

**GENERAL ORDINANCE No. 5216
MID-TOWN URBAN CONSERVATION DISTRICT
ADOPTED SEPTEMBER 9, 2002**

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EXHIBIT 1

SECTION 1 - That the following described property is designated as Urban Conservation District Number 3, to be known as the Mid-Town Urban Conservation District, which district shall be subject to the provisions set forth in Section 4-2300, Urban Conservation District, of the Land Development Code, and the regulations set forth herein; said district shall be shown on the District maps and is described as follows:

MID-TOWN URBAN CONSERVATION DISTRICT LEGAL DESCRIPTION

Beginning at the Northeast corner of Lot 29, Grove Hill Addition, being a point on the Southern Right-of-way of an alley between Commercial and Blaine Streets, thence Westerly along the said Right-of-way as it currently exists crossing Hampton Avenue to the Northwest corner of Lot 3, Nixons Addition, thence West-southwesterly crossing Texas Avenue to the Northeast corner of Lot 56, Frisco Addition being a point on the Southern Right-of-way of an alley between Commercial and Pacific Street, thence West-southwesterly along the said Right-of-way as it currently exists crossing Sherman, Clay, Summit, Washington, Benton, Jefferson, and Robberson Avenues to the Northwest corner of Lot 2, Block 30, North Springfield Addition, being a point on the Eastern Right-of-way of Boonville Avenue, thence southerly along the said Right-of-way as it currently exists crossing Pacific, Court, Locust, Division, Lynn, Calhoun, Webster, Scott and Central Streets to the Northern Right-of-way of Chestnut Expressway, thence Easterly along said Right-of-way as it currently exists crossing Jefferson, Benton, and Washington Avenues to the Western Right-of-way of the Burlington Northern Railroad, thence Northeasterly along the said Right-of-way as it currently exists to the Western Right-of-way of National Avenue, thence Northerly along the said Right-of-way as it currently exists crossing Division, Locust, Pacific and Blaine Streets to the Northeast corner of Lot 29, Grove Hill Addition, being the point of beginning, all in Springfield, Greene County, Missouri.

(Location: Area bounded generally on the north by Blaine Street including properties on both sides of Blaine Street between Texas and National Avenues, on the west by Boonville Avenue, on the south by Chestnut Expressway and on the east by the Burlington Northern Railroad Right-of-way and National Avenue.)

SECTION 2 - The following sub-districts are hereby established within the Mid-Town Urban Conservation District, to be known as Areas A, B, C, D and E which are described as follows:

Area A
Benton Avenue Area

Beginning at the Northeast corner of Lot 44, Ozark Land Addition, thence Westerly along the Northern line of said Lot 219' M/L, thence Southerly to a point 219' M/L Westerly of the Southeast corner of Lot 40 of said Addition, being a point on the Northern Right-of-Way of Webster Street as it currently exists, thence Southeasterly crossing said Street to a point on the Southern Right-of-Way of said Street 195' M/L Westerly of the Southwest corner of Webster Street and Benton Avenue as it currently exist, thence Southerly 85' M/L, thence Westerly 85' M/L. thence Southerly 292' M/L following the Eastern line of Root and Bowerman's Addition East of Jefferson, thence Easterly 277' M/L to the Western Right-of-Way of Benton Avenue to a point 376' M/L Southerly of the Southwest corner of Webster Street and Benton Avenue as it currently exists, thence Northerly along the Western Right-of-Way of Benton Avenue as it currently exists crossing Webster Street to the Northeast corner of Lot 44, Ozark Land Addition, being the point of beginning, all in Springfield, Greene County, Missouri.

(Location: West side of North Benton Avenue -- Calhoun Street to a point south of Webster Street.)

Area B
Benton/Calhoun Corner

All of lot 38 and the south 50 feet of Lot 37 in Ozark Land Company's Addition to the City of Springfield, Greene County, Missouri. Section 13, Township 29, Range 22.

Area C
Drury Student Housing - Calhoun and Summit

All of Lots 152, 153, and 154 in the Amended Plat of M.H. Merriman's Second Addition to the City of Springfield, Greene County, Missouri. All being in Section 13, Township 29, Range 22.

Area D
Drury Parking - Clay and Summit

A tract of land lying in Section 13, Township 29, Range 22 in the City of Springfield, Greene County, Missouri, more particularly described as follows. Beginning at the Northwest corner of Lot 132 in the Amended Plat of M.H. Merriman's Second Addition, thence Easterly along the South ROW of Webster Street to the Northeast corner of Lot 106 in the Subdivision of Block A of Merriman's Second Addition, thence Southerly along the West ROW of Clay Avenue to the Southeast corner of Lot 118 in the Subdivision of Block A of Merriman's Second Addition, thence continuing Southerly to the Southwest corner of the intersection of Pythian Street and Clay Avenue, being a

point on the North line of Block 9 of J. D. Fairbanks Addition, thence Westerly along the South ROW of Pythian Street to the Northwest corner of Lot 7 of Block 4 of J. D. Fairbanks Addition, thence Northerly to the Southwest corner of Lot 120 in the Amended Plat of M.H. Merriman's Second Addition, thence continuing Northerly along the East ROW of Summit Avenue to the Point of Beginning except for Lots 129, 130, and 131 of M. H. Merriman's Second Add. Amended.

