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Filed: 06-21-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 151

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 1.1 acres of property, generally located at 2350
3 North Clifton Avenue, from LI, Light Industrial District, to an IC, Industrial
4 Commercial District; and adopting an updated Official Zoning Map. (Staff
5 and Planning and Zoning Commission recommend approval.)
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 described on "Exhibit A" of this Ordinance, generally located at 2350 North Clifton
10 Avenue, from LI, Light Industrial District, to IC, Industrial Commercial District; and
11

12 WHEREAS, following proper notice, a public hearing was held before the
13 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
14 hearing being attached hereto as "Exhibit B" and said Commission made its
15 recommendation; and
16

17 WHEREAS, proper notice was given of a public hearing before the City Council
18 and that said hearing was held in accordance with the law.
19

20 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
21 SPRINGFIELD, MISSOURI, as follows, that:
22

23 Section 1 – The property described on "Exhibit A" of this Ordinance be, and the
24 same hereby is, rezoned from LI, Light Industrial District, to IC, Industrial Commercial
25 District; and the Springfield Land Development Code, Section 36-306 thereof, Zoning
26 Maps, is hereby amended, changed and modified accordingly.
27

28 Section 2 – The City Council hereby directs the City Manager, or his designee, to
29 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
30 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided
31 for in the Springfield Land Development Code, Section 36-306, Official Zoning Map and
32 Rules of Interpretation.
33

EXPLANATION TO COUNCIL BILL NO: 2016- 151

FILED: 06-21-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.1 acres of property generally located at 2350 North Clifton Avenue from a LI, Light Industrial District to an IC, Industrial Commercial District (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-8-2016

The applicant is proposing to rezone the subject property from a LI, Light Industrial District to an IC, Industrial Commercial District.

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as Low-Density Housing. However, approval of IC zoning is compatible and consistent with the surrounding Industrial zoning and development in this area and is appropriate for the subject property's proximity to Kearney Street, classified as a Primary Arterial roadway.

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; Objectives 4a, Increase density in activity centers and transit corridors; and 4b, Increase mixed-use development areas.

REMARKS: The Planning and Zoning Commission held a public hearing on, June 9, 2016, and recommended approval, by a vote of 8 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached "Exhibit B," Record of Proceedings).

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

CONDITIONS:

1. A cross access easement shall be approved and recorded which allows for a shared access to Clifton Avenue for the property to the north of the subject property.
2. Dedicate additional right-of-way to meet 30 feet from the established centerline of Clifton Avenue.

If the above conditions are not met within two (2) years after City Council's approval, that approval is null and void; and the zoning will remain LI, Light Industrial District.

FINDINGS FOR STAFF RECOMMENDATION:

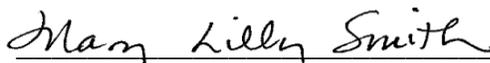
1. Approval of IC, Industrial Commercial zoning is compatible and consistent with the surrounding Industrial zoning and development in this area and is appropriate for the subject property's proximity to Kearney Street, classified as a Primary Arterial roadway.
2. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
3. The proposed IC, Industrial Commercial zoning is consistent with the depth of adjacent commercial zoning and uses that are located along Kearney Street.

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Legal Description
- Exhibit B, Record of Proceedings
- Exhibit C, Development Review Staff Report

ATTACHMENTS:

- Attachment 1: Department Comments
- Attachment 2: Neighborhood Meeting Summary

Exhibit A

LEGAL DESCRIPTION
ZONING CASE Z-8-2016

BEGINNING 190 FEET SOUTH MORE OR LESS OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 10, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE SOUTH 175 FEET; THENCE EAST 221 FEET MORE OR LESS; THENCE NORTH 175 FEET MORE OR LESS; THENCE WEST 216 FEET MORE OR LESS TO THE POINT OF BEGINNING, IN THE WEST 3.5 ACRES OF THE EAST 10 ACRES OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 10, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT THAT PART USED FOR ROADS.

