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Filed: 04-26-16

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 093

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 0.45 acres of property, generally located at 6323
3 and 6327 South Creeksedge Court, from a Planned Development 209 to a
4 R-SF, Residential Single-family District; and adopting an updated Official
5 Zoning Map. (Staff and Planning and Zoning Commission recommend
6 approval.)
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 described on "Exhibit A," of this Ordinance, generally located at 6323 and 6327 South
11 Creeksedge Court, from a Planned Development 209, to a R-SF, Residential Single-
12 family District; and
13

14 WHEREAS, following proper notice, a public hearing was held before the
15 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
16 hearing being attached hereto as "Exhibit B," and said Commission made its
17 recommendation; and
18

19 WHEREAS, proper notice was given of a public hearing before the City Council
20 and that said hearing was held in accordance with the law.
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 - The property described on "Exhibit A" of this Ordinance be, and the
26 same hereby is, rezoned from Planned Development District 209, or such zoning district
27 as is designated on the Official Zoning Map adopted by the City Council, to a R-SF,
28 Residential Single-family District; and the Springfield Land Development Code, Section
29 36-306 thereof, Zoning Maps, is hereby amended, changed and modified accordingly.
30

31 Section 2 – The City Council hereby directs the City Manager, or his designee, to
32 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
33 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided

34 for in the Springfield Land Development Code, Section 36-306, Official Zoning Map and
35 Rules of Interpretation.

36
37 Section 3 – The Official Zoning Map herein adopted shall be maintained and
38 archived in the same digital form in which this Council has approved its adoption.

39
40 Section 4 - This ordinance shall be in full force and effect from and after passage.

41
42 Passed at meeting: _____

43
44
45 _____
46 Mayor

47
48 Attest: _____, City Clerk

49
50 Filed as Ordinance: _____

51
52
53 Approved as to form: Richard T. Weder, Assistant City Attorney

54
55
56 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 093

FILED: 04-26-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.45 acres of property generally located at 6323 & 6327 South Creeksedge Court from a Planned Development 209 to a R-SF, Residential Single-family District. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-3-2016

The applicant is proposing to rezone the subject property from a Planned Development 209 to a R-SF, Residential Single-family District.

The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies this area as appropriate for Low-Density Housing. The proposed R-SF, Residential Single-family District, is an appropriate zoning district for this land use category.

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.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies this area as appropriate for Low-Density Housing. The proposed R-SF, Residential Single-family District is an appropriate zoning district for this land use category.
2. Approval of this application will allow for the development of single-family detached dwellings. This use is compatible with the existing patio court homes and townhomes.

REMARKS:

The Planning and Zoning Commission held a public hearing on, April 14, 2016, 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 "Exhibit B," Record of Proceedings).

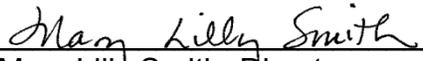
The Planning and Development staff recommends the application be approved (see "Exhibit C," Development Review Staff Report).

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



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

Exhibit A

LEGAL DESCRIPTION
ZONING CASE Z-3-2016

ALL OF LOTS 10 & 11 OF SECOND AMENDED FINAL PLAT FOR ST. ANDREWS
CLUB AT MILLWOOD TOWNHOMES

Exhibit B

**RECORD OF PROCEEDINGS
Planning and Zoning Commission April 14, 2016**

Z-3-2016

6323 South Creeksedge Court

Applicant: Dogwood Ventures, LLC

Mr. Hosmer states that this a request to rezone approximately 0.45 acres of property generally located at 6323 & 6327 South Creeksedge Court from a Planned Development 209 to a R-SF, Residential Single-family District. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies this area as appropriate for Low-Density Housing. The proposed R-SF district is an appropriate zoning district for this land use category. The current Planned Development only allows semi-detached and attached dwellings, such as patio court homes or townhouses. The applicant proposes to develop single-family detached dwellings on the two (2) undeveloped lots. City Council approved Planned Development 318 in April 2007 rezoning property in this area to allow for development of single-family detached homes. This PD is across the street to the east.

