



# Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: September 1st, 2016  
Time: 6:30 p.m.

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

## 1. ROLL CALL

## 2. APPROVAL OF MINUTES

### August 4, 2016

Documents:

[PZ MINUTES 8-4-2016.PDF](#)

## 3. COMMUNICATIONS

### City Council - August 8, 2016

Documents:

[NA08-08-16.PDF](#)

### City Council - August 22, 2016

Documents:

[NA08-22-16.PDF](#)

## 4. UNFINISHED BUSINESS

### 5. Vacation 785

2400 blk East Granite Springs Street, Mark and Mary Eck

Documents:

[VAC785.PDF](#)

## 6. CONSENT ITEMS

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

## **7. Relinquishment Of Easement 838**

1031 South Wabash Avenue, Valscott Properties, LLC

Documents:

[RE 838.PDF](#)

## **8. Relinquishment Of Easement 839**

3000 blk North Oakland Avenue, Spring Meadow Estates

Documents:

[RE 839.PDF](#)

## **9. PUBLIC HEARINGS**

### **10. Z-11-2016 W/COD #112**

1811 East Sunset Drive, 1811 E. Sunset, LLC

Documents:

[Z-11-2016 COD 112.PDF](#)

### **11. Z-12-2016 W/COD #111**

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

Documents:

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

### **12. Z-13-2016**

222 East Primrose Street, Lipscomb Properties, LLC

Documents:

[Z-13-2016.PDF](#)

### **13. Z-14-2016 W/COD #110**

1606 East Blaine Street, John Peterson

Documents:

[Z-14-2016 COD 110.PDF](#)

#### **14. Andy Land Subdivision**

3830 South Glenstone Avenue, Wisdom, LLC

Documents:

[ANDYLANDSUB.PDF](#)

#### **15. OTHER BUSINESS**

#### **16. Initiate Utility Substation Facilities**

Citywide, City of Springfield

Documents:

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

#### **17. ADJOURN**

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

**August 4, 2016**  
**MINUTES OF THE PLANNING AND ZONING COMMISSION**  
Springfield, Missouri

The Planning and Zoning Commission met in regular session August 4, 2016 in the City Council Chambers. Chairman Jason Ray called the meeting to order.

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

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director, Planning and Development Nicholas Woodman, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer and Colten Harris, Public Works Project Engineer.

Minutes: The minutes of July 7, 2016 were approved unanimously.

**COMMUNICATIONS :**

**UNFINISHED BUSINESS:**

**NEW BUSINESS :**

**CONSENT ITEMS :**

Relinquishment of Easement 832  
3370 East Hoke Street  
**Applicant:** Bo Chastain

Relinquishment of Easement 837  
6348 North 19th Street; Ozark, MO  
**Applicant:** City Utilities

**COMMISSION ACTION:**

Mr. Doennig motioned that we approve consent items Relinquishment of Easement 832 (3370 East Hoke Street) and Relinquishment of Easement 837 (6348 North 19th Street; Ozark, MO). Ms Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

**PUBLIC HEARINGS:**

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

Mr. Hosmer requests that this be tabled and presented at the next Planning and Zoning meeting on September 1, 2016.

**COMMISSION ACTION:**

Mr. Cline motions that we table Vacation 785 (2400 blk East Granite Springs Street) to the next meeting (September 1, 2016).

Ms Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

**OTHER BUSINESS :**

Residential Off-Street Parking Surface Amendments  
Citywide  
**Applicant:** City of Springfield

Mr. Hosmer states that this is a request to amend Section 36-483 Off-street parking and loading area design standards for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes.

Planning and Zoning Commission initiated amendments to residential off-street parking surfaces section on July 7, 2016. The Growth Management and Land Use Element of the Comprehensive Plan recommends making land use and development decisions in a reasonable, responsible, predictable manner based on approved plans and ordinances. Staff is recommending amendments to the design standards of surfacing material for off-street parking areas for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes. The current requirements do not allow these residential uses to utilize pervious pavers, permeable pavement or other alternative methods to reduce impervious surfaces. The current requirements, however, do allow multi-family, commercial and industrial uses to utilize pervious or porous pavers. Staff is proposing to modify the Off-street parking and loading area design standards section (36-483.) of the Zoning Ordinance to allow all uses to utilize this alternative to constructing off-street parking surfaces. This will provide an alternative to reducing impervious surface areas and stormwater runoff.

- Residential driveway or off-street parking will be able to use pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems for vehicle parking.
- All materials shall be designed, installed, and maintained per industry standards.
- The proposed amendments will allow for ribbon driveways.
- Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials.

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

Sec. 36-453. - Off-street parking and loading area design standards.

(1) Off-street parking area design standards:

- (f) Surfacing. All off-street parking areas, shall be graded for proper drainage, provided with an all-weather, hard surface; and maintained in a condition to retain the original surface and to prevent the release of dust, mud or silt; and to be free of dust, mud, silt, standing water, trash and debris. The following materials Concrete, asphalt, and pavers constitute an acceptable all-weather hard surface material. Porous pavers also constitute an all-weather hard surface material subject to the following restrictions:
1. Asphalt ~~The porous pavers are used only for off-street parking spaces within an off-street parking area, open to the sky.~~
  2. Concrete ~~The off-street parking area open to the sky does not serve the following uses: single-family detached, single-family semi-detached, duplex or townhouse dwelling unit or mobile home.~~
  3. Pervious or permeable pavement such as pervious concrete, permeable interlocking concrete and brick pavers, and other pervious or permeable paving systems capable of withstanding the normal wear and tear associated with the parking and maneuvering of vehicles and appropriate for the traffic loads and frequency of use. All materials shall be designed, installed, and maintained per industry standards. Appropriate soils and site conditions shall exist for the pervious or permeable pavement to function. When designed to meet stormwater requirements for flood control detention or water quality, pervious or permeable pavement systems must be designed in accordance with City Code Chapter 96.
  4. Ribbon driveways that consist of two wheel tracks with a median are allowed for each drive lane for single-family detached, single-family semi-detached, duplex or townhouse dwelling units or mobile homes. Each wheel track shall meet the surfacing requirements of this section and shall be at least three (3) feet in width. The median shall not exceed three (3) feet in width with a surface of grass, gravel, or other approved pervious materials.

Mr. Ray opened the public hearing.

No Speakers.

Mr. Ray closed the public hearing and noted as well as Ms. Cox that these are good ideas.

**COMMISSION ACTION:**

Ms. Cox motions that we approve Residential Off-Street Parking Surface Amendments (Citywide). Mr. Cline seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.

## Subdivision Regulation Amendments

Citywide

**Applicant:** City of Springfield

Mr. Hosmer states that this is a request to amend Section Subsection 36-247.(1) and (2), Lots., add a new Section 36-214 in the Subdivision Regulations to modify lot dimension and location requirements and add an amendment process.

Staff is requesting amendments to allow for a process to amend the Subdivision Regulations. The current Subdivision Regulations do not have a process for amendments to the regulations. State Statutes Section 89.410 states that the planning commission shall recommend and the council may by ordinance adopt regulations governing the subdivision of land within its jurisdiction. Staff is proposing to add a new section to the Subdivision Regulations that follows the current process and meets State Statutes where any amendments must be recommended by Planning and Zoning Commission and approved by the City Council. This will clarify the Subdivision Regulations amendment process for staff and citizens. The second amendment addresses the minimum lot size and width conflicts with current zoning code requirements Staff is proposing to amend Section 36-247(1) of the Subdivision Regulations to simply reference the Zoning Ordinance for required lot dimension minimums.

The third amendment clarifies what constitutes a valid subdivision lot. Staff is proposing to remove the term "full" from the lot location requirements and replace it with "required". The proposed amendment will allow a lot to be created if the lot has the minimum required width, as designated in the Zoning Ordinance, on a publicly dedicated street or a street that has received legal status.

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

### Sec. 36-214. - Amendments

- (1) For the purpose of providing for the public health, safety and general welfare, the city council may from time to time amend the provisions imposed by this article. Public hearings on all proposed amendments shall be held by the planning and zoning commission and the city council.

### Sec. 36-247. - Lots.

- (1) Dimensions. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (a) Lot dimensions shall conform to the requirements of the zoning article if such requirements are more stringent, otherwise lot dimensions shall be as follows:
1. Residential lots shall be not less than the minimum width and area as permitted in the zoning ordinance ~~6,000 square feet in area and shall not be less than 50 feet in width at the building line.~~
  2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated but in no case shall the lot frontage on a public street be less than 36 feet.
- (2) Location. All lots shall abut by their required ~~full~~ frontage on a publicly dedicated street or a street that has received legal status as such.

Mr. Ray opened the public hearing.

No Speakers

Mr. Ray closed the public hearing and noted that this is a common sense remedy.

**COMMISSION ACTION:**

Mr. Doennig motions that we approve the consent item Subdivision Regulation Amendments (Citywide). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ogilvy, Edwards, and Rose.



# Noted Agenda City Council Meeting

City Council Chambers  
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

**Zone Councilmembers**

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

**General Councilmembers**

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

## Upcoming Council Meeting Agenda August 8, 2016 - 6:30 p.m.

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

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

Approved  
as  
Presented  
Approved  
as  
Presented

1. ROLL CALL.
2. APPROVAL OF MINUTES. July 25, 2016
3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.
4. CEREMONIAL MATTERS.
5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.
6. SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.
7. Council Bill 2016-177. (Burnett)

6298

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.41 acres of property, generally located at 2263 East Cherry Street, from R-MD, Medium density Multi-Family District, to HM, Heavy Manufacturing District with Conditional Overlay District No. 109; and

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adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: O'Reilly Automotive Stores, Inc.; 2263 East Cherry Street; Z-10-2016 Conditional Overlay District No. 109.)

**6299**            **8. Council Bill 2016-178. (Hosmer)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.62 acres of property, generally located at 2420 East Sunshine Street, from Planned Development 136, to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: D.L. Rogers Corp; 2420 East Sunshine Street; Z-9-2016.)

**26778**           **9. Council Bill 2016-179. (Fishel)**

A special ordinance amending authorizing the issuance of a "Use Permit," generally referenced as Use Permit No. 423, to allow an automobile service garage within the GR, General Retail District, generally located at 2420 East Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: D.L. Rogers Corp; 2420 East Sunshine Street; Conditional Use Permit 423.)

**6300**            **10. Council Bill 2016-180. (McClure)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 10.8 acres of property, generally located at 4018 and 4022 South Lone Pine Avenue, from R-SF, Residential Single Family District, GR, General Retail District and GM, General Manufacturing District to Planned Development District No. 351; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kaonashi LLC and Lone Projects, LLC; 4018 and 4022 South Lone Pine Avenue; Planned Development 351.)

**Tabled  
Until  
August  
22, 2016**           **11. Council Bill 2016-181. (Hosmer)**

A special ordinance approving the plans and bid specifications, and accepting the bid of Crossland Heavy Contractors, Inc. for the Biosolids Treatment Improvements Project (Plan No. 2016PW0027s) at the Southwest Wastewater Treatment Plant, in the amount of \$32,389,415.00; authorizing the City Manager, or his designee, to enter into a contract with such bidder; and approving a budget adjustment to amend the Fiscal Year 2016-2017 budget of the Environmental Services Department for the Clean Water Fund in the amount of 10 percent of the construction of this project (\$3,200,000.00) to cover contingencies and construction management services for this project.

**6301**            **12. Council Bill 2016-182. (Hosmer, Fishel, and Fisk)**

A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsection 13-3.104.1.(D) to clarify the local preference provision and by deleting Subsections 13-3.105.2 and 13-3.105.3 to remove a conflicting local preference provision. (Plans and Policies Committee recommends approval.)

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

10278

**14. Council Bill 2016-185. (Fisk)**

A resolution accepting a gift of \$5,000 to be presented by Guy Mace or his designee, to assist with promotional expenses of the 2016 Birthplace of Route 66 Festival.

**15. EMERGENCY BILLS. Citizens May Speak. May Be Voted On.**

26780

**16. Council Bill 2016-186. (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the International Association of Chiefs of Police to provide a training program for the Springfield Police Department, and declaring an emergency pursuant to Charter Section 2.12(1).

**17. PUBLIC IMPROVEMENTS.**

**18. GRANTS.**

**19. AMENDED BILLS.**

**20. COUNCIL BILLS FOR PUBLIC HEARING.**

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

**22. Council Bill 2016-187. (Ferguson)**

A special ordinance approving the plans and specifications for the Homeland Subdivision Pacific Street and Hillcrest Avenue – Colgate Avenue to Thoman Street project, and to accept the bid of Hamilton and Dad Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

**23. Council Bill 2016-188. (Ferguson)**

A special ordinance approving the plans and specifications for Kimbrough Avenue and Cherry Street Signal Replacement Project, and to accept the bid of Ewing Signal Construction, LLC in the amount of \$276,347.05 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

**24. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

**25. NEW BUSINESS.**

Recommended

The City Manager recommends the following appointments to the Art Museum Board: Bill Hedrick and Linda Passeri with terms to expire June 1, 2019.

Recommended

The City Manager recommends the following reappointment to the Art Museum Board: Tim Rosenbury with term to expire June 1, 2019.

