

COMMUNITY PROJECT/ZONING

Ordinance Fact Sheet

Case Nos. 10390-URD-10 & 10390-MPD-11

Brief Title

Approval Deadline

To consider amending URD plan in District URD, on about 460 acres to delete a 57.15 acre tract, and to consider rezoning the 57.15 acres to District MPD and approval of a development plan for the same.

Ordinance Number

Details

Positions/Recommendations

<p>Specific Address</p> <p>Generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on</p>	
<p>Reason for Legislation</p> <p>a) To consider an amendment to a previously approved URD Plan in District UR to delete about 57.15 acres from the plan.</p> <p>b) To consider rezoning a 57.15 acre tract of land from District UR to MPD and approval of a development plan which also serves as a preliminary plat, to allow for 700,000 square foot of general industrial development on two lots</p>	
<p>Discussion</p> <p>EXISTING CONDITIONS:</p> <p>The subject site is bounded by E. 87th Street on the north, Interstate 435 on the east, E. Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west. Most of the 513 acres has been extensively undermined and is being stabilized so that future development may occur. Along the Bannister Road frontage is a vacant large box retail store, a Taco Bell and a vacant fast food restaurants with drive-through. Just north of this site is All American Redi Mix. The northwest corner is platted as Santa Fe Trial Business Park in 2006.</p> <p>Surrounding land uses include undeveloped properties approved as Oxford on the Blue development on the north side of E. 87th Street; Foley Equipment located at the northeast corner of the site; Interstate 435 and Cerner Trails campus to the east; Bannister Road and retail commercial to the south; and Bruce R. Watkins Drive and multi-family residential to the west.</p> <p>PLAN REVIEW & ANALYSIS:</p> <p>Case No. 10390-URD-10 is a request to amend an existing UR development plan on about 460 acres generally bounded by E. 87th Street on the north, Interstate 435 on the east, Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west, for the purpose of deleting 57 acres from said UR development plan. The site is an existing quarry/ underground mining operation which has frontage on E. 87th Street, I-435, E. Bannister Road and Bruce R. Watkins Drive. Access to the site is via E. 87th Street on the north, Hickman Mills Drive on the west and E. Bannister Road on the south. The proposed site is about 60-80 feet higher in elevation above E. 87th Street and Bruce R. Watkins Drive.</p>	

Sponsor	Jeffrey Williams, AICP, Director Department of City Planning and Development
Programs, Departments, or Groups Affected	5th District (Taylor & McManus)
Applicants / Proponents	<p>Applicant NPIF2 Three Trials Industrial Park, LLC 5015 NW Canal Street Riverside, MO 64150</p> <p>City Department City Development</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of opposition</p>
Staff Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>City Plan Commission (8-0) 06-16-2015</p> <p>By Aye: (Archie, Baker-Hughes, Burnette, Crowl, Gutierrez, Macy, Martin & May.</p> <p><input type="checkbox"/> For <input type="checkbox"/> Against No action taken</p> <p><input checked="" type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p>
Council Committee Actions	<p><input type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

Details

CONTINUED:

The existing URD plan approved an 8 million square foot office, warehouse development and a retail center on Bannister Road. The plan consists of 4 million square foot of office, 3.5 million square foot of warehouse and about 500,000 square foot of retail. Construction was anticipated to occur in 12 phases, through 2020, as the undermined property is reclaimed. The existing land reclamation, quarry and excavation will continue on this site.

Chapter 88-260-06 states that in the course of carrying out any part of the development plan for a UR district, the developer may submit a request for an amendment of the preliminary development plan approved at the time of rezoning to the UR district. Requests to amend a preliminary development plan must be processed as a zoning map amendment in accordance with 88-515.

The request is to amend the current approved URD plan to delete the 57 acres at the northwest corner of the development to allow for construction of office/ warehouse. The area to be deleted has been reclaimed, preliminary graded and platted with nine (9) lots. The proposed amendment to the existing plan raises some questions about the existing conditions of approvals as it relates to outdoor advertising signs and traffic conditions.

Billboard Signage in 2001:

Billboard signage is also referred to as "outdoor advertising signage".

