### SUMMARY OF REQUEST:

Request to rezone approximately 5 acres of property from LI, Light Industrial District to CS, Commercial Service District and establishing Conditional Overlay District No. 171.

### FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for Low-Density Housing land uses, however, this property is currently zoned LI, Light Industrial District and adjacent to Industrial districts on three sides. This property is also located along Division Street which is classified as a primary arterial roadway in the Major Thoroughfare Plan.

2. The requested CS zoning is appropriate for the area since it is intended for business uses which provide essential commercial services and support activities, but which do not necessarily require high visibility. This district is intended to function as a transition between industrial development and commercial development. The subject property is located along Division Street, a primary arterial roadway and is less than 500 feet from the intersection of Division Street and West Bypass which are arterial and expressway roadways.

3. The proposed COD will require the dedication of additional right-of-way, the dedication of a stream buffer easement, sidewalk along O'Hara and a Traffic Impact Study if developed beyond specific thresholds.

4. 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.
## SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>LI</td>
<td>HM</td>
<td>HM</td>
</tr>
<tr>
<td>LAND USE</td>
<td>Single-family residence and vacant/undeveloped land</td>
<td>Heavy Manufacturing uses</td>
<td>Heavy manufacturing uses</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
GROWTH MANAGEMENT AND LAND USE PLAN:
PROPERTY HISTORY:
The subject property is currently zoned LI, Light Industrial District and has been since the Citywide remapping in 1995.

ZONING ORDINANCE REQUIREMENTS:

<table>
<thead>
<tr>
<th>CODE ITEM</th>
<th>REQUIREMENTS FOR GR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Limitations</td>
<td>(a) No motor vehicle repair or maintenance work shall take place outdoors within 200 feet of the boundary of any residential district.</td>
</tr>
<tr>
<td></td>
<td>(b) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface.</td>
</tr>
<tr>
<td></td>
<td>(c) No vibration, glare, or heat shall be detectable at the district boundary line.</td>
</tr>
<tr>
<td></td>
<td>(d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.</td>
</tr>
<tr>
<td></td>
<td>(e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.</td>
</tr>
<tr>
<td></td>
<td>(f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).</td>
</tr>
<tr>
<td></td>
<td>(g) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.</td>
</tr>
</tbody>
</table>

Maximum Structure Height
None, except that no building shall be higher than a 30-degree bulk plane adjacent to R-SF or R-TH Districts

Front Yard Setback
Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations

Side and Rear Setbacks
None, except as required by the supplemental open space and bufferyard requirements

Open Space Requirement
20%

Design Requirements
Standard per code

BULK PLANE
30-degree bulk plane is required adjacent to R-TH zoning.
COMPATIBILITY WITH COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies the subject property as appropriate for Low-Density Housing land uses, however, this property is currently zoned LI, Light Industrial District, adjacent to Industrial districts on three sides and located along Division Street which is classified as a primary arterial on the Major Thoroughfare Plan.

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

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

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 5 acres of property from LI, Light Industrial District to CS, Commercial Service District and establishing Conditional Overlay District No. 171. The applicant is proposing to develop the site into a recreational vehicle park.

2. The subject property is appropriate for CS zoning which is intended for business uses which provide essential commercial services and support activities, but which do not necessarily require high visibility. This district is intended to function as a transition between industrial development and commercial development. The subject property is located along Division Street, a primary arterial roadway and is less than 500 feet from the intersection of Division Street and West Bypass which are arterial and expressway roadways.

3. The subject property is currently zoned LI, Light Industrial District which allows any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products and business and sales offices accessory thereto. All activities and permitted uses in the LI District, except off-street parking and loading facilities and storage, shall be conducted wholly inside a building, or buildings. By rezoning, the applicant will forgo this permitted use for the CS uses.

4. The following uses are permitted by right in the proposed CS, Commercial Service District and are not permitted by right in the current LI, Light Industrial District zoning:
   a. Ambulance services.
   b. Any establishment which provides supplies and/or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
   c. Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.
   d. Awning and canvas sales and rental.
   e. Bus stations.
   f. Campgrounds and recreational vehicle parks.
   g. Carpenter and cabinet shops.
   h. Catering businesses.
i. Commercial laundry and dry cleaning establishments.

j. Eating and drinking establishments.

k. Feed stores.

l. Frozen food lockers, for use by the general public.

m. General or medical office/retail sales/warehouse combinations, provided however, that if more than 85 percent of the gross building floor area for each establishment is used for warehouse purposes, a use permit shall be required.

n. Glass and mirror sales.

o. Linen, towel, and diaper services.

p. Manufactured housing (mobile home) and trailer sales, leasing, service and storage.

q. Medical office use group.

r. Monument sales.

s. Newspaper and magazine distribution agencies.

t. Nurseries, greenhouses and garden stores.

u. Personal service use group.

v. Private clubs and lodges.

w. Retail sales use group.

x. Repair shops, home appliance.

y. Repair shops, small-engine.

z. Taxi dispatch yards and offices.

aa. Temporary vendors as permitted by section 36-452, temporary uses.

bb. Truck stops.