Recommended

Ken McClure will be the employer representative at the upcoming 2016 Missouri Local Government Employees Retirement System (LAGERS) Annual meeting.

**26. UNFINISHED BUSINESS.**

**27. MISCELLANEOUS.**

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

**29. Council Bill 2016-189. (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KSPR, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**30. Council Bill 2016-190. (McClure)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and Nexstar Broadcasting Group, Inc., for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**31. Council Bill 2016-191. (Fishel)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KYTV/KYCW, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**32. CONSENT AGENDA – ONE READING BILLS.**

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

26779

**34. Council Bill 2016-183. (Fulnecky)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Board of Governors of Missouri State University for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

**35. END OF CONSENT AGENDA.**

**36. ADJOURN.**



# Noted Agenda City Council Meeting

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

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**Robert Stephens, Mayor**

**Zone Councilmembers**

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

**General Councilmembers**

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

**Upcoming Council Meeting Agenda  
August 22, 2016 - 6:30 p.m.**

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

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

- 1. ROLL CALL.**
- 2. APPROVAL OF MINUTES. August 8, 2016**
- 3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
- 4. CEREMONIAL MATTERS.**
- 5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**
- 6. SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.**
- 26781 7. Council Bill 2016-181. (Hosmer) TABLED AT THE AUGUST 8, 2016 COUNCIL MEETING.**

A special ordinance approving the plans and bid specifications, and accepting the bid of Crossland Heavy Contractors, Inc. for the Biosolids Treatment Improvements Project (Plan No. 2016PW0027s) at the Southwest Wastewater Treatment Plant, in the amount of \$32,389,415.00; authorizing the City Manager, or his designee, to enter into a contract

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Approved  
as  
Presented  
Approved  
as  
Presented

with such bidder; and approving a budget adjustment to amend the Fiscal Year 2016-2017 budget of the Environmental Services Department for the Clean Water Fund in the amount of 10 percent of the construction of this project (\$3,200,000.00) to cover contingencies and construction management services for this project.

**26782 8. Council Bill 2016-187. (Ferguson)**

A special ordinance approving the plans and specifications for the Homeland Subdivision Pacific Street and Hillcrest Avenue – Colgate Avenue to Thoman Street project, and to accept the bid of Hamilton and Dad Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

**26783 9. Council Bill 2016-188. (Ferguson)**

A special ordinance approving the plans and specifications for Kimbrough Avenue and Cherry Street Signal Replacement Project, and to accept the bid of Ewing Signal Construction, LLC in the amount of \$276,347.05 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

**10. RESOLUTIONS. Citizens May Speak. May Be Voted On.**

**10279 11. Council Bill 2016-192. (Fulnecky)**

A resolution authorizing the City Manager, or his designee, to submit an America's Job Driven Grant Application to the United States Department of Labor to support the training of individuals to fill existing and projected job openings within the healthcare industry; and declaring that this bill qualifies for approval on one reading.

**10280 12. Council Bill 2016-193. (Schilling)**

A resolution endorsing the use of \$700,000 in Commercial Loan Program funds for the renovation of the YMCA Building at 417 South Jefferson into affordable housing to serve youth aging out of foster care; with repayment of 50 percent of those funds deferred for 20 years; and subject to the Rules and Regulations for the Commercial Loan Program. (Staff and Loan Committee recommend approval.)

**13. EMERGENCY BILLS.**

**14. PUBLIC IMPROVEMENTS. Citizens May Speak. May Be Voted On.**

**10281 15. Council Bill 2016-203. (Ferguson)**

A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 91 of Section No. 1 in the City, located in the general vicinity of College Street and Broadway Avenue; providing for payment thereof in the amount of \$198,858.84; and providing for publications and notices.

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

**26784 17. Council Bill 2016-194. (Fisk)**

A special ordinance authorizing the City Manager, or his designee, to accept \$149,997.41 of Workforce Innovation and Opportunity Act Governor's reserve funds from the Missouri Division of Workforce Development to fund the Ozark Region's Pre-Apprenticeship Academy Project for the purpose of preparing individuals to enter and succeed in

registered apprenticeship programs, and to enter into necessary agreements to carry out the grant; amending the budget of the Department of Workforce Development for Fiscal Year 2016-2017 in the amount of \$149,997.41; and declaring that this bill qualifies for approval on one reading.

**18. AMENDED BILLS.**

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

**10282 20. Council Bill 2016-195. (Fisk)**

A resolution accepting a report on the status of all existing Tax Increment Financing plans within the City of Springfield, and determining that the redevelopment projects of each Tax Increment Financing District are making satisfactory progress under the proposed time schedule contained within their respective plans.

**21. Council Bill 2016-196. (Schilling)**

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

**Amended 22. Council Bill 2016-197. (Hosmer)**

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

**23. Council Bill 2016-198. (Fulnecky)**

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

**24. Council Bill 2016-199. (Schilling)**

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

**25. Council Bill 2016-200. (McClure)**

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

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

**27. Council Bill 2016-201. (McClure)**

A general ordinance amending Springfield City Code Chapter 74, Nuisance and Housing

Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

**28. Council Bill 2016-202. (Stephens)**

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

**29. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

**30. NEW BUSINESS.**

Recommended

The Mayor recommends the following appointment to the Public Housing Authority: Cheryl Clay with term to expire April 11, 2018.

**POSSIBLE ADDITION:**

Added  
and  
Referred

[Refer to the Plans and Policies Committee the issue of Council Campaign Finance Regulations.](#)

**31. UNFINISHED BUSINESS.**

**32. MISCELLANEOUS.**

**33. CONSENT AGENDA – FIRST READING BILLS. See Item #3.**

**34. Council Bill 2016-204. (Fishel)**

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

**35. Council Bill 2016-205. (Ferguson)**

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

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

10283

**37. Council Bill 2016-206. (Burnett)**

A resolution authorizing the City Manager, or their designee, on behalf of the City of Springfield, to apply for tax credits from the Missouri Development Finance Board for contributions to benefit the Ozarks Food Harvest.

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

26785

**39. Council Bill 2016-189. (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KSPR, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**26786            40. Council Bill 2016-190. (McClure)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and Nexstar Broadcasting Group, Inc., for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**26787            41. Council Bill 2016-191. (Fishel)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KYTV/KYCW, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**Confirmed            42. Confirm the following appointment to the Art Museum Board: Linda Passeri with terms to expire June 1, 2019.**

**Confirmed            Confirm the following reappointment to the Art Museum Board: Tim Rosenbury with term to expire June 1, 2019.**

**43. END OF CONSENT AGENDA.**

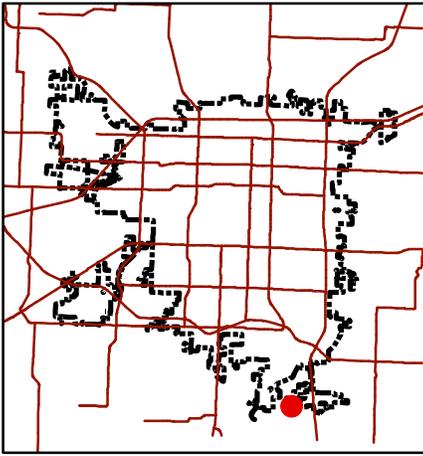
**44. ADJOURN.**

# Development Review Staff Report

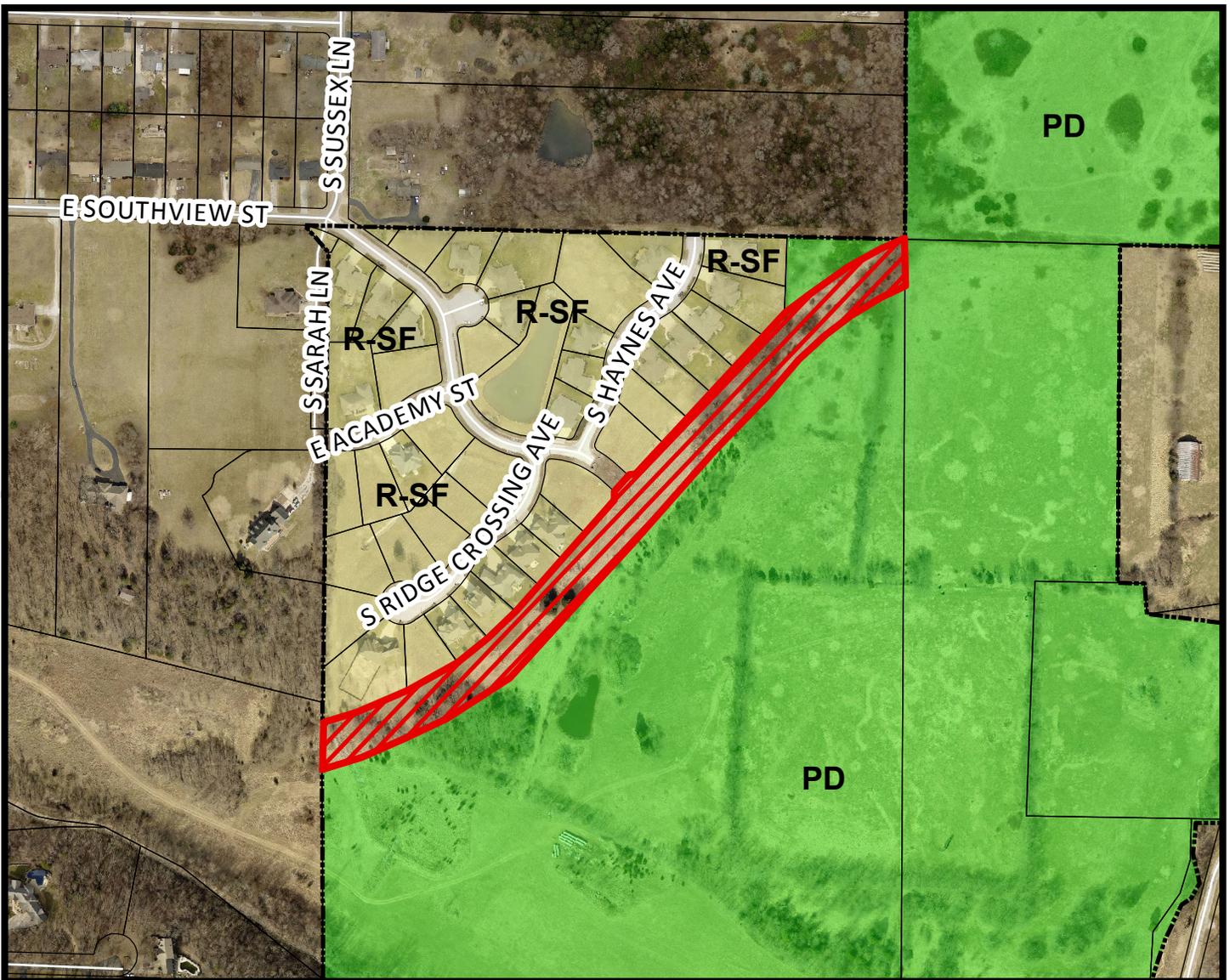
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802

## Vacation #785

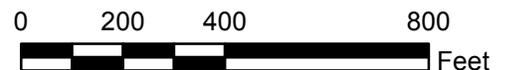
LOCATION: 2400 Block of East Riverbluff Boulevard  
(formerly platted as Granite Springs Street)



### LOCATION SKETCH



- Area of Proposal



1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT  
VACATION 785

REPORT DATE: August 18, 2016

LOCATION: 2400 block of East Riverbluff Boulevard (formerly Granite Springs Street)

APPLICANT: Mark and Mary Eck / Denali Development, Inc.

VACATION AREA: Approximately 4.08 acres

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

Staff recommends **approval** of this request.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-two (22) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received any comments.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on July 26, 2016 regarding the vacation request. A summary of the meeting is attached (Attachment 4).

STAFF COMMENTS:

1. This is a request to vacate all of Riverbluff Boulevard (formerly platted as Granite Springs Street) right-of-way in the Granite Springs Phase 1 final plat. A street was never constructed within this right-of-way.
2. City Council passed Special Ordinance No. 26761 on July 11, 2016 approving the mapping of the East West Arterial. The location of the East West Arterial mapping was determined to be further south of the subject right-of-way. A street is not planned to be located within the subject right-of-way.
3. All necessary easements to accommodate existing facilities within the subject right-of-way vacation have been obtained.

4. City Council passed General Ordinance No. 5604 in September, 2006 which changed the name of the right-of-way from Granite Springs Street to Riverbluff Boulevard.
5. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

STAFF CONTACT PERSON:

Michael Sparlin  
Senior Planner  
864-1091

ATTACHMENTS:

Attachment 1, Department Comments  
Attachment 2, Approval Criteria for Vacations  
Attachment 3, Legal Description and Survey  
Attachment 4, Neighborhood Meeting Summary

ATTACHMENT 1  
DEPARTMENT COMMENTS  
VACATION 785

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with vacation. No effect on 911 addressing.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No issues with vacation.

STORMWATER COMMENTS:

No issues with vacation. Drainage easement exists within right-of-way.

CLEAN WATER SERVICES COMMENTS:

No objections to vacating the street R/W.