Approval of this application will allow for the development of single-family detached dwellings. This use is compatible with the existing patio court homes and townhomes. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Peggy Resz, 1612 E. Powell representing the applicant and just changing from patio homes and townhouses to single family homes.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Cline motions that we approve Z-3-2016 (6323 South Creeksedge Court). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray



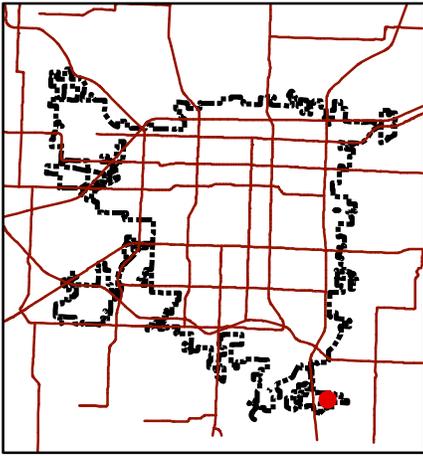
Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

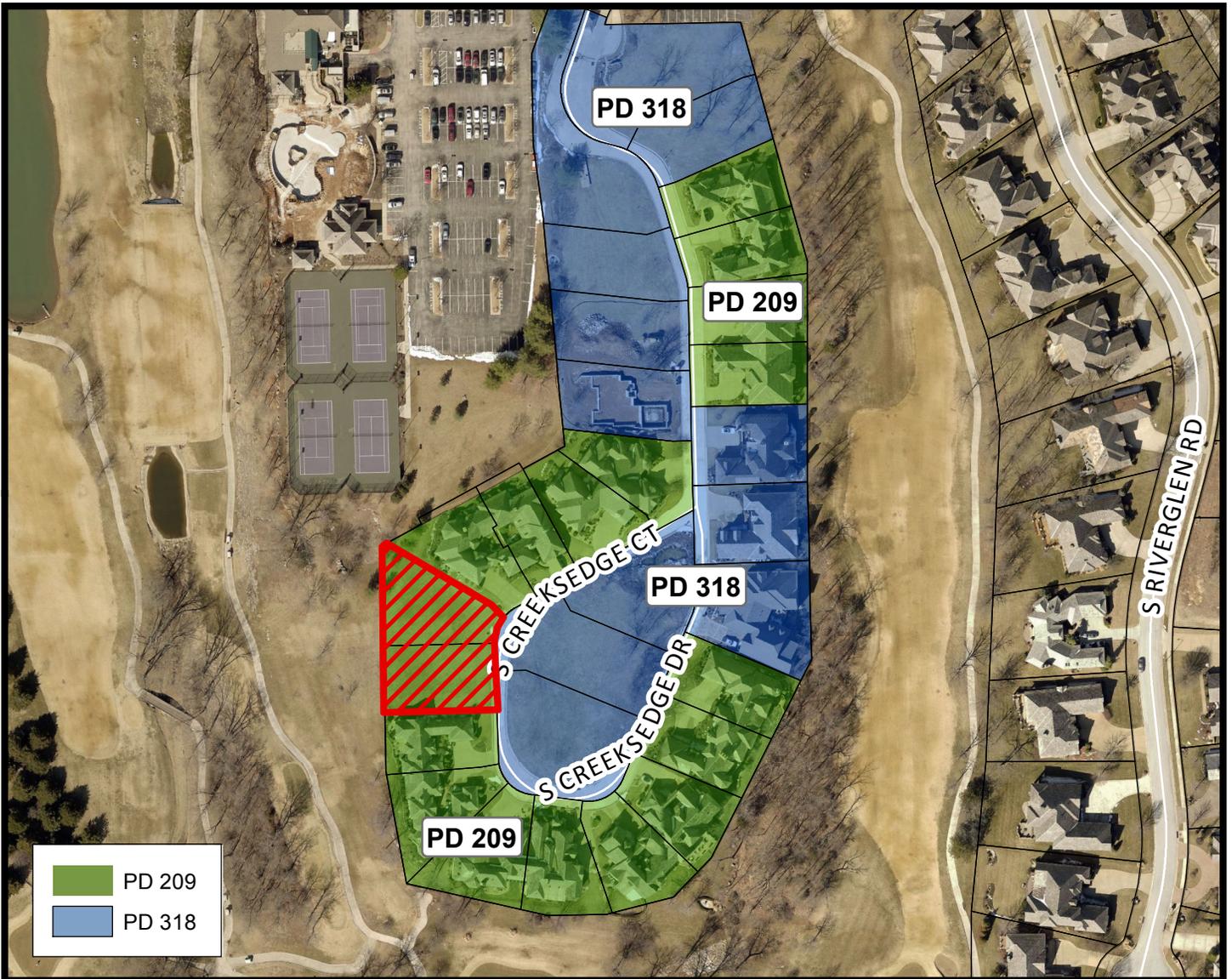
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Z-3-2016

