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Filed: 04-26-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 094

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 3.74 acres of property, generally located at 3026-
3 3156 North Oakland Avenue, from an R-LD, Low-Density Multi-Family
4 Residential District to an R-SF, Single-Family Residential District; and
5 adopting an updated Official Zoning Map. (Staff and Planning and Zoning
6 Commission recommend approval.)
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 described on "Exhibit B" of this Ordinance, generally located at 3026-3156 North
11 Oakland Avenue, from an R-LD, Low-Density Multi-Family Residential District to an R-
12 SF, Single-Family Residential 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 A" 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 B" of this Ordinance be, and the
26 same hereby is, rezoned from an R-LD, Low-Density Multi-Family Residential District to
27 a R-SF, Single-Family Residential District; and the Springfield Land Development Code,
28 Section 36-306 thereof, Zoning Maps, is hereby amended, changed and modified
29 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: _____, Assistant City Attorney

54
55
56 Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 094

FILED: 04-26-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 3.74 acres of property generally located at 3026-3156 North Oakland Avenue from an R-LD, Low-Density Multi-Family Residential District to an R-SF, Single-Family Residential District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-5-2016

The applicant is proposing to rezone the subject property from an R-LD, Low-Density Multi-Family Residential District to an R-SF, Single-Family Residential District. The intent of this application is to allow for 16 single-family lots within the existing subdivision.

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for medium- or high-density housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses and at high-amenity locations such as the greenways or parkways. Staff supports this request because the proposed lots are within a primarily single-family residential subdivision.

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 identifies this as an appropriate area for medium- or high-density housing; however, the proposed lots are within a primarily single-family residential subdivision of Spring Meadow Estates. The proposed lots are the only lots in the Spring Meadows Subdivision that are not zoned R-SF, Single-Family Residential District.
2. The request is consistent with the adjacent R-SF, Single-Family Residential District uses and zoning to the west along Oakland Avenue and in the Spring Meadows Subdivision. The Transportation Plan classifies Oakland Avenue as a local street which supports the proposed land use.

3. Approval of this application will facilitate redevelopment of this property and promote infill development where investments have already been made in public services and infrastructure.

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 the attached "Exhibit A," Record of Proceedings).

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, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1: Department Comments

Attachment 2: Neighborhood Meeting Summary

Exhibit A

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

Z--5-2016

3026-3156 North Oakland Avenue

Applicant: Spring Meadow Estates, LTD

Mr. Hosmer states that this is a request to rezone approximately 3.74 acres of property generally located at 3026-3156 North Oakland Avenue from a R-LD, Low-Density Multi-Family Residential District to a R-SF, Single-Family Residential District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for medium- or high-density housing. Townhouses and all various forms of apartment buildings are included in this category. The request is consistent with the adjacent R-SF zoning to the west along Oakland Avenue and in the Spring Meadows Subdivision. The Transportation Plan classifies Oakland Avenue as a local street which supports the proposed land use. The proposed properties will need to be re-platted to comply with the R-SF, Single-Family Residential District bulk area and height requirements. Staff recommends approval.

Ms. Cox asked about the buffer and what is currently there and if there is any retroactive buffer required and asked what was Lowe's previous buffer requirement was when it was constructed.

Mr. Hosmer stated that the buffer yard would be on the general retail side and if the site was redeveloped then they would have to meet the requirements.

Mr. Baird asked if the buffer yard would take effect only if Lowe's would redevelop their site.

Mr. Hosmer stated yes, only if Lowe's redevelop their site and the landscaping would be on Lowe's property. Lowe's original requirement did not require landscaping, possibly due to an drainage easement.

Mr. Doennig opened the public hearing.

Mr. James Wehr, 1680 H. South Bradford Parkway is the developer of this subdivision and it was acquired in 2007 and would like to see it changed to single family residential because they are not selling as multi-family units. He stated that he had a commitment from someone to buy if they are changed to single family residential.

Mr. Baird asked if this subdivision was developed prior to Lowe's.

