AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 1 acre of property generally located at 404, 420, and 424 East Sunshine Street from R-SF, Single-Family Residential District, to LB, Limited Business District, with Conditional Overlay District No. 207; establishing Conditional Overlay District No. 207; and adopting an updated Official Zoning Map. (Planning and Zoning Commission recommends denial and staff recommends approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 404, 420, and 424 East Sunshine Street from R-SF, Single-Family Residential District, to LB, Limited Business District, with Conditional Overlay District No. 207; and

WHEREAS, Conditional Overlay District No. 207 shall modify the requirements of the Springfield Land Development Code Section 36-420, LB, Limited Business District, by requiring that the property described in “Exhibit B” comply with the requirements described in “Exhibit A;” and

WHEREAS, following proper notice, a public hearing was held before the Planning and Zoning Commission on June 16, 2022, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit C," and said Commission made its recommendation; and

WHEREAS, the City has reviewed the applicant’s request and prepared a staff report concerning the application which is attached hereto and incorporated herein by this reference as “Exhibit D;” and

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

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

Section 1 – The property described in "Exhibit B," which is attached hereto and incorporated herein by this reference, is hereby rezoned from R-SF, Single-Family Residential District, to LB, Limited Business District, with Conditional Overlay District No. 207. Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – City Council hereby establishes Conditional Overlay District No. 207 which shall contain the requirements and standards provided in "Exhibit A," which is attached hereto and incorporated herein by this reference as though set forth herein. The requirements of Conditional Overlay District No. 207 shall modify the requirements of the Springfield Land Development Code Section 36-420, LB, Limited Business District, by requiring the property described on “Exhibit B” comply with the requirements contained in “Exhibit A.”

Section 3 – City Council hereby directs the City Manager, or designee, to update the City's digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in the Springfield Land Development Code, Section 36-306, ‘Official zoning maps and rules of interpretation.’

Section 4 – The Official Zoning Map herein adopted shall be maintained and archived in the same digital form in which this Council has approved its adoption.

Section 5 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: ____________________________

______________________________ Mayor

Attest: ________________________________, City Clerk

Filed as Ordinance: ________________

Approved as to form: ____________________, Assistant City Attorney

Approved for Council action: ____________________, City Manager
EXPLANATION TO COUNCIL BILL 2022 - 169

FILED: 07-05-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 1 acre of property generally located at 404, 420 and 424 East Sunshine Street from R-SF, Single-Family Residential District to LB, Limited Business District and establishing new Conditional Overlay District No. 207. (Planning and Zoning Commission recommends denial and staff recommends approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-1-2022/ CONDITIONAL OVERLAY DISTRICT NO. 207

Planning and Zoning Commission unanimously recommended denial of this case at their meeting on March 10, 2022. This case was referred back to Planning and Zoning Commission by City Council on April 4th. The difference between the last application is that the applicant is proposing to add 7 additional understory trees and 7 evergreens to the bufferyard area between the proposed development and the single-family residential properties to the south.

The applicant is proposing to rezone approximately 1 acre of properties generally located at 404, 420 and 424 E. Sunshine Street from R-SF, Single-Family Residential District to LB, Limited Business District and establishing a new Conditional Overlay District No. 207. The applicant is proposing to construct a drive-thru coffee shop. This application is being processed concurrently with Conditional Use Permit No. 461 to allow an eating and drinking establishment with drive-thru windows.

The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts. This district should be located along or at the intersections of collector or higher classification streets.

The proposed Conditional Overlay District ("Attachment 2") will prohibit access to Sunshine Street from any lots except for the existing driveway at 420 E. Sunshine
Street, which can remain as long as the residential structure is existing and being utilized residentially. It will also restrict access to Jefferson and Roanoke Avenues to the most southern portion of the property that are not located in the required bufferyard. It will require cross-access easements between Jefferson and Roanoke to provide safer access to Sunshine Street, rather than providing direct access to Sunshine Street. It will require an administrative lot combination of the vacant lots and 420 & 424 E. Sunshine Street once the residences have been demolished. It will require full bufferyards for adjacent R-SF properties as opposed to allowing the shallow lot exemptions that would allow a reduction in bufferyard width and landscaping. Lastly, it will require bufferyard/landscaping to be established once the existing residential structures on Lots 6 & 7 at 420 & 424 E. Sunshine St. have been demolished. Additional landscaping will be required in the bufferyards to mitigate potentially negative impacts to adjacent properties.

A Traffic Impact Study was not required as the change in zoning does not generate an additional 100 trips in the a.m. or p.m. peak or 500 trips in a 24-hour period.

REMARKS:

The Planning and Zoning Commission held a public hearing on June 16, 2022, and recommended to deny, by a vote of 6 to 2.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Planning and Zoning Commission unanimously recommended denial of this case at their meeting on March 10, 2022. This case was referred back to Planning and Zoning Commission by City Council on April 4th.

2. The applicant is proposing to add 7 additional understory trees and 7 evergreens to the bufferyard area between the proposed development and the single-family residential properties to the south.

3. The Growth Management and Land Use Plan designate this area as appropriate for Low Density Housing uses; however, as an optional element, small neighborhood-oriented retail or service businesses carefully located and screened at certain locations.

4. The Growth Management and Land Use Plan recommends limiting auto-oriented commercial districts to major arterial streets when the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-oriented land uses can be compatibly concentrated. The properties are located at a major intersection of collector and arterial roadways. Non-residential uses exist at all other corners of this major intersection.
5. The *Growth Management and Land Use Plan* encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets. Site commercial areas where they serve only the adjacent neighborhood. Site smaller commercial areas where they have safe pedestrian access.

6. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas.

7. The Conditional Overlay District ("Attachment 2") will prohibit access to Sunshine, require cross-access between Jefferson and Roanoke, an administrative lot combination of properties and require full bufferyards for adjacent R-SF properties. Additional landscaping will be required in the bufferyards to mitigate potentially negative impacts to adjacent properties.

8. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

9. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

10. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

12. The proposed zoning will not deny the property owner of any reasonable viable economic use.

Submitted by:

Daniel Neal, Senior Planner

Recommended by:  

Susan Istenes, AICP 
Director

Approved by:  

Jason Gage, City Manager
EXHIBITS:
Exhibit A, Conditional Overlay District Provisions
Exhibit B, Legal Description
Exhibit C, Record of Proceedings
Exhibit D, Development Review Staff Report

ATTACHMENTS:
Attachment 1: Department Comments
Attachment 2: Conditional Overlay District Provisions
Attachment 3: Neighborhood Meeting Summary
Attachment 4: Neighborhood Correspondence
EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-1-2022 & CONDITIONAL OVERLAY DISTRICT NO. 207

The requirements of Section 36-420., Limited business district of the Land Development Codes shall be modified as set forth herein for development within this district to include the following:

1. No access is allowed to Sunshine Street from any lots except for the existing residential driveway on Lot 7 of Noble Heights Subdivision Unit #1 (420 E. Sunshine St.) which shall be closed, at the owner’s expense, once the existing residence has been demolished or is no longer used residually.

2. Access to Jefferson Avenue and Roanoke Avenue is limited to the most southern portion of the property (Lot 11 and Lot 6) that are not located in the required bufferyard.

3. Provisions for a cross access easements shall be provided through all Lots 6-11 of Noble Heights Subdivision Unit #1 between Jefferson and Roanoke Avenues.

4. A Type D Bufferyard is required adjacent to R-SF properties to the south. An additional two understory and two evergreen trees per 100 lineal feet are required between the R-SF property to the south. The required bufferyard/landscaping on Lots 6 & 7 shall be established once the existing residential structures at 420 & 424 E. Sunshine St. have been demolished. The bufferyard exemption for narrow or shallow properties per Section 36-482 shall not be applied to any development of these properties.

5. An administrative lot combination of Lots 8, 9, 10 and 11 of Noble Heights Subdivision is required at the time of development. An administrative lot combination of Lots 6 & 7 of Noble Heights Subdivision Unit #1 is also required at the time of development.
Lots 6 through 11 of Unit #1, Noble Heights Subdivision, Springfield, Greene County, Missouri except new street right-of-way.
Mr. Hosmer stated that this is a request to rezone approximately 1 acre of property located at 404, 420 and 424 East Sunshine Street from R-SF, Single-Family Residential District to LB, Limited Business District and establishing a new Conditional Overlay District No. 207. On March 10, 2022, Planning and Zoning Commission unanimously 8-0 recommended denial of this case. On April 4, 2022, City Council referred this case back to Planning and Zoning Commission. The applicant is proposing to add 7 additional understory trees and 7 evergreens to the bufferyard. The Growth Management and Land Use Plan designate this area as appropriate for Low Density Housing uses. However, as an optional element, small neighborhood-oriented retail or service businesses carefully located and screened at certain intersection. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. The Transportation Plan classifies Sunshine as a Secondary Arterial, Jefferson as a Collector and Roanoke as a Local roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area. Stormwater detention is required. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity.

The Conditional Overlay District will:

- Not allow access to Sunshine (except for existing home), limit access to the southern portions of Jefferson and Roanoke, and require cross access.
- A Type D bufferyard is required adjacent to R-SF properties to the south. An additional two understory and two evergreen trees per 100 lineal feet are required between the R-SF property to the south. Not allow the narrow lot exemption for reduced landscaping, require landscaping lots 6-7 if homes are demolished.
- Require a lot combination for lots 6-7 at time of development.
- Staff recommends approval.

Mr. Colony questioned the cross access to Roanoke.

Mr. Hosmer said that there will be no cross access to Roanoke until after the demo of the homes.
Mr. Colony reaffirmed the information for the access to Roanoke after the demo of the homes and stated that it is adequate to handle the traffic.

Mr. Zickefoose said it should be appropriate to handle the traffic.

Mr. Knuckles asked for clarification on the fence.

Mr. Hosmer said the fence will run from Jefferson to Roanoke.

Mr. Jobe noted the record from the applicant that this part of the road (Sunshine) is transitional.

Mr. Hosmer is not aware of “transitional” for classification of Sunshine and is a primarily arterial corridor and the Comprehensive Plan has it as low density.

Mr. Pauly asked about the removal of the houses and who is responsible for repair and replacement.

Mr. Hosmer said the applicant would be responsible.

Mr. Lebeck asked what the difference from the last submittal to this submittal and if it is only the addition of trees/shrubs.

Mr. Hosmer noted that it is the addition of trees and shrubs.

Mr. Doennig opened the public hearing

Mr. Dane Seiler, 5051 S National, applicant’s representative and added trees/shrubs to the buffer yard on this current submittal and noted that Springfield is transitional and that this commercial use is appropriate for the area/location. We have submitted a few letters of support of the proposed development and the lot has been vacant for many years and the developer and he also noted the traffic concerns and believes they will pull from the existing traffic flow and not pull any additional traffic.

Mr. Coltrin asked about hours of operation.

Mr. Seiler is not sure of the hours of operation.

Mr. Colony noted his objection of a business with a high traffic without any other ingress/egress onto Jefferson until they can have access to Roanoke and has concerns of the odd congestion.

Mr. Seiler stated that they have looked at other options, but not viable on the egress/ingress.
Mr. Lebeck asked about the hours of operation and noted the other hours of location same development.

Mr. Seiler said that he believes that would have the same hours as the other stores in town.

Mr. Doennig asked about the design and if a walk-in or drive-thru only and a target for number of cars coming through.

Mr. Seiler said it is drive-thru only but could walk up to the facility and order through a small window, but not sure and not sure of number of cars coming through and noted that the busiest time would be morning (peak time), however they are busy most of the day.

Ms. Bruce asked about weekend hours (11:00pm)

Mr. Seiler said that he assumes it would be.

Mr. Colony asked about the other locations and in high traffic areas and would they consider a transitional traffic plan.

Mr. Seiler is not sure.

Ms. Donna Hemann, 1039 E. University and as a neighbor and member of the University Heights concerned that they would disregard a high traffic development in a residential area and after hearing at the last meeting all of the worries. Concerns are an elementary school, and two residential neighbors are flanking the proposed development and the ingress/egress and significant noise disturbance and read out sections of ordinance numbers on noise regulations. She also noted that they only have one other non-residential use, and it is the church and ask that the members to vote no.