There is a 15 foot sanitary sewer easement where the existing public sewer crosses the right-of-way in this vicinity.

This easement will remain in effect.

CITY UTILITIES:

There is an existing electric junction box at the end of Southview. No objections to vacating ROW.

AT&T COMMENTS:

No objection. We do not appear to have facilities in this R/W

MEDIACOM COMMENTS:

No issues with vacation.

ATTACHMENT 2  
APPROVAL CRITERIA  
VACATION 785

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

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

STAFF RESPONSE:

All adjacent property owners have access to other public streets. The street has not been constructed within the subject right-of-way.

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

STAFF RESPONSE:

Mark and Mary Eck/Denali Development, Inc. are the applicants and own more than two-thirds of the area adjacent to the proposed vacation.

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

STAFF RESPONSE:

A street was never constructed within the right-of-way. All necessary easements to accommodate existing facilities within the subject right-of-way vacation have been obtained.

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

STAFF RESPONSE:

All necessary easements to accommodate existing facilities within the subject rights-of-way vacation have been obtained. The proposed vacation will not affect the easements currently in place.

ATTACHMENT 3  
LEGAL DESCRIPTION  
VACATION 785

DESCRIPTION FOR STREET VACATION:

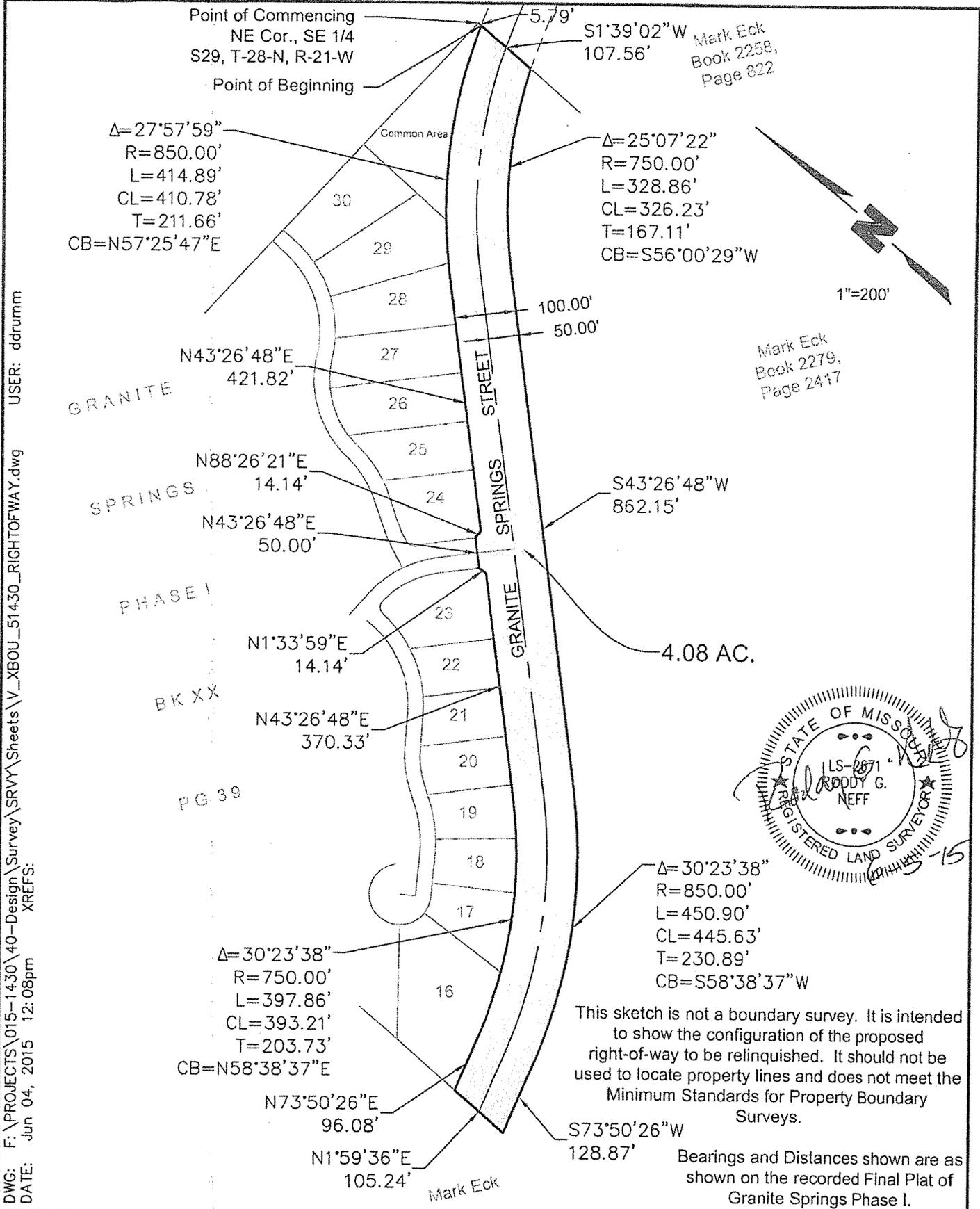
Granite Springs Street Right-of-way within Granite Springs Phase I

An existing right-of-way known as "Granite Springs Street", being a part of the Southeast Quarter of Section 29, Township 28 North, Range 21 West of the Fifth Principle Meridian, and platted within Granite Springs Phase I, a recorded Final Plat in Springfield, Greene County, Missouri, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 29, said point also being the Northeast corner of "Common Area of Reserve" as shown on said Final Plat of Granite Springs Phase I; Thence South 01 Degrees 39 Minutes 02 Seconds West, along the East line of said Southeast Quarter and said Plat, a distance of 5.79 feet to a point on the North right-of-way of said Granite Springs Street, for the POINT OF BEGINNING; Thence South 01 Degrees 39 Minutes 02 Seconds West, continuing along said East line the Southeast Quarter and said Plat, a distance of 107.56 feet to a point on the South right-of-way line of said Granite Springs Street as shown on said Final Plat of Granite Springs Phase I; Thence leaving said East line and along a non-tangent curve to the left, having a radius of 750.00 feet, a central angle of 25 Degrees 07 Minutes 22 Seconds and a chord that bears South 56 Degrees 00 Minutes 29 Seconds West, an arc distance of 328.86 feet; Thence South 43 Degrees 26 Minutes 48 Seconds West, along said right-of-way line, a distance of 862.15 feet to the point of curvature of a tangent curve to the right, having a radius of 850.00 feet, a central angle of 30 Degrees 23 Minutes 38 Seconds and a chord that bears South 58 Degrees 38 Minutes 37 Seconds West; Thence along said curve and right-of-way line, an arc distance of 450.90 feet; Thence South 73 Degrees 50 Minutes 26 Seconds West, a distance of 128.87 feet to the Southwest corner of said Granite Springs Phase I; Thence North 01 Degrees 59 Minutes 36 Seconds East, along said West line of said Granite Springs Phase I, a distance of 105.24 feet to a point on the North right-of-way line of said Granite Springs Street; Thence leaving said West line, and along said North right-of-way line, North 73 Degrees 50 Minutes 26 Seconds East, a distance of 96.08 feet, to the point of curvature of a tangent curve to the left having a radius of 750.00 feet, a central angle of 30 Degrees 23 Minutes 38 Seconds and a chord that bears North 58 Degrees 38 Minutes 37 Seconds East; Thence along said curve and right-of-way line, an arc distance of 397.86 feet; Thence North 43 Degrees 26 Minutes 48 Seconds East, along said right-of-way line, a distance of 370.33 feet to a point on the Southerly sight triangle of said Granite Springs Street and Southview Street, as it now exists; Thence North 01 Degrees 33 Minutes 59 Seconds East, along said sight triangle, a distance of 14.14 feet; Thence North 43 Degrees 26 Minutes 48 Seconds East, leaving said sight triangle, a distance of 50.00 feet to a point on the Northerly sight triangle of said Granite Springs Street and Southview Street; Thence North 88 Degrees 26 Minutes 21 Seconds East, along said sight triangle, a distance of 14.14 feet to a

point on the North right-of-way line of said Granite Springs Street; Thence North 43 Degrees 26 Minutes 48 Seconds East, along said right-of-way line, a distance of 421.82 feet to the point of curvature of a tangent curve to the right having a radius of 850.00, a central angle of 27 Degrees 57 Minutes 59 Seconds and a chord that bears North 57 Degrees 25 Minutes 47 Seconds East; Thence along said curve, and right-of-way line, an arc distance of 414.89 feet, to the POINT OF BEGINNING, containing 4.08 acres, more or less.

DWG: F:\PROJECTS\015-1430\40-Design\Survey\SRVY\Sheets\V\_XBOU\_51430\_RIGHTOFWAY.dwg  
 DATE: Jun 04, 2015 12:08pm  
 USER: ddrumm  
 XREFS:



PROJECT NO:	15-1430
DRAWN BY:	DDD
DATE:	06-03-15

## RIGHT-OF-WAY RELINQUISHMENT

**MOLSSON**  
ASSOCIATES

550 St. Louis Street  
 Springfield, MO 65806  
 TEL 417.890.8802  
 FAX 417.890.8805

EXHIBIT
B



## NEIGHBORHOOD MEETING SUMMARY

---

1. Request to vacate: Granite Springs Street  
*(subject address)*
2. Meeting Date & Time: July 26th, 2016 4pm to 6:30 pm
3. Meeting Location: Mercy Orthopedic Hospital, Conference Room B
4. Number of invitations that were sent: 61
5. How was the mailing list generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 4 plus Petitioner
7. List the verbal comments and how you plan to address any issues:

Petitioner spoke one on one with 4 attendees who owned 3 separate adjoining property owners, see attached sheet  
No issues identified

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

None provided, no issues identified to resolve

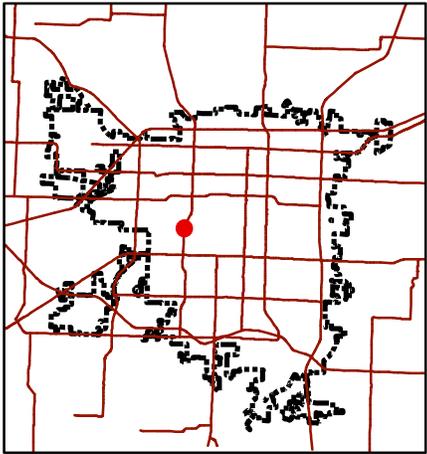
GRANITE SPRINGS ST  
VACATION PROPOSAL  
7/26/2016

- Mark Eck
- Douglas Windsor
- Andrew Windsor
- Larry Lehman
- Rich Repace

Phil Ed  
Dey Decker  
Ann Wise  
Jens Schmidt  
Rick Soagrove

# Development Review Staff Report

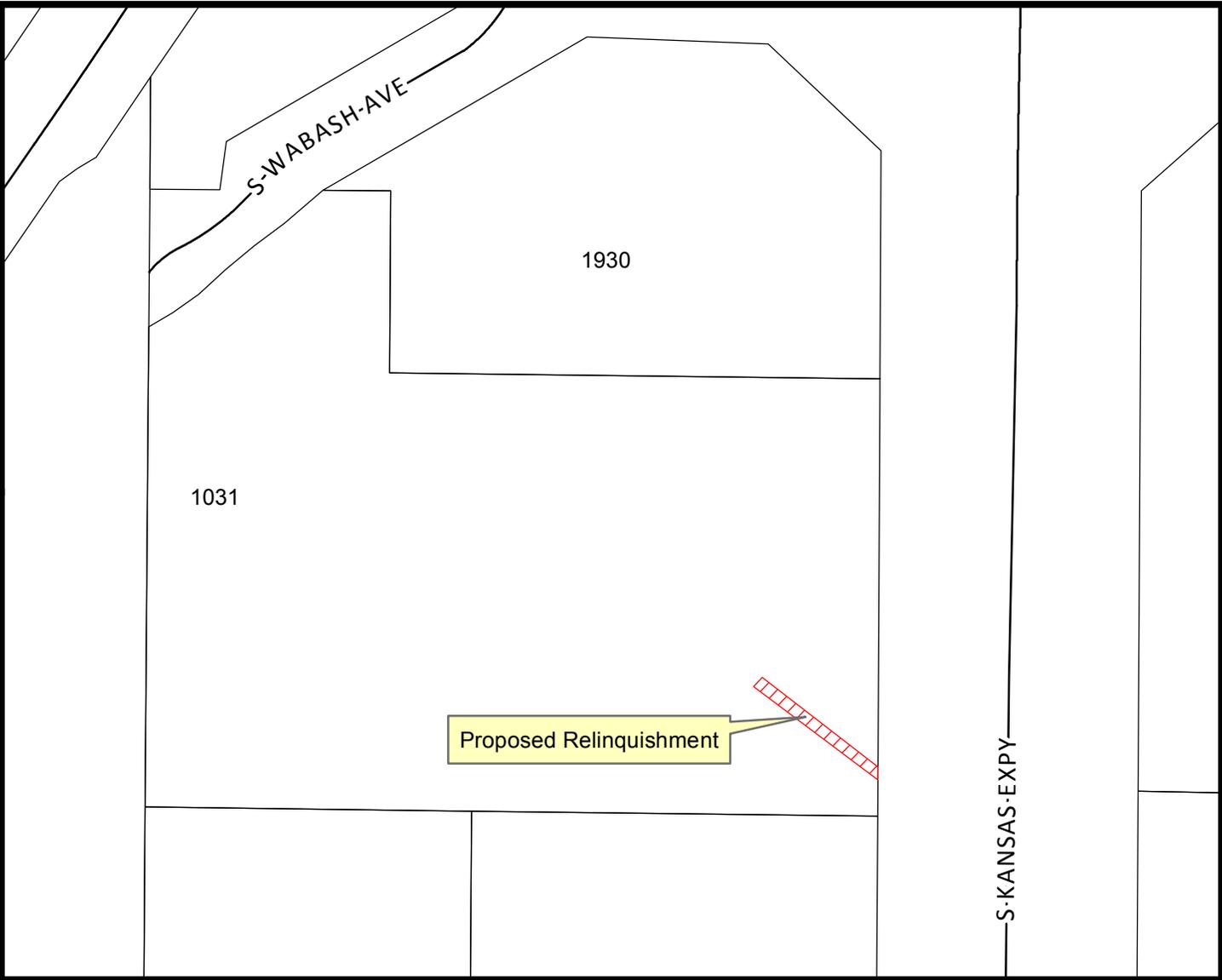
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