Mr. Wehr stated that Lowe's was already there.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motions that we approve Z-5-2016 (3026-3156 North Oakland Avenue). Mr. Edwards 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

Exhibit B

LEGAL DESCRIPTION
ZONING CASE Z-5-2016

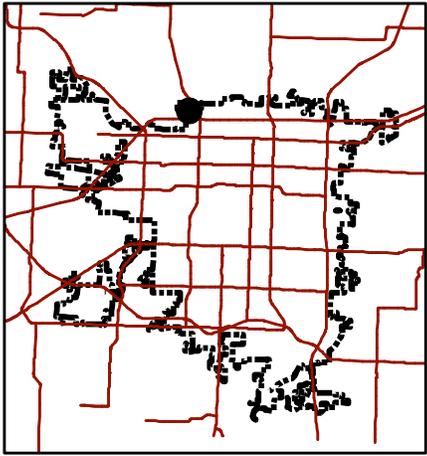
A TRACT OF LAND, SITUATED IN LOT 2 OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 29 NORTH, RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING ALL OF LOTS 97 THRU 122 OF SPRING MEADOW ESTATES PHASE ONE, A SUBDIVISION RECORDED IN PLAT BOOK ZZ PAGE 236, GREENE COUNTY RECORDER'S OFFICE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 97; THENCE NORTH 89°44'56" WEST A DISTANCE OF 173.05 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET, A DELTA OF 33°37'44", AN ARC LENGTH OF 88.04 FEET, AND A CHORD WHICH BEARS NORTH 17°03'56" EAST HAVING A CHORD DISTANCE OF 86.78 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A DELTA OF 31°19'44", AN ARC LENGTH OF 109.36 FEET, AND A CHORD WHICH BEARS NORTH 18°12'56" EAST HAVING A CHORD DISTANCE OF 108.00 FEET TO A POINT OF TANGENCY; THENCE NORTH 02°33'03" EAST A DISTANCE OF 757.32 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A DELTA OF 18°27'19", AN ARC LENGTH OF 64.42 FEET, AND A CHORD WHICH BEARS NORTH 06°40'36" WEST HAVING A CHORD DISTANCE OF 64.14 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET, A DELTA OF 18°27'19", AN ARC LENGTH OF 48.32 FEET, AND A CHORD WHICH BEARS NORTH 06°40'36" WEST HAVING A CHORD DISTANCE OF 48.11 FEET TO A POINT OF TANGENCY; THENCE NORTH 02°33'03" EAST A DISTANCE OF 213.29 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET, A DELTA OF 89°19'19", AN ARC LENGTH OF 23.38 FEET, AND A CHORD WHICH BEARS NORTH 47°12'43" EAST HAVING A CHORD DISTANCE OF 21.09 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88°07'38" EAST A DISTANCE OF 110.31 FEET TO A POINT FOR CORNER; THENCE SOUTH 02°27'02" WEST A DISTANCE OF 202.52 FEET TO A POINT FOR CORNER; THENCE SOUTH 87°51'12" EAST A DISTANCE OF 14.52 FEET TO A POINT FOR CORNER; THENCE SOUTH 02°33'03" WEST A DISTANCE OF 1,076.36 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.74 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