Ms. Annette Hollan, 1133 E. Linwood Drive and part of the University Heights neighborhood and have talked with people of Springfield Public School and they are indicated no traffic crossing guards present and they rely on the traffic stops to regulate the students and the school has approximately 350 walking students. Buses and parents only use Jefferson to turn in and out and the peak school times are 8-9am and the hours of operation for the business are 5:30am to 10:00/11:00pm.

Mr. Pauly asked about sidewalks along Roanoke.

Ms. Hollan does not know that information.

Mr. Art Peine, 4878 W. University and gave out examples of problems of traffic in the past and noted that traffic is a concern and is a bad fit for the neighborhood.
Mr. Coltrin asked about the number of kids walking on Jefferson Avenue.

Mr. Peine does not know, but maybe 10 to 15.

Ms. Lenora Wright, 1839 S. Jefferson and observes children and people walking up and down Jefferson Avenue all the time and sees the traffic backed up to Sunshine Street daily, especially during school days and noted emergency vehicles use Jefferson frequently.

Mr. Lebeck asked how long she lives at her current address.

Ms. Wright noted that she has lived there for 11 years.

Mr. Brandon Biskup, 800 E. Portland Street and spoke about the future plans for Springfield and would like to focus on the zoning issue and noted that the existing Comprehensive Plan show the church and school as justification, however this development is more suitable for low density. Looking at the option of a small neighborhood development and believes that the business model is not neighborhood oriented and clear that it developed for people passing through in their cars.

Mr. Coltrin asked if he would be in favor of a three to four story apartment.

Mr. Biskup said that is not in favor of that large type of development (3 or 4 stories).

Mr. Cody Hicks, 1817 S. Roanoke, was here last time and believes that a coffee shop should not be developed and maybe making a walking trail for children in the neighborhood, a possible small cluster development, etc., and the proposed will not work.

Ms. Bruce asked for speed limit for Roanoke and on Sunshine and possible more vegetation.

Mr. Hicks noted that it is 25mph for Roanoke, but not sure for Sunshine and said more vegetation may block the sight.

Mr. Jacob Ruder, Better Council of Business, and is in favor of the development and gave out various examples of what would be suitable for the site. Believes that the business would attract the current traffic, but not additional cars and believes it would be good for the City.

Ms. Bruce asked about the patronage of the Starbucks (Chick-fil-A) and the traffic concerns.

Mr. Ruder noted that this model would accommodate more cars due to the 3 lanes that are proposed and will get people in and out quickly and see no concerns regarding the possible noise.
Mr. Doennig asked for his residential address and location in Springfield.

Mr. Ruder gave out his future address in Springfield (not in the current neighborhood).

Ms. Jan Peterson, 1024 E. Stanford and President of University Heights and feel that they developer is talking out of both sides of his mouth. This development will be high traffic and will not fit within the site and please deny their request.

Mr. Doennig closed the public hearing.

Ms. Bruce is asking for the speed limit for Sunshine.
Mr. Zickefoose said that Sunshine is 40mph.

Mr. Knuckles asked if a there is a signal Jefferson and Sunshine and what is the proposed traffic volume

Mr. Zickefoose said that there is a traffic signal but noted the amount of traffic will not generate additional traffic trips.

Mr. Knuckles asked about traffic backing up to the school (north).

Mr. Zickefoose does not know if traffic backs up at that location.

Mr. Coltrin asked about other similar business that have expanded in residential areas and believes it would be helpful that staff would give examples of the past development in the future.

Mr. Colony asked about the impact of traffic (not substantial) and asked how that statement came about and additional questions on ingress/egress and gave out examples of problems just up the street.

Mr. Zickefoose noted that the majority is existing traffic and Sunshine is considered a barrier street and do not want students crossing the barrier streets.

Mr. Colony asked if Phase II is eliminated (properties) would they be able to put a coffee shop there and currently believes that they should not put a (high volume) coffee shop in that location.

Mr. Hosmer said that they could still put a coffee shop in that location (without the houses from Phase II) and it would be a business decision.

Mr. Lebeck noted the Forward SGF and quality of place and the surrounding neighborhood is low density residential and the business is not pedestrian oriented due to serving more than just coffee and will be magnet for students across the street and for this reason I will not support this development and voiced his concern with the new Comprehensive Plan for this block (Jefferson to Sunshine) going forward.
Mr. Jobe noted the two layers, limited business and Conditional Use Permit and noted that he voted against the first submittal and expressed his concern because of the lack of evidence (consistency) with the Comprehensive Plan, however believes that there is now evidence that supports the Comprehensive Plan that Sunshine and National is a corridor with a mixed commercial/residential uses and now considers a that rezoning is appropriate and said that traffic will not be generated due to the business and will support this application.

Mr. Doennig asked about the first and second phase and any requirement for the 2\textsuperscript{nd} phase to happen. Can the developer put the drive-thru only on phase I and not phase II.

Mr. Hosmer noted that they can put the coffee shop in without the 2\textsuperscript{nd} phase.

Mr. Doennig feels that he cannot support the items (Conditional Use Permit 464 and Z-1-2022) on the agenda and noted that he was told that it was not viable place to put residential (home), however believes that it still could be a residential development and noted a new home east of the project that was built the last few years. He also noted that multi-family would be an option and if the entire area (Jefferson to Roanoke) could be built to multi-family and stated that this is not a neighborhood friendly business as you would have to go through the drive-thru and not able to walk-up and the current plan does not define as a transitional corridor. He also said that it would be a complete traffic nightmare.

Mr. Coltrin noted that the traffic is not concern, but other things are a problem, i.e., noise on Sunshine and difficult case to deal with and noted the single-family driveway’s that are a safety issue and would like to have more direction from staff or city council on sending it back and believes he may not support it.

**COMMISSION ACTION:**


*Motion failed.*

Bob Hosmer, AICP
Planning Manager
Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:  JUNE 16, 2022
CITY COUNCIL PUBLIC HEARING:  JULY 11, 2022

CASE: Z-1-2022 w/COD #207
LOCATION: 404, 420 & 424 E. Sunshine Street
ACRES: Approximately 1 acre
EXISTING LAND USE: Undeveloped lots and single-family homes
APPLICANT: Reding Management and Redec, LLCs
STAFF: Daniel Neal, Senior Planner
417-864-1036
STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to recommend approval as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:
Request to rezone approximately 1 acre of properties from R-SF, Single-Family Residential District to LB, Limited Business District and establishing a new Conditional Overlay District No. 207.