5. The Conditional Overlay District will require a traffic impact study at the time of development if specific thresholds are surpassed, dedication of additional right-of-way, dedication of a stream buffer easement, and sidewalk along O'Hara. Staff believes the proposed COD requirements will mitigate the negative impacts to the surrounding property owners that a standard CS zoning could cause.

6. Based on the change in zoning from Light Industrial to Commercial Service, an increase in trip generation of more than 100 trips in the PM peak and more than 1,000 trips daily is anticipated to be generated by this property. For this reason, a Traffic Impact Study (TIS) is required as a part of this rezoning. However, this TIS may be deferred until the time of development, or such time that the proposed development exceeds the aforementioned thresholds. If the proposed development does not exceed those thresholds, a TIS can be deferred until such time that further cumulative development does exceed those thresholds. The City does not currently have plans to make improvements to this section of Division Street or O'Hara Avenue.

7. A stream buffer of 50 ft on each side of the stream measured from top of bank is required. It appears the plan is to preserve the full stream buffer but if any encroachment is proposed, a no feasibility analysis will be required per Chapter 8 Section 4.1.13. A stream buffer easement will be required using the City's stream buffer easement form.

8. The development of the property will require a bufferyard along the west property line adjacent to the R-TH, Residential Townhouse zoning district. The normal bufferyard required between CS and R-TH zoning would be a Bufferyard "Type F" at least twenty (20) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge.

9. Perimeter landscaping is required if a parking lot is within 50 feet of the right-of-way and there is no intervening building. This can vary in size according to the parking lot layout such as landscaped parking island being within 30 feet of the street and varied widths of landscaping strips. Non-residential parking is not permitted on the proposed CS property within 25 feet of Division Street and 100 feet east of the R-TH zoned property.

10. A recreational vehicle or recreational vehicle park is not defined by the Zoning Ordinance. The dictionary definition of a recreational vehicle is a vehicle designed for recreational use (as in camping). City Code Chapter 106 defines a vehicle as every device in, upon, or by which any person or property is or may be transported or
11. 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.

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

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting on March 19, 2019, regarding the request for rezoning. A summary of this meeting is attached (Attachment 2).

**PUBLIC NOTIFICATION:**

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

Notices sent to property owners within 185 feet: Mailed: 16  Returned: 0
DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

No objection to rezoning.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning.

FIRE DEPARTMENT COMMENTS:

No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City’s Transportation Plan classifies W. Division Street as a Primary Arterial roadway and N. O’Hara Avenue as a Local roadway. The standard right-of-way widths for W. Division Street and N. O’Hara Avenue are 50 feet from centerline and 25 feet from centerline, respectively. It appears approximately 24 feet of additional right-of-way needs to be acquired along the entire length of the property frontage on W. Division Street and 7 feet of additional right-of-way needs to be acquired along the entire length of the property frontage on N. O’Hara Avenue. In addition, a 30-foot by 30-foot right-of-way sight triangle needs to be acquired at the corner of Division and O’Hara. A survey is recommended to determine the exact amount of existing right-of-way. W. Division Street and N. O’Hara Avenue are both City-maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on W. Division Street east of West Bypass is 7,456 vehicles per day. There are no recent traffic counts for this section of N. O’Hara Avenue. On-street parking is not allowed along W. Division Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from N. O’Hara Avenue. Any new driveway accesses to/from the property on Division or O’Hara must meet the minimum spacing requirements from each other and from nearby intersections (200 feet on Division/150 feet on O’Hara).

SIDEWALK

There is existing sidewalk along the property frontage of W. Division Street. The existing infrastructure meets current City Standards. There is not currently sidewalk along the property frontage of N. O’Hara Avenue. Sidewalk is required to be constructed along the entire length of the property frontage on N. O’Hara Avenue, or a fee paid in-lieu-of sidewalk construction, which must first be approved by ARC and fees paid, prior to issuance of a building permit.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

The Frisco Highline Trail is a few blocks to the northwest of the property pertaining to this rezoning. There are bus stops along W. Division Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.
**IMPROVEMENTS**

Based on the change in zoning from Light Industrial to Commercial Service, an increase in trip generation of more than 100 trips in the PM peak and more than 1,000 trips daily is anticipated to be generated by this property. For this reason, a Traffic Impact Study (TIS) is required as a part of this rezoning. However, this TIS may be deferred until the time of development, or such time that the proposed development exceeds the aforementioned thresholds. If the proposed development does not exceed those thresholds, a TIS can be deferred until such time that further cumulative development does exceed those thresholds. The City does not currently have plans to make improvements to this section of Division Street or O’Hara Avenue.

