CASE NUMBER:  Z-13-2019 w/Conditional Overlay District No. 174

LOCATION:  1024 North West By-Pass

ACRES:  Approximately 18.04 acres

EXISTING LAND USE:  Vacant land

APPLICANT:  South Campbell Investments LLC

STAFF:  Bob Hosmer, 864-1834

STAFF RECOMMENDATIONS:  Approve

PROPOSED MOTION:  Move to approve the request to rezone from GM, General Manufacturing and R-SF, Single Family Residential District to HM, Heavy Manufacturing District, and establishing Conditional Overlay District No. 174, as submitted in the staff report

SUMMARY OF REQUEST:
Request to rezone approximately 18 acres of property from R-SF, Single Family Residential District and GM, General Manufacturing District, to a HM, Heavy Manufacturing District and establishing Conditional Overlay District No. 174

FINDINGS FOR STAFF RECOMMENDATION:
1. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Medium Intensity Retail, Office or Housing.
2. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. However, the subject property as well as a majority of the property on both sides of West Bypass are currently zoned manufacturing in this area. The Transportation Plan classifies West Bypass as an expressway and West Nichols as a collector roadway.
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.

SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th></th>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>GM and Railroad</td>
<td>HM</td>
<td>R-SF</td>
<td>GM</td>
</tr>
<tr>
<td>LAND USE</td>
<td>Manufacturing uses</td>
<td>Manufacturing uses</td>
<td>Single-family residential uses</td>
<td>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 was zoned to R-SF and GM in 1995 during the City-wide re-mapping.

**COMPATIBILITY WITH THE ZONING ORDINANCE:**

<table>
<thead>
<tr>
<th>CODE ITEM</th>
<th>REQUIREMENTS FOR HM, Heavy Manufacturing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Limitations</td>
<td>No junk, scrap, salvage, or automobile wrecking yard shall be located within 500 feet of any residential district.</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>None</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: 25 feet along a street classified as a collector or higher or 15 feet along a street classified as a local street. All other uses: None</td>
</tr>
<tr>
<td>Side and Rear Setbacks</td>
<td>Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: 10 feet. All other uses: None</td>
</tr>
<tr>
<td>Open Space Requirement</td>
<td>Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities and recording, television and radio studios: 15%. All other uses: None</td>
</tr>
<tr>
<td>Design Requirements</td>
<td>All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening and fencing.</td>
</tr>
</tbody>
</table>

**BULK PLANE**

**LANDSCAPING AND BUFFERYARDS**

None  

A Type "I" Bufferyard requires 5 Canopy Trees, 4 Understory Trees, 5 Evergreen Trees and 34 Shrubs per 100 linear feet.

**COMPATIBILITY WITH COMPREHENSIVE PLAN:**
The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. However, the subject
property as well as a majority of the property on both sides of West Bypass are currently zoned manufacturing in this area. The Transportation Plan classifies West Bypass as an Expressway and West Nichols as a collector roadway.

The Plan recommends that new commercial-industrial developments be attractive, functional and add value to the physical environment. The following guidelines are offered in this regard:

- Facilitate the location of new economic activity (office, research and development, and light industry) that takes advantage of environmental amenities and co-exists with neighbors in mixed-use environments. In new industrial developments, promote high quality design and buildings that are oriented toward the street and compatible with surrounding neighborhoods.
- Provide setbacks, build-to lines and landscaping standards in commercial and industrial districts that are appropriate to the impacts on neighboring land uses.
- Encourage site design that maximizes the potential for transit patronage in commercial, research and development, and light industrial developments.

The Future Land Use map depicts West By-Pass as a Parkway. A Parkway is intended to be a heavily landscaped linear park that would usually include roadways with bicyclist and pedestrian facilities, widely spaced road intersections and few driveways. These Parkways serve multiple purposes including moving auto traffic, pleasure driving, recreational and purposeful bicycle trips, walking, neighborhood development and neighborhood revitalization. The number of roadway lanes within a Parkway is indicated in the Transportation Plan and could vary from segment to segment. Parkways may be classified and designed as either Collector or Arterial roads.

The Transportation Plan classifies West Bypass as an expressway and Nichols Street as a collector roadway. There is a railroad north of the subject property.

**STAFF COMMENTS:**

1. The applicant, Steve Eoff, is proposing to rezone the property generally located at the 1024 West Bypass from R-SF, Single-Family Residential District and GM, General Manufacturing District, to HM, Heavy Manufacturing District, and establishing Conditional Overlay District No. 174.

2. The proposed zoning will allow the subject property to be developed similarly to adjacent properties along West Bypass.

