AUTHORIZING the issuance of Conditional Use Permit No. 433 to allow professional and business offices in the R-TH, Residential Townhouse District, generally located at 1518 East Dale Street (Staff and Planning and Zoning Commission both recommend approval).

       WHEREAS, pursuant to Section 36-363 of the Land Development Code of the City of Springfield, Missouri, City Council may grant permits for certain types of uses in certain zoning districts; and

       WHEREAS, the Planning and Zoning Commission held a properly noticed public hearing and said Commission found that the necessary conditions existed for issuance of a Conditional Use Permit; and

       WHEREAS, City Council finds that sufficient evidence has been presented to satisfy the applicable standards contained in City Code for issuance of this Conditional Use Permit; and

       WHEREAS, the granting of such permit is deemed proper and beneficial to the welfare of the City of Springfield, Missouri.

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

Section 1 – A Conditional Use Permit, generally referred to as Conditional Use Permit No. 433, is hereby granted in accordance with the provisions of Section 36-363 of the Land Development Code for the property described on “Exhibit B,” which is attached hereto and incorporated herein by this reference, and generally located at 1518 East Dale Street, to allow professional and business offices in the R-TH, Residential Townhouse District

Section 2 – Building permits and certificates of occupancy may be issued by the City consistent with the following conditions and requirements:
1. The regulations and standards described in “Exhibit A,” which is attached hereto and incorporated herein by this reference, shall govern and control the use and development of the land in Conditional Use Permit Number 433 in a manner consistent with the attached site plan depicted on “Attachment 5,” which is attached hereto and incorporated herein by this reference.

2. The proposed professional and business office shall be located and constructed in substantial conformance to the attached site plan.

3. All other standards of the Zoning Ordinance and other applicable ordinances and regulations shall be adhered to.

Section 3 – Any violation of the requirements of this Ordinance shall be grounds for the revocation of Conditional Use Permit No. 433.

Section 4 – This Ordinance shall be in full force and effect from and after passage only so long as the Property and any improvements thereon conform to the conditions and requirements described in this Ordinance.

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: 2018-039

FILED: 01-23-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To authorize the issuance of Conditional Use Permit No. 433 to allow professional and business offices in a R-TH, Residential Townhouse District generally located at 1518 East Dale Street (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION: CONDITIONAL USE PERMIT NUMBER 433

This is a request to approve an adaptive use of a non-residential structure in a R-TH, Residential Townhouse District to convert a vacant elementary school (Pepperdine Elementary School) into professional and business offices for a non-profit organization generally located at 1518 East Dale Street. Professional and business office uses are permitted in this type of District only with a Conditional Use Permit.

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low Density Housing. Dale Street is classified as a collector and Delaware Avenue is classified as a local roadway in the Transportation Plan.

Approval of this request will provide for the productive reuse of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

This Ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4: Develop the community in a sustainable manner.

CONDITIONS:

1. The regulations and standards described in “Exhibit A” shall govern and control the use and development of the land in Conditional Use Permit Number 433 in a manner consistent with the attached site plan “Exhibit A - Attachment 5.”

2. The proposed professional and business office shall be located and constructed in substantial conformance to the attached site plan.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
2. This application meets the approval standards for a Conditional Use Permit and is consistent with the adaptive use of a non-residential structure in a residential district.

The Planning and Zoning Commission held a public hearing on January 11, 2018, and recommended approval, by a vote of 6 to 0, of the proposed conditional use permit on the tract of land described on the attached sheet (see the attached “Exhibit C” Record of Proceedings).

REMARKS: The Planning and Development staff recommends the application be approved with the following conditions (see the attached “Exhibit D – Attachment 2” Development Review Staff Report – Requirements for Conditional Use Permit 433).