FINDINGS FOR STAFF RECOMMENDATION:

1. Planning and Zoning Commission unanimously recommended denial of this case at their meeting on March 10, 2022. This case was referred back to Planning and Zoning Commission by City Council on April 4th.

2. The applicant is proposing to add 7 additional understory trees and 7 evergreens to the buffer area between the proposed development and the single-family residential properties to the south.

3. The Growth Management and Land Use Plan designate this area as appropriate for Low Density Housing uses; however, as an optional element, small neighborhood-oriented retail or service businesses carefully located and screened at certain locations.

4. The Growth Management and Land Use Plan recommends limiting auto-oriented commercial districts to major arterial streets when the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-oriented land uses can be compatibly concentrated. The properties are located at a major intersection of collector and arterial roadways. Non-residential uses exist at all other corners of this major intersection.

5. The Growth Management and Land Use Plan encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets. Site commercial areas where they serve only the adjacent neighborhood. Site smaller commercial areas where they have safe pedestrian access.
6. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas.

7. The Conditional Overlay District (Attachment 2) will prohibit access to Sunshine, require cross-access between Jefferson and Roanoke, an administrative lot combination of properties and require full bufferyards for adjacent R-SF properties. Additional landscaping will be required in the bufferyards to mitigate potentially negative impacts to adjacent properties.

8. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

9. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic or impact traffic safety in the vicinity.

10. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

12. The proposed zoning will not deny the property owner of any reasonable viable economic use.

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<th>SURROUNDING ZONING AND LAND USES:</th>
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<td>LAND USE</td>
<td>Elementary school</td>
<td>Single-family residential uses</td>
<td>Single-family residential uses</td>
<td>Church</td>
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SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
PROPERTY HISTORY:
The property was annexed in 1926 and has been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995. Planning and Zoning Commission unanimously recommended denial of the proposed rezoning from R-SF to LB at their meeting on March 10, 2022. This case was referred back to Planning and Zoning Commission by City Council on April 4th.

ZONING ORDINANCE REQUIREMENTS:
Sec. 36-367. – Amendments
(7) Findings by the commission.
(A) Rezonings. if the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:
1. Whether the proposed zoning district classification is consistent with the Springfield comprehensive plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
8. Information submitted at the public hearing.

COMPATIBILITY WITH THE ZONING ORDINANCE:

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<th>CODE ITEM</th>
<th>REQUIREMENTS FOR LB</th>
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| Use Limitations            | (a) All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities, and day care activities shall be conducted entirely within a completely enclosed building.  
(b) No individual retail store, personal service establishment or other permitted use shall have a gross floor area greater than 5,000 square feet. |
| Maximum Structure Height   | 1. Principal building: 25 feet.  
2. Except that all structures shall remain below 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district. |
| Front Yard Setback         | 25 feet along a street classified as a collector or higher or 15 feet along a street classified as a local street |
| Side and Rear Setbacks     | Side yard: None, except as required by Section 36-453, supplemental open space and yard regulations.  
Rear yards: Twenty percent of the lot depth or ten feet whichever is greater. No more than 25 feet shall be required. |
| Open Space Requirement     | 20%                                           |
| Design Requirements        | Standard per code                            |
BULK PLANE

30-degree bulk plane is required from the boundaries of a R-SF zoning district

LANDSCAPING

Bufferyard Type D when adjacent to R-SF

**COMPATIBILITY WITH COMPREHENSIVE PLAN:**

The *Growth Management and Land Use Plan* designate this area as appropriate for Low Density Housing uses; however, as an optional element, small neighborhood-oriented retail or service businesses carefully located and screened at certain locations.

The *Growth Management and Land Use Plan* recommends limiting auto-oriented commercial districts to major arterial streets when the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-oriented land uses can be compatibly concentrated. The properties are located at a major intersection of collector and arterial roadways. Non-residential uses exist at all other corners of this major intersection.

The *Growth Management and Land Use Plan* encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets. Site commercial areas where they serve only the adjacent neighborhood. Site smaller commercial areas where they have safe pedestrian access.

The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial, Jefferson Avenue north of Sunshine Street as a secondary arterial and south of Sunshine as a collector roadway. Roanoke Avenue is classified as a local roadway. These properties are located at the corner of a major intersection.

The *Growth Management and Land Use Plan* of the Comprehensive Plan states that protection of our existing residential neighborhoods is a prime concern. It is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must take into account the existing residential areas. Mixed land uses, as well as mixed residential densities, will need to be accommodated in the future. These must be accommodated with sensitivity to existing residential neighborhoods. The plan encourages mixed use. However, where commercial areas are concentrated, they should be sited and designed to have a minimal effect on adjacent lower-intensity development, and the environment.

The *Community Physical Image and Character Plan* element of the Comprehensive Plan developed goals to improve the visual appearance of the urban area and the *Growth Management and Land Use Plan* element encourages the protection of residential neighborhoods from adverse impacts of proposed development and inappropriate land use changes. New development should be compatible with existing development in terms of scale, materials, rooflines, setbacks and open space.
The Growth Management and Land Use Plan of the Comprehensive Plan also states that new development should be compatible with existing development in terms of scale, materials, rooflines setbacks and open space. Landscaped transitions should be used between sharply differing types of land use. Encourage the effective use of location, design and landscaping of commercial uses to screen and buffer neighborhoods from lights, signs, traffic noise and pollution, and other factors incompatible or conflicting with adjacent land uses. These practices will help ensure the integrity and function of the road system, reduce the length and frequency of auto trips, minimize impact on residential areas and contribute to the overall attractiveness of the community.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 1 acre of properties generally located at 404, 420 and 424 E. Sunshine Street from R-SF, Single-Family Residential District to LB, Limited Business District and establishing a new Conditional Overlay District No. 207. The applicant is proposing to construct a drive-thru coffee shop. This application is being processed concurrently with Conditional Use Permit No. 461 to allow an eating and drinking establishment with drive-thru windows.

2. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts. This district should be located along or at the intersections of collector or higher classification streets.

3. Non-residential uses exist at all other corners of this major intersection. There is an existing elementary school at the northeast corner, church building at the southwest corner and office building at the northwest corner of the intersection of Sunshine Street and Jefferson Avenue.

4. The proposed Conditional Overlay District (Attachment 2) will prohibit access to Sunshine Street from any lots except for the existing driveway at 420 E. Sunshine Street, which can remain as long as the residential structure is existing and being utilized residentially. It will also restrict access to Jefferson and Roanoke Avenues to the most southern portion of the property that are not located in the required bufferyard. It will require cross-access easements between Jefferson and Roanoke to provide safer access to Sunshine Street, rather than providing direct access to Sunshine Street. It will require an administrative lot combination of the vacant lots and 420 & 424 E. Sunshine Street once the residences have been demolished. It will require full bufferyards for adjacent R-SF properties as opposed to allowing the shallow lot exemptions that would allow a reduction in bufferyard width and landscaping. Lastly, it will require bufferyard/landscaping to be established once the existing residential structures on Lots 6 & 7 at 420 & 424 E. Sunshine St. have been demolished. Additional landscaping will be required in the bufferyards to mitigate potentially negative impacts to adjacent properties.

5. The development of the property will require a bufferyard along the south property line adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between LB and R-SF would be a Bufferyard “Type D” at least fifteen (15) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be two (2) canopy trees, two (2) understory trees, two (2) evergreen tree and fourteen (14) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard.

6. The maximum structure height for the principal building is 25 feet and all structures shall remain below a 30 degree bulk plane as measured from the boundary of any R-SF or R-TH district.

7. A Traffic Impact Study was not required as the change in zoning does not generate an additional 100 trips in the a.m. or p.m. peak or 500 trips in a 24-hour period.
8. There is currently no sidewalk along the property frontage of S. Roanoke Avenue. The developer will be required to install sidewalk in accordance with the City of Springfield Public Works Design Guide at the time of development.

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

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting on February 14, 2022, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

**PUBLIC NOTIFICATION:**

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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.

Notices sent to property owners within 185 feet: Mailed: 18 Returned: 0
DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.

CITY UTILITIES:
No comments.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to the rezoning. Lot has access to public sewer.

FIRE DEPARTMENT:
No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City’s Transportation Plan classifies E. Sunshine Street as a Primary Arterial, S. Jefferson Avenue as a Collector roadway and S. Roanoke Avenue as a Local-Residential roadway. The standard right-of-way width for E. Sunshine Street is 50-feet from the centerline, 30-feet from the centerline for S. Jefferson Avenue and 25-feet from the centerline for S. Roanoke Avenue. It appears an additional 10-feet of right-of-way is needed along E. Sunshine Avenue. It appears no additional right of way is needed along S. Jefferson Avenue or S. Roanoke Avenue. A 30-foot X 30-foot right of way site triangle is also needed at the intersection of E. Sunshine Avenue and S. Roanoke Avenue. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way. E. Sunshine Avenue, S. Jefferson Avenue and S. Roanoke Avenue are city-maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING
The most recent traffic counts for E. Sunshine Avenue is 35,500 vehicles per day and for S. Jefferson Avenue is 4,995 vehicles per day. There are no traffic counts for S. Roanoke Avenue since it is classified as a Local roadway. On-street parking is not allowed along E. Sunshine Avenue or S. Jefferson Avenue. On-street parking is allowed on S. Roanoke Avenue.

DRIVEWAY ACCESS
There is one driveway access point onto the property from E. Sunshine Street, one from S. Jefferson Avenue and one from S. Roanoke Avenue. No access will be allowed to the property from E. Sunshine Street and one access point will be allowed from S. Jefferson Avenue as far south from the intersection of E. Sunshine Street as possible. One access point will be allowed from S. Roanoke Street and must be a minimum of 100 feet from E. Sunshine Street to meet current City of Springfield spacing standards set forth in the City of Springfield Public Works Design Guide.

SIDEWALK
There is existing sidewalk along the property frontage of E. Sunshine Street and S. Jefferson Avenue. There is currently no sidewalk along the property frontage of S. Roanoke Avenue. The developer will be required to install sidewalk in accordance with the City of Springfield Public Works Design Guide at the time of development.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There is one bus stops along E. Sunshine Street along the property frontage of this development. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS
A Traffic Impact Study was not required as the change in zoning does not generate an additional 100 trips in the am or pm peak or 500 trips in a 24-hour period.

**TRAFFIC - TABLE 1: REZONING DETAILS**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Street Classification</th>
<th>On-Street Parking</th>
<th>Existing Street ROW from Centerline (ft.) (Approx.)</th>
<th>Required Street ROW from Centerline (ft.)</th>
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<td>E. Sunshine St</td>
<td>Primary Arterial</td>
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<tr>
<td>Street 2</td>
<td>S. Jefferson Ave</td>
<td>Collector</td>
<td>30</td>
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<tr>
<td>Street 3</td>
<td>S. Roanoke Ave</td>
<td>Local – Commercial</td>
<td>25</td>
<td>30</td>
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<table>
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<tr>
<th>Street Name</th>
<th>AM Peak</th>
<th>PM Peak</th>
<th>Weekday</th>
<th>Weekend</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>*Proposed Trips Generated</td>
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<td>29</td>
<td>343</td>
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<tr>
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<td>25</td>
<td>308</td>
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</tr>
</tbody>
</table>

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the [Fassnight Creek](#) drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention will not be allowed and detention is required. The property is not in a stream buffer area.

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

1. For any increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3 of the City’s Flood Control and Water Quality Protection Manual. This site primarily drains to the East. A fee in lieu of constructing onsite stormwater detention will not be permitted.

2. Water quality will be required per Chapter 10 Sec. 2.0 if greater than one acre of land is disturbed. Water quality is also required for less than one acre of disturbance if part of a larger common plan.

