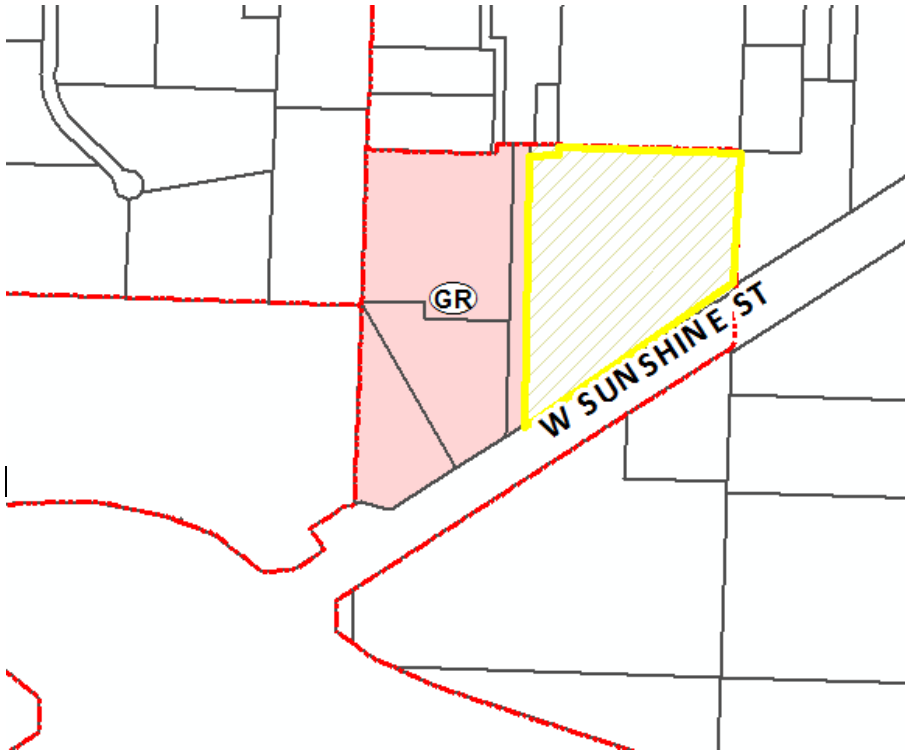


# Development Review Staff Report



**PLANNING AND ZONING COMMISSION PUBLIC HEARING:** JANUARY 11, 2018

**CITY COUNCIL PUBLIC HEARING:** JANUARY 29, 2018



**CASE NUMBER:**

Z-1-2018 with Conditional Overlay No. 144

**PROJECT LOCATION:** 5389 West Sunshine Street

**ACRES:** 12.72 acres

**EXISTING LAND USE:** Undeveloped Land

**APPLICATION:** CMH Homes Inc.

**STAFF:**

Michael Sparlin, Senior Planner  
417-864-1091

**STAFF RECOMMENDATIONS:**

Approve

**PROPOSED MOTION:**

Move to approve Z-1-2018 w/ COD No. 144 as submitted.

**SUMMARY OF REQUEST:**

To rezone approximately 12.72 acres of property generally located at 5389 West Sunshine Street from County M-1, Light Manufacturing to HC, Highway Commercial District and establishing Conditional Overlay District No. 144

**FINDINGS FOR STAFF RECOMMENDATION:**

1. This application is consistent with the *West Sunshine/Highway 60 Corridor Study* which identifies the subject property as in a Community Activity Center. These areas are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community.
2. The subject property meets the intent of the HC, Highway Commercial District to be for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. Sunshine Street is classified as an Expressway.

**SURROUNDING ZONING AND LAND USES:**

	NORTH	SOUTH	EAST	WEST
<b>ZONING</b>	County M-1	County M-1	County M-1	GR
<b>LAND USE</b>	Industrial/Manufacturing	Commercial Uses	Car Sales	Radio Station & Self-Service Storage

## SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

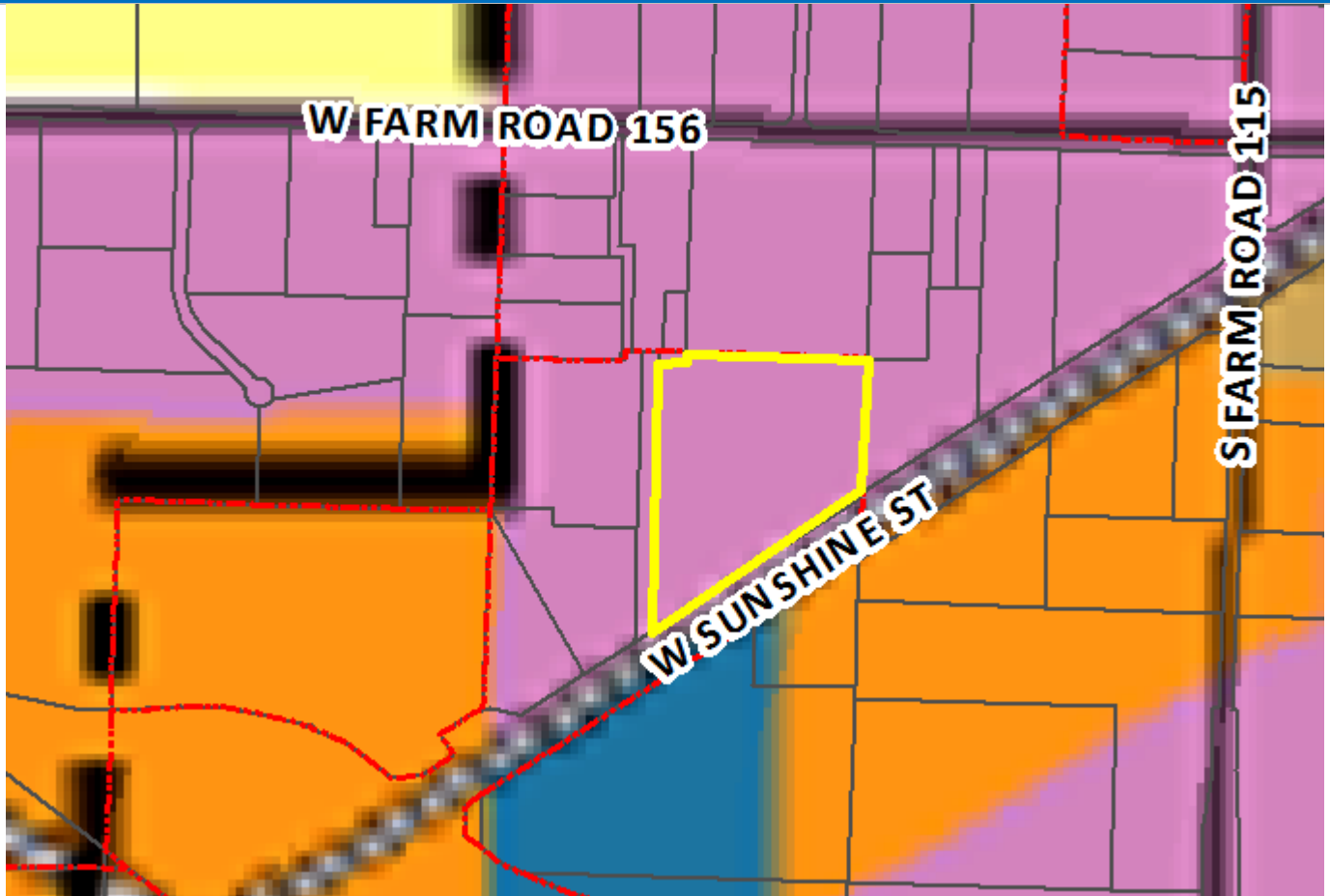










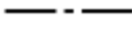










## GOOGLE MAPS STREET VIEW:



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## GROWTH MANAGEMENT AND LAND USE PLAN:



- |   |  |   |
|---|--|---|
|  Low-Density Housing                           |  General Industry, Transportation and Utilities |  Greenway                               |
|  Medium or High Density Housing                |  Park   |  Parkway                                |
|  Medium Intensity Retail, Office or Housing    |  School   |  City Boundary                          |
|  High Intensity Retail, Office or Housing      |  Golf   |  Urban Service Area Boundary, Year 2020 |
|  Greater Downtown                              |  Community-Public                               |  Urban Reserve Boundary, Year 2040      |
|  Business Park                                 |  Urban Reserve Area                             |   |
|  Light Industrial, Office and Office-Warehouse |  Rural Area                                     |   |

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## PROPERTY HISTORY:

The subject property was annexed along with other property in this area by a City-initiated annexation. During the rezoning process of the newly annexed area, the owner of the subject property objected to the proposed GR, General Retail district. The subject property was removed from the rezoning and the property remained zoned County M-1, Light Manufacturing.

## ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts. There are no adjacent R-SF or R-TH districts
Minimum open space	20 percent
Maximum impervious area	80 percent
Building Setbacks	Front: 25 feet Rear: None, except as required by the bufferyard requirements Side: None, supplemental open space and yard regulations, and the bufferyard requirements
BULK PLANE	BUFFERYARD AND LANDSCAPING
None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts. There are no adjacent R-SF or R-TH districts	No bufferyards are required due to the subject property being surrounded by commercial and manufacturing districts.  The development will comply with the supplemental open space and yard regulations.

## COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this property as appropriate for light industrial, office and office-warehouse.

The *West Sunshine/Highway 60 Corridor Study*, completed in 2009, identifies the subject property as in a Community Activity Center. Community Activity Centers are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community. Examples of uses include a discount department store, supermarket, drug store, home improvement, large specialty shops, service stations, one or more large places of worship, a community park, mid-size offices, low-to-mid rise housing (none within 700 feet of the corridor) and high-to-moderate density housing, and perhaps an elementary or middle school.

## STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 12.72 acres of property generally located at 5389 West Sunshine Street from County M-1, Light Manufacturing to HC, Highway Commercial District and establishing Conditional Overlay District No. 144.
2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this property as appropriate for light industrial, office and office-warehouse. However, the *West Sunshine/Highway 60 Corridor Study*, completed in 2009, identifies the subject property in a Community Activity Center. Community Activity Centers are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community. Examples of uses include a discount department store, supermarket, drug store, home improvement, large specialty shops, service stations, one or more large places of worship, a community



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park, mid-size offices, low-to-mid rise housing (none within 700 feet of the corridor) and high-to-moderate density housing, and perhaps an elementary or middle school.

3. The HC district is intended for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. This district is also intended for on-site production of handcrafted items in conjunction with retail sales. Sunshine Street is classified as an Expressway. This property meets this criteria.
4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

## NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 19, 2017 regarding the rezoning request. 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.

Notices sent to property owners within 185 feet: Mailed: 12 Returned: 0

## DEPARTMENT COMMENTS:

### ATTACHMENT 1 DEPARTMENT COMMENTS

#### BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

#### MODOT COMMENTS:

Depending on development, a traffic study may be required. Improvements may be required at the existing crossover (turn lanes) and/or drive. All access will need to come from Maple Leaf Ln. Existing drive to the east of Maple Leaf will need to be removed.

#### CITY UTILITIES COMMENTS:

No objection to rezoning. The closest water main is appx. 1,700 feet to the east. A developer installed extension will be required. A cost recovery agreement is available as the extension will provide service to multiple properties.

The property is currently served by Ozark Electric Coop. By law, they are not allowed to expand service in cities of more than 1,500 population. CU electric is nearby and can be extended.

#### CLEAN WATER SERVICES COMMENTS:

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

1. Public sewer not currently available for the proposed site. Any use that requires public sewer will require a public sewer extension unless Building Development is willing to issue a septic permit.
2. Public improvements must be approved and completed before any building permits or plats could be issued or filed.
3. Offsite sewer would not be able to be escrowed.

#### FIRE DEPARTMENT COMMENTS:

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Fire has no objection.

## PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Sunshine Street as an Expressway. The standard right-of-way width for W. Sunshine Street is 65 feet from the centerline. It appears additional right-of-way is not needed. A survey is recommended to determine the exact amount of existing right of way. W. Sunshine Street is a MODOT maintained street and is under MODOT jurisdiction. The most recent traffic count on W. Sunshine Street east of James River Freeway is 17,913 vehicles per day. There is currently one access point onto W. Sunshine Street that may need to be closed, but is under the ruling of MODOT. Access can be taken off of the private S. Maple Leaf Lane. There is not currently sidewalk along the property frontage of W. Sunshine Street. Requirement of sidewalk construction is determined by MODOT. On-street parking is not allowed along W. Sunshine Street. There is a Greenway Trail just east of the property pertaining to this rezoning. There are not bus stops along this portion of W. Sunshine Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. Defer to MODOT for any comments regarding future planned improvements to W. Sunshine Street. Improvements to W. Sunshine Street may be required of the developer as a part of a Traffic Study required by the rezoning of this property.