Submitted by:

Bob Hosmer, AICP Principal Planner

Recommended by: Approved by:

Mary Lilly Smith, Director Greg Burris, City Manager

EXHIBITS:
Exhibit A, Requirements for Conditional Use Permit 433
Exhibit B, Legal Description
Exhibit C, Record of Proceeding
Exhibit D, Development Review Staff Report

ATTACHMENTS:
Attachment 1, Department Comments
Attachment 2, Requirements for Conditional Use Permit 433
Attachment 3, Standards and Responses for Conditional Use Permit
Attachment 4, Affidavit of Neighborhood Notification and Meeting Summary
Attachment 5, Site Plan
1. A professional and business office is permitted in the R-TH, Residential Townhouse District in compliance with section 36-363 and under the following conditions;
   a. Hours during which the establishment is open to the public shall be limited to a daily period extending until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
   b. Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated.
   c. Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less,
   d. The proposed conditional use shall not be operated so as to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations.
   e. Parking lot shall be screened and landscaped in accordance to the Zoning Ordinance.
   f. Refuse storage and mechanical areas shall be screened in accordance to section 36-480.

2. A professional and business office is permitted provided it is in substantial conformance with Attachment 5.

3. The site shall meet all other standards of the Zoning Ordinance and other applicable ordinances.
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NUMBER 433

Legal Description:
ALL OF LOTS TWO HUNDRED FIFTY-EIGHT, TWO HUNDRED FIFTY-NINE, TWO-HUNDRED SIXTY, TWO HUNDRED SIXTY-ONE, TWO HUNDRED SIXTY-TWO, TWO HUNDRED SIXTY-THREE, TWO HUNDRED SIXTY-FOUR, TWO HUNDRED SIXTY-FIVE, TWO HUNDRED SIXTY-SIX, TWO HUNDRED SIXTY-SEVEN, TWO HUNDRED SIXTY-EIGHT, TWO HUNDRED SIXTY-NINE, TWO HUNDRED SEVENTY, TWO HUNDRED SEVENTY-ONE, TWO HUNDRED SEVENTY-TWO, TWO HUNDRED SEVENTY-THREE, TWO HUNDRED ELEVEN, TWO HUNDRED TWELVE, TWO HUNDRED THIRTEEN, TWO HUNDRED FOURTEEN, TWO HUNDRED FIFTEEN, AND TWO HUNDRED SIXTEEN, ALL IN PROSPECT PLACE ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.
Mr. Hosmer stated that this is a request to approve an adaptive use of a non-residential structure in a R-TH, Residential Townhouse District to convert a vacant elementary school (Pepperdine Elementary School) into professional and business offices for a non-profit organization located at 1518 East Dale Street. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low Density Housing. Schools are allowed. Dale Street is classified as a collector roadway and Delaware Avenue is classified as a local roadway in the Transportation Plan. The applicant is requesting a Conditional Use Permit to allow a professional and business office use within the existing and vacant Pepperdine Elementary School in a R-TH, Residential Townhouse District. Adaptive use of a non-residential structure is allowed in a R-TH District with a conditional use permit. The planning and zoning commission and city council has authority to determine if the proposed use would or would not have significant adverse impacts on the surrounding neighborhood. If the building is damaged or destroyed more than 75% or if a conditional use is discontinued or abandoned for a period of 12 consecutive months it must conform to R-TH. No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council ordinance unless a building or occupancy permit is obtained.

The proposed conditional use permit requirements:

- Hours of operation until 9:00 p.m. Monday through Friday and Saturdays from 8:00 a.m. to 8:00 p.m. (extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events), normal hours would be from 7am to 6pm.
- Signage one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated.
- Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less.
- Parking, landscaping and screening will meet city standards.
- Must conform to the attached site plan.

Staff recommends approval.

Mr. Doennig opened the public hearing.
Ms. Lindsay Reichert, 430 S. Glenstone Avenue, representing the owner. Community Partnership of the Ozarks (CPO) is wanting to relocate their Affordable Housing office and other organizations, noting that it only requires the addition of an elevator to make this workable and sees the addition of a community garden on location. She noted that there will be no over-night stays and housing on the premises and will work other partnerships to satisfy those situations.

Mr. Tommy Pike, 1602 E. Dale Street, lives across the street and would like the building torn down and made into a park and stated concerns of homeless people wandering around in his neighborhood. He also stated that he is worried about over-night lodging and the possibility of dingy homes being erected and that it may cause the value of the homes to go down as well as expressing concern of having parking problems if they hold classes late at night.