**Area E
(Reserved)**

Beginning at the Northwest corner of Lot 18 Frisco Addition, being the Southeast corner of Summit Avenue and an alley between Commercial and Pacific Streets, thence East-northeasterly along the Southern Right-of-way of said alley as it currently exists crossing Clay and Sherman Avenues to the Northeast corner of Lot 56, Frisco Addition, thence East-northeasterly crossing Texas Avenue to the Northwest corner of Lot 3, Nixon's Addition, being a point on the Southern Right-of-way of an alley between Commercial and Blaine Streets, thence Easterly along said Right-of-way as it currently exists crossing Hampton Avenue to the Northeast corner of Lot 25, Grove Hill Addition, being a point on said Right-of-way, thence Southerly along the Eastern line of said Lot 25 corner of Lot 56, Frisco Addition, thence to the Southeast corner of said Lot 25, thence Southeasterly crossing Blaine Street to a point on the Southern Right-of-way of said Street 136.5' M/L Easterly of the Southeast corner of Hampton and Blaine, thence southerly 313' M/L to a point on the Northern Right-of-way of Pacific Street 209' M/L Easterly of the Northeast corner of Hampton Avenue and Pacific Street, thence Southerly crossing Pacific Street to the Northeast corner of Lot 1, Carrs Addition, thence Southerly along the Eastern line of said Lot 1 to the Southeast corner of said Lot 1, thence Southeasterly crossing an alley between Pacific and Locust Streets as it currently exists to a point on the Southern Right-of-way of said alley 200' M/L Easterly of the Southeast corner of Hampton Avenue and said alley, thence Southerly 169' M/L to a point on the Northern Right-of-way of Locust Street 200' M/L Easterly of the Northeast corner of Hampton Avenue and Locust Street, thence South-southwesterly to a point on the Southern Right-of-way of Locust Street 186.5' M/L Easterly of the Southeast corner of Hampton Avenue and Locust Street, thence Southerly 179' M/L to a point on the Northern Right-of-way of an alley between Locust and Division Streets 186.5' M/L Easterly of the Northeast corner of Hampton Avenue and said alley, thence Westerly along the Northern Right-of-way of said alley as it currently exists 186.5' M/L crossing Hampton and Frisco Avenues to a point on the Eastern line of Lot 3, Block 1, North Springfield Addition 25' M/L Northerly of the Southeast corner of said Lot 3, thence Southerly along the Eastern line of Lot 3 and 4 of said Block and Addition to the Southeast corner of said Lot 4, thence Westerly along the Southern line of said Lot 4 to the Southwest corner of said Lot 4, thence Westerly crossing Sherman Avenue to the Southeast corner of Lot 4, Block 2 of said Addition, thence Westerly along the Southern line of Lots 4 and 11 of said Block and Addition to the Southwest corner of said Lot 11 being a point on the Eastern Right-of-way of Clay Avenue, thence Northerly along said Right-of-way to the Southeast corner of Clay Avenue and Locust Street, thence

Northwesterly to the Northwest corner of Clay Avenue and Locust Street, thence Westerly along the Northern Right-of-way of Locust Street to the Northeast Corner of Summit Avenue and Locust Street, thence Northerly along the Eastern Right-of-way of Summit Avenue crossing Pacific Street to the Northwest corner of Lot 18, Frisco Addition, being the point of beginning, all in Springfield, Greene County, Missouri

(Location: Area north of Division and south of Commercial and between Summit and National Avenues.)

