

[Z-12-2016 REQUEST TO TABLE REVISED.PDF](#)

6. CONSENT ITEMS

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

7. Request To Acquire 516

614 West Division Street, City Utilities

Documents:

[ACQUIRE 516.PDF](#)

8. Relinquishment Of Easement 841

2020 East Battlefield Road, Evangel Temple Christian Center

Documents:

[RE 841.PDF](#)

9. PUBLIC HEARINGS

10. Z-15-2016

404-420 East Madison Street & 802 South Jefferson Avenue

Ken E. Porter, John B. Duncan, T & N Investments, LLC

Documents:

[Z-15-2016 REQUEST TO TABLE.PDF](#)

11. Z-16-2016 W/COD #113

519, 525, & 529 East Cherry Street, Jason Murray

Documents:

[Z-16-2016 COD 113 SR MLS.PDF](#)

12. OTHER BUSINESS

13. Utility Substation Facilities Amendments

Citywide, City of Springfield

Documents:

[UTILITY SUBSTATION FACILITIES AMENDMENTS MLS.PDF](#)

14. Initiate Transfer Of Development Rights Amendments

Citywide, City of Springfield

Documents:

[INITIATE MULTIPLE TEXT AMENDMENTS MLS.PDF](#)

15. Initiate Floor Area Ratio And Maximum Building Coverage Amendments

Citywide, City of Springfield

Documents:

[INITIATE MULTIPLE TEXT AMENDMENTS MLS.PDF](#)

16. Initiate Off-Street Parking For Food Convenience Stores Amendments

Citywide, City of Springfield

Documents:

[INITIATE MULTIPLE TEXT AMENDMENTS MLS.PDF](#)

17. ADJOURN

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

September 1, 2016
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session September 1, 2016 in the City Council Chambers. Vice Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randy Doennig (Vice Chair), David Shuler, Melissa Cox, King Coltrin, and Dee Ogilvy. Absent: Matthew Edwards, Cameron Rose, Jason Ray, and Andrew Cline

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director, Planning and Development, Nicholas Woodman, Asst. City Attorney, Tom Rykowski, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer, Julie Hawkins, Public Works Project Engineer, and Chris Dunnaway, Public Works Principal Engineer

Minutes: The minutes of August 4, 2016 were approved unanimously.

COMMUNICATIONS :

Mr. Hosmer reported on the August 8, 2016 City Council meeting actions.

UNFINISHED BUSINESS:

Vacation 785
2400 blk East Granite Springs Street
Applicant: Mark and Mary Eck

Mr. Hosmer states that this is a request to vacate all of Riverbluff Boulevard (formerly platted as Granite Springs Street) right-of-way in the Granite Springs Phase 1 final plat.

A street was never constructed within this right-of-way. City Council passed Special Ordinance No. 26761 on July 11, 2016 approving the mapping of the East West Arterial. The location of the East West Arterial mapping was determined to be further south of the subject right-of-way. A street is not planned to be located within the subject right-of-way. Twenty-two (22) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received any comments. The applicant held a neighborhood meeting on July 26, 2016 regarding the vacation request. The requested vacation meets the approval criteria listed in Attachment 2. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mark Eck, 1134 E. 24th Street; Tulsa, OK here for the request of the application.

Mr. Brian McTague, 6328 S. Ridge Crossing, Ozark, MO is curious what is the timeline and what it means for the residents affected.

Mr. Hosmer noted that the vacation of the right-of-way (ROW) will go back to the property that had dedicated the right-of-way and the timeline for the East West Arterial is a five (5) year limitation.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms Cox motioned that we approve Vacation 785 (2400 blk East Granite Springs Street). Ms Ogilvy 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.

NEW BUSINESS :

CONSENT ITEMS :

Relinquishment of Easement 838
1031 South Wabash Avenue
Applicant: Valscott Properties, LLC

Relinquishment of Easement 839
3000 blk North Oakland Avenue
Applicant: Spring Meadows Estates

COMMISSION ACTION:

Ms Cox motioned that we approve consent items Relinquishment of Easement 838 (1031 South Wabash Avenue) and Relinquishment of Easement 839 (3000 blk North Oakland 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.

PUBLIC HEARINGS:

Z-11-2016 w/COD #112
1811 East Sunset Drive
Applicant: 1811 E. Sunset, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.6 acre of property generally located at 1811 East Sunset Drive from Planned Development No. 97 to a LB, Limited Business District and establishing Conditional Overlay District No. 112. The Growth Management and Land Use Plan of the Comprehensive Plan designate this area as appropriate for medium-intensity retail, office and residential uses. Office and Limited Business Districts are two of the zoning districts recommended in this area.

The applicant is proposing to rezone the property to facilitate the redevelopment of the site for a new retail/office building. Planned Development No. 97 currently only permits administrative and professional offices-- finance, insurance, real estate services, medical offices and medical support activities.

CONDITIONAL OVERLAY DISTRICT PROVISIONS:

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

Prohibits the following permitted uses:

- Eating and drinking establishment use group, excluding drive-in, pick up window, or drive-thru facilities.

Prohibits the following conditional uses:

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

The applicant has retained the retail sales use group, including convenience stores without gas pumps and any other retail sales.

The addition of a retail sales use could potentially create additional traffic safety and congestion within this area. Staff does not support (LB District) retail sales uses at this location because of its access restraints, lot configuration and proximity to R-SF, properties. Staff does support O-1; Office District which is similar to the uses in the existing PD. Staff recommends denial.

Mr. Doennig opened the public hearing.

Mr. Rick Muenks, 3041 S. Kimbrough handed out a letter to the commission members. I am the owner/representative and represent the contracted buyer. The contracted buyer desires to construct a State Farm office and have additional lease space which may be office or retail. He wants to keep that option open and have the flexibility due to Glenstone Avenue. The site is small and will not be able to hold large retail, however it can support small retail, such as a boutique shop, etc., and this is why they are asking for the zoning change. Mr. Muenks went over the documentation that he has passed out to the commission members.

Mr. Coltrin asked Mr. Muenks about possible traffic backing up from the proposed plans and noted the problems that are currently there due to the number of vehicles turning in and out at the intersection.

Mr. Doennig asked about the additional right-of-way (ROW) improvements that are available and asked if the proposed buyer will be making any improvements to the intersection and Mr. Muenks noted that the proposed buyer will not make any improvements.

Ms. Cox asked for clarification and asked if State Farm's best interest would be for recommendation to Office District 1 (O-1) due to the proposed buyer not wanting to make any improvements to the intersection. Mr. Muenks noted that it has been discussed with staff on their recommendation for Office District 1 (O-1).

Ms. Cox noted that the current zoning would not work, but for the immediate timeframe that possibly Office District 1 (O-1) could be recommended and that possible future improvements could be looked at in the future.

Mr. Muenks noted that the proposed buyer would probably be okay with Office District 1 (O-1) for the immediate timeframe.

Mr. Doennig closed the public hearing.

Mr. Coltrin noted that this is a difficult decision and feels that Office District 1 (O-1) would be a step in the right direction.

Ms. Cox asked staff if the Commission can make a recommendation for Office District 1 (O-1) and would like to make a motion that addresses the concerns of the client, but appeases both sides of the issue.

Staff clarified that the Commission can make a recommendation for Limited Business (LB) or Office District 1 (O-1) and that during LDIC staff recommended straight Office District zoning with no limitations which allows retail but not to exceed 10% of the total office space.

COMMISSION ACTION: 1

Mr. Doennig motioned to approve Z-11-2016 w/COD #112 (1811 East Sunset Drive). Ms Cox seconded the motion. The motion **did not carry** as follows: Ayes: Ogilvy. Nays: Doennig, Shuler, Cox, and Coltrin. Abstain: None. Absent: Ray, Cline, Edwards, and Rose.