Development Review Staff Report

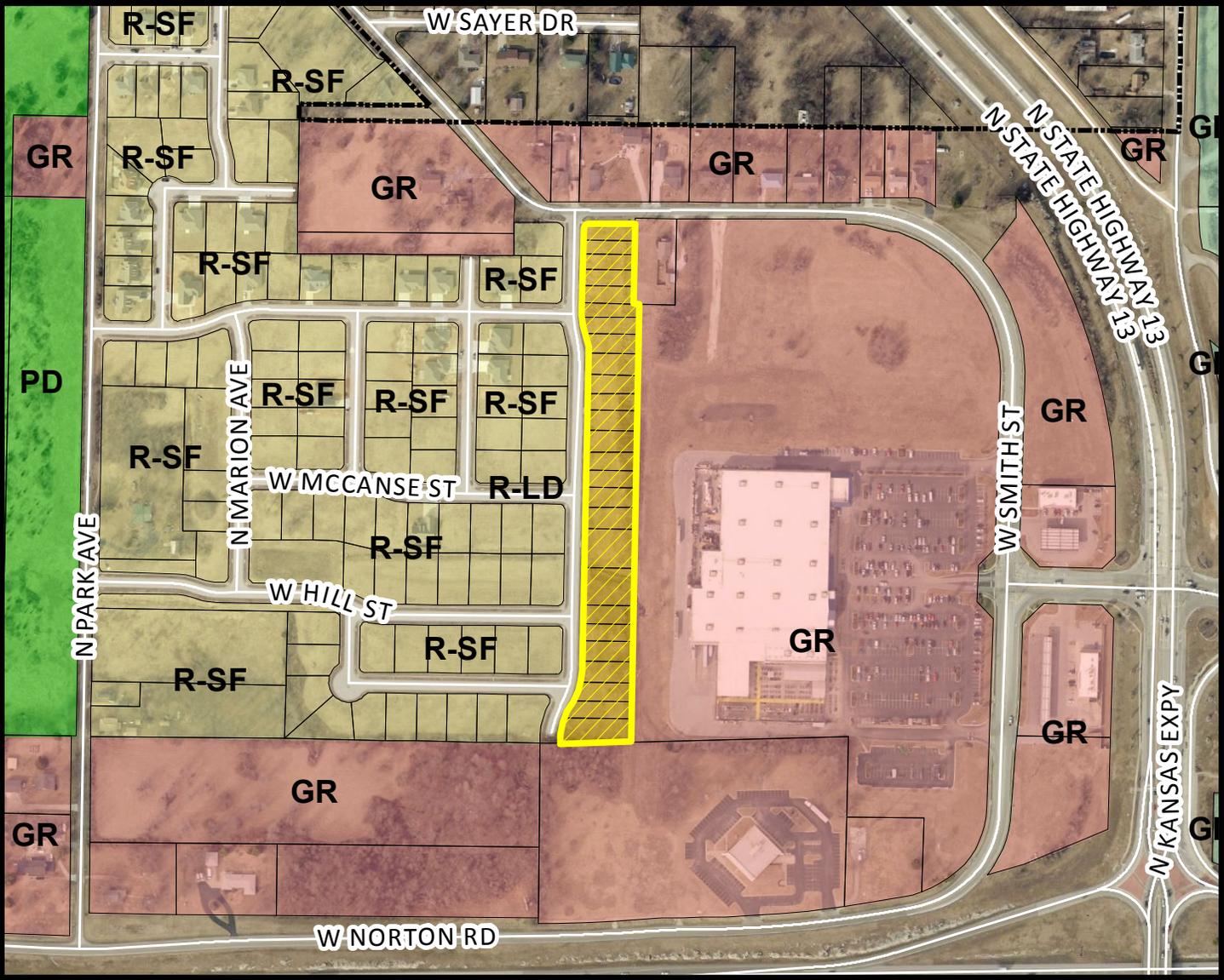
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Zoning Case Z-5-2016

LOCATION: 3026-3156 N. Oakland Avenue
CURRENT ZONING: R-LD, Low-Density Multi-Family District
PROPOSED ZONING: R-SF, Single-Family Residential District



LOCATION SKETCH



 - Area of Proposal



1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-5-2016

PURPOSE: To rezone approximately 3.74 acres of property generally located at 3026-3156 North Oakland Avenue from a R-LD, Low-Density Multi-Family Residential District to an R-SF, Single-Family Residential District.

REPORT DATE: March 18, 2016

LOCATION: 3026-3156 N. Oakland Ave.