Ms. Michelle Garand, 789 S. Jester Avenue. Works for Community Partnership of the Ozarks (CPO) as the director of Affordable Housing and Homeless Prevention. She noted that CPO has a long history with Springfield and is investing in the neighborhood and reducing barriers for people. She stated that CPO is a one-stop-center to help homelessness for veterans, youth, families and chronically homeless individuals and their hours will be from 8:00am to 9:00pm and the nearest bus stop is across the street.

Mr. Coltrin reaffirmed their hours of operation and no over-night lodging.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Bob Hosmer, AICP
Principal Planner
**SUMMARY OF REQUEST:**

This is a request to approve an adaptive use of a non-residential structure in a R-TH, Residential Townhouse District to convert a vacant elementary school (Pepperdine Elementary School) into professional and business offices for a non-profit organization.

**FINDINGS FOR STAFF RECOMMENDATION:**

1. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

2. This application meets the approval standards for a Conditional Use Permit and is in conformance with the intent and purpose of the adaptive use of a non-residential structure in a residential district.

**SURROUNDING ZONING AND LAND USES:**

<table>
<thead>
<tr>
<th>ZONING</th>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAND USE</td>
<td>Residences</td>
<td>Residences</td>
<td>Residences</td>
<td>Residences</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
**PROPERTY HISTORY:**

The subject property was zoned R-TH, Residential Townhouse District in 1995 during the citywide re-mapping by General Ordinance 4494.

**ZONING ORDINANCE REQUIREMENTS:**

**Sec. 36-363. - Conditional Use Permit**

1) **Purpose.** The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located so as to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

2) **Period of validity.**

   a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18-month period:

      1. A building permit is obtained and the erection or alteration of a structure is started; or
      2. An occupancy permit is obtained and the conditional use commenced.

      The city council may grant one additional extension not exceeding 18 months, upon written application, without notice or hearing provided such grant is approved by city council prior to the expiration of the original 18-month period. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit. This additional extension shall be considered to have begun on the date of expiration of the original conditional use permit regardless of when this additional extension is granted by city council.

   b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

   d) **Damage or destruction.** In the event that the principal building or structure on the property is damaged or destroyed, by any means, to the extent of more than 75 percent of the replacement cost of the building or structure at the time such damage occurred, such building or structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located and the property shall not continue to be used for the uses permitted by the provisions of this section.

<table>
<thead>
<tr>
<th>CODE ITEM</th>
<th>REQUIREMENTS FOR R-TH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adaptive use of non-residential structure-Professional and Business Office</td>
<td>Permitted with a Conditional Use Permit</td>
</tr>
<tr>
<td>Open Space</td>
<td>Not less than 20% of the total lot area shall be open space</td>
</tr>
<tr>
<td>Parking</td>
<td>All off-street parking lots for permitted nonresidential uses shall be screened from all residential uses in accordance</td>
</tr>
</tbody>
</table>
with the provisions of section 36-480, screening and fencing.

<table>
<thead>
<tr>
<th>Refuse Storage</th>
<th>Refuse storage areas for permitted nonresidential uses shall be screened from view in accordance with section 36-480, screening and fencing.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bufferyard, Landscaping and Screening requirements</td>
<td>Whenever any development in an R-TH district is located adjacent to a different zoning district or a nonresidential use in the R-TH district is located adjacent to a residential use in the R-TH district, screening, and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.</td>
</tr>
</tbody>
</table>

**BULK PLANE**

<table>
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<tr>
<th>None required</th>
</tr>
</thead>
</table>

**BUFFERYARD AND LANDSCAPING**

<table>
<thead>
<tr>
<th>Type C Bufferyard:</th>
<th>1 Canopy Trees, 2 Understory Trees, 2 Evergreen Trees and 10 Shrubs per 100 linear feet.</th>
</tr>
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</table>

**COMPATIBILITY WITH COMPREHENSIVE PLAN:**

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low Density Housing. Dale Street is classified as a collector roadway and Delaware Avenue is classified as a local roadway in the Transportation Plan.