COMMISSION ACTION: 2

Ms. Cox motioned that Commission amend Z-11-2016 w/COD #112 (1811 East Sunset Drive) to Office District 1 (O-1). 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.

Z-12-2016 w/COD #111
2832 East Sunshine Drive
Applicant: Robert L. O'Block, Trust

The applicant's representative has requested that this case be tabled and placed on the Planning and Zoning Commission meeting for the October 13, 2016. Staff recommends approval.

COMMISSION ACTION:

Ms. Cox motioned that we table Z-12-2016 w/COD #111 (2832 East Sunshine Drive) to the next meeting (October 13, 2016). 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.

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.

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.

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.

OTHER BUSINESS :

Initiate Utility Substation Facilities
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to initiate a text amendments to Section 36-303. (30) (b) Utility Substations Facilities.

Staff is requesting amendments to the design standards of utility substation facilities. The current requirements state that if a utility substation facility building, fence or wall is painted that neutral colors shall be used. Staff believes there are situations where alternate colors may be appropriate and proposes to modify this section of the Zoning Ordinance to remove the paint color requirement. Staff requests that Commission initiate amendments to the Zoning Ordinance. If approved Staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at both the Commission and the City Council. Staff recommends approval.

COMMISSION ACTION:

Ms Cox motioned that we approve Initiate Utility Substation Facilities (Citywide). Mr. Doennig 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.

COMMUNITY PLANNING MONTH PROCLAMATION

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners (AICP), endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our city and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of the Planning and Zoning Commission and other citizen planners who have contributed their time and expertise to the improvement of the City of Springfield; and

WHEREAS, we recognize the many valuable contributions made by professional city planners of the City of Springfield and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, the City of Springfield, Missouri Planning and Zoning Commission does hereby proclaim, the month of October 2016 as **Community Planning Month** in the City of Springfield in conjunction with the celebration of National Community Planning Month.

IN WITNESS WHEREOF, I have hereunto set our hands and have caused the City of Springfield, Missouri, Planning and Zoning Commission, to be affixed this 13th day of October, 2016.

Jason Ray, Chairperson

Randy Doennig, Vice Chairperson



Noted Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

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

General Councilmembers

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

Upcoming Council Meeting Agenda September 6, 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.

Approved
as
Presented

2. APPROVAL OF MINUTES. August 22, 2016 - Regular, August 23, 2016 - Special, and August 30, 2016 - Special.

Approved
as
Amended

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.

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

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

26790 7. Council Bill 2016-196. (Schilling)

A special ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2017.

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.

6302

8. Amended Council Bill 2016-197. (Hosmer)

A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article III, Division VI, Section 36-483 related to off-street parking area design standards to allow alternative residential off-street parking surfaces.

6303

9. Council Bill 2016-198. (Fulnecky)

A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article II, Division IV, Section 36-247 related to Subdivision Regulations to modify lot dimension and location requirements.

6304

10. Council Bill 2016-199. (Schilling)

A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, known as the Land Development Code, Article II, Division I, by adding a new section concerning proposed amendments entitled "Amendments" thereto, said section to be Section 36-214.

26791

11. Council Bill 2016-200. (McClure)

A special ordinance authorizing an Amended and Restated Plan for an Industrial Development Project and Cost Benefit Analysis for, and a First Amendment to Performance Agreement with, Kraft Heinz Foods Company, related to \$26,000,000 (Aggregate Maximum Principal Amount) City of Springfield, Missouri, Industrial Development Revenue Bonds (Kraft Foods Group, Inc. Project) Series 2012.

6305

12. Council Bill 2016-201. (McClure)

A general ordinance amending Springfield City Code Chapter 74, Nuisance and Housing Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

26792

13. Council Bill 2016-202. (Stephens)

A special ordinance approving the plans and specifications for the College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College and Broadway West Extension project, Plan No. 2016PW0005WTE; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$1,145,608.00 for these projects; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

14. RESOLUTIONS.

Removed
from
Consent
Agenda-
One
Reading
Bills

14.5 Council Bill 2016-215. (McClure)

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

10284

Removed from Consent Agenda-One Reading Bills
10285

14.75 Council Bill 2016-216. (Fisk)

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC, located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

15. EMERGENCY BILLS.

16. PUBLIC IMPROVEMENTS.

17. GRANTS. Citizens May Speak. May Be Voted On.

26793

18. Council Bill 2016-209. (Stephens)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept a grant from the Missouri Foundation for Health; to support activities aimed at assessing community mental health as well as an action plan to help the Springfield community take the next steps in addressing the myriad challenges that citizens with mental health concerns present; and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2016-2017 in an amount not to exceed \$1,000,000, to appropriate grant funds.

19. AMENDED BILLS.

20. COUNCIL BILLS FOR PUBLIC HEARING.

21. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

22. Council Bill 2016-210. (Burnett)

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.

Removed and Remanded to Finance and Administration Committee

23. Council Bill 2016-211. (McClure, Hosmer, Fulnecky, and Schilling)

A general ordinance amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers. (The Finance and Administration Committee recommends approval.)

24. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

25. NEW BUSINESS.

26. UNFINISHED BUSINESS.

27. MISCELLANEOUS.

28. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

29. Council Bill 2016-212. (Ferguson)

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.

30. Council Bill 2016-213. (Burnett)

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

31. Council Bill 2016-214. (Ferguson)

A special ordinance approving the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

CONSENT AGENDA – ONE READING BILLS. See Item #3.

Moved to
Resolutions

32. Council Bill 2016-215. (McClure)

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

Moved to
Resolutions

33. Council Bill 2016-216. (Fisk)

A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC, located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

10286

34. Council Bill 2016-217. (Fulnecky)

A resolution authorizing the City Manager, or his designee, to apply for a grant in the amount of \$9,960.00 from the Missouri Department of Conservation to support native plant establishment and enhancement on the traffic islands at Sunset Street and Grant Avenue, and Sunset Street and Fort Avenue.

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

26794

36. Council Bill 2016-204. (Fishel)

A special ordinance authorizing the City Manager, or his designee, to enter into a License Agreement with Environmental Works, Inc., to install and maintain one monitoring well on a public right-of-way at the Kum & Go, L.L.C., located at 3030 South Jefferson Avenue, to monitor groundwater conditions at no cost to the City.

26795

37. Council Bill 2016-205. (Ferguson)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Environmental Works, Inc., to install and maintain eight monitoring wells on public right-of-ways to monitor groundwater conditions at no cost to the City.

Confirmed

38. Confirm the following appointment to the Public Housing Authority: Cheryl Clay with term to expire April 11, 2018.

POSSIBLE ADDITION:

Added and
Confirmed

Confirm the following appointment to the Art Museum Board: Bill Hedrick with term to expire June 1, 2019.

39. END OF CONSENT AGENDA.

40. ADJOURN.



Noted Agenda City Council Meeting

**City Council Chambers
Historic City Hall, 830 Boonville**

Robert Stephens, Mayor

Zone Councilmembers

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

General Councilmembers

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

Upcoming Council Meeting Agenda September 19, 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 6, 2016**
- 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.**
- 5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**
- 6. SECOND READING AND FINAL PASSAGE.**
- 7. RESOLUTIONS. Citizens May Speak. May Be Voted On.**
- 10287 8. Council Bill 2016-218. (Schilling)**

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.

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.

Approved
as
Presented
Approved
as
Presented

9. EMERGENCY BILLS.

10. PUBLIC IMPROVEMENTS. Citizens May Speak. May Be Voted On.

26796

11. Council Bill 2016-219. (Fisk)

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.

12. GRANTS.

13. AMENDED BILLS.

14. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

15. 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.)

Removed
from
Agenda

16. Council Bill 2016-221. Substitute No. 1. (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 LB, Limited Business District Conditional Overlay District No. 112; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend denial).

Amended

17. 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.)

18. 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). (John Peterson; 1606 East Blaine Avenue; Z-14-2016 & Conditional Overlay District No. 110.)

19. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

20. Council Bill 2016-210. (Stephens) Due to the Zone 2 Vacancy, This Bill Is Being Republished With New Sponsorship. Citizens May Speak. Not Anticipated To Be Voted On.

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.

21. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

22. NEW BUSINESS.

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

23. UNFINISHED BUSINESS.

24. MISCELLANEOUS.

25. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

26. Council Bill 2016-213. (Stephens) Due to the Zone 2 Vacancy, This Bill Is Being 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.

27. 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).

28. CONSENT AGENDA – ONE READING BILLS. See Item #3.

Note: Will Be Voted on at Special City Council Meeting September 27, 2016

Removed from Agenda

26797 29. Council Bill 2016-224. (McClure)

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.

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

26798 31. Council Bill 2016-212. (Ferguson)

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.

26799 32. Council Bill 2016-214. (Ferguson)

A special ordinance approving the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

33. END OF CONSENT AGENDA.

34. ADJOURN.



Noted 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 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.

Approved
as
Presented

2. APPROVAL OF MINUTES. September 19, 2016 – Regular, September 20, 2016 – Special, and September 27, 2016 - Special

Approved
as
Presented

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.

Sworn In

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.

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.

6306

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.)

6307

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.)

Failed

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.)

10. RESOLUTIONS.

11. EMERGENCY BILLS.

12. PUBLIC IMPROVEMENTS.

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

26801

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.

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.

19. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Did Not
Appear

Ms. Madison Weiler wishes to address City Council.

20. NEW BUSINESS.

Recommended

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.

Recommended

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.

Recommended

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.

25. CONSENT AGENDA – ONE READING BILLS. See Item #3.

10288

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.

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

26802 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.

26803 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).

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.

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

DATE: October 6, 2016

TO: Planning and Zoning Commission

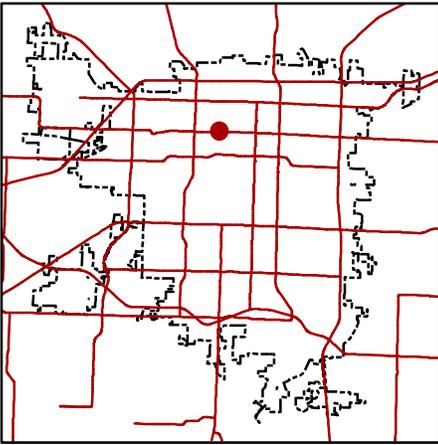
FROM: Daniel Neal
Senior Planner

SUBJECT: Zoning Case Z-12-2016 at 2832 E. Sunshine Street

The applicant's representative has requested that this case be tabled and be placed on the Planning and Zoning Commission meeting on November 10th.

Development Review Staff Report

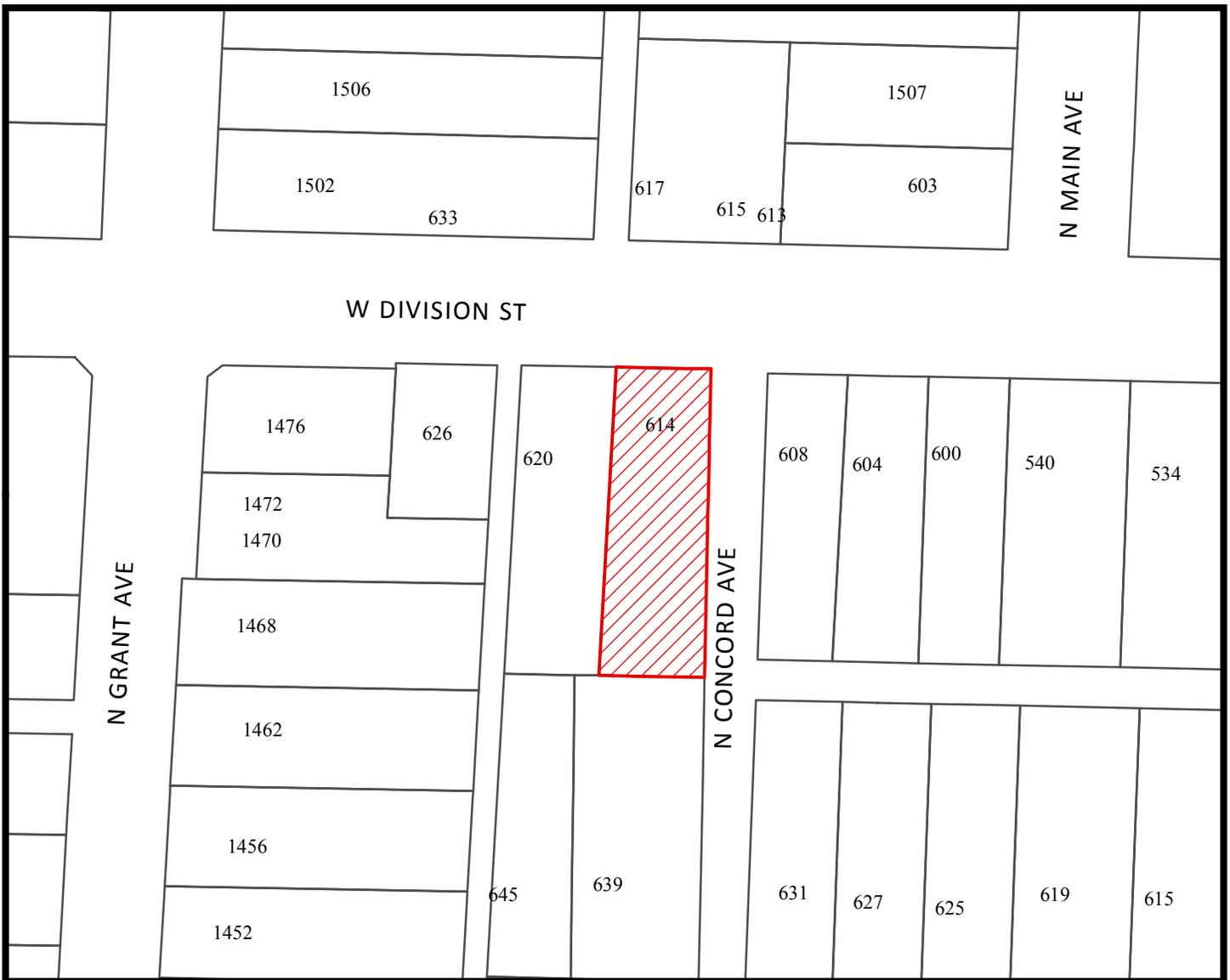
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



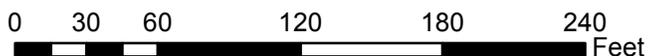
Acquisition 516

LOCATION: 614 W. DIVISION STREET

LOCATION SKETCH



 - Area of Proposal



1 inch = 80 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO ACQUIRE NO. 516

DATE: September 23, 2016
LOCATION: 614 W. Division Street
APPLICANT: City Utilities of Springfield
EXISTING USES: Undeveloped
RECOMMENDATION: This request be **approved**.

FINDINGS:

The request is consistent with the Planning and Zoning Commission's land acquisition policy.

STAFF CONTACT PERSON:

Alyssa Ahner
Assistant Planner

ATTACHMENT 1
BACKGROUND REPORT
REQUEST TO ACQUIRE NUMBER 516

APPLICANT'S PROPOSAL:

City Utilities proposes to acquire a property located at 614 W. Division Street. The property has an existing 69kv electric line running over it. The electric easement was granted as aerial only in 1971. The line was over an existing residence on property. The residence was removed a year ago. The property is now for sale as a vacant lot. City Utilities became aware of this sale and to ensure public safety in the future, decided to purchase the lot. This will allow City Utilities to maintain this high voltage electric line and prevent any future construction on the lot.