AND

Beginning at the Southwest corner of Lot 120, Merrimans 2nd Addition Amended, thence Northerly along the Western line of Lots 120 through 140 crossing Webster and Calhoun Streets to the Northwest corner of said Lot 140, thence Northwesterly crossing Commit Avenue to the Southeast corner of Lot 152 of said Addition, thence Northerly 30' M/L along the Eastern line of said Lot 152, thence Westerly to a point on the Western line of said Lot 152 30' M/L Northerly of the Southwest corner of said Lot 152, thence Northerly along the Western line of Lots 152, 151, 150, 149, and 148 of said Addition to the Northwest corner of said Lot 148, thence North-northwesterly crossing Lynn Street to the Southeast corner of Lot 7, Ozark Land Company Addition, thence Northerly along the Eastern line of Lots 7, 6, 5, 4, 3, 2, and 1 of said Addition to the Northeast corner of said Lot 1, thence Northerly crossing Division Street to the Southwest corner of Lot 6, Block 4, North Springfield Addition, thence Northerly along the Western line of Lots 6, 5, 4, 3, 2, and 1 of said Block and Addition to the Northwest corner of said Lot 1, thence Easterly along the Northern line of said Lot 1 to the Northeast corner of said Lot 1, thence Southerly along the Eastern line of Lots 1 through 6 of said Block and Addition to the Southeast corner of said Lot 6, thence Easterly cross Summit Avenue to the Southwest corner of Lot 9, Block 3 of said Addition, thence Easterly along the Southern line of said Lot 9 to the Southeast corner of said Lot 9, thence Southeasterly crossing Division Street to the Northwest corner of Lot 48, Merrimans 1st Addition, thence Southerly along the Western line of Lots 48 & 47 of said Addition to the Northwest corner of Lot 46 of said Addition, thence Easterly along the Northern line of Lots 46, 27, 22 & 3 (of said Addition crossing Clay and Sherman Avenues to the Northeast corner of said Lot 3, thence Northerly 25' M/L to the Northwest corner of Lot 3, Bigelows Addition, thence Easterly along the Northern line of Lots 3, 15, 27, 39 of said Addition crossing Texas and Frisco Avenues to the Northeast corner of said Lot 39, thence Southeasterly crossing an alley, as it currently exists between Frisco and Hampton Avenues to the Northwest corner Lot 25, A. E. Mitchells Addition, thence Easterly along the Northern line of Lots 25 through 27 of said Addition to the Northeast corner of said Lot 27, thence Southerly along the Eastern line of Lots 27 through 35 of said Addition to the Southeast corner of said Lot 35, thence Westerly 190' M/L to the Northeast corner of Lot 1, Catlin's 2nd Addition, thence Westerly along the Northern line of Lots 1, 2 and the East 10' M/L of Lot 3 of said Addition to the Northwest corner of the East 10' M/L of Lot 3 of said Addition being the Eastern Right-of-way of Frisco Avenue, thence Westerly crossing Frisco Avenue to the Northeast

corner of Lot 21, Catlin's 2nd Addition, thence Westerly along the Northern line of Said Lot 21 to the Northeast corner of said Lot 21, thence Southerly along the Western line of said Lot 21 to the Southwest corner of said Lot 21., thence Southerly crossing Lynn Street to the Southwest corner of Lynn Street and Frisco Avenue, thence Easterly crossing Frisco Avenue to the Southeast corner of Lynn Street and Frisco Avenue being the Northwest corner of Lot 18, Catlin's 2nd Addition, thence Easterly along the Northern line of Lots 18 through 20 to a point 101 Easterly of the Northeast corner of said Lot 20 being a point on a vacated alley adjacent and East of said Lot 20, thence Southerly following a line 10' M/L Easterly of the Eastern line of said Lot 20 to a point 10' Easterly of the Southeast corner of said Lot 20, thence Southerly 10' M/L, thence Westerly 10' M/L to a point 10' Southerly of the Southeast corner of said Lot 20 being a point on the center line of a vacated alley adjacent and Southerly of said Lot 20, thence Westerly following said center line of vacated alley located 10' M/L Southerly of said Lots 20, 19, & 18 to a point on the Eastern Right-of-way of Frisco Avenue 10' M/L Southerly of said Lot 18, thence Southeasterly crossing Frisco Avenue to the Northeast corner of Block C, Lamblets Addition, thence Southerly along the Eastern line of said Block C to the Southeast corner of said Block C, thence Westerly along the Southern line of said Block C to the Southwest corner of said Block C, thence Northerly along the Western line of said Block C to the Northwest corner of said Block C, thence Northwesterly crossing Texas Avenue to the Southern line of the Northern half of an alley adjacent North of Block A, Lamblets Addition, thence Westerly along the Southern line of the Northern half of said alley to a point on the Eastern line of Lot 26, Merrimans 2nd Addition 25' M/L Southerly of the Northeast corner of said Lot 26, thence Southerly along the Eastern line of Lots 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 14 & 13 of said Addition crossing Calhoun Street to the Southeast corner of said Lot 13, thence South-southeasterly crossing Webster Street to the Northwest corner of Lot 6, Block 15, J. Fairbank's Addition, thence Easterly along the Northern line of said Lot 6 to the Northeast corner of said Lot 6, thence Southerly along the Eastern line of Lots 6 & 5 of said Addition to a point 10' M/L Southerly of Northeast corner of said Lot 5, thence Westerly 140' M/L, thence Southerly 50.5' M/L to a point on the Southern line of said Lot 5. thence Westerly 43' M/L to the Southwest corner of said Lot 5, thence Southerly along the Western line of Lots 4, 3, 2, & 1 of said Block and Addition to the Northwest Right-of-way of the Burlington Northern Railroad as it currently exists, thence Southwesterly along the said Right-of-way crossing Sherman Avenue to the Southeast corner of Lot 60, Merrimans 2nd Addition Amended, thence Westerly along the Southern line of said Lot 60 to the Southeast corner of Lot 61, Block A, Merrimans Subdivision, thence Northerly along the Eastern line of Lots 61 through 63 of said Subdivision to a point 10' M/L Northerly of the Southeast corner of said Lot 63, thence Westerly to a point on the Western line of said Lot 63, 10' M/L Northerly of the Southwest corner of said Lot 63, thence Westerly crossing Clay Avenue to the Northwest corner of Lot 117 of said Subdivision, thence Southerly along the Eastern line of Lots 117 and 118 of said Subdivision to the Southeast corner of said Lot 118, thence Westerly along the Southern line of said Lot 118 to the Southeast corner of Lot 120, Merrimans 2nd Addition Amended, thence Westerly along the Southern line of said Lot

120 to the Southwest corner of said Lot 120 being the point of beginning, all in Springfield, Greene County, Missouri.