**STAFF COMMENTS:**

1. The applicant is requesting a Conditional Use Permit to allow a professional and business office use within the existing and vacant Pepperdine Elementary School in a R-TH, Residential Townhouse District, generally located at 1518 East Dale Street. The proposed project will utilize the existing vacant Pepperdine Elementary School building and parking lot on the property as an office for the “One Door” non-profit organization under the adaptive use provisions.
2. The purpose of the adaptive use section of the zoning code is to allow for the use of structures, originally constructed for nonresidential uses (school) and currently located in a residential district, (R-TH) provided the review by the planning and zoning commission and city council determines the proposed use would not have significant adverse impacts on the surrounding neighborhood. The regulations provide opportunities to make productive use of non-residential structures that could otherwise be a blight on the neighborhood if left vacant and are not maintained.
3. The proposed project for a conditional use permit for an adaptive use of a non-residential structure in a residential district provisions must comply with the following requirements:
   a. Hours of operation shall be limited to 7:00 AM to 6:00 PM unless specifically modified by the conditional use permit. During the Neighborhood Meeting, community members and neighbors expressed the desire to be allowed access and use of public spaces within the existing facility for hours beyond those of normal operation under the CUP guidelines. Due to this request, the applicant would like to modify the hours of operation. The applicant would like to request that operating hours be extended until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
   b. Signage shall be limited to one free standing sign with a maximum of 20 square feet
   c. Expansion not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less.
4. There is an existing alley crossing between the building and the parking lot. No building will be allowed to be constructed within the public right-of-way of the alley. The applicant may pursue the vacation of the alley in the future.
5. A type "C" bufferyard is required for all non-residential uses that are adjacent to any residential use. Bufferyard “C” requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. The bufferyard between the south property line and the existing parking lot does not meet the 15 feet wide width, however, the applicant will be providing for the required plantings with a 6-foot wooden fence per the Zoning Ordinance section 36-482 (15).
6. Where an open off-street parking or vehicular use area for a nonresidential use is in or adjacent to any residential district or residential use, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6) shall be erected separating the use from the adjacent residential district or residential use. Screening is required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less. All streets adjacent to the site are less than 70 feet wide. The proposed parking on the property will be required to provide for parking screening between the residential area and the parking lot.
7. Refuse storage areas visible from the property line shall be visually screened by a solid fence or wall, not less than the height of the refuse storage containers, on all sides except the side used for refuse pick-up service. Such side shall not be required to be screened.
8. Mechanical or electrical equipment for nonresidential uses shall be visually screened from all residential districts, when the equipment is located within 200 feet of a residential district, and public rights-of-way by a wall, fence or landscaping not less than the height of the mechanical or electrical equipment. Screening is required whether the equipment is located on the ground or on the roof of a structure. Mechanical and electrical equipment includes equipment that provides service to building, such as air conditioning units and does not include industrial processing equipment, such as conveyors and dust collectors.
9. Staff has reviewed the applicant’s request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 of the Zoning Ordinance. Any development of this property must also follow the R-TH, Residential Townhouse District requirements and the adaptive use provisions in the Zoning Ordinance. The general standards for conditional use permits are listed in Attachment 3.
10. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
11. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 14, 2017 regarding the request for a conditional use permit. A summary of this meeting is included in Attachment 4.

PUBLIC NOTIFICATION:

Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. The property was posted by the applicant at least 10 days prior to the public hearing. The public notices sent to property owners within 185 feet: 27
  Returned: 0
DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS FOR CONDITIONAL USE PERMIT 433