STAFF COMMENTS:

Approval will allow for the productive use of the property by granting City Utilities access to maintain public utilities.

The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the acquisition of property and the process for appeal of such decision:

"In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership."

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to City Council and the Board of Public Utilities.

ATTACHMENT 2
REQUEST TO ACQUIRE NUMBER 516
LAND ACQUISITION POLICY

The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant's response to that section.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.

RESPONSE:

The proposed use of this property is generally consistent with the "Growth Management and Land Use Plan". The proposed use corresponds with Objective 12 of the plan, "Invest in public facilities so as to maximize their impact, minimize duplication and advance the other Objectives of Vision 20/20" giving priority to "maintenance of and reinvestment in streets, parks, utilities and other City and County facilities".

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.

RESPONSE:

The property is currently undeveloped and will remain undeveloped in order to allow continued access to maintain the high voltage electric line.

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.

RESPONSE:

No structures exist on the property.

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

No structures exist on the property.

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

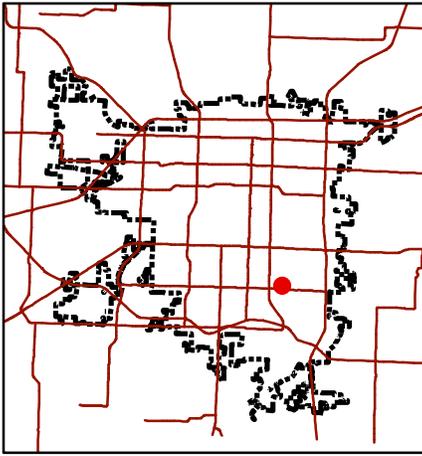
No structures exist on the property.

EXHIBIT A
REQUEST TO ACQUIRE NUMBER 516
LEGAL DESCRIPTION

ALL OF LOT ELEVEN (11), YOUNGBLOOD'S ADDITION TO THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI.

Development Review Staff Report

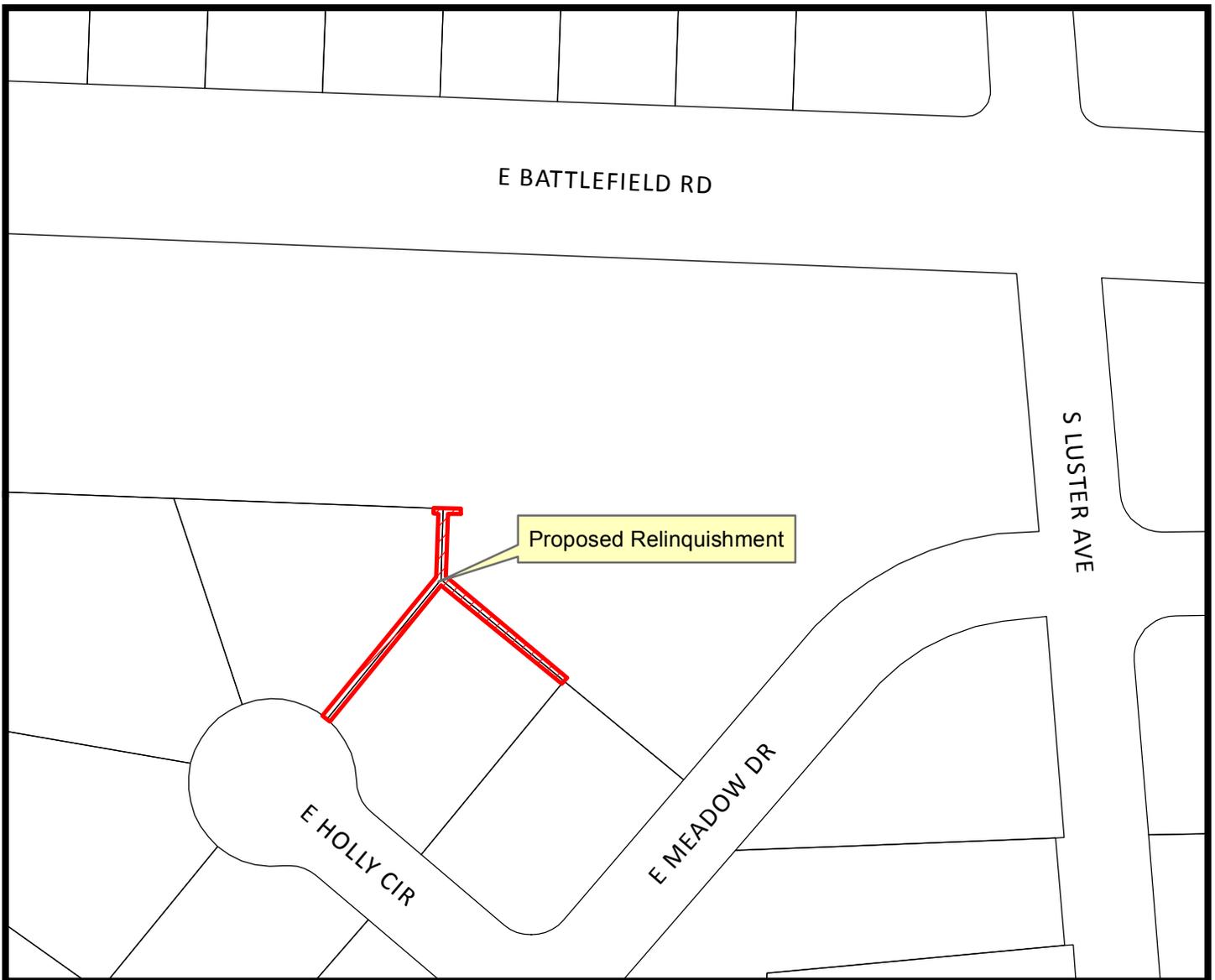
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Relinquish Easement 841

LOCATION: 2020 Battlefield Rd

LOCATION SKETCH



- Area of Proposal



1 inch = 95 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 841

PURPOSE: To relinquish an utility easement

REPORT DATE: September 26, 2016

LOCATION: 2020 E. Battlefield Road

APPLICANT: Evangel Temple Assembly of God of Springfield

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alyssa S. Ahner
Assistant City Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 841
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an utility easement in order to facilitate the development of an addition to the current building. Utilities (AT&T, Mediacom, and City Utilities) have been relocated in advance.

CITY UTILITY COMMENTS:

Recommend approval of the relinquishment. City Utilities is working with the property owner on re-routing the electric to keep power to the existing building.

CLEAN WATER SERVICES COMMENTS:

There is no impact on public sewer.

AT&T COMMENTS

AT&T facilities have been removed from this easement. No objection to relinquishment.

STAFF COMMENTS:

1. The applicant is requesting to relinquish an utility easement due to the proposed building addition encroaching over the current easement. The subject easement is located inside of the city limits.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 841
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 841
EXHIBIT 1

UTILITY EASEMENT TO BE VACATED DESCRIBED AS FOLLOWS:

ALL THAT PART OF LOTS 1, 2, 3, & 4, GREEN MEADOWS, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2;

THENCE S41°44'20"W, ALONG THE EAST LINE OF SAID LOT 2, 5.00 FEET;

THENCE N48°18'10"W, LEAVING SAID EAST LINE, 180.15 FEET;

THENCE S41°41'50"W, 105.39 FEET TO A POINT ON THE RIGHT OF WAY OF HOLLY CIRCLE;

THENCE NORTHWESTERLY 10.02 FEET ALONG A 50.00 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N48°20'17"W, 10.00 FEET;

THENCE N41°41'50"E, LEAVING SAID RIGHT OF WAY LINE, 108.66 FEET;

THENCE N03°29'41"E, 29.25 FEET;

THENCE N86°27'57"W, 10.81 FEET;

THENCE N03°32'03"E, 10.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4;

THENCE S86°27'57"E, ALONG THE NORTH LINE OF SAID LOTS 4 AND 1, 50.00 FEET;