3. As-builts of the detention and water quality improvements are required.
4. A land disturbance permit will be required if disturbing 1 acre or greater per Chapter 4 Section 5 of the City's *Flood Control and Water Quality Protection Manual*.

5. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the ProjectDox process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0. More details at the following link: https://www.springfieldmo.gov/2120/Resources.
ATTACHMENT 2
CONDITIONAL OVERLAY DISTRICT PROVISIONS

The requirements of Section 36-420., Limited business district of the Land Development Codes shall be modified as set forth herein for development within this district to include the following:

1. No access is allowed to Sunshine Street from any lots except for the existing residential driveway on Lot 7 of Noble Heights Subdivision Unit #1 (420 E. Sunshine St.) which shall be closed, at the owner’s expense, once the existing residence has been demolished or is no longer used residentially.

2. Access to Jefferson Avenue and Roanoke Avenue is limited to the most southern portion of the property (Lot 11 and Lot 6) that are not located in the required bufferyard.

3. Provisions for a cross access easements shall be provided through all Lots 6-11 of Noble Heights Subdivision Unit #1 between Jefferson and Roanoke Avenues.

4. A Type D Bufferyard is required adjacent to R-SF properties to the south. An additional two understory and two evergreen trees per 100 lineal feet are required between the R-SF property to the south. The required bufferyard/landscaping on Lots 6 & 7 shall be established once the existing residential structures at 420 & 424 E. Sunshine St. have been demolished. The bufferyard exemption for narrow or shallow properties per Section 36-482 shall not be applied to any development of these properties.

5. An administrative lot combination of Lots 8, 9, 10 and 11 of Noble Heights Subdivision is required at the time of development. An administrative lot combination of Lots 6 & 7 of Noble Heights Subdivision Unit #1 is also required at the time of development.
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: \_
\_R-SF\_ (existing zoning) to \_
\_LB, With a CUP\_ (proposed zoning)\_

2. Meeting Date & Time: \_
\_February 14th, 2022 from 4:00pm to 6:30pm\_\_

3. Meeting Location: \_
\_316 E Sunshine Street\_\_

4. Number of invitations that were sent: \_
\_

5. How the mailing list was generated: \_
\_Via City of Springfield Planning Services\_\_

6. Number of neighbors in attendance (attach a sign-in sheet): \_
\_14\_\_

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

8. List or attach the written comments and how you plan to address any issues:
   None received.

I, \_
\_Dane Seiler\_ (print name), attest that the neighborhood meeting was held on
\_February 21st, 2021\_ (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."

\_
\_Dane Seiler\_ Printed name of person completing affidavit

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Jefferson & Sunshine

Neighborhood Meeting Summary

2/14/2022 – 4:00 PM to 6:30 PM

1. Concerns about the current property conditions, general consensus was the neighborhood would be glad to see the houses razed.
   a. Upon full development the houses will be razed.

2. General comments about liking the exit onto Sunshine (this has been subsequently removed from the plan).
   a. Due to the restrictions that would remove the drive at full development, the right out exit only drive onto Sunshine has been removed from the development.

3. Concerned about existing property maintenance on the corner of Roanoke and Sunshine.
   a. Overgrowth on the corner will be eliminated.

4. Questions about number of employees
   a. Approximately 10

5. Questions about who will maintain the property once construction is complete
   a. The properties will be maintained by the tenants who will have a daily operation at the site.

6. Concerns about sewer capacity
   a. We believe that there is enough capacity in existing sanitary sewer to handle the additional flows. Conversations with Environmental Services confirm this.

7. Concerns about additional traffic on Roanoke.
   a. With no access to Sunshine the development will need to access Roanoke to provide the necessary circulation. Traffic from the coffee shop would be encouraged to exit back through Jefferson, and that would be the natural flow of the site, but one could expect some additional traffic on Roanoke.

8. Questions about hours of operation.
   a. Generally 5:30 AM to 9:00 PM, no 24 hour operation

9. Questions about trees, and what it would look like between the development and houses
   a. A bufferyard with a fence is planned; the bufferyard will be 15’ in depth and contain dense plantings. There was a request from one neighbor asking to coordinate the removal of specific trees in that bufferyard.
10. Questions about dumpster location
   a. Currently planned for the south east corner of the site, one request was made to move it to the west side of the property.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address or Company</th>
<th>Phone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dane Seiler</td>
<td>CJW</td>
<td>417-889-3400</td>
<td><a href="mailto:dseiler@gocjw.com">dseiler@gocjw.com</a></td>
</tr>
<tr>
<td>Rick &amp; Sally Keene</td>
<td>517 E. Ottawa Court</td>
<td>417-886-5828</td>
<td><a href="mailto:ricksallyye@steglobal.net">ricksallyye@steglobal.net</a></td>
</tr>
<tr>
<td>Cody &amp; Sarah Hicks</td>
<td>1817 S. Rollaurene</td>
<td>417-831-8987</td>
<td><a href="mailto:mbbluejawar@yahoo.com">mbbluejawar@yahoo.com</a></td>
</tr>
<tr>
<td>J. Dean Price</td>
<td>1847 S. Jefferson</td>
<td></td>
<td><a href="mailto:dean@deanprice.law.com">dean@deanprice.law.com</a></td>
</tr>
<tr>
<td>Jean &amp; Chris Heil</td>
<td>2115 S. State Hwy 125</td>
<td></td>
<td>jamiemhj'<a href="mailto:s77@gmail.com">s77@gmail.com</a></td>
</tr>
<tr>
<td>Julie Schulze</td>
<td>505 E. Ottawa Ct</td>
<td>417-425-4335</td>
<td><a href="mailto:s.schulzejw@AOL.com">s.schulzejw@AOL.com</a></td>
</tr>
<tr>
<td>Laurie Mertens Price</td>
<td>1847 S. Jefferson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michael Morisset</td>
<td>522 E. Sunshine St</td>
<td>417-693-2808</td>
<td><a href="mailto:michael@millnerstructures.com">michael@millnerstructures.com</a></td>
</tr>
<tr>
<td>Gwain Yaremore Tender</td>
<td>1739 S. Jefferson Ave</td>
<td>417-766-9795</td>
<td><a href="mailto:wcpender@yahoo.co.uk">wcpender@yahoo.co.uk</a></td>
</tr>
<tr>
<td>Ross &amp; Laura Martin</td>
<td>519 E. Ottawa Ct</td>
<td>417-595-4402</td>
<td><a href="mailto:sismite@gmail.com">sismite@gmail.com</a></td>
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</tbody>
</table>

30 of 45
Dear Planning Department,

We have made adjustments to our site plan under consideration for a conditional use permit at the intersection of Sunshine Street and Jefferson Avenue. Listening to the concerns of a few neighbors, we added additional landscaping and vegetation to provide an enhanced buffer between the limited business and the residential single family uses. We ask that the planning and zoning commission reconsider our rezone and conditional use permit.