Public Works Traffic Division	Response
Street classification	W. Sunshine Street – Expressway
On-street parking along streets	W. Sunshine Street – No
Trips generated - Peak Hour	127.20 vehicles (County M-1) 852.24 vehicles (HC)
Additional Trips generated with zoning change - Peak Hour	725.04 vehicles
Existing street right of way widths	W. Sunshine Street - 83 ft from the centerline
Standard right of way widths	W. Sunshine Street - 65 ft from the centerline
Traffic study submitted	Required*
Proposed street improvements	To be determined by traffic study

\*Based on the change in zoning from County M-1 to HC, the increase in trip ends produced by this property exceeds the 100-additional trip-ends in the PM peak and more than 1,000 daily trips. This triggers the requirement of a Traffic Study – however, W. Sunshine Street is under MODOT jurisdiction, therefore the Traffic Study and any required improvements to W. Sunshine Street are deferred to MODOT.

## STORMWATER COMMENTS:

The property is located in the Wilson's 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. Buyout in lieu of stormwater detention will not be allowed and detention must be provided. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

This site drains southeast and because there is not a lot of existing infrastructure in the area detention will be required.

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

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

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

## REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2  
CONDITIONAL OVERLAY DISTRICT PROVISIONS  
ZONING CASE Z-1-2018 & CONDITIONAL OVERLAY DISTRICT NO. 144

The requirements of *Section 36-422* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district to include the following.

1. A traffic study shall be required at the time of development.

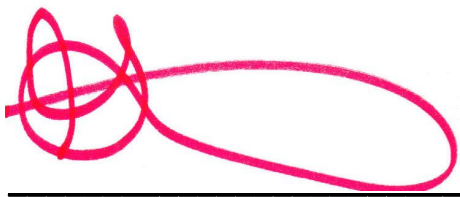
**AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY**

- 1. Request change to zoning from: County M-1 to Highway Commercial  
*(existing zoning)* *(proposed zoning)*
- 2. Meeting Date & Time: Tuesday December 19th, 2017 4:00 pm - 6:30 PM
- 3. Meeting Location: Barnhouse Event Center - 5484 West Sunshine
- 4. Number of invitations that were sent: 25
- 5. How the mailing list was generated: City
- 6. Number of neighbors in attendance (attach a sign-in sheet): six
- 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.)

WE discussed the rezoning and the history of the annexation and lack of zoning. I explained that Clayton Homes wanted to rezone it in order to make it suitable for sale. It is surplus property. There are no plans to develop it. No one had any objections to the rezoning and wanted something to develop there that would increase the value of their respective properties. I did have a phone call from Shirley Biermann, the neighbor to the north, as she could not come to the meeting. She was not opposed to the rezoning.

- 8. List or attach the written comments and how you plan to address any issues:  
no written comments were received

I, Geoffrey Butler (*print name*), attest that the neighborhood meeting was held on 12/19/17 (*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*

Geoffrey Butler

*Printed name of person completing affidavit*



Neighborhood Meeting Zoning case PLN2017-00484

December 19, 2017 4:00 - 6:30 PM

Barnhouse Meeting Center 5484 West Sunshine St.

Attendees:

✓ ~~Conrad~~ H. Dotson 2649 Hunt Maple Leaf Lane  
65802 417 865 4080 Springfield, Mo

Richard J Viles 5218 W Farm Rd 156  
Springfield, MO 65802 417 862-3160

Karen Hoggatt 5194 W Sunshine St  
Brookline, MO 65619 417-631-7936

MARY Jenkins 5185 & 5189 W. Sunshine  
Brookline, MO 65619

WELL  
⊙ Kenny Patena 5410 WFR 156 849.4696

✓ STONS MARK Netzen 2745 S. MAPLE leaf Lane  
SPfld MO. 65802 839.8209.