**TRAFFIC - TABLE 1: REZONING DETAILS**

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Street Classification</th>
<th>On-Street Parking</th>
<th>Existing Street ROW From Centerline (ft)</th>
<th>Required Street ROW From Centerline (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street 1</td>
<td>W. Division Street</td>
<td>Primary Arterial</td>
<td>No</td>
<td>26</td>
</tr>
<tr>
<td>Street 2</td>
<td>O’Hara Avenue</td>
<td>Local</td>
<td>Yes</td>
<td>18</td>
</tr>
<tr>
<td><strong>Existing Trips Generated</strong></td>
<td><strong>AM Peak</strong></td>
<td><strong>PM Peak</strong></td>
<td><strong>Weekday</strong></td>
<td><strong>Weekend</strong></td>
</tr>
<tr>
<td>35</td>
<td>35</td>
<td>260</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Trips Generated</strong></td>
<td><strong>AM Peak</strong></td>
<td><strong>PM Peak</strong></td>
<td><strong>Weekday</strong></td>
<td><strong>Weekend</strong></td>
</tr>
<tr>
<td>80</td>
<td>335</td>
<td>3600</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Additional Trips Generated</strong></td>
<td><strong>AM Peak</strong></td>
<td><strong>PM Peak</strong></td>
<td><strong>Weekday</strong></td>
<td><strong>Weekend</strong></td>
</tr>
<tr>
<td>45</td>
<td>300</td>
<td>3340</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

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

**STORMWATER COMMENTS:**

The property is in the Upper Wilsons 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. A fee in lieu of on-site stormwater detention will not be allowed and detention will be required. The property is located in a stream buffer area which requires 50 feet on each side. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing more than one acre water quality will also have to be provided.
3. 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.
5. Water quality will still need to be provided if more than one acre is disturbed.
6. A stream buffer of 50 ft on each side of the stream measured from top of bank is required. It appears the plan is to preserve the full stream buffer but if any encroachment is proposed, a no feasibility analysis will be required per Chapter 8 Section 4.1.13. A stream buffer easement will be required using the City’s stream buffer easement form. The stream buffer may qualify as a natural area conservation credit for the WQ Requirement if meeting Chapter 10 Section 3.1.1.
7. Stormwater discharge points of concentrated flow shall be located upland from Streamside and Outer Zones unless infeasible per Chapter 8 Section 4.1.7.

8. The area currently disturbed as a fill site and proposed as a landscaped feature may qualify as a natural area restoration credit or for tree planting credits for the WQ Requirement if meeting Chapter 10 Section 3.1.2 or 3.1.3. Consider the use of native species for plantings.

<table>
<thead>
<tr>
<th>Public Works Stormwater Division</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Basin</td>
<td>Upper Wilsons Creek</td>
</tr>
<tr>
<td>Is property located in Floodplain?</td>
<td>No</td>
</tr>
<tr>
<td>Is property located on a sinkhole?</td>
<td>No</td>
</tr>
<tr>
<td>Is property located in a stream buffer?</td>
<td>Yes</td>
</tr>
<tr>
<td>Is stormwater fee in lieu an option?</td>
<td>No</td>
</tr>
</tbody>
</table>
The requirements of Section 36-423 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following.

1. A Traffic Impact Study is required to be submitted at the time of development or such time that the proposed development exceeds the thresholds of an increase in trip generation of more than 100 trips in the PM peak and more than 1,000 trips daily. If the proposed development does not exceed those thresholds, a TIS can be deferred until such time that further cumulative development does exceed those thresholds.

2. Approximately 24 feet of additional right-of-way needs to be dedicated along the property frontage of Division Avenue. Approximately 7 feet of additional right-of-way needs to be acquired along O'Hara Avenue. A request for reduction in right-of-way may be submitted through ARC as prescribed in the Subdivision Regulations. In addition, a 30-foot by 30-foot right-of-way sight triangle needs to be acquired at the corner of Division and O'Hara Avenue. A survey is recommended to determine the exact amount of existing right-of-way. W. Division Street and N. O'Hara Avenue are both City-maintained streets.

3. Sidewalk is required along the entire length of the property frontage on N. O'Hara Avenue, or a fee paid in-lieu-of sidewalk construction, which must first be approved by ARC and fees paid, prior to issuance of a building permit.