Exhibit B

**RECORD OF PROCEEDINGS
ZONING CASE Z-8-2016**

Z-8-2016
2350 North Clifton Avenue
Applicant: Springfield MO Association of Fire Fighters

Mr. Hosmer states that this is a request to rezone 1.1 acres of property located at 2350 North Clifton Avenue from a LI, Light Industrial District to a IC, Industrial Commercial District.

The Growth Management and Land Use Plan of the Comprehensive Plan identify this as an appropriate area for Low-Density Housing uses. (R-SF, Single-Family Residential uses). However, IC zoning is compatible and consistent with the surrounding Industrial zoning and development in this area along a Primary Arterial roadway (Kearney Street).

Staff recommends approval of this request with the following conditions: A cross access easement shall be approved and recorded which allows for a shared access to Clifton Avenue for the property to the north of the subject property. Dedicate additional right-of-way to meet 30 feet from the established centerline of Clifton Avenue. If the above conditions are not met within two (2) years after City Council's approval, that approval is null and void; and the zoning will remain LI, Light Industrial District.

Mr. Ray opened the public hearing.

Mr. Chad Davis, 1937 N. Trellis Road; Strafford has noted that Public Works have put in a drainage whistle on the south end of the drive that was required and the concrete work will be completed in a few weeks. The north section of the drive will be closed to allow for a drainage ditch.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

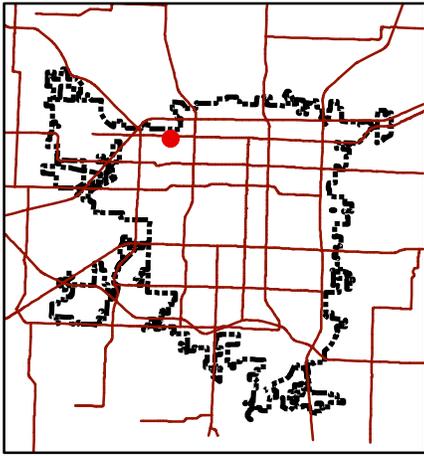
Mr. Doennig motions that we approve Z-8-2016 (2350 North Clifton Avenue). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, and Rose. Nays: None. Abstain: None. Absent: Edwards.



Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

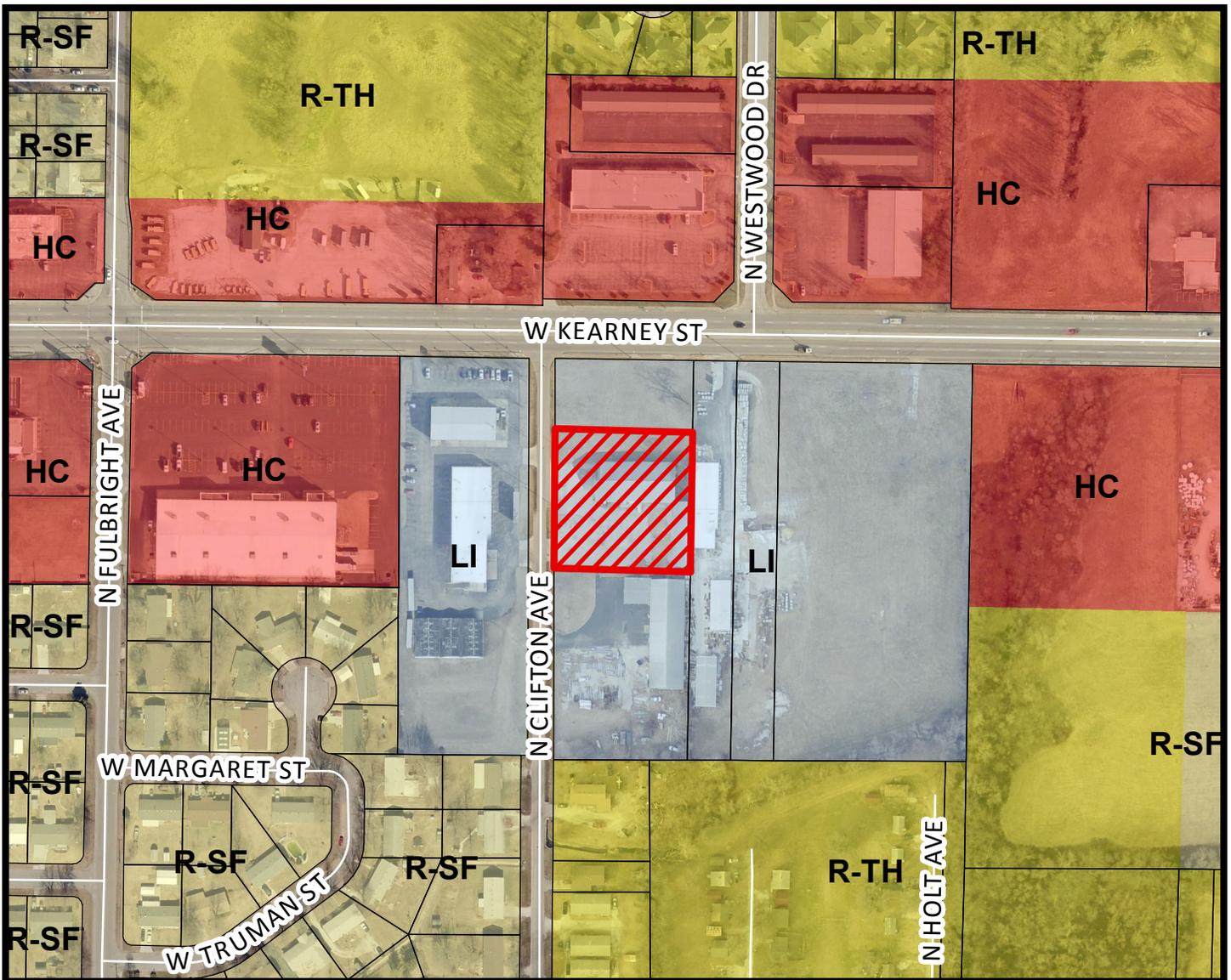
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Z-8-2016

LOCATION: 2350 North Clifton Avenue
CURRENT ZONING: LI, Light Industrial
PROPOSED ZONING: IC, Industrial Commercial

LOCATION SKETCH



 - Area of Proposal



1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-8-2016

PURPOSE: To rezone approximately 1.1 acres of property generally located at 2350 North Clifton Avenue from a LI, Light Industrial District to an IC, Industrial Commercial District

REPORT DATE: May 26, 2016

LOCATION: 2350 North Clifton Avenue

APPLICANT: Springfield Mo. Association of Fire Fighters

TRACT SIZE: Approximately 1.1 acres

EXISTING USE: Private club and lodge

PROPOSED USE: Private club and lodge with eating and drinking establishment

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of IC, Industrial Commercial zoning is compatible and consistent with the surrounding Industrial zoning and development in this area and is appropriate for the subject property's proximity to Kearney Street, classified as a Primary Arterial roadway.
2. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
3. The proposed IC, Industrial Commercial zoning is consistent with the depth of adjacent commercial zoning and uses that are located along Kearney Street.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. A cross access easement shall be approved and recorded which allows for a shared access to Clifton Avenue for the property to the north of the subject property.
2. Dedicate additional right-of-way to meet 30 feet from the established centerline of Clifton Avenue.