The purpose of the 2001 URD plan amendment was to allow this site to receive billboard signage being relocated from the Hickman Mills TIF project. The signs along Interstate 435 were the result of a settlement agreement dated January 5, 2000, between the Tax Increment Financing Commission, Outdoor Systems, Inc., and Marion Merrell Dow, Inc. (later Hoechst Marion Roussel and now Aventis Pharmaceuticals.) The TIF Commission had acquired several properties on Hickman Mills Drive and, as a result of the acquisition process, Outdoor Systems, Inc. (now Infinity Outdoor) became entitled to the relocation of three billboard signs. Difficulty in finding suitable sites for such relocation resulted in litigation. In early 2000, the parties agreed to an amicable settlement pending the removal of such signs and their relocation into the Santa Fe TIF plan area. The urban redevelopment plan then current did not include these three billboards, so amendment of the plan was necessary.

Policy/Program Impact

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	

Fact Sheet Prepared By:

Olofu O. Agbaji
Staff Planner

Date: 08-12-2015

Reviewed by:

Diane M. Binckley, Division Manager
Development Management

Date: 08-14-2015

Initial application filed: 12-23-2014

Revised plans submitted: 08-03-2015

Reference Numbers

Cases No. 10390-URD-10 & 10390-MPD-11

CONTINUED:

After much negotiation between staff, the neighborhood groups, the developer's representative, and ultimately the City Council, it was agreed that the signage would be approved, subject to its removal within 10 years of the date of installation, with installation to occur within six months. Committee Substitute for Ordinance No. 031397 included conditions stating:

That the developer and any lessee of developer for the properties designated for the outdoor advertising signs shall remove the relocated outdoor advertising signs within ten years of installation, and installation of the relocated signs shall occur within six months of the effective date of this ordinance.

That the developer and any lessee of developer for the properties designated for the outdoor advertising signs acknowledge that city relocation benefits and/or city relocation damages are not available at the end of the ten year period and that the signs do not have to be relocated elsewhere by the City or its Tax Increment Financing Commission.

Billboard Signage in 2005:

Ordinance No. 051062 passed by City Council on October 6, 2005 had the following conditions as it relates to the existing billboards on the site:

That the developer and any lessee of developer shall remove all outdoor advertising signs, as identified on the plan as "existing billboard sign to be removed" within one year of the effective date of this ordinance.

That the developer and any lessee of developer shall remove all outdoor advertising signs, as identified on the development plan as "existing billboard sign" and "proposed billboard sign" within ten years of the effective date of this ordinance.

That the developer and any lessee of developer acknowledge that city relocation benefits and/or city relocation damages are not available at the end of the specified period, and that the signs do not have to be relocated elsewhere by the City or its Tax Increment Financing Commission.

Billboard Signage Now:

The submitted plan does not address the outdoor advertising signs within this UR District. The city shows four (4) existing outdoor advertising signs registered under Permit Nos. CVOA 370, 371, 372 and 373. Three of the signs are located on the west side of I-435 and fourth is located on the east side of Hickman Mills Drive. The signs are scheduled for annual inspection on June 25, 2015. Staff recommends that the revised plan be amended to show the existing billboards stipulating the date of removal per condition of approval of Ordinances No. 031397 and 051062.

Staff recommends that the developer submit an updated overall UR development plan that shows the updated development data including phasing to Development Management Division prior to ordinance request. The revised plan shall include all the outdoor advertising sign information approved with the original plan. The original condition of approval for the overall UR development plan shall apply to the existing development.

The Public Works Department requested an overall traffic study for the amendment of the URD plan. At this time PWD will allow this amendment and up to 112 acres owned or controlled by Northpoint and developed for light industrial/office uses to move forward. Any deviation from the 2005 URD plan that requires a URD plan amendment shall require an updated traffic impact study for the overall URD development plan. The updated traffic impact study must incorporate the prevailing conditions existing at the time of the update, including all adjacent approved developments.

Case No. 10390-MPD-11 is a request to rezone about 57 acres generally located on the south side of E. 87th Street and the east side of Bruce R. Watkins Drive (US Hwy 71), from District UR (Urban Redevelopment) to MPD (Master Planned District) and approval of a development plan to allow for 700,000 square foot of general industrial development on two lots.