3. The HM District is intended for heavy industrial uses and other uses not otherwise provided for in the other industrial districts. The intensity of uses permitted in this district makes it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways. There is a railroad just north of the subject property and West Bypass is classified as an Expressway Roadway in the Transportation Plan. Areas zoned HM are intended to be at least 20 acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme. The Comprehensive Plan identifies this District as intended for General Industry that includes industry that involves railroad service, heavy truck traffic, extensive outdoor storage, noise or odors, and the handling of raw materials. It also includes railroad yards, power plants and the airports.

4. Based on the change in zoning from R-SF and GM, General Manufacturing uses to Heavy Manufacturing uses, the rezoning did not increase the trip generation in the AM/PM peaks by more than 100 additional trips nor did it exceed the threshold of 1,000 additional trip-ends daily. Due to this, a Traffic Study is not required.

5. The Conditional Overlay District will require sidewalks to be constructed along the entire length of the property frontage along Nichols either at the time of development or obtain ARC approval for a fee in-lieu of sidewalk construction. The applicant will have to consult with MODOT regarding requirements of sidewalk along West Bypass. The COD will require the vacation of Calhoun Street right-of-way, a lot combination, driveway access limitations, a stream buffer easement and the dedication of additional right-of-way along West Bypass and Nichols Street. The applicant has also requested to prohibit junk yards and automobile wrecking yards within the COD.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting on April 29, 2019, regarding the request for rezoning. A summary of the meeting is attached (Attachment 3).

**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.

<table>
<thead>
<tr>
<th>Notices sent to property owners within 185 feet</th>
<th>Mailed</th>
<th>Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>0</td>
</tr>
</tbody>
</table>
DEPARTMENT COMMENTS:

ATTACHMENT 1

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

CITY UTILITIES:

No objection to rezoning. Please note that lot will require a water main extension to provide water service and
an electric extension to provide electric service. Please contact CU Developer Services if there are any
questions at this time 417-831-8888

CLEAN WATER SERVICES COMMENTS:

No objections to the rezoning. It needs to be noted that the parcel north of Calhoun does not have direct access
to sewer. This could be remedied by relinquishing the right-of-way to private use and combining the properties.

MODOT COMMENTS:

No objection to the rezoning. This development may require a traffic study.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City’s Transportation Plan classifies N. West Bypass as an Expressway and W. Nichols Street as a Collector
roadway. The standard right-of-way widths for N. West Bypass and W. Nichols Street are 65 feet from centerline
and 30 feet from centerline, respectively. It appears approximately 6 feet of additional right-of-way needs to be
acquired along at least a portion of W. Nichols Street. A survey is recommended to determine the exact amount
of existing right-of-way. N. West Bypass is under MODOT jurisdiction and W. Nichols Street is under City of
Springfield jurisdiction.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on N. West Bypass south of Nichols Street is 22,150 vehicles per day. The most
recent traffic count on W. Nichols Street west of West Bypass is 1,251 vehicles per day. On-street parking is not
allowed along either portions of West Bypass nor Nichols Street that are abutting the property in question.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from N. West bypass. The allowance for this
driveway to remain will require the approval of MODOT. Driveway access to/from W. Nichols Street will be
permitted, as long as it is as far east as feasible, while still maintaining the stream buffer.

SIDEWALK

There is existing sidewalk along a portion of the property frontage on W. Nichols Street. Sidewalk is required to
be constructed along the remaining portion of W. Nichols Street, 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. Defer to MODOT
regarding requirement of sidewalk along N. West Bypass.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area pertaining to this rezoning. There are bus stops along W. Nichols Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS
None required. A Traffic Impact Study was not required, as the change in zoning did not increase the trip generation in the AM/PM peaks by more than 100 additional trips nor did it exceed the threshold of 1,000 additional trip-ends daily. The City of Springfield does not currently have plans to make improvements to this section of W. Nichols Street. Defer to MODOT regarding comments about improvements to N. West Bypass.

**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>N. West Bypass.</td>
<td>Expressway</td>
<td>50</td>
<td>65</td>
</tr>
<tr>
<td>Street 2</td>
<td>W. Nichols Street</td>
<td>Collector</td>
<td>24</td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>AM Peak</th>
<th>PM Peak</th>
<th>Weekday</th>
<th>Weekend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Trips Generated</td>
<td>168.88</td>
<td>170.8</td>
<td>1107.72</td>
<td>N/A</td>
</tr>
<tr>
<td>*Proposed Trips Generated</td>
<td>126.28</td>
<td>144.32</td>
<td>703.76</td>
<td>N/A</td>
</tr>
<tr>
<td>Additional Trips Generated</td>
<td>-42.6</td>
<td>-26.48</td>
<td>-403.96</td>
<td>N/A</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 not 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. 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.
<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 36-433., Heavy Manufacturing District of the Springfield Zoning Ordinance shall be as modified herein for development within this district.