If the above conditions are not met within two (2) years after City Council's approval, that approval is null and void; and the zoning will remain LI, Light Industrial District.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	LI	Undeveloped land
East	LI	Concrete product office and storage yard
South	LI	Contractor office and storage warehouse
West	LI	Transmission service and warehouse

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as Low-Density Housing. However, approval of IC zoning is compatible and consistent with the surrounding Industrial zoning and development in this area and is appropriate for the subject property's proximity to Kearney Street, classified as a Primary Arterial roadway.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a LI, Light Industrial District to an IC, Industrial Commercial District. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as Low-Density Housing. However, approval of IC zoning is compatible and consistent with the surrounding Industrial zoning and development in this area and is appropriate for the subject property's proximity to Kearney Street, classified as a Primary Arterial roadway.
2. The IC, Industrial Commercial district is intended to allow industrial operations and activities in combination with commercial uses and to accommodate land that was zoned for industrial uses prior to the enactment of the current Zoning Ordinance. The subject property has been zoned for Industrial uses dating to 1956 and meets these criteria.
3. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
4. The proposed IC, Industrial Commercial zoning is consistent with the depth of adjacent commercial zoning and uses that are located along Kearney Street.

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 May 19, 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. Six (6) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

June 27, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-8-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to this request.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Transportation Plan classifies Clifton Avenue as a local commercial. The standard right of way width for Clifton Avenue is 60 feet (30 feet from the centerline). Existing right of way appears to be 21 feet from the centerline of Clifton Avenue. This is a City maintained street. Because Clifton is classified as a local street, there are not any recent traffic counts. There are two existing driveway access points along the property frontage. There is not a sidewalk along Clifton Avenue. Per land development code, sidewalk will be required to be constructed at the time of development or the applicant may apply to the ARC committee to seek a fee in lieu of constructing sidewalks. The northernmost driveway approach will need to be reconstructed and moved north across from the driveway approach to the west. A cross access easement needs to be provided for the property to the north to utilize the driveway as MoDOT will require the Kearney Street access to be closed when they redevelop. On-street parking is not allowed along the adjacent streets. There is no greenway trail in the area. There are not any bus stops along Clifton 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 Clifton Avenue. The proposed change in use does not generate enough additional trips to trigger the need for a Traffic Study. Staff recommends the following: A condition to classification change to require the cross access easement and dedication of additional right of way to meet the 30 feet requirement from the centerline. A survey is recommended to determine the exact amount of right of way.

Public Works Traffic Division	Response
Street classification	Local Commercial
On-street parking along streets	No
Trip generation - existing use	52 trips per day
Trip generation change - proposed use	840 trips per day
Existing street right of way widths	Appears to be 40 feet
Standard right of way widths	60 feet
Traffic study submitted	Not required
Proposed street improvements	Not required

FIRE DEPARTMENT COMMENTS:

Fire has no issues with rezoning.

STORMWATER COMMENTS:

No objection to rezoning. The property is located in the Spring Branch 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. A land disturbance permit is required if disturbing more than one (1) acre. There is not an existing detention pond, channel, or underground storm sewer available for this development to discharge into. There are no sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. The proposed amount of impervious surfacing must not exceed the maximum allowed by zoning. Any increase in impervious surfacing will require the development to meet current detention requirements.
3. One acre or more of new impervious surfacing will require the development to meet current water quality requirements.
4. 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.
5. 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	Spring 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 and service lateral are currently available.

CITY UTILITIES:

No objection to rezoning request. City Utilities has adequate facilities available.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Light Industrial (existing zoning) to Industrial Commercial (proposed zoning)
2. Meeting Date & Time: May 19, 2016, 4pm to 6:30pm
3. Meeting Location: 2350 N Clifton, Springfield MO, 65803
4. Number of invitations that were sent: 14
5. How was the mailing list generated: City of Springfield
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.)

No verbal comments

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

No written comments submitted at meeting.

I, Chad Davis (print name), attest that the neighborhood meeting was held on 05/19/2016 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Chad Davis Executive Vice President Southern Missouri Professional Firefighters
Printed name of person completing affidavit

SIGN IN

417-839-8767
2350 N. Clifton
Springfield, Mo.

Chris Ray Thompson

Jim Howell - 2562 ^{Pittsburg} Kearney ^{County} Mo.