LOCATION: 6323 & 6327 South Creeksedge Court
CURRENT ZONING: Planned Development 209
PROPOSED ZONING: R-SF, Residential Single-Family



LOCATION SKETCH



- Area of Proposal



1 inch = 175 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-3-2016

PURPOSE: To rezone approximately 0.45 acres of property generally located at 6323 & 6327 South Creeksedge Court from a Planned Development 209 to a R-SF, Residential Single-family District

REPORT DATE: March 17, 2016

LOCATION: 6323 & 6327 South Creeksedge Court

APPLICANT: Dogwood Ventures, LLC

TRACT SIZE: Approximately 0.45 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Single-family detached dwellings

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. The proposed R-SF district is an appropriate zoning district for this land use category.
2. Approval of this application will allow for the development of single-family detached dwellings. This use is compatible with the existing patio court homes and townhomes.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 209	Patio homes
East	PD 318	Undeveloped land
South	PD 209	Patio homes
West	County PAD 1033	Golf Course

HISTORY:

Planned Development 209 was approved by City Council in June 1997. The planned development permitted semidetached dwellings and attached dwellings, such as patio homes and townhouses. City Council approved Planned Development 318 in April 2007 to rezone property in this area to allow for development of single-family detached homes.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. The proposed R-SF district is an appropriate zoning district for this land use category.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a Planned Development 209 to a R-SF, Residential Single-family District. The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. The proposed R-SF district is an appropriate zoning district for this land use category.
2. The current Planned Development only allows semi-detached and attached dwellings, such as patio court homes or townhouses. The applicant proposes to develop single-family detached dwellings on the two (2) undeveloped lots. The proposed R-SF district is compatible with the existing dwellings and will facilitate the development of two (2) undeveloped lots.
3. 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 10, 2016 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. Seventeen (17) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 2, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-3-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning to R-SF.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Transportation Plan classifies Creeksedge Court as a Private Street. This is not a City- maintained street. The City of Springfield has no jurisdiction over a private street.

Public Works Traffic Division	Response
Street classification	Private
On-street parking along streets	n/a
Trip generations existing use	n/a
Trip generations proposed use	n/a
Existing street right of way widths	n/a
Standard right of way widths	n/a
Traffic study submitted	n/a
Proposed street improvements	n/a

FIRE DEPARTMENT COMMENTS:

No issues with fire department.

STORMWATER COMMENTS:

The property is located in the Hunt Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. Regional detention and water quality have been constructed for full development of these properties. Since the project will not be disturbing more than one (1) acre, a land disturbance permit is not required. There is an existing drainage ditch available for this development to discharge into. There are no known sinkholes on the properties.

Public Works Stormwater Division	Response
Drainage Basin	Hunt Branch
Is property located in Floodplain	No
Is property located on a sinkhole	No known sinkholes
Is stormwater buyout an option	No, Regional Detention & Water Quality Exist

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Property is served by public sewer.

CITY UTILITIES:

Rezoning will have no impact on City Utilities ability to provide service.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 209 to R-SF
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: 3-10-16 4-6:30
3. Meeting Location: MILLWOOD COUNTRY CLUB
4. Number of invitations that were sent: 54
5. How was the mailing list generated: CITY PROVIDED
6. Number of neighbors in attendance (attach a sign-in sheet): 2

7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

JUST WONDERED WHAT WE WERE DOING.

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

—

I, ERIN CHERNESKY (*print name*), attest that the neighborhood meeting was held on 3-10-16 (*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."

Erin Chernesky
Signature of person completing affidavit

ERIN CHERNESKY
Printed name of person completing affidavit

Neighborhood Meeting

Sign in

Dennis Della



JEFF RICE