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with the proposed conditional use permit.
1. One way drives and entrances shall be signed as One-Way
2. Perimeter landscaping required between streets and parking lot.
3. Insufficient clearance shown between parking lot and south boundary to accommodate required buffer yard.
4. Show location of required bicycle parking.
5. Confirm initial number of employees intending to occupy facility. Can existing parking suffice or is the increase necessitated at move-in?
6. A Redevelopment Review Team inspection is recommended for evaluation of existing building compliance with codes.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies N. Weller Avenue as a Collector roadway, E. Dale Street as a Collector roadway, and N. Delaware Avenue as a Local roadway. The standard right-of-way width for N. Weller Avenue is 30 feet from the centerline. The standard right-of-way width for E. Dale Street is 30 feet from the centerline. The standard right-of-way width for N. Delaware Avenue is 25 feet from the centerline. It appears approximately five feet of additional right-of-way needs to be acquired along N. Weller Avenue. A survey is recommended to determine the exact amount of existing right of way. N. Weller Avenue, E. Dale Street, and N. Delaware Avenue are all city maintained streets. The most recent traffic count on N. Weller Avenue north of E. Dale Street is 377 vehicles per day. The most recent traffic count on E. Dale Street west of E. Delaware Street is 1,834 vehicles per day. The most recent traffic count on N. Delaware Avenue south of E. Dale Street is 607 vehicles per day. There is one access point to the property at the southwest corner of Dale and Delaware, which is taken from the alleyway. There are two access points to the property at the southeast corner of Dale and Weller, which is taken from the alleyway, and from Weller Avenue. Traffic will not permit another access point to the western property, as it will not meet the minimum spacing requirements from the intersection of Dale and Weller. There is sidewalk along the property frontage of E. Dale Street and N. Delaware Avenue. The existing infrastructure meets current city standards. There is not currently sidewalk along the property frontage of N. Weller Avenue. Redevelopment of the existing parking lot will require that sidewalk is constructed along the entire length of the property frontage on N. Weller Avenue. On-street parking is not allowed along E. Dale Street, but is allowed along both Weller Avenue and Delaware Avenue. There is not a Greenway Trail in the area pertaining to this zoning. There are bus stops along E. Dale Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City has no planned street improvements in the area pertaining to this zoning. No improvements to public right-of-way are required as a part of this Conditional Use Permit, other than sidewalk along the property frontage of N. Weller Avenue, if redevelopment is to occur.

<table>
<thead>
<tr>
<th>Public Works Traffic Division</th>
<th>Response</th>
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</table>
| Street classification        | N. Weller Avenue – Collector  
E. Dale Street – Collector  
N. Delaware Avenue – Local |
| On-street parking along streets | N. Weller Avenue – Yes  
E. Dale Street – No  
N. Delaware Avenue – Yes |
| Trips generated - Peak Hour  | 12.9 vehicles (R-TH) |
**Additional Trips generated with zoning change - Peak Hour**

<table>
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<tr>
<th>Traffic Study</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 vehicles</td>
<td>12.9 vehicles (R-TH)</td>
</tr>
</tbody>
</table>

**Existing street right of way widths**

- N. Weller Avenue – 25 ft. from the centerline
- E. Dale Street – 30 ft. from the centerline
- N. Delaware Avenue – 25 ft. from the centerline

**Standard right of way widths**

- N. Weller Avenue - 30 ft. from the centerline
- E. Dale Street – 30 ft. from the centerline
- N. Delaware Avenue – 25 ft. from the centerline

**Traffic study submitted**

- Not required*

**Proposed street improvements**

- None required

*A traffic study was not required. The proposed use of the property in the R-TH zoning with Conditional Use Permit 433 is less than or equal to trip generation intensity of the current use of the property. No additional trips generated are anticipated based on the change in use.

**STORMWATER COMMENTS:**

The property is in the Jordan Creek North Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of stormwater will be allowed. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
4. A stormwater buyout, paying a fee in lieu of constructing detention, maybe allowed if precautions are taken to not negatively impact downstream neighbors. This site drains south.

**Public Works Stormwater Division**

<table>
<thead>
<tr>
<th>Drainage Basin</th>
<th>Response</th>
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<tbody>
<tr>
<td>Jordan Creek North Branch</td>
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</table>

**CLEAN WATER SERVICES COMMENTS:**

No issues with the conditional use permit. Public sewer is currently available.

**FIRE DEPARTMENT COMMENTS:**

Fire Department has no issues with the conditional use permit.

**CITY UTILITIES COMMENTS:**
No objection. If electric service is to be upgraded to 3-phase for elevator, CU will work with the owner to get this accomplished. Gas and water services are existing and should handle the change in use.