THENCE S03°14'46"W, LEAVING SAID NORTH LINES, 10.00 FEET;

THENCE N86°27'57"W, 29.24 FEET;

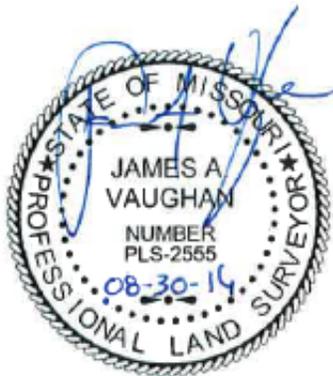
THENCE S03°29'41"W, 28.56 FEET;

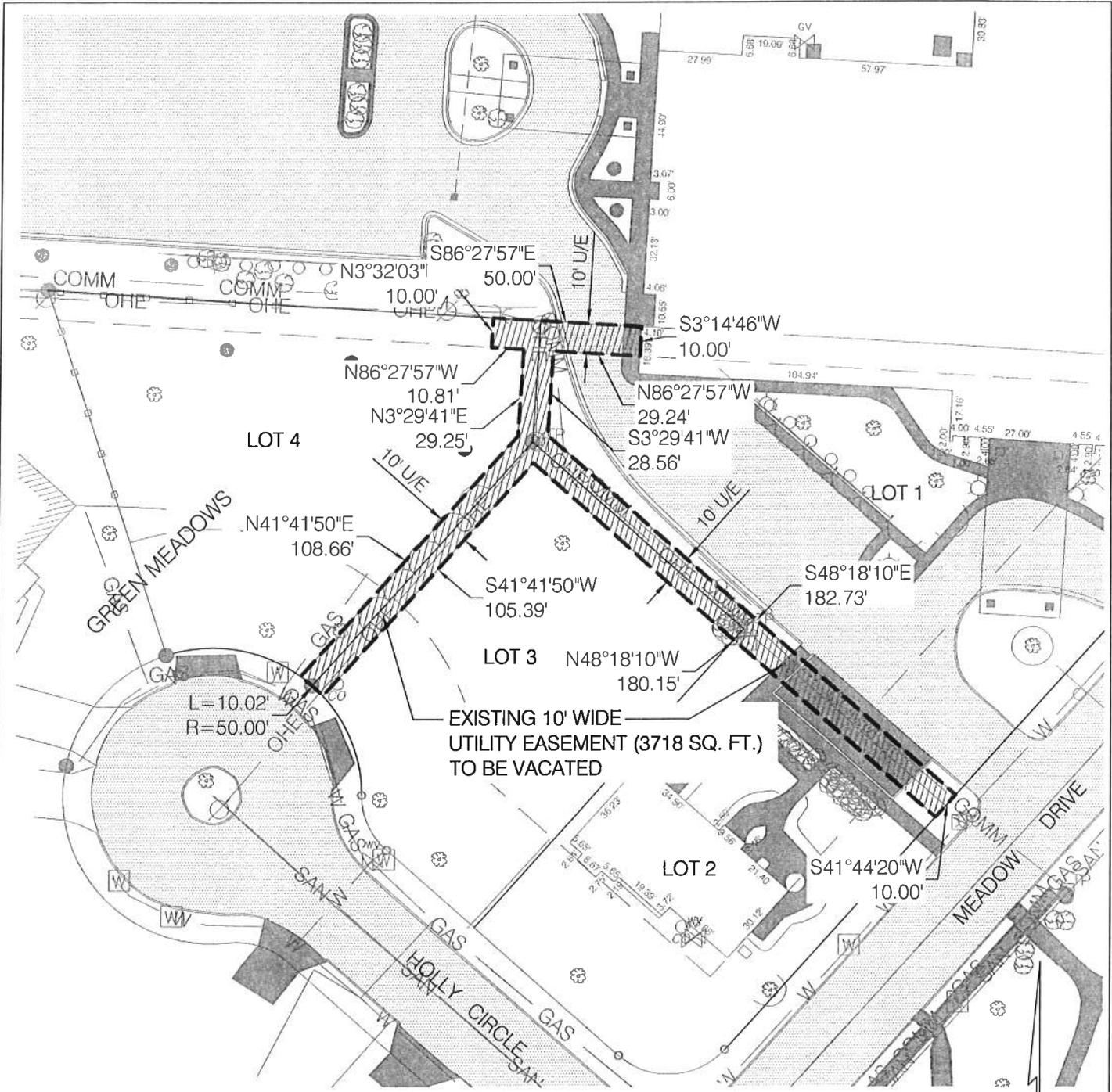
THENCE S48°18'10"E, 182.73 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;

THENCE S41°44'20"W, ALONG SAID EAST LINE, 5.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3718 SQUARE FEET.

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





GRID NORTH
 MISSOURI COORDINATE SYSTEM
 1983 CENTRAL ZONE
 SCALE 1"=50'

THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF A UTILITY EASEMENT TO BE VACATED. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SKETCH EXHIBIT "B"
 EVANGEL TEMPLE ASSEMBLY OF GOD
 UTILITY EASEMENT VACATION
 PART OF LOTS 1, 2, 3 & 4
 GREEN MEADOWS
 & PART OF THE SW 1/4 OF S 5, T 28 N, R 21 W
 CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

5051 S. National Avenue
 Springfield, MO 65810
 Tel: 417.889.3400
 Fax: 417.889.3402

CJW Transportation Consultants, L.L.C.
 www.GoCJW.com

CJW PROJECT No. 14094

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

DATE: October 11, 2016

TO: Planning and Zoning Commission

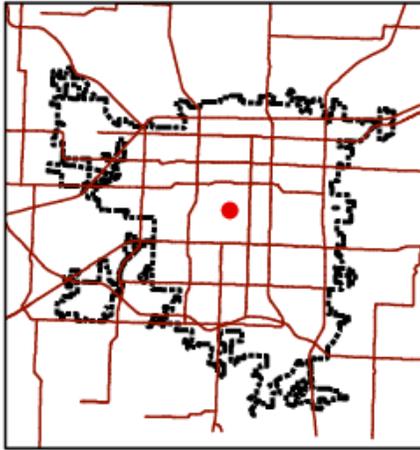
FROM: Michael Sparlin
Senior Planner

SUBJECT: Zoning Case Z-15-2016 at 404, 410, 412, 416, 420 East Madison Street
and 802 South Jefferson Avenue

The applicant's representative has requested that this case be tabled and be placed on the Planning and Zoning Commission meeting on November 10th.

Development Review Staff Report

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



Z-15-2016

LOCATION: 404, 410, 416 & 420 East Madison Street
& 802 South Jefferson Avenue

CURRENT ZONING: R-HD, High Density Multi-Family Residential

PROPOSED ZONING: R-HD, High Density Multi-Family Residential with UN, University Combining Overlay District

LOCATION SKETCH



- Area of Proposal



1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-15-2016

PURPOSE: To rezone approximately 0.55 acres of property generally located at 404, 410, 412, 416, 420 East Madison Street and 802 South Jefferson Avenue from a R-HD, High Density Multi-Family Residential District to a R-HD, High Density Multi-Family Residential District with a UN, University Combining Overlay District

REPORT DATE: September 29, 2016

LOCATION: 404, 410, 412, 416, 420 East Madison Street and 802 South Jefferson Avenue

APPLICANT: Ken E. Porter, John B. Duncan, & T&N Investments LLC

TRACT SIZE: Approximately 0.55 acres

EXISTING USE: Duplex housing and Single-family housing

PROPOSED USE: Uses permitted in the R-HD, High Density Multi-Family Residential District with UN, University Combining Overlay District

FINDINGS FOR STAFF RECOMMENDATION:

1. This request is consistent with the recommendations of the *Growth Management and Land Use Plan*, which identifies Center City and the MSU campus and surrounding area as a major Activity Center and is located within an area of redevelopment as MSU continues to grow and expand.
2. Approval of this request will provide for a more diverse type of student housing to serve the MSU campus.
3. The proposed project is consistent with other redevelopment projects within the area to provide additional housing.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD	Multi-Family residential housing
East	R-HD	Multi-Family residential housing
South	R-HD	Public School
West	R-HD	Multi-Family residential housing

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies Center City and Missouri State University and surrounding area as a major Activity Center, which is to be a location of employment, housing, business and entertainment.