We have reviewed the comprehensive plan and believe that the plan identifies this section of Sunshine Street as a transitional corridor, and thus allows for commercial uses. We are requesting limited business with a conditional use permit for a drive through, which is the lowest level of commercial use. We believe this is an appropriate use for an undeveloped corner of primary arterial. We also would point out that the lot has remained undeveloped under current zoning for nearly 40 years.

Sincerely,

Royce Reding
June 15, 2022

TO WHOM IT MAY CONCERN,

Old Missouri Bank supports the rezoning request made by Reding Management LLC on the corner of Sunshine and Jefferson.

OMB under the current rezoning would be unable and unwilling to lend money on a low density housing project, which is all that would be allowed under the current zoning.

Regards,

SCOTT SPEIGHT

VP COMMERCIAL LENDER    NMLS #658692

3570 S. National, Springfield, MO 65807

O: 417.869.9000  C: 417.860.8215
April 20, 2022

Re: Review of Lot 7

Mr. Reding,

Per our conversation, you requested my opinion of Lot 7 of Noble Heights located at the intersection of Jefferson Ave. and Sunshine St. in Springfield, MO. My review of the property was to determine the best use of Lot 7 as future development in that area. On April 19, 2022 I visited the property and took into consideration all of the existing residential structures and the existing commercial property adjacent to the property. In my professional opinion, I feel like Lot 7 is more conducive to future commercial development and should be rezoned as commercial use. Building a new home in that location would not be a desirable or profitable endeavor for any residential builder and/or future homeowner.

I hope my review of the property is conclusive for your future plans. Please let me know if you have any further questions.

Sincerely,

Travis W. Miller, CGP
Travis Miller Homes, LLC – President/Owner
travis@travismillerhomes.com
www.travismillerhomes.com
(417) 838-3120
June 3, 2022

Reference: Re-Zoning of SE corner of Jefferson and Sunshine Springfield MO

To Whom it may concern,

It has been our pleasure to have a good working relationship with the community of Springfield, MO. Brew Crew, LLC is currently operating 3-Seven Brew locations in Springfield and hopes to add another location on Jefferson and Sunshine.

It is our intent to serve the community and our patrons by providing a safe, clean, and well-operated business while producing sales tax and creating 40-50 new jobs. Currently our 3 open stores have been well received by the Springfield community and we have enjoyed serving them and creating raving fans daily.

We hope to expand our reach and value in Springfield (Sunshine and Jefferson) by professionally developing this vacant parcel that has not served a purpose for the community in numerous years.

Thank you for your consideration, and the continued working relationship.

Respectfully,

Brandon Sebald
7 Brew Franchisee

Seven Brew/Drive-Thru Coffee
MO, AR, OK, & LA Markets
(c) 914.384.1998
(e) brandon@7brewcrew.com
(w) 7brew.com
To Whom it May Concern at the Springfield Department of Planning and Development

Jefferson Avenue Baptist Church is not in opposition to the rezoning of 404, 420, and 424 E Sunshine St. (Z-1-2022 w/COD #207). The property was sold with restrictions in place with how the land can be used. As long as these restrictions are upheld, we have no opposition to rezoning.

Kind Regards,
Brandon Fields
Lead Pastor

316 E Sunshine, Springfield 65807
e: office@jeffersonavenuebaptist.org

Brandon Fields, Lead Pastor
JT Dick, Discipleship Pastor
Clark Dickson, Student Pastor
Adam McCabe, Worship Minister
www.jeffersonavenuebaptist.org
DEVELOPMENT REVIEW NOTICE/COMMENT CARD

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 and 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 Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

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

<table>
<thead>
<tr>
<th>DATE:</th>
<th>Telephone No.</th>
<th></th>
</tr>
</thead>
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<tr>
<td>2/23/2022</td>
<td>417-839-8997, 417-839-6551</td>
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YOUR NAME: Codi Hicks, Sarah Hicks

YOUR ADDRESS: 1817 S. Roanoke Ave, Springfield, MO 65807

PROJECT ADDRESS: 404, 420, 424 E. Sunshine St.

COMMENTS: All stated address of proposed zoning border our property. We have a new fence that is less than a year old. The businesses proposed would border all of our north and west facing property. We would want an easement to maintain our fence when necessary. We are concerned with the future upkeep and cleanliness of the properties due to the current owners, Reding Mgt. Despite numerous complaints, the company has allowed tenants to behave in an unneighborly fashion. The current tenants have a multitude and variety of animals, have dumped their litter boxes in my bushes, thrown garbage in my yard, intentionally ran over my landscaping, and the whole property is piled up with garbage.

Please turn paper over for rest →
With intent to lease the properties, we are concerned Reding Maj. will allow the properties to degrade like the current houses and properties have since their purchase. We do not want a commercial dumpster anywhere close to our property line, 15 ft. off our property is unacceptable. We would like the trees bordering our property with the exception of the trees in our fence, to be removed. If they are not removed we would ask that they are properly trimmed and maintained. We don't want a road or driveway connecting the businesses to Reanoke Ave. close to our property line; 15 ft. away is unacceptable. We are concerned that a sewer upgrade would effect our new fence and our pre-existing garage. We would like to see more green space than the proposed excess of asphalt. Zoning changing from residential to business concerns us with the possibility of unwanted and additional foot and vehicle traffic. If we are going to welcome a new neighbor, we would like it to benefit the neighborhood. Please feel free to contact us.
**CAUTION** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Dear Sir or Ma’am,

I have been invited to the meeting with developers about the zoning application for properties, 404, 420, and 424 E Sunshine.