REQUIREMENTS FOR APPROVAL:

1. A Professional and business office is permitted in the R-TH, Residential Townhouse District in compliance with section 36-363 and under the following conditions;
   a. Hours during which the establishment is open to the public shall be limited to a daily period extending until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
   b. Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated
   c. Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less,
   d. The proposed conditional use shall not be operated so as to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations.
   e. Parking lot shall be screened and landscaped in accordance to the Zoning Ordinance.
   f. Refuse storage and mechanical areas shall be screened in accordance to section 36-480.

2. The professional and business office is permitted provided it is in substantial conformance with Attachment 5.

3. The site shall meet all other standards of the Zoning Ordinance and other applicable ordinances.
### 36-363 (10) Standards

An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:

<table>
<thead>
<tr>
<th>Developer's Response:</th>
</tr>
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<tbody>
<tr>
<td>1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan.</td>
</tr>
<tr>
<td>2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.</td>
</tr>
<tr>
<td>3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.</td>
</tr>
<tr>
<td>4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.</td>
</tr>
<tr>
<td>5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.</td>
</tr>
<tr>
<td>6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.</td>
</tr>
<tr>
<td>7. The location, lighting, and type of signs and the relationship of those signs to traffic control will be appropriate for the site.</td>
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<tr>
<td>8. Such signs will not have an adverse effect on any adjacent properties.</td>
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<tr>
<td>9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.</td>
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<tr>
<td>10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.</td>
</tr>
<tr>
<td>11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, walls and fences on the site; and b. The nature and extent of landscaping and screening on the site.</td>
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<tr>
<td>The proposed project is consistent with the adopted policies in the Springfield Comprehensive plan.</td>
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<tr>
<td>The proposed project will not adversely affect the safety of the motoring public nor that of pedestrians using the facility and immediately surrounding the site.</td>
</tr>
<tr>
<td>The proposed project will adequately provide for safety from fire hazards and have effective measures of fire control including fire suppression and alarm systems.</td>
</tr>
<tr>
<td>The proposed project will not increase the hazard of flood or water damage to adjacent properties.</td>
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<tr>
<td>The proposed project will not have noise characteristics that exceed the sound levels typical with the uses permitted in the district.</td>
</tr>
<tr>
<td>The glare of vehicular &amp; stationary lights will not affect the established character of the neighborhood. Headlight screening will be provided as required by the Zoning Ordinance.</td>
</tr>
<tr>
<td>The location, lighting and type of signs and the relationship of those signs to traffic control will be appropriate to the site.</td>
</tr>
<tr>
<td>Traffic control signs will not have an adverse effect on adjacent properties.</td>
</tr>
<tr>
<td>The street right-of-way and pavement width is adequate for traffic reasonably expected to be generated by the proposed use.</td>
</tr>
<tr>
<td>The proposed use will not have any substantial or undue adverse effect upon, or will lack amenity or will be compatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.</td>
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<tr>
<td>The existing school facility will be reutilized for the proposed project. Any additional structures will be limited in scope to meet the requirements of these standards and the standards set forth for adaptive use. Additional structures will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. The location, nature and height of such buildings, structures, walls and fences on the site; and the nature and extent of landscaping and screening on</td>
</tr>
<tr>
<td>36-363 (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:</td>
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<tr>
<td>the site will be of appropriate character and scale of neighboring properties and uses. Limited planned improvements include the addition of an elevator tower to allow accessibility within the existing structure.</td>
</tr>
<tr>
<td>12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.</td>
</tr>
<tr>
<td>13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.</td>
</tr>
<tr>
<td>14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.</td>
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<tr>
<td>15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.</td>
</tr>
<tr>
<td>16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect. The existing parking lot accommodates twenty-five vehicles. Based on the proposed use of the building, an additional fourteen parking spaces will be required for a total of thirty-nine parking spaces. The existing parking lot will need to be restriped and expanded to the north in order to meet parking lot layout requirements and accommodate the additional parking required. The existing drive on the west side of the property will also be required to be widened to accommodate two-way traffic. The drive to the north will not be modified and will be used for one-way exit only. Headlight screening will be provided to protect neighboring properties. Landscaping and bufferyards in compliance with the Bufferyard C requirements will be provided in locations where the property abuts residential zoning. The south portion of the existing parking lot does not meet bufferyard C set-back requirements; however, no new paving will be added within the set-back area and all landscaping and screening requirements will be met.</td>
</tr>
<tr>
<td>17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. Any access roads, entrances or exit drives will be provided and designed to as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. The existing drive on the west side of the property will also be required to be widened to accommodate two-way traffic. The drive to the north will not be modified and will be used for one-way exit only.</td>
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</table>
**36-363 (10) Standards.** An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:

<table>
<thead>
<tr>
<th>Developer's Response:</th>
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<tbody>
<tr>
<td>Vehicular circulation will not create hazards, undue interference or inconvenience to vehicular or pedestrian travel.</td>
</tr>
<tr>
<td>The proposed use will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.</td>
</tr>
<tr>
<td>The proposed converted structure(s) will meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.</td>
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<tr>
<td>The proposed conditional use will be served adequately by essential public facilities and services. The persons or agencies responsible for the establishment of the project will provide adequately for such services where those services are not otherwise provided.</td>
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**SECTION 36-363 ADAPTIVE USE PROVISIONS**

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<tr>
<th>Adaptive Use of a non-residential Structure in a residential district:</th>
<th>Developers Response</th>
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<tr>
<td>Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m. unless specifically modified by the conditional use permit. The applicant shall demonstrate that additional hours are necessary and will not have an adverse impact on adjoining properties.</td>
<td>During the Neighborhood Meeting, community members and neighbors expressed the desire to be allowed access &amp; use of public spaces within the existing facility for hours beyond those of normal operation. Due to this request, the applicant would like to modify the hours of operation. The applicant would like to request that operating hours be extended until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.</td>
</tr>
<tr>
<td>Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated by any means unless specifically modified by the conditional use permit. The applicant shall demonstrate that lighting of signs is necessary and will not have an adverse impact on adjoining properties or those using the public rights-of-way.</td>
<td>The proposed project will comply with this standard.</td>
</tr>
<tr>
<td>Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less, may be approved at the time the conditional use permit is granted.</td>
<td>The proposed project will comply with this standard.</td>
</tr>
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</table>
The proposed conditional use shall not be operated so as to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed use will dominate the immediate neighborhood, consideration shall be given to:

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<tbody>
<tr>
<td><strong>A.</strong> The functional classification of the street on which the site is located;</td>
<td>Dale Street is classified as a collector roadway and Delaware Avenue is classified as a local roadway.</td>
</tr>
<tr>
<td><strong>B.</strong> The surrounding residential densities;</td>
<td>R-TH Residential Townhouse District</td>
</tr>
<tr>
<td><strong>C.</strong> The location, nature, and height of buildings, structures, walls and fences on site;</td>
<td>Will not change, except for chain link fence on the north side to be removed.</td>
</tr>
<tr>
<td><strong>D.</strong> The amount of parking needed for the proposed use and the amount of parking provided on site; and</td>
<td>There are twenty-five existing parking spaces. The proposed use will require an additional fourteen parking spaces for a total of thirty-nine parking spaces.</td>
</tr>
<tr>
<td><strong>E.</strong> The nature and extent of landscaping and screening on the site.</td>
<td>Type C bufferyard and landscaping is required.</td>
</tr>
</tbody>
</table>
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Pepperdine School, 1518 E. Dale Street

2. Meeting Date & Time: Thursday, December 14th, 4:00 to 6:30 pm

3. Meeting Location: Pathways UMC, 1232 E. Dale Street

4. Number of invitations that were sent: 166

5. How was the mailing list generated: City of Springfield Staff

6. Number of neighbors in attendance (attach a sign-in sheet): Twelve

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.)

   Please see the attached summary for comments and how these issues were/will be addressed.

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

   Please see the attached summary.

