AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 1.42 acres of property, generally located at 2759 West Republic Street from County C-2, General Commercial District to GR, General Retail District; and adopting an updated ‘Official zoning map.’ (Staff and Planning and Zoning Commission recommend approval).

WHEREAS, an application has been filed for a zoning change of the property described in "Exhibit A" which is attached hereto and incorporated herein by this reference, and is generally located at 2759 West Republic Street from County C-2, General Commercial District to GR, General Retail District; and

WHEREAS, following proper notice, a public hearing was held before the Planning and Zoning Commission, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit B," and said Commission made its recommendation; and

WHEREAS, the City has reviewed the applicant’s request and prepared a staff report concerning the application which is attached hereto and incorporated herein by this reference as "Exhibit C;" and

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

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

Section 1 – The property described in "Exhibit A" of this Ordinance shall be rezoned from County C-2, General Commercial District or such other zoning district, to GR, General Retail District; and the Springfield Land Development Code, Section 36-306 thereof, ‘Official zoning map and rules for interpretation,’ is hereby amended, changed and modified accordingly.
Section 2 – City Council hereby directs the City Manager, or his designee, to update the City’s digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in the Springfield Land Development Code, Section 36-306, ‘Official zoning maps and rules of interpretation.’

Section 3 – The Official Zoning Map herein adopted shall be maintained and archived in the same digital form in which this Council has approved its adoption.

Section 4 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: ________________________

______________________________ Mayor

Attest: ________________________________, City Clerk

Filed as Ordinance: ____________________

Approved as to form: ____________________, Assistant City Attorney

Approved for Council action: ________________, City Manager
ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 1.42 acres of property, generally located at 2759 West Republic Street from County C-2, General Commercial District to GR, General Retail District; and adopting an updated ‘Official zoning map.’ (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-36-2017

The applicant is proposing to rezone approximately 1.42 acres of property generally located at 2759 West Republic Street from a County C-2, General Commercial District to a GR, General Retail District. The applicant is requesting an annexation and rezoning to allow for the development of the property for a new retail use. The annexation (A-4-17) is being processed concurrently with this application.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The GR district is consistent with the Growth Management and Land Use Plan element of the Comprehensive Plan which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses.

2. This request for GR zoning will provide for development of this site and is consistent with the City’s policies to promote infill development where investments have already been made in public services and infrastructure.

3. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

The Planning and Zoning Commission held a public hearing on, December 14, 2017, and recommended approval, by a vote of 7 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached "Exhibit B" Record of Proceedings).
REMARKS:

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

Submitted by:

Daniel Neal, Senior Planner

Recommended by: Approved by:

Mary Lilly Smith, Director 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
LEGAL DESCRIPTION
ZONING CASE Z-36-2017

A TRACT OF LAND LOCATED IN SECTION 9, TOWNSHIP 28 NORTH, RANGE 22 WEST, BEING A PART OF WILSON'S CREEK SHOPPING CENTER 1ST ADDITION, A SUBDIVISION RECORDED IN BOOK MM PAGE 94, GREENE COUNTY RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 23 OF SAID WILSON'S CREEK SHOPPING CENTER 1ST ADDITION, SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT ANY PART THEREOF TAKEN OR DEEDED FOR ROAD PURPOSES.
Mr. Hosmer stated that this is a request to rezone approximately 1.42 acres of property generally located at 2759 West Republic Street from a County C-2, General Commercial District to a GR, General Retail District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this area as appropriate for low-density housing. The GR district is consistent with the Plan which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets. The subject property is located along Republic Street which is classified as a primary arterial roadway and Homewood Avenue which is classified as a local. The applicant is proposing to annex and rezone to allow for the development of the property for a new retail use. A traffic study was not required. Buyout in lieu of on-site stormwater detention is not allowed because there is already existing detention on-site. A bufferyard type “E” is required on the north side where adjacent to R-TH and a type “C” bufferyard adjacent to R-MD. All structures must remain below a (30) degree bulk plane measured from the boundary of the R-TH district. Staff recommends approval.

Mr. Doennig opened the public meeting.