First of all I will not oppose the change of land use. For about five years the neighborhood has tried to get the city to help with the nuisance property at 424 E Sunshine. Calls to the city and contact with the land owner, Reding Management, brought no change. Ironically now the city is contacting us about a change for the better but only because the owner stands to profit from the sale and taxes will increase.

All of this is perfectly legal but is this process good for the city? I plan to address this at the meeting. We in the neighborhood finally welcome an improvement.

Julie Schulze
505 E Ottowa Ct.

Sent from the all new AOL app for iOS
From: JULIE SCHULZE <schulzeju@aol.com>
Sent: Wednesday, March 2, 2022 12:30 PM
To: Zoning@springfieldmo.gov
Subject: Behind 7Brew on North Glenstone. This can’t happen at Sunshine /Jefferson 7Brew location. Please

Julie Schulze

Sent from my iPhone
Feb. 24, 2022

To: Bob Hosmer, AICP planning manager, City of Springfield’s Development Review Office
From: University Heights Neighborhood Association Board

Dear Mr. Hosmer,

University Heights Neighborhood Association board members recently received notice of a request to rezone 404, 420 and 424 E. Sunshine St. to allow for a drive-through coffee shop.

After careful consideration of the request, our Board of Directors voted to oppose the rezoning for a variety of reasons. Primarily, we think the rezoning would be inconsistent with the City of Springfield’s Growth Management and Land Use comprehensive plan, specifically its intent to preserve quality of life and the character of its historic neighborhoods, in this instance Seminole/Holland and University Heights.

This stretch of East Sunshine Street is one of only a handful of arterial streets in Springfield that retains its original character and quality of place. It’s lined with single-family residences, old-growth trees, sidewalks and, literally, picket fences. A vehicle-forward business would be out of place along this stretch, which enjoys a high degree of walkability.

Other reasons for opposing this development include but are not limited to:

- The limited-business rezoning request requires a conditional use for a drive-through, which is more appropriately zoned as general retail, highway commercial or commercial service district. In our opinion, none of these uses would be appropriate for Sunshine Street between Jefferson and National avenues.
- The site is surrounded by single-family residential zoning and does not border any commercial zoning.
- Traffic through the intersection of Jefferson Avenue and Sunshine Street is already heavy, at an estimated total volume of more than 40,000 vehicles per day. Direct access to East Sunshine would further tangle traffic near Sunshine and Campbell, which is snarled in large part because of drive-through restaurants.
• A drive-through presents a safety concern, as Sunshine Elementary is directly across the street. Traffic is heavy at student drop-off and pickup times, and the school district’s border extends well south of Sunshine. Some families may opt to use the crosswalk to access the school. An adjacent drive-through would only increase risk to pedestrians.
• If primary access to the coffee shop is pushed to Jefferson or Roanoke, that would place it in a single-family residential neighborhood.

The city has worked hard on its Forward SGF initiative, emphasizing quality of place to make Springfield a more desirable and vibrant place to live. The Grant Avenue project and the Restore SGF initiative are great examples of how this city is working to celebrate the unique qualities of our historic neighborhoods.

If a drive-through coffee shop is permitted to be developed along this stretch of Sunshine, it will be to the detriment of the character of our historic neighborhoods as well as the city at large. In time, such development could transform our tree-lined neighborhood streets into another North Glenstone Avenue or West Sunshine Street.

We respectfully ask the city to deny this rezoning request and hold off on any other rezoning requests along our borders until the completion of the city’s comprehensive plan. We believe there is a path toward development that celebrates and enhances our neighborhoods’ uniqueness, and we would like to be partners in finding it.

Sincerely,

Jan Peterson
President, University Heights Neighborhood Association
uhnasmf@gmail.com
417-838-6216
Dear Chair Doennig and Commissioners:

Thank you for your time and attention again on this application. I regret that I cannot be there in person to deliver my opposition comments for the zoning application Z-1-2022w/COD#207 Conditional Use permit #461. As you know, the application would create a multi-lane drive-thru coffee franchise, 7 Brew Coffee, on the corner of Jefferson Ave. and Sunshine St. across from Sunshine school and across from Jefferson Avenue Baptist Church. Operating hours would be 5:30am-10pm, open till 11pm on weekends.

The multi-lane drive-thru will create a dangerous situation in my neighborhood. The plan calls for an entrance/exit on Jefferson Ave. and a second exit on Roanoke. Cars exiting onto Jefferson Ave will be competing with cars entering and exiting the drive-thru and cars queuing at the Stop and Go light at Jefferson and Sunshine, already a busy intersection. Exiting the business by turning onto Roanoke may seem the more optimal exit to customers because of the increased traffic at the Jefferson side. Entering Sunshine from Roanoke in either direction is now difficult because of heavy traffic on Sunshine.

Roanoke is a narrow neighborhood street, a local roadway through a quiet cul-de-sac neighborhood with school children and seniors walking -all without sidewalks. Whether cars exit the business onto Roanoke and into already frenetic traffic on Sunshine or go south toward Cherokee, the added traffic will be hazardous to the walkers, bike riders, and children on foot, on scooters, and on skateboards in my neighborhood. Coffee customers will likely, for the most part, be from outside the neighborhood and thus unfamiliar with how best to exit this already heavily trafficked intersection.

The 7 Brew franchise relies on large numbers of customers in cars from morning until late in the evening. One 7 Brew franchise marketing ad encourages potential franchisees to seek locations within “dense retail corridors” with nearby nationally known tenants, i.e. Lowe’s, Aldi’s, etc. Current 7Brew franchises from Arkansas to Missouri are located in established commercial zones. None border a quiet cul-de-sac neighborhood of single family homes. Allowing this business to open in our neighborhood with already high volumes of traffic that will increase significantly if this business is to be successful is bad for the business and the city and hazardous for my residential neighborhood. Thus, this location is not appropriate for a drive-thru establishment.

I request that you oppose the zoning application for 7 Brew multi-lane drive-thru coffee establishment on the corner of Jefferson Ave. and Sunshine St.

Thank you,
Sincerely yours,

Juliana Schulze
505 E Ottowa Ct.(on the corner of Ottowa Ct. and Roanoke)

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