(Location: Area south of Division Street and North of Pythian Street between Summit and Hampton Avenues.)

Except for any part of:

All of Lots 152, 153, and 154 in the Amended Plat of M.H. Merriman's Second Addition to the City of Springfield, Greene County, Missouri. All being in Section 13, Township 29, Range 22 (Area C)

and

A tract of land lying in Section 13, Township 29, Range 22 in the City of Springfield, Greene County, Missouri, more particularly described as follows. Beginning at the Northwest corner of Lot 132 in the Amended Plat of M.H. Merriman's Second Addition, thence Easterly along the South ROW of Webster Street to the Northeast corner of Lot 106 in the Subdivision of Block A of Merriman's Second Addition, thence Southerly along the West ROW of Clay Avenue to the Southeast corner of Lot 118 in the Subdivision of Block A of Merriman's Second Addition, thence continuing Southerly to the Southwest corner of the intersection of Pythian Street and Clay Avenue, being a point on the North line of Block 9 of J. D. Fairbanks Addition, thence Westerly along the South ROW of Pythian Street to the Northwest corner of Lot 7 of Block 4 of J. D. Fairbanks Addition, thence Northerly to the Southwest corner of Lot 120 in the Amended Plat of M.H. Merriman's Second Addition, thence continuing Northerly along the East ROW of Summit Avenue to the Point of Beginning except for Lots 129, 130, and 131 of M. H. Merriman's Second Add. Amended (Area D).

SECTION 3 - DISTRICT REGULATIONS

A. GENERAL PROVISIONS.

Notwithstanding any other provision of the Springfield City Code to the contrary, the following regulations shall govern and control the use and development of land throughout Urban Conservation District No. 3, known as the Mid-Town Urban Conservation District. Unless otherwise stated herein, the requirements of the applicable underlying zoning district, the Zoning Ordinance and any other provision of the Springfield City Code shall be applicable to all properties within the Mid-Town Urban Conservation District.

B. DEFINITIONS

1. The following definition shall apply to Urban Conservation District No. 3, the Mid-Town Urban Conservation District:

University student housing: A dwelling or dwellings, owned and operated by a university and located on a lot(s); each dwelling containing one (1) or more dwelling units each of which is totally separated from the others.

2. The following definition shall apply to Urban Conservation District No. 3, the Mid-Town Urban Conservation District, Area B:

- a. Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage or other activities incidental to the building.

- b. Guest: Persons who are visiting Drury University on a temporary basis and who are:

- (i) alumni of Drury University;
- (ii) faculty;
- (iii) staff;
- (iv) consultants;
- (v) friends of faculty or staff; or
- (vi) persons with an interest in the development or growth of Drury University and their immediate families.

Guest may also include no more than two non-Greene County resident students for no more than a total of seven (7) days in any one academic year when other student housing is temporarily unavailable. Guest does not include other persons who are enrolled in any class, seminar, camp or other similar learning experience or function of the college regardless of duration.

C. PERMITTED AND CONDITIONAL USES.

The underlying zoning districts shall govern all permitted and conditional uses in the Mid-Town Urban Conservation District unless otherwise stated within Sections 4, 5 and 6 of this Ordinance.

D. NONCONFORMING USES.

Any existing use in the Mid-Town Urban Conservation District non-conforming under General Ordinance Number 4040 shall have been registered with the Director of Building Development Services by June 1, 1990 or shall otherwise be presumed to be illegal. All nonconforming uses shall adhere to Section 5-1700 of the Zoning Ordinance.

E. PARKING.

1. Off-Street Parking Requirements. All uses shall adhere to the off-street parking requirements in Section 5-1500 of the Zoning Ordinance with the exception that no less than three (3) off-street parking spaces shall be provided for each duplex.
2. Parking Lot Landscaping. Parking lots shall be landscaped according to the standards of Section 6-1200 of the Zoning Ordinance with the exception that interior landscaping requirements shall apply to parking lots of twenty (20) or more spaces. This provision is applicable to new parking lots or an expansion of an existing parking lot that results in a parking lot that contains twenty (20) or more spaces. Landscaping provisions shall only apply to the expanded portion of existing parking lots.