## **Relinquish Easement 838**

LOCATION: 1031 S. WABASH AVENUE

### LOCATION SKETCH



- Area of Proposal



1 inch = 125 feet

DEVELOPMENT REVIEW STAFF REPORT  
REQUEST TO RELINQUISH EASEMENT NUMBER 838

PURPOSE: To relinquish an electric line easement

REPORT DATE: August 15, 2016

LOCATION: 1031 S. Wabash

APPLICANT: Valscott Properties, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alyssa S. Ahner  
Assistant City Planner

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

ATTACHMENT A  
RELINQUISH EASEMENT NO. 838  
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an electric line easement that previously serviced radio tower equipment on the site which is being removed.

CITY UTILITY COMMENTS:

There are no facilities located within the easement and there is not a likelihood the easement will ever be needed again.

STAFF COMMENTS:

1. The applicant is requesting to relinquish an electric line easement as it is no longer needed to service radio tower equipment that is to be removed. The subject easement is located inside of the city limits.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ATTACHMENT B  
RELINQUISH EASEMENT NO. 838  
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

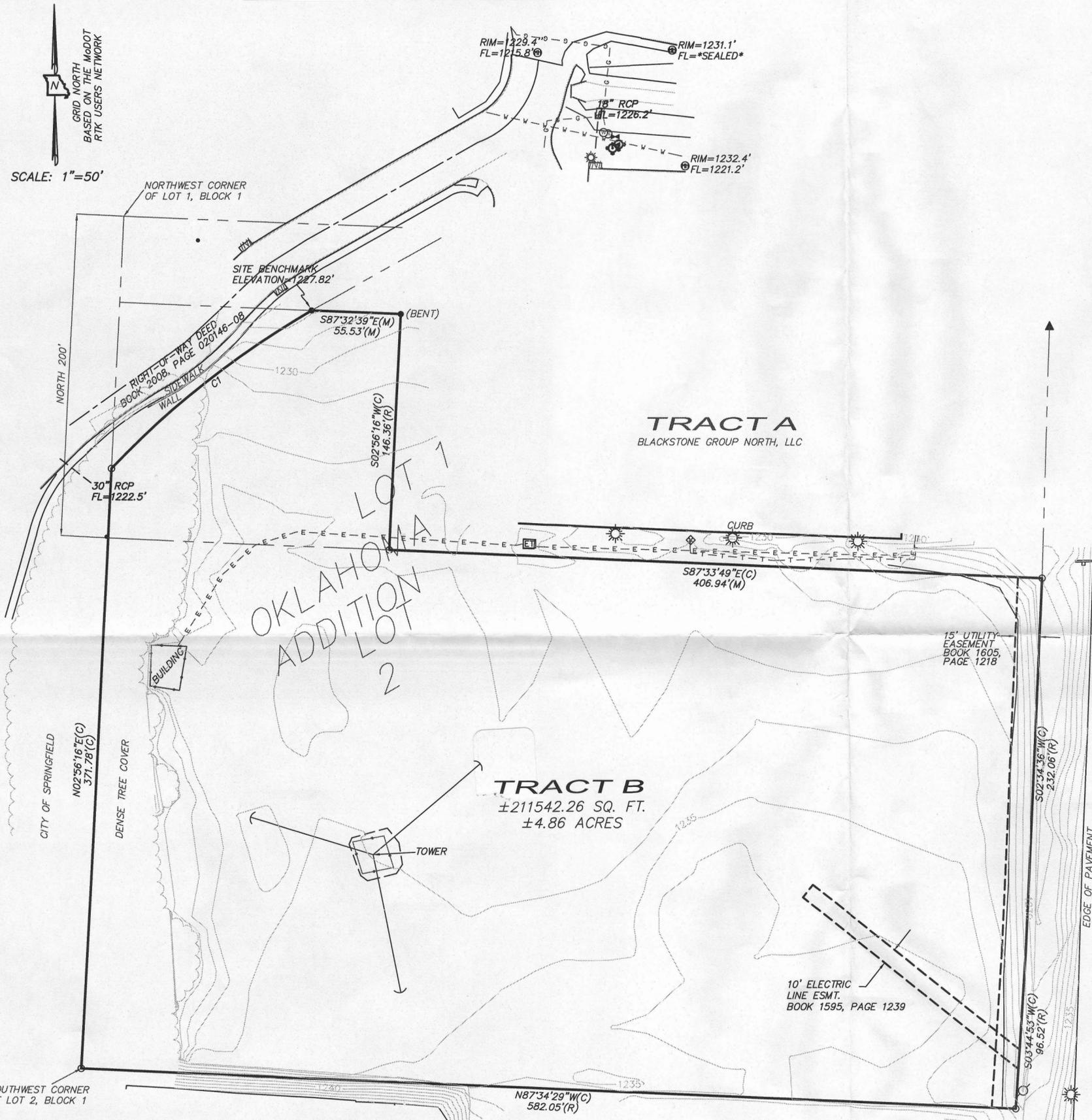
RELINQUISH EASEMENT NO. 838  
EXHIBIT 1

ELECTRIC LINE EASEMENT  
BOOK 1595, PAGE 1239

A 10 FOOT STRIP OF GROUND 5 FEET ON EITHER SIDE OF THE FOLLOWING  
DESCRIBED CENTERLINE:

BEGINNING AT A POINT 41.8 FEET WEST OF THE SOUTHEAST CORNER OF LOT  
2, BLOCK 1, OKLAHOMA ADDITION, THENCE IN A NORTHWESTERLY DIRECTION  
AT AN ANGLE OF 35°42' TO THE RIGHT A DISTANCE OF 220.1 FEET;

CURVE	RADIUS	ARC DISTANCE	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE
C1	559.50'(D)	159.14'(C) 158.85'(D)	16°17'50"(C)	N51°48'32"E(C)	158.61'(C) 158.31'(D)



**RECORD DESCRIPTION OF PROPERTY**

CORPORATE WARRANTY DEED ? BOOK 2016, PAGE 010129-16

ALL OF LOT ONE (1), EXCEPT THE NORTH 200 FEET THEREOF, AND ALL OF LOT TWO (2) IN BLOCK ONE (1), OKLAHOMA ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, EXCEPT THAT PART TAKEN OR USED FOR ROADS.

AND

THAT PART OF THE NORTH 200 FEET OF LOT ONE (1), BLOCK ONE (1), OKLAHOMA ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF LOT 1 IN BLOCK 1 OF SAID OKLAHOMA ADDITION, SAID CORNER BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE S 02 DEGREES 06'48"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 199.35 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D") FOR THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE LEAVING THE WEST LINE OF SAID LOT 1, S 88 DEGREES 22'07"E, 34.09 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D") ON THE RIGHT-OF-WAY LINE OF A SERVICE ROAD; THENCE CONTINUING S 88 DEGREES 22'07"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID SERVICE ROAD, 85.00 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D"); THENCE LEAVING SAID RIGHT-OF-WAY LINE AND CONTINUING S 88 DEGREES 22'07"E, 55.91 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D"); THENCE S 02 DEGREES 06'48"W, 1.14 FEET TO THE SOUTH LINE OF THE NORTH 200 FEET OF SAID LOT 1; THENCE N 88 DEGREES 12'29"W ALONG THE SOUTH LINE OF THE NORTH 200 FEET OF SAID

LOT 1, A DISTANCE OF 175.00 FEET TO A 5/8-INCH IRON PIN ON THE WEST LINE OF SAID LOT 1; THENCE N 02 DEGREES 06'48" ALONG SAID WEST LINE, 0.65 FEET TO THE POINT OF BEGINNING.

EXCEPT:  
PART OF LOT ONE (1), BLOCK ONE (1), OKLAHOMA ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF LOT 1 IN BLOCK 1 OF SAID OKLAHOMA ADDITION, SAID CORNER BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE S 02 DEGREES 06'48"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 200.00 FEET TO A 5/8-INCH IRON PIN AT THE SOUTHWEST CORNER OF THE NORTH 200 FEET OF SAID LOT 1; THENCE S 88 DEGREES 12'29"E ALONG THE SOUTH LINE OF THE NORTH 200 FEET OF SAID LOT 1, A DISTANCE OF 175.00 FEET FOR THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE CONTINUING S 88 DEGREES 12'29"E ALONG THE SOUTH LINE OF THE NORTH 200 FEET OF SAID LOT 1, A DISTANCE OF 405.95 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D") ON THE WEST RIGHT-OF-WAY LINE OF KANSAS EXPRESSWAY (STATE HIGHWAY 13); THENCE S 01 DEGREES 43'10"W ALONG SAID WEST RIGHT-OF-WAY LINE, 143.94 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D") ON THE SOUTH LINE OF SAID LOT 1; THENCE N 88 DEGREES 23'17"W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 406.94 FEET TO A 5/8-INCH IRON PIN (CAPPED "LS-334-D"); THENCE LEAVING SAID SOUTH LINE, N 02 DEGREES 06'48"E, 145.22 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

**SOURCES USED**

1. PROPERTY DEEDS AND EASEMENTS AS SHOWN HEREON
2. COMMITMENT FOR TITLE INSURANCE PREPARED BY ALLIANT NATIONAL, FILE No.: 16-32596, EFFECTIVE DATE: JANUARY 28, 2016
3. PREVIOUS ADMINISTRATIVE SUBDIVISION PREPARED BY LANDMARK SURVEYING AND CONSULTING, LLC
4. ELEVATIONS BASED ON THE CITY OF SPRINGFIELD BENCHMARK #079, ELEVATION = 1244.69'

**SYMBOL INDEX**

- (C) CALCULATED BEARING or DISTANCE
- (D) DEEDED BEARING or DISTANCE
- (M) MEASURED BEARING or DISTANCE
- (R) RECORD BEARING or DISTANCE
- UTILITY POLE
- ⊕ SIGN
- ⊙ PEDESTAL
- ⊛ LIGHT POLE
- ⊞ ELECTRIC BOX
- ⊟ GUY ANCHOR
- EXISTING 5/8" IRON PIN (LS 334D)
- ▲ BROKEN RIGHT-OF-WAY MARKER POST
- CHAIN-LINK FENCE

**SURVEYORS DECLARATION**

I HEREBY DECLARE TO PINNACLE DESIGN CONSULTANTS:

THAT THE TOPOGRAPHIC SURVEY INFORMATION AS SHOWN HEREON, HAS BEEN COMPLETED UNDER MY DIRECT SUPERVISION, AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THIS SURVEY HAS BEEN PREPARED EXCLUSIVELY FOR THE USE OF THE PERSON(S) LISTED ABOVE AND IS NOT TRANSFERABLE TO ANY OTHER PARTY. THERE IS NO IMPLIED WARRANTY OR GUARANTEE WITH THIS SURVEY.