1. Junk yards and automobile wrecking yards are prohibited in this District.

2. A Traffic Study shall be submitted at the time of development (where the development exceeds allowable thresholds for trip generation as determined in Chapter 9 of the Public Works Design Standards). Any improvements recommended by the Traffic Study shall be constructed or escrowed prior to any building permits being issued.

3. Approximately 6 feet of additional right-of-way may need to be acquired along at least a portion of the property frontage on West Nichols Street. This shall be determined by a survey of the property and the adjacent street rights-of-way at the time of development. This shall be completed prior to any building permit being issued.

4. Sidewalks shall be constructed along the entire length of the property frontage along W. Nichols Street which does not currently have sidewalk; either at the time of development or by obtaining ARC approval of a fee in-lieu-of sidewalk construction. One of these requirements shall be completed prior to any building permit being issued.

5. The entire public right-of-way of West Calhoun between the subject property from West Bypass to the east property line shall be vacated by the applicant so as to require access to the industrial property from either West Bypass or West Nichols. This shall be completed prior to any building permit being issued.

6. The subject properties shall be combined into one tract upon vacation of the right of way of West Calhoun. This shall be completed prior to any building permit being issued.

7. Driveway access to and from West Nichols Street shall be permitted, as long as it is as far east as feasible, while still maintaining the stream buffer. Access to West Bypass will be determined by MO DOT. Access is prohibited off West Calhoun and North Dickerson.

8. A stream buffer shall be designated as determined by City Code and the Department of Public Works. This shall be completed prior to any building permit being issued.
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GM, R-SF (existing zoning) to HM (proposed zoning)

2. Meeting Date & Time: April 29, 2019

3. Meeting Location: On-Site, East side of West Bypass, approx. 600 feet north of Nichols

4. Number of invitations that were sent: ~200

5. How the mailing list was 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 the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See "Exhibit A" attached.

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

N/A

I, Jonathan Staats (print name), attest that the neighborhood meeting was held on December 3, 2018 (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

Jonathan Staats

Printed name of person completing affidavit
Neighborhood Meeting Notes – April 29th, 2019

4:00 p.m. to 6:30 p.m.

A common concern was relating to the traffic at the intersection of West Bypass & Nichols. Residents were also concerned that access would be taken from the residential side east of the property. While access on West Bypass will most likely stay, new access will only be constructed along Nichols, thus keeping driveways to a minimum. During the 4pm to 6:30pm neighborhood meeting, no major traffic conflicts or congestion was witnessed at the intersection.

A resident asked about dust control, and it was explained that certain manufacturing plants (e.g. concrete plants) should house equipment to control the spread of dust outside the limits of their property.

Another question asked related to the amount of noise generated by the site. The resident asked what regulations the new use would be held to if constructed. It was explained that they would be subject to the same City of Springfield noise regulations with which all other businesses in the City must comply.

A local resident mentioned that they were unhappy with all of the trash dumped on the site and would prefer to see it cleaned up with a new development. They also stated that the area is highly industrial and that the location was suitable for the development. They said that the new business would provide residents with jobs and bring more revenue to the City.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address or Company</th>
<th>Phone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ken Slayton</td>
<td>2435 W Nichols</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denise Cunningham</td>
<td>3320 W Calhoun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kenny Cunningham</td>
<td>3320 W Calhoun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chuck</td>
<td>3314 W Calhoun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bob Henderson</td>
<td>3304 W Dennis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Priscilla S. Cash</td>
<td>3320 W Calhoun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monty Rey</td>
<td>3320 W Calhoun</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert Light</td>
<td>3304 W Kings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>T &amp; F Conns</td>
<td>1025 W Didier</td>
<td></td>
<td><a href="mailto:pepperjock567@gmail.com">pepperjock567@gmail.com</a></td>
</tr>
<tr>
<td>Jonathan Staats</td>
<td>C J W</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DEAR PROPERTY OWNER,

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

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

APPLICANT CONTACT INFORMATION:

Applicant/Representative Name: Steve Eoff
Address: 1112 N. Falcon Crest Court
City, State and Zip: Nixa, Missouri 65714
Phone Number: 417-725-5300  E-mail: steveoffassociates@aol.com

PROJECT LOCATION:

1260 & 1024 N. West Bypass, Spfd Mo 65803

PROPOSED CHANGES:

Project is proposing to change existing zoning of two parcels from R-SF and GM to Heavy Manufacturing (HM).

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting: April 29, 2019
Location of Meeting: On Site
Time of Meeting: 4:00 PM to 6:30 PM

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

ATTACHMENTS: Notice Letter from City with Comment Card attached to this letter