   

I, Lindsay Reichert (print name), attest that the neighborhood meeting was held on 12/14/2017 (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

Lindsay Reichert

Printed name of person completing affidavit
DEAR PROPERTY OWNER,

You have received a notice of a “Neighborhood Meeting” since all development applications involving an advertised public hearing require that a developer hold a neighborhood meeting and invite the property owners within 500 feet of the property and the officers of any neighborhood associations on file with the City of Springfield.

The applicant or representative below has filed an application with the City of Springfield for a change in land use, zoning or street vacation in your neighborhood.

APPLICANT CONTACT INFORMATION:

Applicant/Representative Name: Lindsay Reichert, Paragon Architecture
Address: 430 S. Glenstone Ave
City, State and Zip: Springfield, MO 65802
Phone Number: 417-885-0002  E-mail: reichert@paragon-architecture.com

PROJECT LOCATION:

1518 E. Dale Street

PROPOSED CHANGES:
Provide details of the existing zoning and proposed zoning (planned development, conditional use permit, conditional overlay district or vacation of roadways).

The property at 1518 E. Dale Street was once operated by Springfield Public Schools as Pepperdine Elementary School. The property is currently zoned as Residential Townhouse District. Under the current zoning, specific special or conditional uses are allowable, pending approval of a Conditional Use Permit. The Community Partnership of the Ozarks is seeking a Conditional Use Permit for Adaptive Use which would allow the building to be utilized as an office space for some of their programs and program partners.

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting: Thursday, December 14th, 2017
Location of Meeting: Pathways UMC, 1232 E. Dale Street.
Parking is located on the east side of the building. Enter through the breezeway doors, turn right. The meeting room is directly next to the church offices.

Time of Meeting: 4:00 PM to 6:30 PM

We look forward to seeing you at this meeting! Thank You!

ATTACHMENTS: Notice Letter from City with Comment Card attached to this letter
Application for Conditional Use Permit
PLN2017-00470

Summary of Neighborhood Meeting

a. Development application.
   • Please see attached copy of the revised Conditional Use Permit Application.

b. Meeting date, time and location.
   • Thursday, December 14th from 4:00 to 6:30 pm at Pathways UMC, 1232 E. Dale Street.

c. Number of invitations send and how the mailing list was generated.
   • One-hundred and sixty-six invitations were sent.
   • The mailing list was generated by the City of Springfield staff.

d. Number of neighbors in attendance with an attached sign-in sheet.
   • Twelve neighbors were in attendance.
   • Please see attached sign-in sheet.

e. List of issues raised, any verbal comments and how applicant plans to respond.
   1. Concern that premises would be utilized for overnight housing.
      a. No accommodations for housing will be provided at the facility.
   2. Concern about housing being built on the grounds.
      a. There are no plans for housing to be built or provided on the grounds.
   3. Concern about preserving the integrity of the building façade.
      a. Limited modifications will be made to the exterior of the building. The future Owner would like to seal the building envelope which may include tuck-pointing of the brick masonry and roofing repair/replacement. The Owner will be required to add an elevator to allow accessibility to all floors of the building. This will require an addition to the building exterior. We are proposing to locate the elevator addition to the central southeast portion of the original school building (northeast of the connector addition). This location is away from the major building façade(s) and the addition would be designed to complement the existing building.
   4. Concern about providing facility access to the neighborhood for after-hours programs and functions.
      a. Many of the neighbors expressed a desire to utilize portions of the facility for neighborhood meetings and miscellaneous community events. The Community Partnership of the Ozarks will strive to further engage the neighborhood, allowing access to public spaces within the facility. As part of the application process, CPO would like to modify the hours of operation of the facility to further facilitate the community’s request.

f. Additional information such as comment cards, letters from neighbors, etc.
   • None.
EXISTING IMPERVIOUS SURFACE = 18,380 S.F.
EXISTING STRUCTURE = 12,560 S.F.
TOTAL IMPERVIOUS SURFACE = 30,940 S.F.
PROPOSED NEW IMPERVIOUS SURFACE = 8,380 S.F.
PROPOSED NEW STRUCTURE = 200 S.F.
TOTAL NEW IMPERVIOUS SURFACE = 8,850 S.F.