**WHITE**  
LAND SURVEYING, LLC

1154 BEAL ROAD  
REPUBLIC, MISSOURI

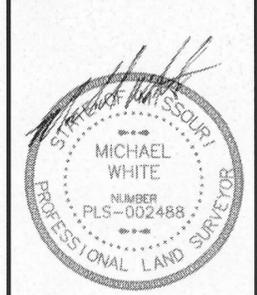
PHONE: 417.732.0005 FAX: 417.732.0010  
email: info@whitelandsurvey.com  
www.whitelandsurvey.com

SURVEY DATE: 05/19/16  
DWG DATE: 05/24/16  
DRAWN BY: MW  
FIELD BOOK: DC  
PROJECT No.: 2016-081

**TOPOGRAPHIC SURVEY**  
PREPARED FOR  
**PINNACLE DESIGN CONSULTANTS**  
PROJECT LOCATION: KANSAS EXPRESSWAY  
SPRINGFIELD, GREENE COUNTY, MISSOURI

PREPARED BY:  
MICHAEL WHITE - MISSOURI  
PROFESSIONAL LAND  
SURVEYOR #2488

WHITE LAND SURVEYING, LLC -  
MISSOURI PROFESSIONAL  
LAND SURVEYING  
CORPORATION #2003000370

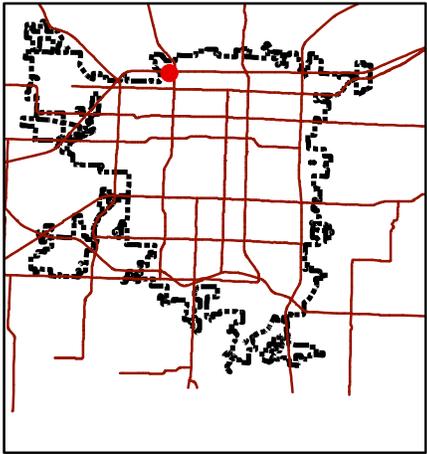


06/28/16

Copyright 2016 - White Land Surveying, LLC

# Development Review Staff Report

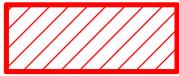
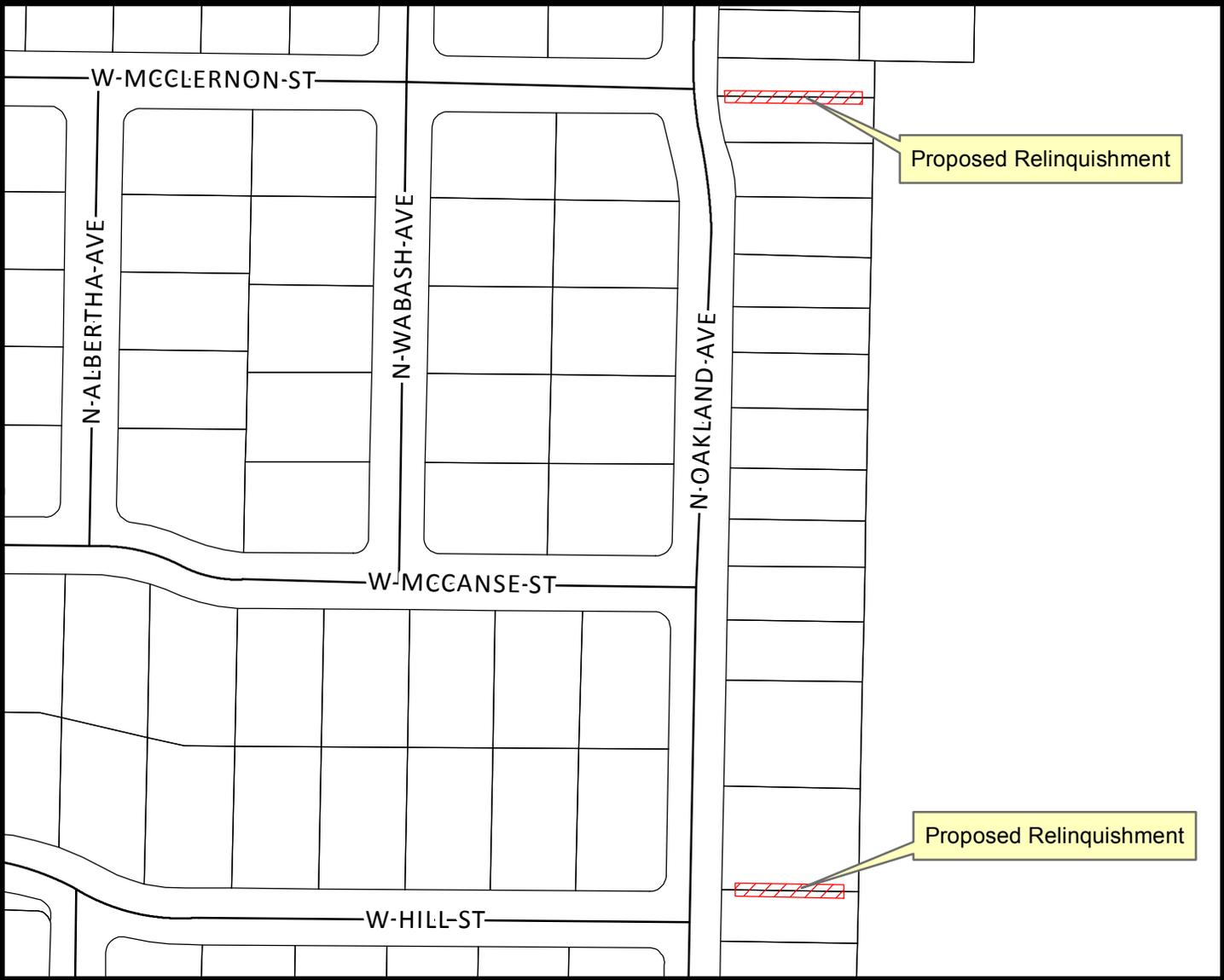
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



## Relinquish Easement 839

LOCATION: 3000 BLOCK N. OAKLAND AVENUE

### LOCATION SKETCH



- Area of Proposal



1 inch = 145 feet

DEVELOPMENT REVIEW STAFF REPORT  
REQUEST TO RELINQUISH EASEMENT NUMBER 839

PURPOSE: To relinquish two utility easements

REPORT DATE: August 15, 2016

LOCATION: 3000 block N. Oakland Avenue

APPLICANT: Spring Meadow Estates

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alyssa S. Ahner  
Assistant City Planner

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

ATTACHMENT A  
RELINQUISH EASEMENT NO. 839  
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish two utility easements in order to facilitate development of the property.

CITY UTILITY COMMENTS:

The revised descriptions of the easements to be relinquished are acceptable.

AT&T COMMENTS:

AT&T has no facilities within said utility easements.

CLEAN WATER SERVICES:

No impact on public sewer.

STAFF COMMENTS:

1. The applicant is requesting to relinquish two utility easements in order to facilitate development of the property. The utility easements will be in conflict with the proposed structures on the property. The subject easements are located inside city limits. Replacement easements have been provided.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ATTACHMENT B  
RELINQUISH EASEMENT NO. 839  
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 839  
EXHIBIT 1

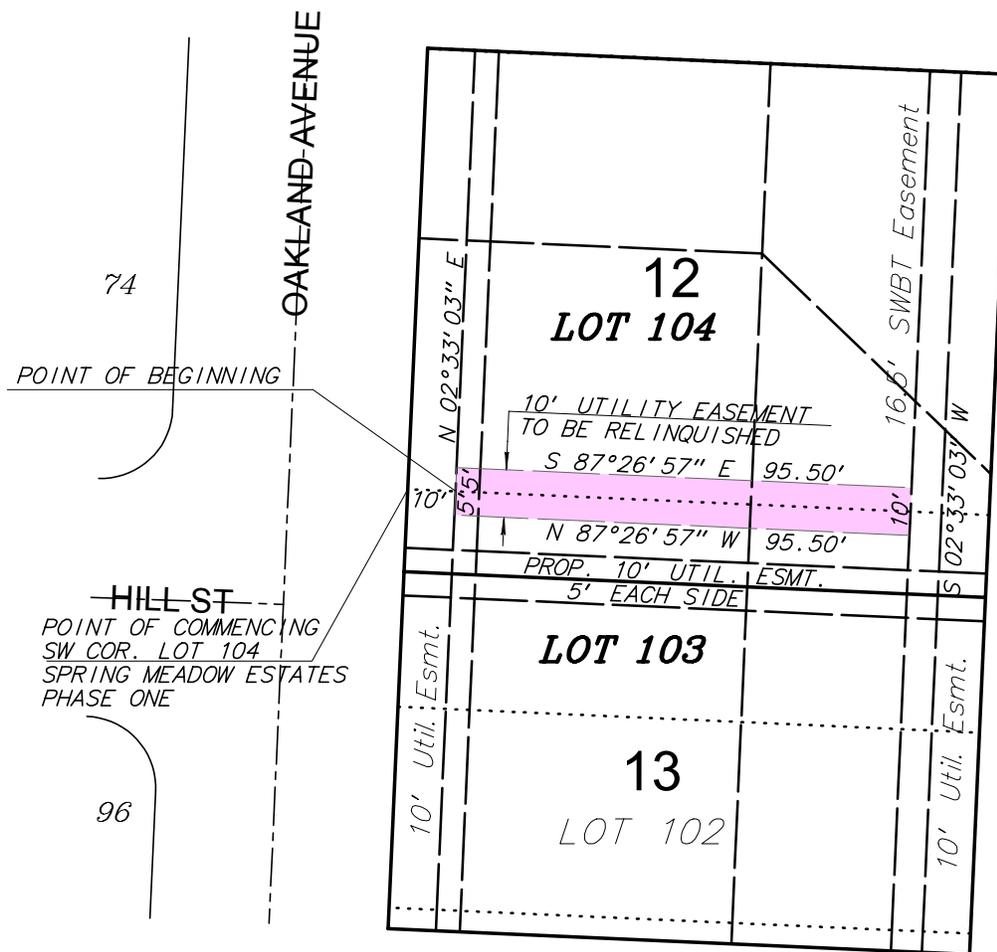
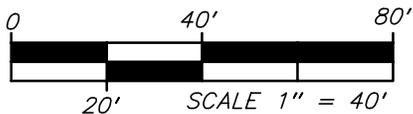
Legal Description of 10' Utility Easements to be relinquished

Easement 1:

A 10' Utility Easement being a part of the North 5 feet of Lot 103 and the South 5 feet of Lot 104 of Spring Meadow Estates Phase One, City of Springfield, Greene County, Missouri, per the plat recorded in Plat Book ZZ Page 236, Greene County Recorder's Office, and more particularly described as follows: Commencing at the Southwest Corner of said Lot 104; THENCE South 87°26'57" East along the South Line of said Lot 104 a distance of 10.00 feet to the point of beginning; THENCE North 02°33'03" East a distance of 5.00 feet to a point for corner; THENCE South 87°26'57" East a distance of 95.50 feet to a point for corner; THENCE South 02°33'03" West a distance of 10.00 feet to a point for corner; THENCE North 87°26'57" West a distance of 95.50 feet to a point for corner; THENCE North 02°33'03" East a distance of 5.00 feet to the POINT OF BEGINNING, and containing 955 square feet or 0.0219 acre(s) of land, more or less.

Easement 2:

A 10' Utility Easement being a part of the North 5 feet of Lot 116 and the South 5 feet of Lot 117 of Spring Meadow Estates Phase One, City of Springfield, Greene County, Missouri, per the plat recorded in Plat Book ZZ Page 236, Greene County Recorder's Office, and more particularly described as follows: Commencing at the Southwest Corner of said Lot 117; THENCE South 87°26'57" East along the South Line of said Lot 117 a distance of 10.09 feet to the point of beginning; THENCE along a curve to the right having a radius of 115.00 feet, a delta of 02°29'45", an arc length of 5.01 feet, and a chord which bears North 00°52'58" West having a chord distance of 5.01 feet to a point on a line; THENCE South 87°26'57" East a distance of 113.42 feet to a point for corner; THENCE South 02°33'03" West a distance of 10.00 feet to a point for corner; THENCE North 87°26'57" West a distance of 112.60 feet to a point on a curve; THENCE along a curve to the right having a radius of 115.00 feet, a delta of 02°30'17", an arc length of 5.03 feet, and a chord which bears North 03°22'59" West having a chord distance of 5.03 feet to the POINT OF BEGINNING, and containing 1,131 square feet or 0.0260 acre(s) of land, more or less.

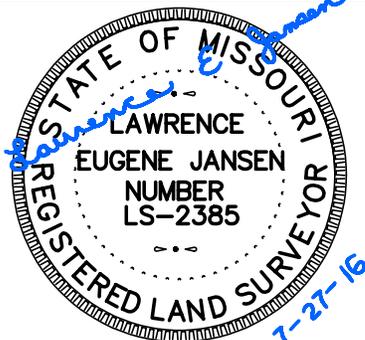


**Legal Description of 10' Utility Easements to be relinquished**

**Easement 1:**

A 10' Utility Easement being a part of the North 5 feet of Lot 103 and the South 5 feet of Lot 104 of Spring Meadow Estates Phase One, City of Springfield, Greene County, Missouri, per the plat recorded in Plat Book ZZ Page 236, Greene County Recorder's Office, and more particularly described as follows: Commencing at the Southwest Corner of said Lot 104; THENCE South 87°26'57" East along the South Line of said Lot 104 a distance of 10.00 feet to the point of beginning; THENCE North 02°33'03" East a distance of 5.00 feet to a point for corner; THENCE South 87°26'57" East a distance of 95.50 feet to a point for corner; THENCE South 02°33'03" West a distance of 10.00 feet to a point for corner; THENCE North 87°26'57" West a distance of 95.50 feet to a point for corner; THENCE North 02°33'03" East a distance of 5.00 feet to the POINT OF BEGINNING, and containing 955 square feet or 0.0219 acre(s) of land, more or less.