APPLICANT: Spring Meadow Estates, LTD

TRACT SIZE: Approximately 3.74 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Single-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium- or high-density housing; however, the proposed lots are within a primarily single-family residential subdivision of Spring Meadow Estates. The proposed lots are the only lots in the Spring Meadows Subdivision that are not zoned R-SF, Single-Family Residential District.
2. The request is consistent with the adjacent R-SF uses and zoning to the west along Oakland Avenue and in the Spring Meadows Subdivision. The Transportation Plan classifies Oakland Avenue as a local street which supports the proposed land use.
3. Approval of this application will facilitate redevelopment of this property and promote infill development where investments have already been made in public services and infrastructure.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Single-family residential uses
East	GR	Home improvement store uses
South	GR	Office building/undeveloped land
West	R-SF	Single-family residential uses

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for medium- or high-density housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses and at high-amenity locations such as the greenways or parkways. These properties are also located near the Interstate 44 and Kansas Expressway area which is identified as a Community Activity Center.

The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium- or high-density housing; however, the proposed lots are within a primarily single-family residential subdivision of Spring Meadow Estates. The proposed lots are the only lots in the Spring Meadows Subdivision that are not zoned R-SF, Single-Family Residential District.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a R-LD, Low-Density Multi-Family Residential District to a R-SF, Single-Family Residential District. The intent of this application is to allow for 16 single-family lots within the existing subdivision. Staff supports this request because it is consistent with the adjacent R-SF uses and zoning to the west along Oakland Avenue and in the Spring Meadows Subdivision.
2. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-LD to the R-SF zoning district will generate less traffic between uses. The Transportation Plan classifies Oakland Avenue as a local residential street which supports the proposed land use.
3. The proposed properties will need to be re-platted to comply with the R-SF, Single-Family Residential District bulk, area and height requirements.
4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners and residents within 500 feet of the subject properties on March 9, 2016. There are no registered neighborhood associations in the area. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on March 18, 2016 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. Twenty-four (24) 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:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-5-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with R-SF. However, some of the lots may be too small to support R-SF uses.

CITY UTILITIES:

City Utilities has no objection to the requested rezoning. Keep in mind that if the lots are re-platted, utility adjustments will be necessary. These adjustments will be at the developer's expense. Please, provide a proposed re-plat layout and CU will prepare cost estimates.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Each lot currently has access to sewer.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Transportation Plan classifies Oakland Avenue as a Local Residential roadway. The standard right of way width for Oakland Avenue is 50 feet. This is a City maintained street. Current traffic data on Oakland Avenue is not available as traffic counts are not performed routinely on streets classified as a local. There are no driveway access points along Oakland Avenue. There is a sidewalk along the west side of Oakland Avenue. The existing infrastructure meets current city standards. On-street parking is allowed along the adjacent streets. There is no greenway trail in the area. There are no bus stops along Oakland Avenue. There are no proposed improvements along Oakland Avenue.

Public Works Traffic Division	Response
Street classification	Local Residential
On-street parking along streets	Yes
Trip generations existing use	120 daily trips/9 in the am peak/11 in the pm peak
Trip generations proposed use	48 daily trips/4 in the am peak/5 in the pm peak
Existing street right of way widths	50 feet
Standard right of way widths	50 feet
Traffic study submitted	N/A
Proposed street improvements	N/A

STORMWATER COMMENTS:

The property is located in the Spring Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Regional detention and water quality have been constructed for full development. If the project disturbs more than one (1) acre, a land disturbance permit will be required. There is an existing channel and/or detention basin available for this development to discharge into. There are no known sinkholes on the proposed property. However, there are sinkholes located immediately east and northwest of the property.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Spring Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No, Regional Detention & Water Quality Exist

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Multi Family to Single Family
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 3-9-16 4:00-6:30pm
3. Meeting Location: The Library Station
4. Number of invitations that were sent: 40
5. How was the mailing list generated: Provided by City of Springfield
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.)

Property Owners expressed they would prefer single family lots over Multi family. No other concerns.

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

I, James Wehr (print name), attest that the neighborhood meeting was held on March 9, 2016 (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

James R. Wehr
Printed name of person completing affidavit