STAFF COMMENTS:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies Center City and Missouri State University and surrounding area as a major Activity Center, which is to be a location of employment, housing, business and entertainment. Missouri State University and related development have experienced significant growth since the activity center map was adopted. The subject property is located west of the main campus which is an area, along with areas to the north, that has been the focus of redevelopment for student housing and is a logical area for continued redevelopment as MSU continues to grow and expand.
2. The applicant is requesting to rezone the subject property to add the UN, University Combining Overlay District to the existing R-HD, High Density Multi-Family Residential District zoning. The UN district is an overlay district intended to be used in combination with any one of the multifamily residential districts. The principal function of the district is to permit in multifamily residential districts abutting colleges and universities the establishment of the types of uses which cluster about a university, but which are not located on university property. The overlay district provides for increased densities for student housing in multi-family districts in proximity to colleges and universities without disturbing density in those multi-family residential districts when they are located elsewhere.
3. The applicant has submitted this application in conjunction with a Redevelopment Plan for the Elm House Redevelopment Area. The applicant intends to develop the property with housing to serve Missouri State University students which may include fraternity and/or sorority housing. This project is consistent with other student housing projects approved or constructed nearby within the last several

years including The One House Development located across the street from the subject property on the northeast corner of Madison Street and Jefferson Avenue and the Jefferson Avenue Apartments southeast of the subject property.

4. The subject property is already zoned for high-density multi-family housing and the addition of the UN overlay district to allow additional university-related uses is appropriate at this location. The subject property has good pedestrian accessibility to the MSU campus to the east with existing sidewalks on Madison Street and is in close proximity with good access to existing goods and services in the downtown area.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 11, 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. Twenty (20) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

October 31, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-15-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the University Combining Overlay District

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Madison Street as a Local Residential roadway and Jefferson Avenue as a Secondary Arterial roadway. The standard right of way width for Madison Street is 25 feet from the centerline and Jefferson Avenue is 35 feet from the centerline. These are both City-maintained streets. The most recent traffic count on Madison Street is 1,780 vehicles per day and 5,437 vehicles per day on Jefferson Avenue. There is one existing driveway access point along the property frontage on Madison Street and one on Jefferson Avenue. There is sidewalk along Cherry Street and Jefferson Avenue. The existing infrastructure meets current city standards. On-street parking is allowed along Madison but not on Jefferson. There is no greenway trail in the area. There is no bus stop along Madison Street and there is one bus stop along Jefferson Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are currently no improvements planned for Madison Street or Jefferson Avenue.

Public Works Traffic Division	Response
Street classification	Madison Street - Local Residential Jefferson Avenue - Secondary Arterial
On-street parking along streets	Madison only
Trip generation - existing use	240 daily trips
Trip generation change - proposed use	240 daily trips
Existing street right of way widths	Madison - 25 feet from the centerline Jefferson - 35 feet from the centerline
Standard right of way widths	Madison - 25 feet from the centerline Jefferson - 35 feet from the centerline
Traffic study submitted	Not required
Proposed street improvements	Not required

STORMWATER COMMENTS:

The property is located in the Fassnight Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is an option. Since the project will not be disturbing less than one (1) acre, no land disturbance permit required. There are existing curb inlets at the intersection of Jefferson Avenue and Madison Street available for this development to discharge into. There are no sinkholes on the proposed property.

Please note that 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	Fassnight Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning.
2. Public sewer is currently available in Madison and Thomas however there are no apparent service laterals and we have no records of any of the properties being currently connected.
3. Any further review to determine sewer capacity will require a site plan, proposed use and flow rates.

CITY UTILITIES:

The rezoning would not have an impact on City Utilities. All utilities are available to provide service. Note that the water mains on Madison and Jefferson are 6-inch in diameter.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Residential High Density to RD Plus University Combining Dist.
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: August 11, 2016; 4:00PM-6:30PM
3. Meeting Location: Wilhoit Plaza, Unit #132
4. Number of invitations that were sent: 108
5. How was the mailing list generated: City Department of Planning and Development
6. Number of neighbors in attendance (attach a sign-in sheet): 3
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 Exhibit A.

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

See Exhibit A

I, Kevin Hoffmeyer (*print name*), attest that the neighborhood meeting was held on 08/11/2016 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Kevin Hoffmeyer

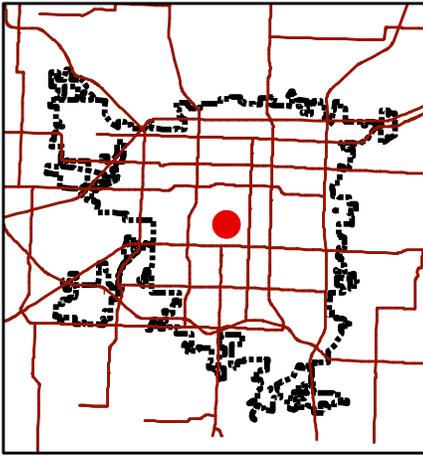
Printed name of person completing affidavit

Exhibit A – Affidavit of Neighborhood Notification and Meeting Summary

Neighbor in Attendance	Issue	Remedy
Sarah Semple	Sarah is a listing agent for an adjacent land owner. She had no concerns and was only there to offer support.	N/A
Brad Gebhart	Brad is an employee of the adjacent property owner. He inquired as to the parameter of the development.	There was no a concern to address. We explained the parameter of the development.
Hai Deng	Hai inquired as to the parameter of the development and asked about potential pollution.	We explained to him that the Developer would comply with all laws and regulations related to pollution control.