**EASEMENT 1**



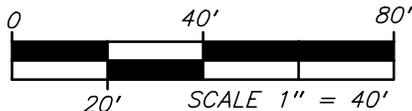
**GLOBAL**

**PRECISION SURVEYING, L.L.C.**

P.O. BOX 790, REPUBLIC, MO 65738

PHONE (417) 883-0300 FAX (417) 883-0335

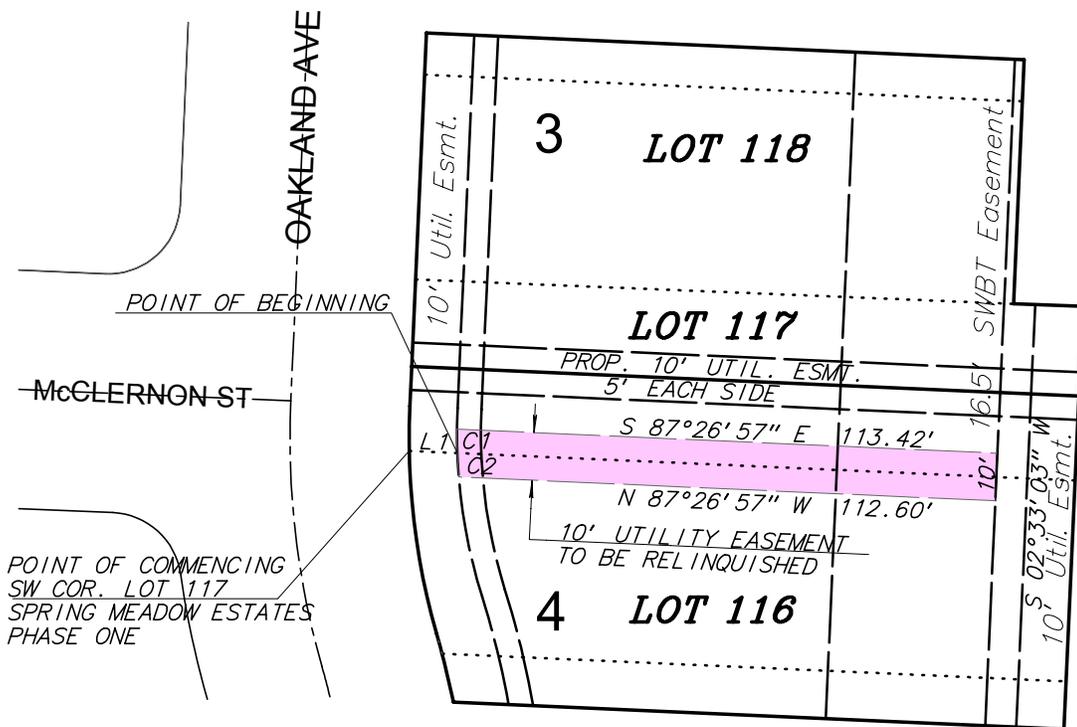
CERTIFICATE OF AUTHORITY  
NUMBER LS-201000563



L-1 S 87°26'57" E 10.09'

### CURVE DATA

#	Radius	Delta	Length	Chord	Chord Bearing
1	115.00'	02°29'45"	5.01'	5.01'	N 00°52'58" W
2	115.00'	02°30'17"	5.03'	5.03'	N 03°22'59" W

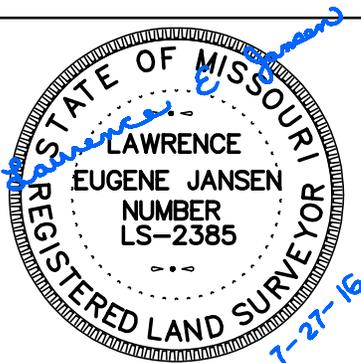


#### Legal Description of 10' Utility Easements to be relinquished

##### Easement 2:

A 10' Utility Easement being a part of the North 5 feet of Lot 116 and the South 5 feet of Lot 117 of Spring Meadow Estates Phase One, City of Springfield, Greene County, Missouri, per the plat recorded in Plat Book ZZ Page 236, Greene County Recorder's Office, and more particularly described as follows: Commencing at the Southwest Corner of said Lot 117; THENCE South 87°26'57" East along the South Line of said Lot 117 a distance of 10.09 feet to the point of beginning; THENCE along a curve to the right having a radius of 115.00 feet, a delta of 02°29'45", an arc length of 5.01 feet, and a chord which bears North 00°52'58" West having a chord distance of 5.01 feet to a point on a line; THENCE South 87°26'57" East a distance of 113.42 feet to a point for corner; THENCE South 02°33'03" West a distance of 10.00 feet to a point for corner; THENCE North 87°26'57" West a distance of 112.60 feet to a point on a curve; THENCE along a curve to the right having a radius of 115.00 feet, a delta of 02°30'17", an arc length of 5.03 feet, and a chord which bears North 03°22'59" West having a chord distance of 5.03 feet to the POINT OF BEGINNING, and containing 1,131 square feet or 0.0260 acre(s) of land, more or less.

EASEMENT 2



# GLOBAL

PRECISION SURVEYING, L.L.C.

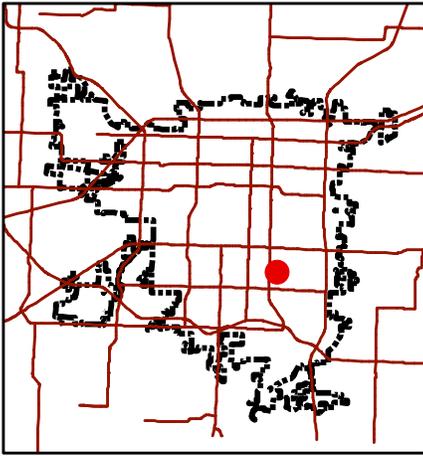
P.O. BOX 790, REPUBLIC, MO 65738

PHONE (417) 883-0300 FAX (417) 883-0335

CERTIFICATE OF AUTHORITY  
NUMBER LS-2010000563

# Development Review Staff Report

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



## Z-11-2016 with Conditional Overlay District

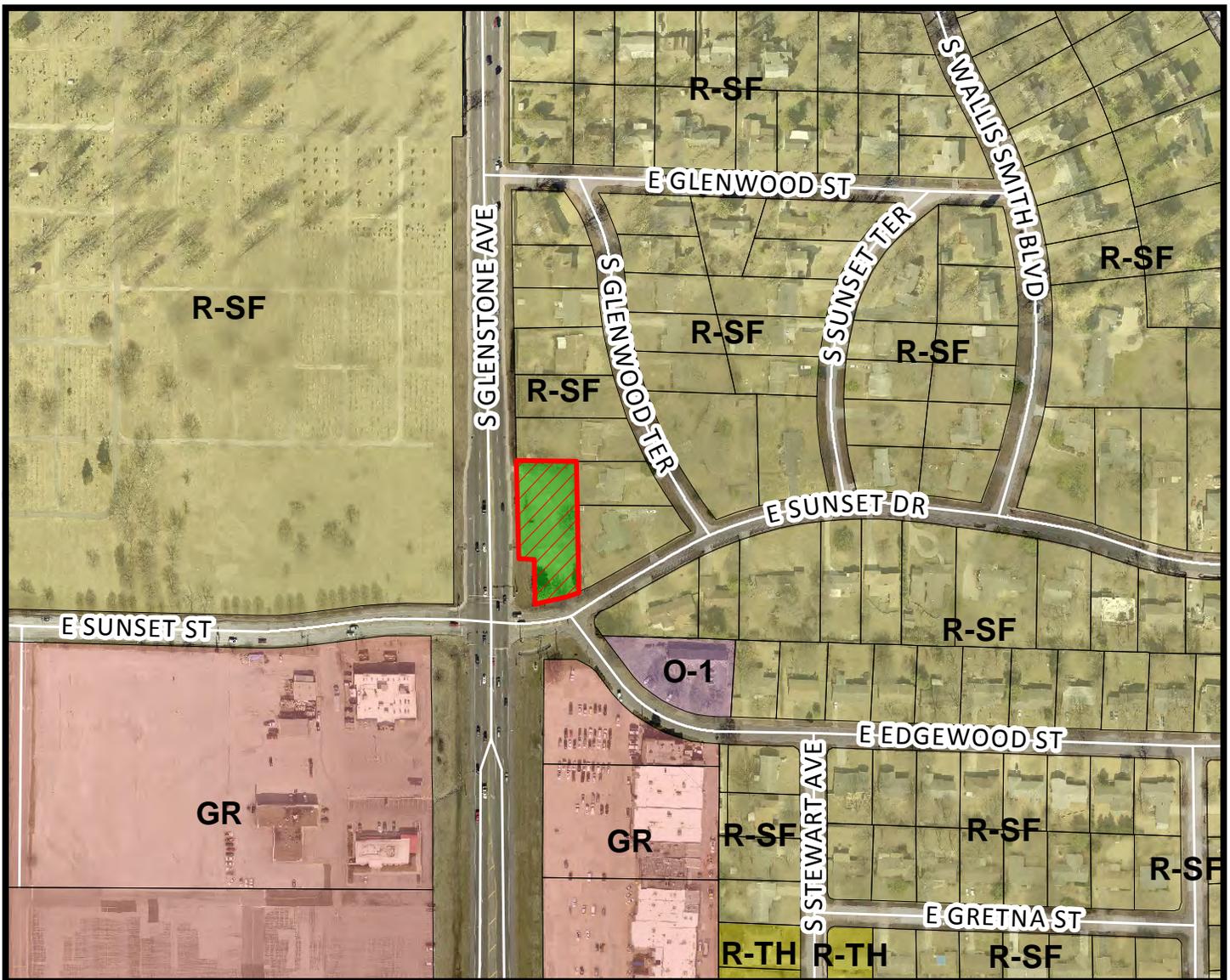
### No. 112

LOCATION: 1811 E. Sunset Drive

CURRENT ZONING: Planned Development 97

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

### LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

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

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

DATE: August 19, 2016

LOCATION: 1811 E. Sunset Drive

APPLICANT: 1811 E. Sunset, LLC

TRACT SIZE: Approximately 0.6 acre

EXISTING USE: Vacant lot

PROPOSED USE: LB permitted uses

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

Staff recommends **denial** of this request.

SURROUNDING LAND USES:

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

COMPREHENSIVE PLAN:

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

STAFF COMMENTS:

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

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

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

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

7. If the property is rezoned to the LB District, a bufferyard is required along the north and east property lines adjacent to the R-SF District. The normal bufferyard required between LB and R-SF zoning would be a Bufferyard "Type D" at least fifteen (15) feet wide with a six foot solid wood fence, masonry/brick wall or evergreen hedge. For each one-hundred (100) linear feet of bufferyard, there must be two (2) canopy tree, two (2) understory tree, two (2) evergreen trees and fourteen (14) shrubs. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF district. A portion of this lot may qualify for a narrow or shallow lot exemption which would allow the bufferyard width to be reduced to as low as 5 feet with a fence. The current Planned Development No. 97 requires a Bufferyard "Type E" adjacent to the R-SF Districts which is 20 feet wide with landscaping and a fence.
8. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1

#### NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on July 25, 2016. A summary of the meeting is attached (Attachment 2).

#### PUBLIC COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Ten (10) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to date.

#### CITY COUNCIL MEETING:

September 19, 2016

#### STAFF CONTACT PERSON:

Daniel Neal  
Senior Planner  
864-1036

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

**BUILDING DEVELOPMENT SERVICES COMMENTS:**

No objections to the proposed rezoning.

**CITY UTILITIES:**

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

**CLEAN WATER SERVICES COMMENTS:**

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

**MODOT COMMENTS:**

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

**PUBLIC WORKS TRAFFIC DIVISION COMMENTS:**

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

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

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

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

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

**STORMWATER COMMENTS:**

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

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

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

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

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

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

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

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

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

Rick J. Muenks  
Signature of person completing affidavit

Subscribed and sworn to  
me 7/26/2016

Rick J. Muenks  
Printed name of person completing affidavit

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

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



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

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

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

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

DATE: August 16, 2016

TO: Planning and Zoning Commission

FROM: Daniel Neal  
Senior Planner

SUBJECT: Zoning Case Z-12-2016/COD #111 at 2832 E. Sunshine Street

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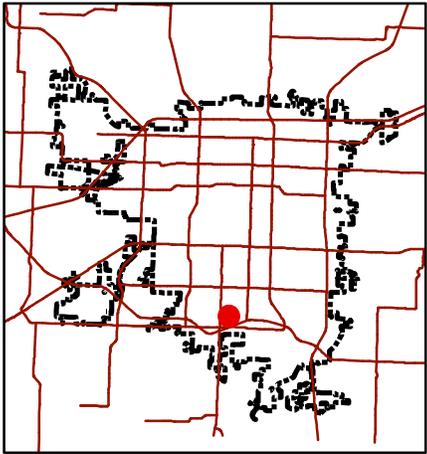
The applicant's representative has requested that this case be tabled and be placed on the Planning and Zoning Commission meeting on October 13<sup>th</sup>.

# Development Review Staff Report

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

**Z-13-2016**

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



## LOCATION SKETCH



 - Area of Proposal



1 inch = 150 feet

DEVELOPMENT REVIEW STAFF REPORT  
ZONING CASE Z-13-2016

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

REPORT DATE: August 18, 2016

LOCATION: 222 East Primrose Street

APPLICANT: Lipscomb Properties LLC

TRACT SIZE: Approximately 0.90 acres

EXISTING USE: Medical Offices uses

PROPOSED USE: Medical Office uses with pharmacy

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

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

## COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for medium intensity retail, office or housing. The subject property is near the James River Freeway and Campbell Avenue Activity Center as shown in the *Growth Management and Land Use Plan* element.