Mr. Dane Seiler, 5051 S. National representing the applicant. When are planning on having the property annexed into the City and make the zoning consistent with the City’s requirements and are fine with the current buffer-yard and plan on having a fence.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

____________________________
Bob Hosmer, AICP
Principal Planner
Z-36-2017

LOCATION: 2759 W. Republic St.
CURRENT ZONE: County C-2
PROPOSED ZONE: GR, General Retail District

LOCATION SKETCH

- Area of Proposal

1 inch = 200 feet
Development Review Staff Report

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

Z-36-2017

LOCATION: 2759 W. Republic St.
CURRENT ZONE: County C-2
PROPOSED ZONE: GR, General Retail District

LOCATION SKETCH
PURPOSE: To rezone approximately 1.42 acres of property generally located at 2759 West Republic Street from a County C-2, General Commercial District to a GR, General Retail District.

REPORT DATE: November 29, 2017

LOCATION: 2759 W. Republic Street

APPLICANT: Adolph A. Uckele, Donald G. Bechtel and James Norman Coats Trusts

TRACT SIZE: Approximately 1.42 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in the GR, General Retail District

FINDINGS FOR STAFF RECOMMENDATION:

1. The GR district is consistent with the Growth Management and Land Use Plan element of the Comprehensive Plan which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses.

2. This request for GR zoning will provide for development of this site and is consistent with the City’s policies to promote infill development where investments have already been made in public services and infrastructure.

3. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

<table>
<thead>
<tr>
<th>AREA</th>
<th>ZONING</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-TH</td>
<td>Duplexes</td>
</tr>
<tr>
<td>East</td>
<td>GR and R-MD</td>
<td>Commercial and multi-family uses</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>South</td>
<td>GR</td>
<td>Commercial and office uses</td>
</tr>
<tr>
<td>West</td>
<td>GR</td>
<td>Commercial uses</td>
</tr>
</tbody>
</table>

HISTORY:

The subject property is currently zoned C-2, General Commercial District, in the County.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for low-density housing. The *Plan* recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses. The subject property is located along Republic Street which is classified as a primary arterial roadway and Homewood Avenue which is classified as a local.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 1.42 acres of property generally located at 2759 West Republic Street from a County C-2, General Commercial District to a GR, General Retail District. The applicant is proposing to annex and rezone to allow for the development of the property for a new retail use. The annexation (A-4-17) is being processed concurrently with this application.

2. A traffic study was not required. The current County General Commercial zoning is similar to that of the proposed General Retail zoning (in terms of trip generation). No access is permitted to/from W. Republic Street. No additional trips generated are anticipated based on the change in zoning from County Commercial to General Retail.

3. Approval of this request will allow for the development of this site for GR uses. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties and is not anticipated to have a negative impact. In addition to the required bufferyard type “E”, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-TH district. A bufferyard type "C" is required adjacent to R-MD.

4. The GR district is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is also intended for on-site production of handcrafted items in conjunction with retail
sales. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. The proposed development would conform with purpose of this district.

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 November 15, 2017 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.

| Notices sent to property owners within 185 feet | 16 |
| Notices returned as undeliverable                | 0  |

CITY COUNCIL MEETING:

January 16, 2018

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036
BUILDING DEVELOPMENT SERVICES COMMENTS:

No apparent issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City’s Transportation Plan classifies W. Republic Street as a Primary Arterial roadway and S. Homewood Avenue as a Local Street. Currently, S. Homewood Avenue is under Greene County jurisdiction, and is proposed to be annexed into the City. Approximately 386 linear feet of 2-lane road, 26 feet wide (0.15 land miles) is proposed to be annexed into the City. The asphalt pavement is in fair-good condition (extensive cracking, including several large lateral cracks), curb and gutter exists on both sides of the street (east side needs some repair), sidewalk exists on both sides (approximately 352 linear feet of 5 foot sidewalks on the west side in good condition) (approximately 383 linear feet of 4 foot sidewalk on the east side in need of repair and upgrading to 5 feet), and a trench drain on the south end of the street tied to City drainage infrastructure. Using an annual maintenance cost of $3,800 per lane mile: 0.15 lane miles * $3,800 = $570 per year (maintenance costs). Note: $3,800 per lane mile is based on annual costs associated with Street Operations activities that maintain, repair, and replace a variety of typical street sections. Additional information on maintenance costs may need to come from Urban Forestry. The standard right-of-way width for W. Republic Street is 50 feet from the centerline. It appears approximately 5 feet of additional right-of-way is needed along W. Republic Street. The standard right-of-way width for S. Homewood Avenue is 25 feet from the centerline. At least 25 feet of right-of-way will need to be acquired with this annexation. In addition, a 30 foot by 30 foot right-of-way sight triangle will need to be acquired at the corner of S. Homewood Avenue and W. Republic Street. A survey is recommended to determine the exact amount of existing right of way. W. Republic Street is a city maintained street. The most recent traffic count on W. Republic Street west of S. Scenic Avenue is 21,098 vehicles per day. There is currently no traffic count data for S. Homewood Avenue north of Republic Street. Driveway access points for the property pertaining to this rezoning is limited solely to S. Homewood Avenue. Access is not permitted to W. Republic Street. There is sidewalk along the property frontage of W. Republic Street. The existing infrastructure meets current city standards. On-street parking is not allowed along W. Republic Street. There are two Greenway Trails to the west of the property pertaining to this rezoning. There are bus stops along W. Republic Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