F. SITE PLAN REVIEW.

1. Review and approval of a site plan by the Administrative Review Committee shall be required for any new use or a conversion except single-family uses in a single-family dwelling. Notice of any meeting at which such site plan shall be reviewed shall be given to the Mid-town Neighborhood Association President and representatives of such Association shall be permitted to provide comment on any such site plan prior to any action to approve such site plan by the Committee.
2. Site plans shall be reviewed for their conformity with the following review criteria:
 - a. All fire, health, building, plumbing and electrical requirements of the City of Springfield are met.

- b. The proposed site plan does not interfere with easements, roadways, rail lines, utilities, and public or private rights-of-way.
- c. The proposed site plan is not injurious or detrimental to the use and enjoyment of surrounding property.
- d. The circulation elements of the proposed site plan do not create hazards to safety on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.
- e. The proposed site plan will not result in a large increase in traffic through the residential neighborhood.
- f. The screening of the site provides adequate shielding for nearby uses which may be incompatible with the proposed use.
- g. The proposed structures or landscaping are not lacking amenity in relation to, or are not incompatible with, nearby structures and uses.
- h. The proposed site plan does not create drainage or erosion problems on or off the site.
- i. Efforts are made to preserve existing trees on the development site.
- j. For nonresidential developments in proximity to existing residential developments, the following design considerations should be addressed:
 - (i) Structures are constructed using materials, surface textures, and colors similar in nature to surrounding residential development.
 - (ii) Roofs are peaked with the same slope as typical surrounding residential development.
 - (iii) Consideration is given to the scale, orientation, and proportion of surrounding development.

- 3. Projects whose site plans fail to comply with the criteria or which will have an adverse impact on the area shall not be issued a building or occupancy permit until the adverse conditions are mitigated.

SECTION 4 - AREA A REGULATIONS

A. APPLICABILITY.

In addition to the district regulations set forth in Section 3 of this Ordinance, the following regulations shall govern and control the use and development of land in Urban Conservation District No. 3, the Mid-Town Urban Conservation District, Area A.

B. PERMITTED USES.

1. Single-family detached, duplex and single-family semi-detached dwellings.
2. Accessory apartments in owner-occupied single-family detached dwellings, in accordance with Section 5-2400 of the Zoning Ordinance.
3. Accessory uses, as permitted by Section 5-1000 of the Zoning Ordinance.
4. Churches and other places of worship, including parish houses and Sunday schools, but excluding emergency shelters and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, buffer yards and proper site design to lessen the (impact on adjoining residential neighborhoods.
5. Day care homes in accordance with Chapter 36, Article XI, Springfield City Code.
6. Group homes, custodial.
7. Home occupation uses, as permitted by Section 5-1100.
8. Public and private parks, playgrounds.
9. Temporary uses, as permitted by Section 5-1200.
10. Noncommercial, not-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners associations and maintenance facilities operated by a neighborhood or community organization or a property owners association in accordance with the provisions of Subsection 5-2700.
11. Transitional housing.

C. CONDITIONAL USES.

The following conditional uses may be permitted provided they meet the provisions of, and a Conditional Use permit is issued pursuant to Section 3-3300 of the Zoning Ordinance.

1. The following uses, provided the existing structure is preserved and was built before January 1, 1940:
 - a. Offices, administrative, business, financial and professional.
 - b. Art galleries, libraries and museums.
 - c. Studios for art, dancing, music, photography, interior decorating or similar course of study.
 - d. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.
 - e. Antique shops.
 - f. Book or stationery stores.
 - g. Clothing boutiques or ready-to-wear shops.
 - h. Dry goods or notions stores.
 - i. Florists or gift shops.
 - j. Tailors.

- k. Bed and breakfast inns.
- 2. The following uses, provided the use is located on property zoned R-MD:
 - a. University student housing.
 - b. Multi-family dwellings.

D. REFUSE STORAGE.

In addition to the standards of Subsection 6-1002.B of the Zoning Ordinance, refuse storage shall adhere to the following:

Waste cans, dumpster units, or other forms of litter control and refuse disposal devices approved for use in the City of Springfield, shall be placed on the site in a location where they are least visible from a public right-of-way, other than alleys. Each litter control or refuse device shall be enclosed so that no part of the device shall be visible from public rights-of-way (except alleys) or from adjoining properties.

E. SIGNS.

All signage shall meet the standards of Section 5-1400 of the Zoning Ordinance unless otherwise modified herein:

- 1. **Size.** A maximum of sixteen (16) square feet of effective area shall be permitted for each attached sign. Detached signs may be two-sided, each side not to exceed sixteen (16) square feet. A single-sided detached sign shall not exceed sixteen (16) square feet.
- 2. **Height.** No detached sign shall exceed a height of five (5) feet above the ground area upon which it is located.
- 3. **Location.** Wall signs shall be attached in a manner and in a location which does not obscure significant architectural features of the structure.
- 4. **Sign Types.** Only on-premise signs are allowed in Area A.

SECTION 5 - AREA B REGULATIONS

A. APPLICABILITY.

In addition to the district regulations set forth in Section 3 of this ordinance, the following regulations shall govern and control the use and development of land in

Urban Conservation District No. 3, the Mid-Town Urban Conservation District, Area B.