## STAFF COMMENTS:

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

## NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 9, 2016 regarding the rezoning request. A summary of the meeting is attached (Attachment 2).

## PUBLIC COMMENTS:

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

prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Eleven (11) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

September 19, 2016

STAFF CONTACT PERSON:

Michael Sparlin  
Senior Planner  
864-1091

ATTACHMENT 1  
DEPARTMENT COMMENTS  
ZONING CASE Z-13-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

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

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

FIRE DEPARTMENT COMMENTS:

No issues with Fire Department

STORMWATER COMMENTS:

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

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

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

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

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

**CLEAN WATER SERVICES COMMENTS:**

No objections to rezoning. Public sewer is currently available.

**CITY UTILITIES:**

No objection to rezoning. All utilities are available.

**AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY**

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

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

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

Written comments are attached.

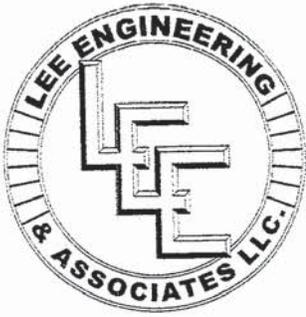
I, Dalton Patterson (*print name*), attest that the neighborhood meeting was held on 8/9/16 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



*Signature of person completing affidavit*

Dalton Patterson

*Printed name of person completing affidavit*



# LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & LAND SURVEYING

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

## COMMENT SHEET

Neighborhood Meeting  
Tuesday, August 9, 2016

Re: Proposed Rezone  
222 E. Primrose  
Springfield, Missouri

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

COMMENTS: This is fine for our neighborhood  
Eric Roberts

Jared Enterprises | Jared Management | Jared Properties | Jared Development | Jared Commercial  
2870 S. Ingram Mill Rd., Suite A  
Springfield, MO 65804  
Work: 417.877.7900 | Fax: 417.877.7689  
[cjared@jaredenterprises.com](mailto:cjared@jaredenterprises.com) [www.jaredenterprises.com](http://www.jaredenterprises.com)

August 2, 2016

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

RE: Proposed Rezoning

Dalton,

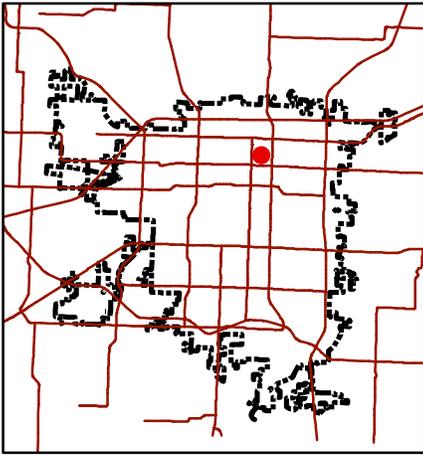
We are in receipt of your letter in regards to the proposed rezoning at 222 Primrose Springfield, MO.  
Please let this letter serve as a letter of support in regards this project. Please let us know if you have any questions.

Sincerely

Curtis Jared, President  
Jared Enterprises

# Development Review Staff Report

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



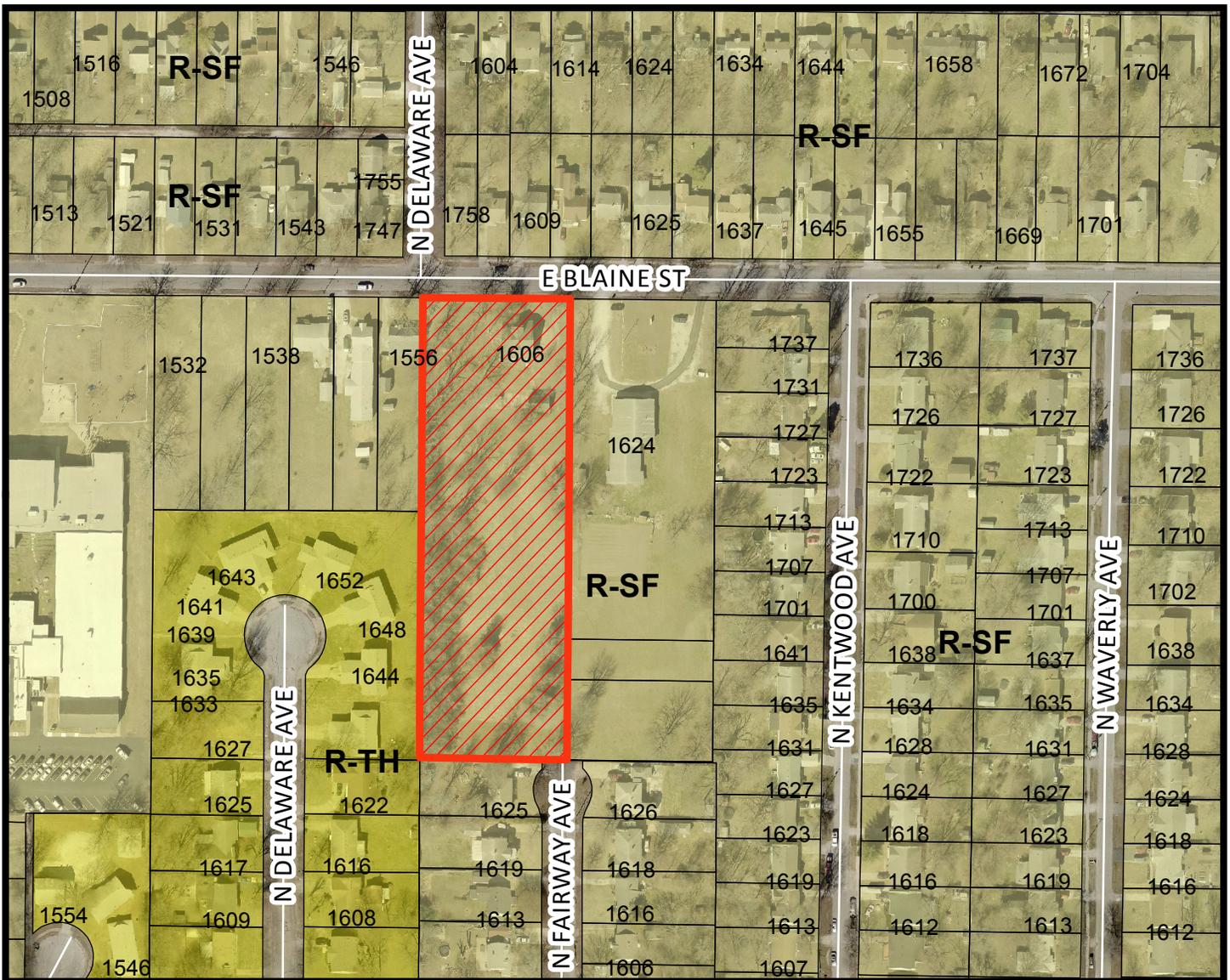
## Z-14-2016 Conditional Overlay District #110

LOCATION: 1606 E BLAINE

CURRENT ZONING: R-SF Single Family Residential District

PROPOSED ZONING: R-LD Multi-Family Residential  
Low Density with a COD # 110

### LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

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

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

REPORT DATE: August 15, 2016

LOCATION: 1606 East Blaine Avenue

APPLICANT: John Peterson

TRACT SIZE: Approximately 2.4 acres

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

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this property as an appropriate area for Low Density Housing. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation to limit the density. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
4. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway.

5. The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District to the west. The R-TH District density is 11 dwelling units per acre which could equate to approximately 26 dwelling units on 2.4 acres of property. The R-SF District which allows 7 dwelling units per acre would allow a total of 17 dwelling units for 2.4 acres. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.
  
6. The standard development requirements in the R-LD District are adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.

**RECOMMENDATION:**

Staff recommends **approval** of this request

**SURROUNDING LAND USES:**

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

**COMPREHENSIVE PLAN:**

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Low Density Housing uses. The plan recommends single family in this category. The subject property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone Avenue and Weller Street as a local roadway.

**STAFF COMMENTS:**

1. The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110. The proposed Conditional

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

2. The R-LD District is intended to accommodate multi-family developments at densities up to eighteen (18) units per acre and is intended to have all vehicular access from a collector or higher classified street without traversing minor streets in adjoining residential neighborhoods. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. The Multi-Family Location and Design Guidelines are not required for multi-family developments at eleven (11) dwelling units per acre or less. The current R-SF, Single-Family Residential District allows for a maximum residential density of 7 du/ac. The proposed conditional overlay district will restrict the residential density to 11 dwelling units per acre which is similar to the R-TH, Residential Townhouse District to the west. Both the R-TH and R-LD Districts allow duplexes, the primary difference is that the R-TH District only allows one duplex per lot while the R-LD allows for multiple duplexes or units on a single lot.
3. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #110 on such small lots will not generate a significant amount of additional traffic. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway. There appears to be a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right of way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right of way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right of way will have to be dedicated from the property owners.
4. A landscaped bufferyard "Type B" at least 15 feet wide is required between any adjacent R-SF and R-TH District property. A bufferyard "Type B" requires for each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, one (1) evergreen tree and six (6) shrubs.
5. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. This is a one to one relationship, for every 1 foot of height there is an equal 1 foot required building setback. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties such as noise, lighting, odor and signage will be covered by the Zoning Ordinance.

6. The proposed rezoning was reviewed by City departments and comments are attached (Attachment 1).

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on August 3, 2016. A summary of the meeting is attached (Attachment 2).

**PUBLIC COMMENTS:**

The property was posted by the applicant or their representative at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Thirty-nine (39) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received 4 calls and emails from one property owner inquiring about this project.

**CITY COUNCIL MEETING:**

September 19, 2016

**STAFF CONTACT PERSON:**

Bob Hosmer, AICP  
Principal Planner  
864-1834

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

**BUILDING DEVELOPMENT SERVICES COMMENTS:**

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

**TRAFFIC DIVISION COMMENTS:**

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

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

**STORMWATER COMMENTS:**

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

subject to the following conditions at the time of development:

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

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

**CLEAN WATER SERVICES COMMENTS:**

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

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

**CITY UTILITIES:**

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

**FIRE DEPARTMENT COMMENTS:**

1. Fire has no issues with rezoning.

## Summary of rezoning meeting

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

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

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

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

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

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

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

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

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

Thanks, John Peterson

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

Print NAME <sup>doc</sup> @ceoradio.net

- 1 Mark Maynard (Weller Assoc) →
- 2 Betty Dickensheet Fairway Ave
- 3 Eric Kirklin Fairway PVE
- 4 William J. Spurrard Kentwood Ave
- 5 DENNIS STEWART 1613 N FAIRWAY (417) 880-3047
- 6 Chris Miller 1605 N. FAIRWAY Ave ←
- 7 Ben & Fay Ely 1650 E. COMMERCIAL ST. 65803
- 8 Cynthia Baldwin 1524 ~~St.~~ Fairway 65803
- 9 Donna Belcher 1524 N Fairway 65803
- 10 Jerany Jackson 3145 S. Arcadia 65804
- 11
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- 19
- 20

**AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY**

1. Request change to zoning from: R-BF to R-LD  
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 397 E Central St 9-6:30 pm
3. Meeting Location: LIBRARY, E CENTRAL, Springfield, Mo
4. Number of invitations that were sent: \_\_\_\_\_
5. How was the mailing list generated: by City staff
6. Number of neighbors in attendance (attach a sign-in sheet): 10
7. List the verbal comments and how you plan to address any issues:  
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

*See attached*

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

*See attached*

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

*John Peterson*  
Signature of person completing affidavit

John Peterson  
Printed name of person completing affidavit

John Peterson  
1606 E. Blaine Street  
Springfield, MO 65803

Re: Neighborhood Rezoning Meeting August 3, 2016

Dear Neighbor:

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

Sincerely,



John Peterson

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

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Dear Mr. Hosmer,

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

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

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

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

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

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

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

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

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

Sincerely,

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

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

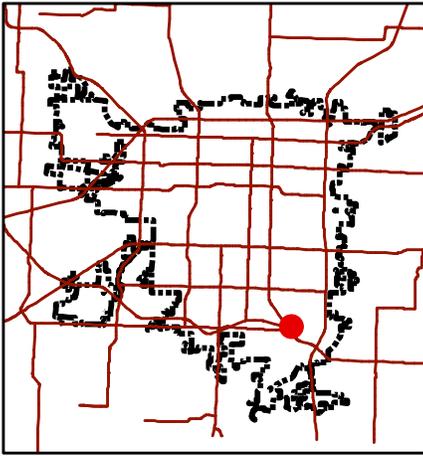
The requirements of *Section 36-382.* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. Use Limitations:

- a. The maximum density for the subject property is eleven (11) dwelling units per acre.