Development Review Staff Report

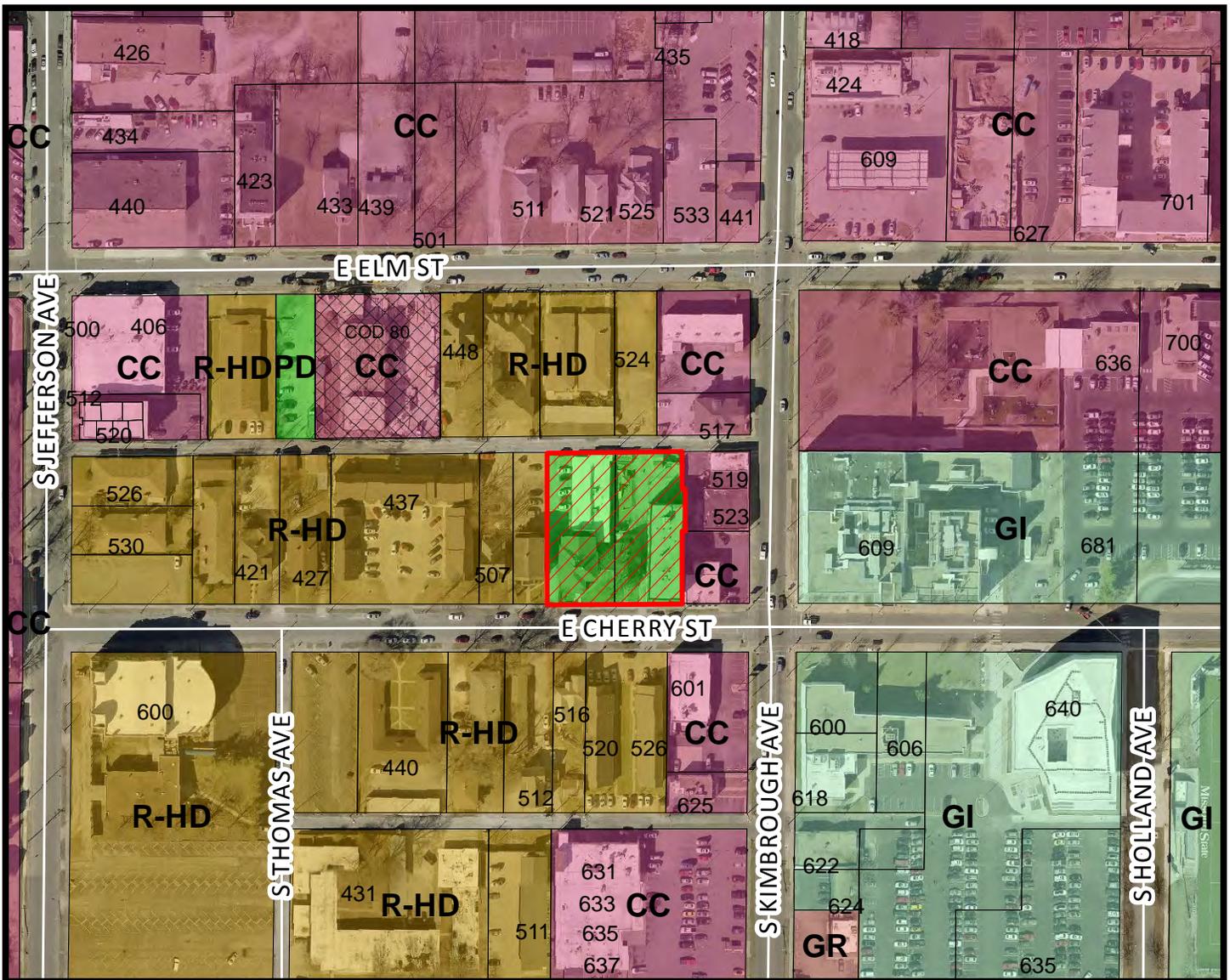
Department of Planning & Development - 417-864-1031
 840 Boonville - Springfield, Missouri 65802



Z-16-2016 and Conditional Overlay District No. 113

LOCATION: 519, 525 & 529 E. Cherry St.
 CURRENT ZONING: Planned Development 232
 PROPOSED ZONING: CC, Center City District w/ COD #113

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-16-2016 CONDITIONAL OVERLAY DISTRICT NO. 113

PURPOSE: To rezone approximately 0.68 acre of property generally located at 519, 525 and 529 East Cherry Street from Planned Development No. 232 to a CC, Center City District and establishing Conditional Overlay District No. 113

DATE: September 28, 2016

LOCATION: 519, 525 & 529 E. Cherry Street

APPLICANT: Family Violence Center, Inc. c/o Jason Murray

TRACT SIZE: Approximately 0.68 acre

EXISTING USE: Family Violence Center offices and housing

PROPOSED USE: Multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Comprehensive Plan* recommends more density and intensity in the greater downtown area similar to the land uses within the Center City District.
2. The requested CC, Center City zoning is consistent with the existing CC zoning to the north of the subject property.
3. The accompanying Conditional Overlay District will provide off-street parking requirements for residential uses.
4. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD	Multi-family residential uses
East	CC	Commercial/retail sales uses
South	R-HD	Multi-family residential uses
West	R-HD	Multi-family residential uses

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* also designates this area within the Greater Downtown land use district. This district, which pertains to the downtown and University Plaza portions of Center City, promotes high-intensity office, retail and housing, preferably in mixed-use buildings with a strong pedestrian orientation. It suggests that the most appropriate zoning district for this location would be the Center City District.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a Planned Development No. 232 to a CC, Center City District and establishing Conditional Overlay District No. 113. The intent of this application is to facilitate the redevelopment of the site for multi-family housing.
2. The subject property is within the Center City Activity Center as shown in the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*. 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. The subject property would fit within these criteria.
3. This proposal did not require a Multi-Family Location and Design Guidelines assessment per CC, Center City District regulations.
4. The subject property is within walking and bicycling distance of the MSU campus, the downtown area and bus stops. In addition there is a good sidewalk system and marked bike routes in the area.
5. The CC, Center City District does not require off-street parking. The applicant is requesting a conditional overlay district that will require the standard off-street

parking for multi-family residential uses. The applicant is also requesting that the total required parking can be reduced by 20% of the total number of parking spaces required by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile space. The current off-street parking requirements allow a reduction of up to 10% of automobile parking if bicycle parking is provided; because of its proximity to the university and downtown, staff is supportive of a greater reduction of automobile parking with more bicycle parking similar to the UN, University Combining District and previous zoning cases in this area.

6. A traffic study was not warranted by Public Works Traffic Division since the rezoning from Planned Development No. 232 to the Center City District will not generate a significant amount of additional traffic.
7. A bufferyard is not required when the CC District is adjacent to the R-HD District.
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 September 12, 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. Seventeen (17) 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:

October 31, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-16-2016 & CONDITIONAL OVERLAY DISTRICT NO. 113

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with proposed rezoning to CC with a COD.

CITY UTILITIES:

City Utilities has no objection to the proposed rezoning. Adequate utilities are available. Note that although CC zoning has no building setbacks, adequate room for utility service should be taken into consideration.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is currently available. Any further review to determine sewer capacity will require a site plan, proposed use and flow rates.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Cherry Street as a Secondary Arterial roadway. The standard right of way width for Cherry Street is 35 feet from the centerline. However, downtown streets are not required to dedicate additional right of way per city ordinance. This is a City maintained street. The most recent traffic count on Cherry Street is 2,168 vehicles per day. There are two existing driveway access points along the property frontage on Cherry Street. There is sidewalk along Cherry Street. The existing infrastructure meets current city standards. On-street parking is allowed along the adjacent streets. There is no greenway trail in the area. There is one bus stop along Cherry Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There is currently an intersection project under construction at Cherry and Kimbrough. No other improvements are planned for Cherry Street.

Public Works Traffic Division	Response
Street classification	Secondary Arterial
On-street parking along streets	Yes
Trip generation - existing use	120 daily trips
Trip generation change - proposed use	180 daily trips
Existing street right of way widths	30 feet from the centerline
Standard right of way widths	35 feet from the centerline
Traffic study submitted	Not required
Proposed street improvements	Not required

STORMWATER COMMENTS:

The property is located in the Fassnight Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. The runoff from this area runs south into areas along Harrison that have had prior stormwater complaints. 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 and may not be required as the site already is mostly impervious. There are no sinkholes on the proposed property.

Please note that 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	Fassnight Creek
Is property located in Floodplain	No
Is property located on a sinkhole	No
Is stormwater buyout an option	Yes

Additional Comments:

1. Current runoff drains away from Cherry towards Elm St. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction i.e. do not push water onto adjacent properties.

1. Request change to zoning from: PLANNED DEVELOPMENT 232 to CENTER CITY
2. Meeting Date & Time: September 12, 2016 ^(existing zoning) 4-6:30pm ^(proposed zoning)
3. Meeting Location: 211 S. Market Ave - suite 104, Springfield, Mo
4. Number of invitations that were sent: 87
5. How was the mailing list generated: CITY GENERATED
6. Number of neighbors in attendance (attach a sign-in sheet): 3 + 1 phone call
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, JASON MURRAY (print name), attest that the neighborhood meeting was held on 9-12-2016 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

JASON MURRAY
Printed name of person completing affidavit

Neighborhood Meeting Notes

Rezoning: 519 & 525 E. Cherry St.
Springfield, MO 65806

Meeting Date: September 12, 2016

Attendees: 3 + 1 call in.

Mr. Essam Elkady
511 E. Cherry.

Comment:

Mr. Elkady was very happy that the existing user of the property will be moving and glad to see the property cleaned up and improved. His only concern was if we were to build a fence along the west property line some day. He is afraid that it would block access to part of his parking lot.