<table>
<thead>
<tr>
<th>Public Works Traffic Division</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street classification</td>
<td>W. Republic Street – Primary Arterial</td>
</tr>
<tr>
<td></td>
<td>S. Homewood Avenue – Local</td>
</tr>
</tbody>
</table>
On-street parking along streets | W. Republic Street – No  
| S. Homewood Avenue – Yes  

Trips generated - Peak Hour | 67 vehicles (County Commercial)  
| 67 vehicles (GR)  

Additional Trips generated with zoning change - Peak Hour | 0 vehicles  

Existing street right of way widths | W. Republic Street - 45 ft from the centerline  
| S. Homewood Avenue – 25 ft from the centerline  

Standard right of way widths | W. Republic Street - 50 ft from the centerline  
| S. Homewood Avenue – 25 ft from the centerline  

Traffic study submitted | Not required*  

Proposed street improvements | None required  

*A traffic study was not required. The current County Commercial zoning is similar to that of the proposed General Retail zoning (in terms of trip generation). No access is permitted to/from W. Republic Street. No additional trips generated are anticipated based on the change in zoning from County Commercial to General Retail.

STORMWATER COMMENTS:

The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any 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 applicable because there is already existing detention on-site. Since the project will be disturbing more than one (1) acre there be a land disturbance permit required. The existing detention basin onsite is interconnected with detention that also serves the adjacent property to the west.

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. Water quality will be required if disturbing more than one acre.
3. Detailed stormwater calculations must be submitted before any permits can be approved.

<table>
<thead>
<tr>
<th>Public Works Stormwater Division</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Basin</td>
<td>Ward Branch</td>
</tr>
<tr>
<td>Is property located in Floodplain?</td>
<td>No</td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Is property located on a sinkhole?</td>
<td>No</td>
</tr>
<tr>
<td>Is stormwater buyout an option?</td>
<td>N/A</td>
</tr>
<tr>
<td>Is a Land Disturbance Permit Required?</td>
<td>No</td>
</tr>
</tbody>
</table>

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer and service lateral are currently available.

FIRE DEPARTMENT COMMENTS:

Fire has no issues with zoning classification change.

CITY UTILITIES COMMENTS:

No objection to zoning change. All utilities are available.
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: **County Commercial** to **General Retail**
   (existing zoning) (proposed zoning)

2. Meeting Date & Time: **Wednesday Nov. 15, 2017**

3. Meeting Location: **Activity Room - Chesterfield Family Ctr**

4. Number of invitations that were sent: **31**

5. How the mailing list was generated: **Title Search by Hogan**

6. Number of neighbors in attendance (attach a sign-in sheet): **0**

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.)
   
   

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

   

1. **Jonathan F. Williams** (print name), attest that the neighborhood meeting was held on
   **11-15-17** (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

   

   **Jonathan F. Williams**
   
   Printed name of person completing affidavit
11/15/17 DT SPRINGFIELD - NEIGHBORHOOD MTG SIGN-IN

NAME

ADDRESS

REPRESENTATIVES:
CJJW PERSONNEL - JAY WYNN
                   KING COLTRIN
                   JON WILLIAMS

DOLLAR TREE - TIM BARNES