4. A stream buffer of 50 ft on each side of the stream measured from top of bank is required. It appears the plan is to preserve the full stream buffer but if any encroachment is proposed, a no feasibility analysis will be required per Chapter 8 Section 4.1.13. A stream buffer easement will be required using the City's stream buffer easement form.
1. Request change to zoning from: Light Industrial (LI) to Commercial Services (CS) (proposed zoning)

2. Meeting Date & Time: March 19th, 2019 4:00 - 6:30 p.m.

3. Meeting Location: Real Life Church 3104 W Division Street

4. Number of invitations that were sent: 69

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

6. Number of neighbors in attendance (attach a sign-in sheet): 14

7. List the verbal comments and how you plan to address any issues:

All verbal comments were related to potential storm water issues upon development. No issues related to rezoning. We agreed to clean out stream and comply with all stormwater issues or requirements upon development of property after rezoning.

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

N/A

I, Aaron Wiley Loyd (print name), attest that the neighborhood meeting was held on March 19, 2019 (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

Aaron Wiley Loyd

Printed name of person completing affidavit
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryan Smith</td>
<td>3304 W. Division St.</td>
</tr>
<tr>
<td>Dollie Rodriguez</td>
<td>1540 N. Western Ave.</td>
</tr>
<tr>
<td>Al Rodriguez</td>
<td></td>
</tr>
<tr>
<td>Betty Fear</td>
<td>3423 W. Division</td>
</tr>
<tr>
<td>Betty Hess</td>
<td>1103 N. Oak Park Dr.</td>
</tr>
<tr>
<td>Meta Harris</td>
<td>1527 N. Western Ave.</td>
</tr>
<tr>
<td>Debra Holmest</td>
<td>1537 N. Western Ave.</td>
</tr>
<tr>
<td>Don &amp; Kathy Davidson</td>
<td>306 W. Dade 142, Lakeview</td>
</tr>
<tr>
<td>Mary Memmings</td>
<td>1538 N. Western Ave.</td>
</tr>
<tr>
<td>Tim &amp; Julie Electric</td>
<td>3401 W. Division</td>
</tr>
<tr>
<td>Ann &amp; Latrice Sell</td>
<td>1437 N. Marion Ave.</td>
</tr>
<tr>
<td>Brandon Carson</td>
<td>Murray Associates Real Estate</td>
</tr>
<tr>
<td>David South</td>
<td>1555-1549 N/O. HARA Ave.</td>
</tr>
</tbody>
</table>
To Whom It May Concern,

Please approve the rezoning of Z-10-2019 COD #171 (3303 W. Division Street) from Light Industrial (LI) to Commercial Services (CS). Your vote of approval to rezone will allow the property owner, Jet View LLC, to donate the above property to The Gathering Tree, INC, a Missouri 501(c)(3) nonprofit corporation to build a second Eden Village RV Park Community.

Eden Village, at 2801 E. Division, is a first-of-its-kind community that houses 32 disabled people, that were chronically homeless, in a safe gated community in Springfield. Eden Village has revolutionized the fight against homelessness by providing a permanent solution and putting Springfield at the forefront of the battle to end homelessness by creating a simple and cost-effective model that is easily replicated for communities across the country. We believe that Eden Village has been life changing not only for the formerly homeless but also for the volunteers that have contributed their time and resources to partner with this community. It is estimated that 200 people sleep on the streets of our beautiful but broken city every night.

We believe that the Eden Village model effectively ends homelessness for our fellow citizens sleeping on the streets. Rezoning the property identified will have positive impact on the entire city of Springfield by allowing us to create a second community. We look forward to a day when Springfield becomes the first city in America where No One Sleeps Outside. Thank you for voting to approve the rezoning for the citizens you represent and the Springfield community at large.

Dr. David and Linda Brown
Founders, The Gathering Tree & Eden Village

John Cooper
Principal-- Jet View LLC
CEO Harry Cooper Supply Company

John Moore
Retired President, Drury University
Board Member, Eden Village

Debra Shantz Hart
Principal-- Housing Plus, LLC

Jim O’Neal

Steve Helms
State Representative 135th District

Greg Burris
Executive in Residence Executive Director, Give 5 United Way of the Ozarks

Russ Marquart
President/CEO Central Bank of the Ozarks

Charlie O'Reilly
Retired, O'Reilly Auto Parts

Bishop Edward Rice
Springfield Cape Girardeau Diocese

CJ Davis
President and CEO Burrell Behavioral Health

Dr. Kenneth Brown
Missouri State University Professor and Head, Economics Department
Board Member, Eden Village

Debora S. Biggs
Executive Director NAMI Southwest Missouri

Michelle Garand
Vice President Affordable Housing and Homeless Prevention

Annie Busch