Response:

I told Mr. Elkady that I'm sure we could get along as good neighbors. And that I don't have any immediate plans to install a fence. I don't believe the fence issue is related to zoning. A fence could be added under the current zoning.

Mr. Dan Gray
C Arch Bay Co.
440 E. Cherry & 507 Kimbrough

Comment:

"Always concerned that any project has enough parking". Besides the parking comment he was generally positive about the property being renovated.

Response:

Phase 1 of my project is to renovate the existing brick building that sits on the east side of the property. This project isn't that big and will have lots of extra parking.
Phase 2 would be a new building with drives on each side and angled parking on each side. In addition to the parking lots, I plan to build a parking garage in the basement of the new building with an additional +-30 parking spots under the new building. With this parking garage my project will have an abundance of parking.

Mr. & Mrs. Jerald Benson
516 & 520 E. Elm

Comment:

"Would like to see lighting around the parking area to prevent drug deals. Trash dumpster needs to be secured from trash pickers." Mr. & Mrs. Benson were very nice and happy to see the property improved.

Response:

We plan to add lighting to the parking lot and a lock for the dumpster is easy.

Mr. Larry Edgar
441 S. Kimbrough

Comment:

Larry did not attend the meeting but called me on 9-13-2016. He was very happy to hear that the property was going to get improved and said, "Go for it!"

Response:

I always like to hear positive comments from the surrounding property owners.

NEIGHBORHOOD MEETING SIGN IN SHEET

DATE: SEPTEMBER 12, 2016

REZONING 519, 525, & 529 E. CHERRY ST.
REZONING FROM PD232 TO CENTER CITY

MEETING LOCATION:

211 S. MARKET AVE. - SUITE 104
SPRINGFIELD, MO 65806

Name	Address	Telephone	Concern
ESSA M ELKADY	511 E Cherry	417 316 0746	The Drive way shared between us
Dan Gray	507 Kimbrough 440 E Cherry	417-869-3112	C. ARCH BAY CO
JEDAL BENSON	576/520 E ELM	417 886-1177	
Larry Edgar	441 S. Kimbrough	417-829-6673	HAPPY - "Go For it"
	↳ Called me 9-13-2016		

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

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

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

The Land Use or Zoning Change Process:

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

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

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

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

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

DATE:	9/12/16	Telephone No.	4173160746
YOUR NAME:	ESSAM FLKADY, Investments LLC		
YOUR ADDRESS:	511 East chery street		
PROJECT ADDRESS:			

COMMENTS:

The shared drive way between 511 E chery and the proposed zoning change I want to make sure it is not blocked since this will be fire hazard to my property and also putting fence will kill my parking and I have 9 units and 12 parking spots

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

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

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

DATE:	9-12-14	Telephone No.	417-869-5112
YOUR NAME:	Dan Gray for C. Arch & Co		
YOUR ADDRESS:	440 E Cherry - 507 S Kimbrough		
PROJECT ADDRESS:	519-525-529 Cherry		
COMMENTS:	Always concerned that any project has enough parking.		

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

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

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

The Land Use or Zoning Change Process:

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

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

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

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

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

DATE:	9/12/2010	Telephone No.	417 886-1177
YOUR NAME:	JERALD DENSON		
YOUR ADDRESS:	576 / 520 E ELM		
PROJECT ADDRESS:			
COMMENTS:	WOULD LIKE TO SEE LIGHTING AROUND PARKING AREA TO PREVENT DRUG DEALS. TRASH DUMPSTER NEEDS TO BE SECURE FOR TRASH PICKUPS.		

Called 9-13-16

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840 Boonville Ave, Springfield Missouri 65801

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

DATE:	9-13-16	Telephone No.	417-829-6673
YOUR NAME:	Larry Edger		
YOUR ADDRESS:	4411 S. Kimbrough Ave		
PROJECT ADDRESS:	519 + 525 Exchange		
COMMENTS:	Larry called & was very excited. He says it is great & to "GO for it!!"		

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-16-2016 & CONDITIONAL OVERLAY DISTRICT NO. 113

The requirements of *Section 36-424. Center City District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The subject property will have to meet the off-street parking requirements for residential uses, however the number of parking spaces can be reduced by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space.

DEVELOPMENT REVIEW STAFF REPORT
UTILITY SUBSTATION FACILITIES AMENDMENTS

PURPOSE: To amend Subsection 36-303.(30)(b)2., Utility substation facilities., in the Zoning Ordinance to remove the requirement for a neutral color to be used on facility buildings, fences or walls.

REPORT DATE: September 28, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Planning and Zoning Commission initiated amendments regarding utility substation facilities at their meeting on September 1, 2016. Staff is proposing to modify the Utility substation facilities design standards section (36-303.(30)(b)) of the Zoning Ordinance to remove the paint color requirement.
2. Staff is requesting amendments to the design standards of utility substation facilities. The current requirements state that if a utility substation facility building, fence or wall is painted that neutral colors shall be used. This language is vague and ambiguous. In addition, there are situations where alternate colors may be appropriate and that utility substations should not be limited to using neutral colors on all facilities.
3. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

CITY COUNCIL MEETING:

October 31, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO ZONING ORDINANCE
UTILITY SUBSTATION FACILITIES AMENDMENTS

Note: Language to be deleted is ~~stricken~~. Language to be added is underlined.

Sec. 36-303. – General provisions.

(30) Utilities.

(b) Utility substation facilities. Utility substation facilities shall be permitted in any district and shall comply with the following requirements:

1. All utility substation facilities are exempt from the height requirements of this article but shall meet all other lot size, bulk, and open space requirements of this article.
2. When the facility is not contained within an enclosed building, a fence or wall at least eight feet high shall be provided. ~~If the building, fence, or wall is painted, neutral colors shall be used.~~ The fence or wall shall meet the front setback requirements of the district up to a maximum of 25 feet. If a chainlink security fence is provided and a front setback is required, a vegetative screen that will reach the height of the fence within three years after planting shall be planted between the fence and the street. A vegetative screen is not required if the chainlink security fence is more than 100 feet from the property line.

ATTACHMENT 2
FINAL LANGUAGE AFTER PROPOSED CHANGES
UTILITY SUBSTATION FACILITIES AMENDMENTS

Sec. 36-303. – General provisions.

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ATTACHMENT 3
EXISTING LANGUAGE IN ZONING ORDINANCE
UTILITY SUBSTATION FACILITIES AMENDMENTS

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**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: September 29, 2016

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate Multiple Text Amendments

Staff is requesting Planning and Zoning Commission initiate multiple amendments to the Zoning Ordinance as follows.

First, staff is requesting that the General Provisions (Section 36-303) of the Zoning Ordinance be modified to clarify that the Transfer of Development Rights for Overnight Shelters, Soup Kitchens and Transitional Service Shelters prohibit the transfer of those development rights to the COM District. The current language prohibits the transfer of development rights for these uses to the Center City district. At the time originally adopted, the Center City district included the Commercial Street area. When Commercial Street was rezoned to the new COM district in 2000, the prohibition on transfer of development rights was inadvertently omitted.

Secondly, staff is requesting to modify the Zoning Ordinance to cleanup leftover language and uses referencing Floor Area Ratio (FAR) and Maximum Building Coverage which were removed in other sections as part of amendments in 2014. This will include modifying the accessory building and uses section referencing Maximum Building Coverage and the number and size of accessory buildings allowed per lot.

Lastly, staff is requesting to modify the off-street parking requirements for convenience food stores. Staff has recently found issues with convenience store uses and their required off-street parking requirements being excessive especially for outdoor activities. Staff will review other community's requirements for these uses and determine whether an improved parking ratio can be proposed.

Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If approved, staff will prepare and draft changes to the Zoning Ordinance and schedule public hearings at the next available dates for both the Commission and the City Council.

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