The proposed MPD plan also serves as a preliminary plat. The plat proposes two industrial lots with access off E. 87th Street. The plan shows extension of a public street, Marion Park Drive southwards to serve the two lots. The existing site was approved and platted as "**Santa Fe Trail Business Park, First Plat, Lots 1-9**". Ordinance No. 060670 passed by City Council on June 29, 2006 approved a final plat on approximately 57 acres, creating nine lots and two private open space tracts. The plan also proposes to vacate the existing dedicated public streets (East 88th Street and Cypress Avenue). For this final plat to vacate the dedicated streets and easements, the applicant will be required to submit all the utility sign off sheets prior to ordinance request of this final plat.

The development plan is proposing two office warehouse buildings on two lots. The buildings are proposed to be constructed of precast concrete panels accented with medium textured cement based acrylic coating. The finishes and trims show metal coping and EIFS. Building 1 is proposed to be 364,000 square foot single story structure and building 2 is proposed to be 332,000 square foot. The plan shows 718 parking spaces which is in excess of the 522 spaces required by the Zoning and Development Code. The plan shows a stormwater detention facility within a tract along the west side of the site.

The submitted plan included a landscaping plan. Staff recommends that the preliminary landscape plan be revised to meet the requirement of Chapter 88-425. Per Chapter 88-425-12 all landscaping plans must be sealed and certified by a registered landscape architect licensed in the State of Missouri and include information as required by city planning and development department staff. The submitted landscaping plan is not sealed and certified by a registered landscape architect.

Staff also recommends that a detailed lighting plan that meets the requirement of Chapter 88-430 of the Zoning and Development Code be submitted as part of the revised plans.

CONTINUED:

The proposed MPD plan allows for all the uses permitted within District M-4 with the following prohibited uses: Detention and Correctional Facilities; Halfway House; Adult Media Store; Adult Motion Picture Theatre; Sex Shop; Junk/ Salvage Yard; Composting Facility; Demolition and Debris Landfill; Solid Waste Separation Facility; and Waste Transfer Station.

MPD Statement:

In response to why the requested action (rezoning) is justified, the applicant did not provide an MPD statement.

Per Section 88-280-01, the MPD district is intended to accommodate development that may be difficult if not impossible to carry out under otherwise applicable zoning district standards. The MPD district will allow for multiple buildings and uses on one lot and establish the building setbacks and other site development standards.

88-280-01-B. Specific Objectives

Different types of MPDs will promote different planning goals. In general, however, MPDs are intended to promote the following objectives:

flexibility and creativity in responding to changing social, economic, and market conditions and that results in greater public benefits than could be achieved using conventional zoning and development regulations;

implementation and consistency with the city's adopted plans and policies;

efficient and economical provision of public facilities and services;

sustainable, long-term communities that provide economic opportunity and environmental and social equity for residents;

variety in housing types and sizes to accommodate households of all ages, sizes, incomes, and lifestyle choices;

compact, mixed-use development patterns where residential, commercial, civic, and open spaces are located in close proximity to one another;

a coordinated transportation systems that includes an inter-connected hierarchy of appropriately designed improvements for pedestrians, bicycles, and vehicles;

compatibility of buildings and other improvements as determined by their arrangement, massing, form, character, and landscaping to establish a high-quality livable environment;

the incorporation of open space amenities and natural resource features into the development design;

low-impact development (LID) practices; and

attractive, high-quality landscaping, lighting, architecture, and signage that reflects the unique character of the development.

88-520-03-F. MPD Review Criteria

In reviewing and making decisions on proposed MPD rezonings and preliminary development plans, review and decision-making bodies must consider at least the following factors:

the preliminary development plan's consistency with any adopted land use plans for the area;

The Hickman Mills Area Plan (HMAP) recommends Light Industrial, Open Space and Conservation District land use at this location. The proposed zoning is consistent with the future land use plan.

the preliminary development plan's consistency with the MPD district provisions of 88-280; and

Applicant's MPD statement.

The applicant has not provided an MPD Statement.

the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the MPD in the case of a plan that proposes development over a long period of time.

This plan is proposed to allow office warehouse use on a reclaimed parcel.

88-280-06 Approval Criterion

MPD zoning may be approved only when the city council, after receiving the recommendation of the city plan commission, determines that the proposed development cannot be reasonably accommodated by other available regulations of this zoning and development code, and that a MPD would result in a greater benefit to the city as a whole than would development under conventional zoning district regulations. Such greater benefit may include implementation of adopted planning policies, natural resource preservation, urban design, neighborhood/community amenities, or a general level of development quality.