# Development Review Staff Report

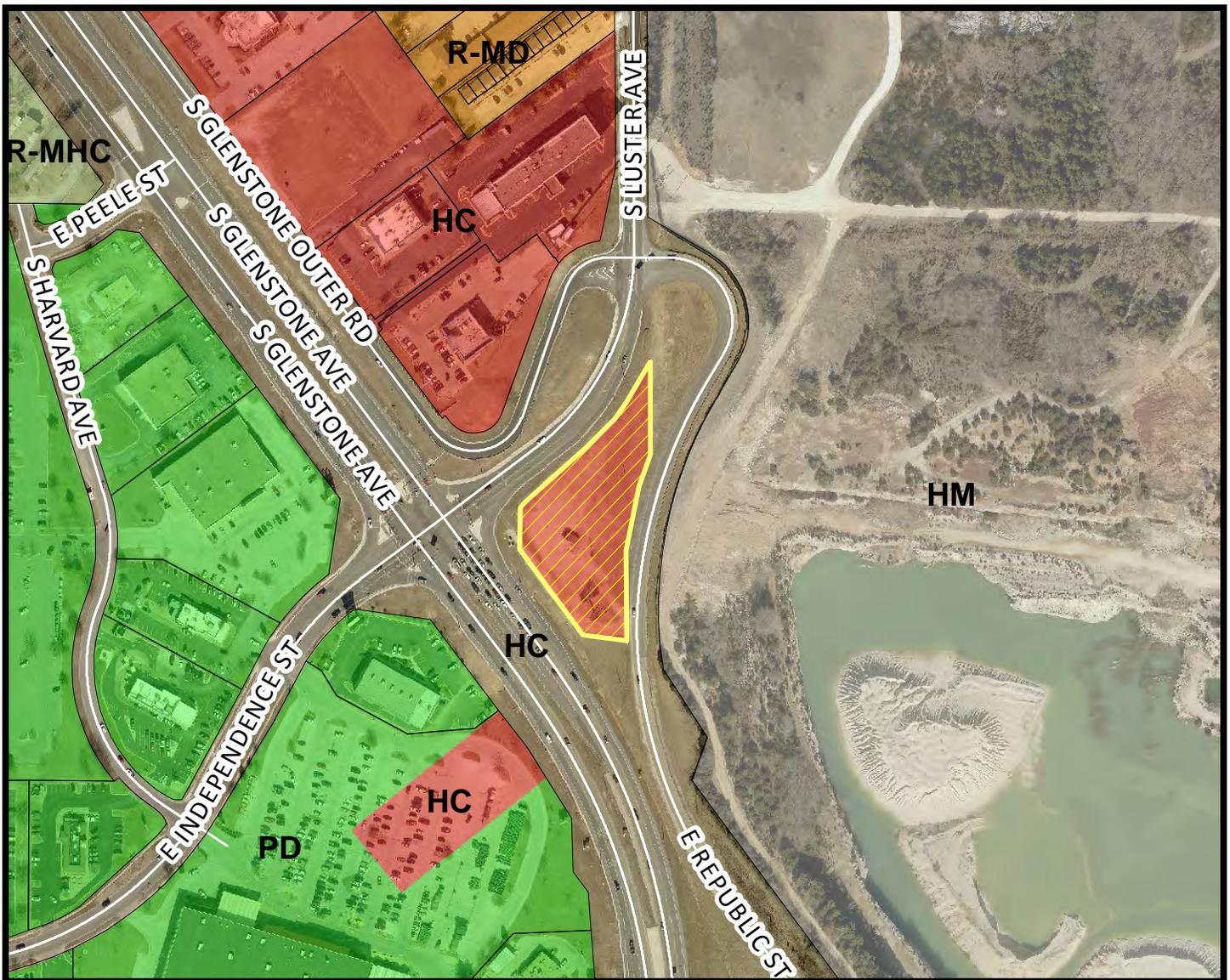
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



## Preliminary Plat - Andy Land Subdivision

LOCATION: 3830 S. Glenstone Avenue  
CURRENT ZONING: HC, Highway Commercial District  
PROPOSED ZONING: NA

### LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT  
PRELIMINARY PLAT – ANDY LAND SUBDIVISION

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

REPORT DATE: August 19, 2016

LOCATION: 3830 S. Glenstone Avenue

APPLICANT: Wisdom, LLC

TRACT SIZE: Approximately 1.48 acres

EXISTING USE: Eating and drinking establishment (under construction)

PROPOSED USE: Highway Commercial uses

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

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

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

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

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

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

**SURROUNDING LAND USES:**

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

## HISTORY:

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

## COMPREHENSIVE PLAN:

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

## STAFF COMMENTS:

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

CITY COUNCIL: September 19, 2016

## STAFF CONTACT:

Daniel Neal  
Senior Planner  
864-1036

ATTACHMENT 1  
DEPARTMENT COMMENTS  
PRELIMINARY PLAT – ANDY LAND SUBDIVISION

AT&T COMMENTS:

No comments.

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

CITY UTILITIES COMMENTS:

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

FIRE DEPARTMENT COMMENTS:

No issues.

MODOT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

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

STORMWATER COMMENTS:

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

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

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

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

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

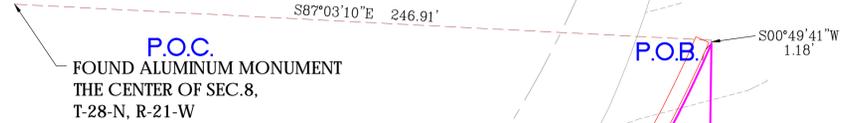
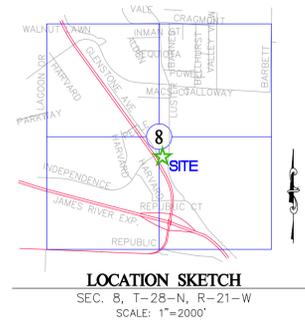
Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Thompson Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No

**CLEAN WATER SERVICES COMMENTS:**

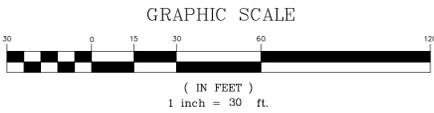
1. The public improvements plans required for this subdivision are currently under review. The subdivision cannot be approved until the public improvements have been approved and constructed or escrowed.

# ANDY LAND SUBDIVISION

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



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



### PARKING SUMMARY

**LOT 1**  
BUILDING: 3,474 F<sup>2</sup>  
USE: MEDICAL & DENTAL OFFICES & CLINICS  
ONE (1) FOR EACH 250 F<sup>2</sup> TOTAL BUILDING FLOOR AREA.  
# REQUIRED = 14 SPACES  
# PROVIDED = 24 SPACES

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

### NOTES

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

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

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

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

### OPEN SPACE SUMMARY

**LOT 1**  
TOTAL LOT AREA: 29,775 F<sup>2</sup>  
OPEN SPACE REQUIRED: 5,655 F<sup>2</sup>

**LOT 2**  
TOTAL LOT AREA: 34,704 F<sup>2</sup>  
OPEN SPACE REQUIRED: 6,941 F<sup>2</sup>  
OPEN SPACE PROVIDED: 9,238 F<sup>2</sup> > 20%

### SURFACE WATER DRAINAGE STATEMENT

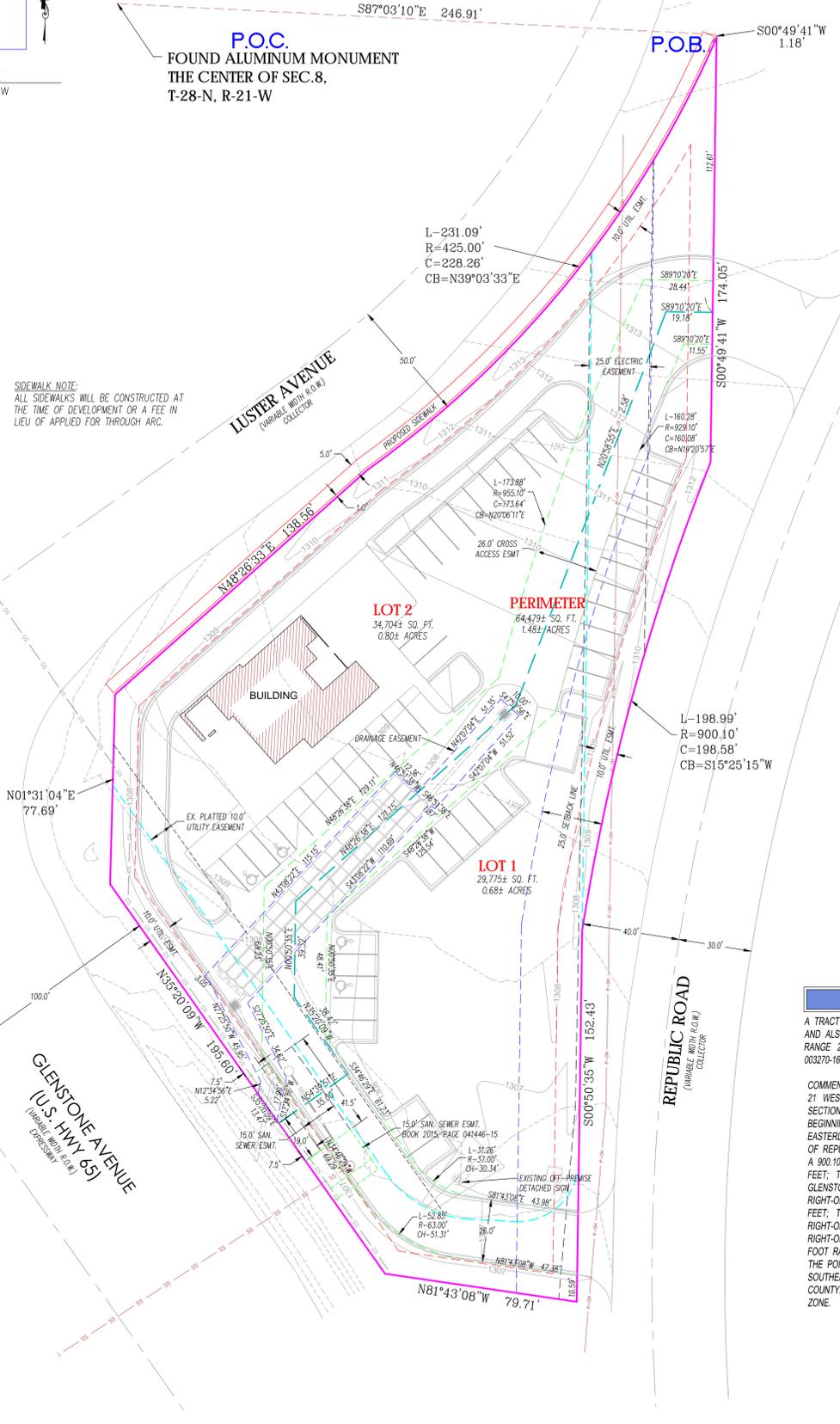
THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE RUNOFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER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

### FLOOD NOTE

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

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

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



STATE PLANE COORDINATE THE MISSOURI COORDINATE SYSTEM 1983	
CONTROL STATION:	
GR-06 RESET	NORTHING - 147168.877 (M) EASTING - 432226.647 (M) GRID FACTOR - 0.9999313
GR-37	NORTHING - 145149.372 (M) EASTING - 433369.156 (M) GRID FACTOR - 0.9999309

COORDINATES EXPRESSED IN METERS.

### ZONING DATA

SUBJECT PROPERTY IS ZONED HC (HIGHWAY COMMERCIAL DISTRICT)

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

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

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

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

### SURVEY DESCRIPTION

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

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

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

KENT D. MORRIS, AICP, DIRECTOR

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

DATE OF EXECUTION \_\_\_\_\_ SIGNED \_\_\_\_\_ NO SEAL  
TITLE \_\_\_\_\_  
PRINT NAME \_\_\_\_\_

**ACKNOWLEDGMENT**  
STATE OF MISSOURI) SS  
COUNTY OF GREENE)

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

NOTARY PUBLIC: \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**  
KNOWN ALL MEN BY THESE PRESENTS:

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

ANDERSON ENGINEERING, INC. LC 62 BY:

KEVIN L. LAMBETH, PLS NO. 2695  
8-22-2016  
DATE PREPARED

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

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

COA #000692

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

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

FIELD: BH	DATE: 7-21-2016
DRAWN: BAC	FIELD BK:
CHECKED: KLL	JOB NO: 10128-16

**WB 110-649**  
SHT. 1 OF 1 REV. \_\_\_\_\_

**PLANNING AND DEVELOPMENT DEPARTMENT  
DEVELOPMENT REVIEW  
MEMORANDUM**

DATE: August 19, 2016

TO: Planning and Zoning Commission

FROM: Daniel Neal  
Senior Planner

SUBJECT: Initiate amendments to Section 36-303.(30)(b) Utility substation facilities.

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Staff is requesting amendments to the design standards of utility substation facilities. The current requirements state that if a utility substation facility building, fence or wall is painted that neutral colors shall be used. Staff believes there are situations where alternate colors may be appropriate.

Staff is proposing to modify the Utility substation facilities design standards section (36-303.(30)(b)) of the Zoning Ordinance to remove the paint color requirement.

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