B. PERMITTED USES.

- 1 Administrative and faculty offices;
- 2 Classrooms;
- 3 Meeting rooms;
- 4 Galleries and studios;
- 5 Religious services;
- 6 Social activities;
- 7 Parking as an accessory use to other permitted uses,
- 8 The existing house may be used as housing for guests, not students, of the College;
- 9 Churches.

C. USE LIMITATIONS.

1. All activities or permitted uses, except vehicle parking, shall be conducted within a completely enclosed building.
2. Screening and fencing shall be provided in accordance with Section 6-1000 of the Zoning Ordinance.
3. The existing house is a contributing structure in the Mid-Town National Register Historic District. Exterior modifications to it shall meet the Secretary of Interior's standards for historic preservation.
4. Hours of operation for classes shall be from 7:00 A.M. until 8:00 P.M.
5. A resident manager shall be provided for the guest house.

D. INTENSITY OF DEVELOPMENT.

The maximum amount of gross floor area shall not exceed what exists at the time of the passage of this ordinance as shown on Exhibit 1.

E. BULK, AREA AND HEIGHT REQUIREMENTS.

All structures, drives, parking, open space and pedestrian facilities shall be situated in conformance with their locations at the time of passage of this amendment. There shall be no reductions in the amount of open space that is shown on Exhibit 1.

F. ACCESS TO PUBLIC THOROUGHFARES.

Access to the adjoining public thoroughfares shall be situated in conformance with Exhibit 1.

G. OFF-STREET PARKING.

1. No additional parking is required and the number of existing parking spaces shall not be reduced below what exists at the passage of this ordinance. It is the intent of this ordinance that any additional parking required for this property shall be provided by Drury University's other parking facilities.
2. Parking shall be restricted by permit issued by Drury University and shall be limited to those in attendance at activities on this property permitted by this ordinance. Parking for the guest house shall be limited to those spaces north of that building.

H. SIGNS.

All signage shall meet the standards of Section 5-1400 of the Zoning Ordinance unless otherwise modified herein:

Drury University is permitted one (1) freestanding site identification sign. Maximum effective area is fifty (50) square feet and maximum height is eight (8) feet above finished grade.

I. REFUSE STORAGE.

In addition to the standards of Subsection 6-1002.B of the Zoning Ordinance, refuse storage shall adhere to the following:

Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided. These devices may not occupy parking spaces required by this exhibit.

J. EXTERIOR LIGHTING.

All exterior lighting shall meet the standards of Section 6-1400 of the Zoning Ordinance and the developers shall submit a lighting plan with the final development plan demonstrating compliance with said Section.

K. AMENDMENTS.

Amendments to Area B's final development plan are not permitted more often than once every sixty (60) months. In addition to the requirements of Sections 3-3700 and 3-3800 of the Zoning Ordinance, written notice of any proposed amendment shall be provided by first class mail at the cost of the property owner for each record owner of all property within one thousand (1,000) feet of the property within this Area.

L. FINAL DEVELOPMENT PLAN.

1. No building or other permits may be issued for development permitted in Area B until the final development plan has been approved in the manner described in this subsection.
2. A final development plan, showing conformance with the requirements of this section, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any uses or improvements permitted or required by this exhibit.
3. The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan(s) provided such plan substantially conforms to the provisions of the ordinance.
4. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - a. Any uses within the Area other than those specifically prescribed by the ordinance.
 - b. Any increase in the intensity of use permitted within the Area.
 - c. Any deviation from the height and setback standards prescribed by the ordinance.
 - a. Any reduction in the required parking prescribed by the ordinance.

SECTION 6 - AREA C REGULATIONS

A. APPLICABILITY.

In addition to the district regulations set forth in Section 3 of this Ordinance, the following regulations shall govern and control the use and development of land in Urban Conservation District No. 3, the Mid-Town Urban Conservation District, Area C:

B. PERMITTED USES.

1. University student housing.
2. Single-Family detached dwellings.

C. DESIGN CONSIDERATIONS.

Design of the residential structures in this area shall be of a scale consistent with single-family development in the neighborhood. Large apartment buildings are inappropriate. Development of this area shall consist of detached structures with one or more dwelling units per structure, not to exceed the overall permitted density of the underlying zoning district.

SECTION 7 - AREA D REGULATIONS

A. APPLICABILITY.

In addition to the district regulations set forth in Section 3 of this Ordinance, the following regulations shall govern and control the use and development of land in Urban Conservation District No. 3, the Mid-Town Urban Conservation District, Area D:

B. ACCESS.

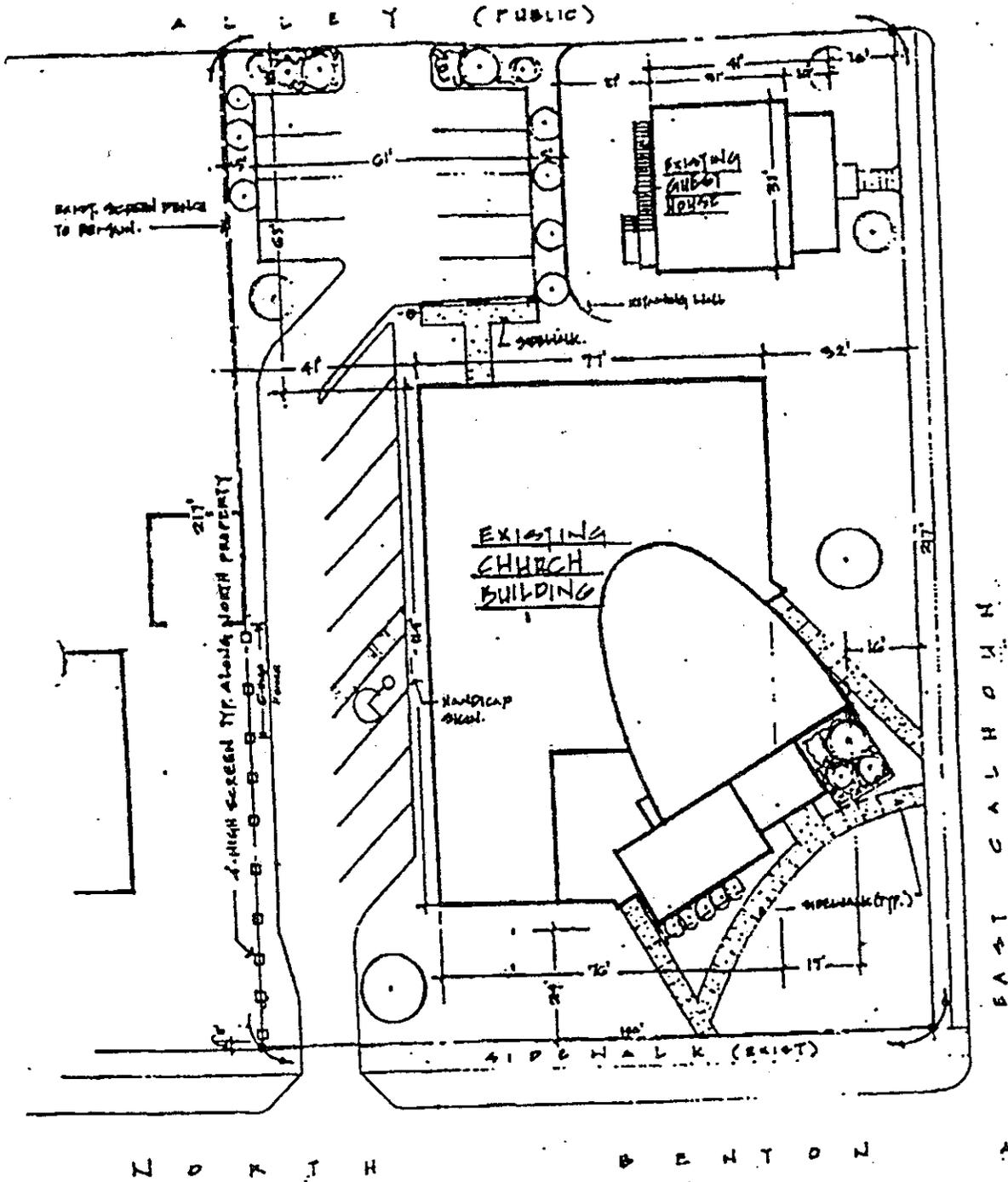
Vehicular access to parcel(s) in Area D shall be limited to Summit Avenue. Vehicular access to said parcels shall not be permitted from Clay Avenue or Webster Street. The standards in this subsection are not applicable to any parcels that are developed for single-family use and have frontage on Clay Avenue or Webster Street.

C. BUFFER YARDS.

1. Parcels abutting Clay Avenue and separated from a single-family use or zoning district by a street right-of-way shall, at a minimum, adhere to the standards of Bufferyard Type D as established in Section 6-1200 of the Zoning Ordinance. The bufferyard shall be installed when a building permit is issued for said parcel(s).
2. Parcels abutting Webster Street and separated from a single-family use or zoning district by a street right-of-way shall, at a minimum, adhere to the standards of Bufferyard Type S-3 as established in Section 6-1200 of the Zoning Ordinance. The bufferyard shall be installed when a building permit is issued for said parcel(s).

3. The standards in this subsection are not applicable to any parcels that are developed for single-family use.

EXHIBIT 1 - AREA B PLOT PLAN



PLOT PLAN

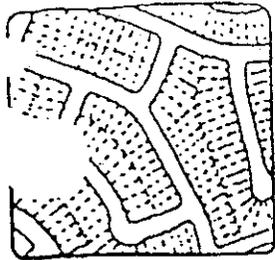


SUMMARY OF ORDINANCES

G.O. #	DATE	SUBJECT
4040	06/05/89	Created Urban Conservation District #3, the Mid-Town Urban Conservation District
4060	07/31/89	Designated Area B and enacted regulations allowing accessory apartments in Area B.
4762	12/15/97	Designated Area C and enacted special regulations for the use and development of land in Area C.
5216	09/23/02	Repeals all previous ordinances and enacts a new Urban Conservation District #3, the Mid-Town Urban Conservation District including sub-areas A,B,C,D and E.

Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville Avenue - Springfield, Missouri 65801

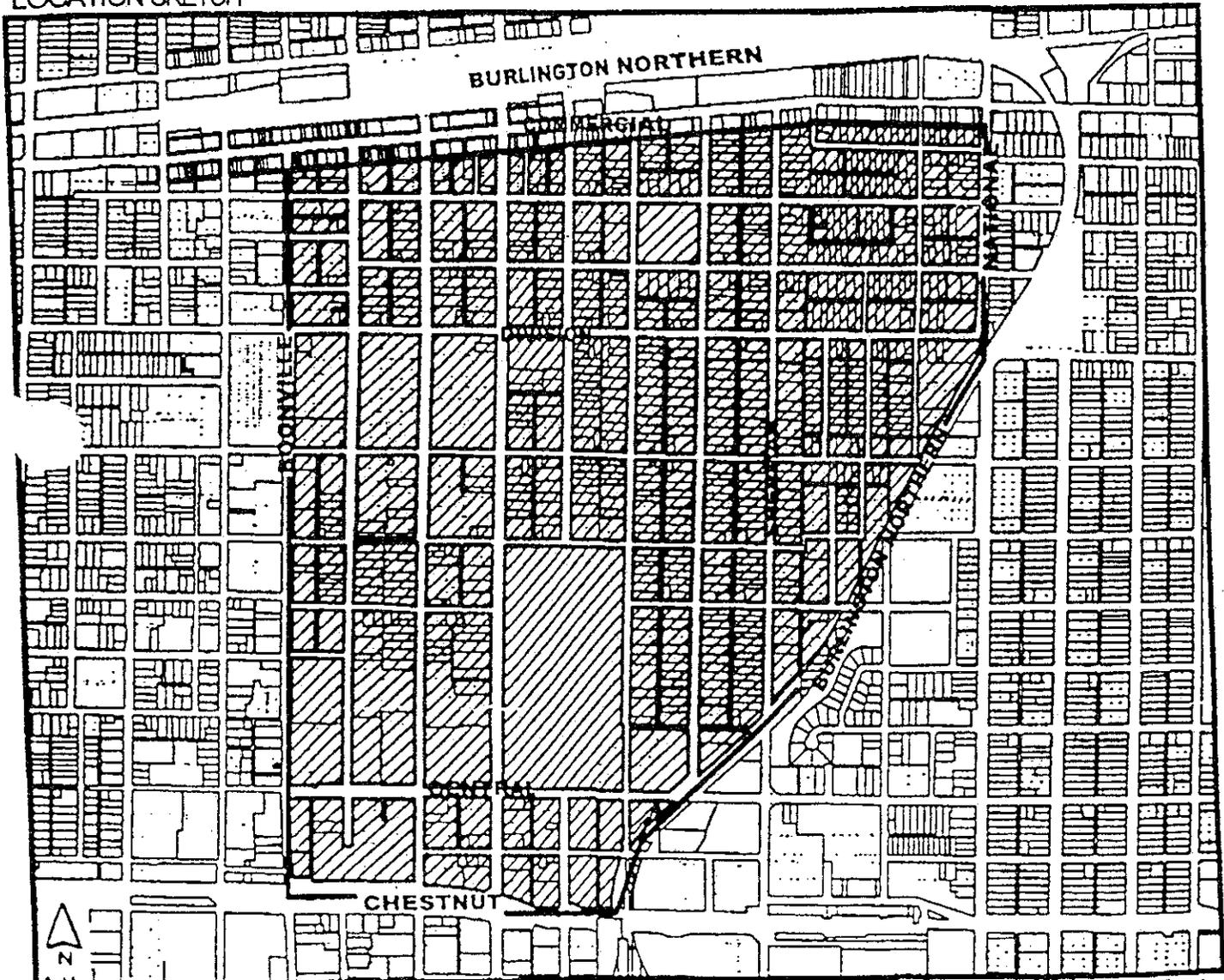


Zoning Case Z-19-2002 (Amending Mid-Town Urban Conservation District)

Location: 2-1100 blocks E. Chestnut Expressway and Commercial, 8-1700 blocks N. Boonville and National

Existing Zoning: UCD #3

LOCATION SKETCH



 - Area of Proposal

D - Dwelling B - Business O - Office M - Manufacturing V - Vacant A - Agriculture



Exhibit 2 Z-19-2002 Mid-Town UCD Sub Areas

- Parcels
- Lot Lines
- Sub Areas
- UCD 3 A
- UCD 3 B
- UCD 3 C
- UCD 3 D
- UCD 3 E

