

One-rdg. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 22  
Filed: 09-13-16

Sponsored by: Fulnecky

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO. 2016- 222

GENERAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by  
2 rezoning approximately 2.4 acres of property, generally located at 1606  
3 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-  
4 LD, Low-Density Multi-Family Residential District with Conditional Overlay  
5 District No. 110; and adopting an updated Official Zoning Map. (Staff and  
6 Planning and Zoning Commission recommend approval).  
7  
8

9 WHEREAS, an application has been filed for a zoning change of the property  
10 described in "Exhibit A," generally located at 1606 East Blaine Avenue, from R-SF,  
11 Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District  
12 with Conditional Overlay District No. 110; and  
13

14 WHEREAS, the proposed Conditional Overlay District No. 110 will limit the uses  
15 on the property to allow a maximum density of eleven dwelling units per acre; and  
16

17 WHEREAS, following proper notice, a public hearing was held before the  
18 Planning and Zoning Commission, a copy of the Record of Proceedings from said public  
19 hearing being attached hereto as "Exhibit B;" and said Commission made its  
20 recommendation; and  
21

22 WHEREAS, proper notice was given of a public hearing before the City Council,  
23 and said hearing was held in accordance with the law.  
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
26 SPRINGFIELD, MISSOURI, as follows, that:  
27

28 Section 1 – That the property described in "Exhibit A" of this Ordinance be, and  
29 the same hereby is, rezoned from R-SF, Single-Family Residential District, or such  
30 zoning district as is designated on the Official Zoning Map adopted by the City Council,  
31 to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District  
32 No. 110; that the requirements of Conditional Overlay District No. 110, said  
33 requirements being attached to this Ordinance as "Attachment 3 of Exhibit C," which is

34 hereby incorporated by reference as if set out verbatim herein, shall apply to the subject  
35 property, and the Springfield Land Development Code, Section 36-306 thereof, Zoning  
36 Maps, is hereby amended, changed and modified accordingly.

37  
38 Section 2 – The City Council hereby directs the City Manager, or his designee, to  
39 update the City's digital zoning map to reflect this rezoning, and City Council adopts the  
40 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided  
41 for in the Springfield Land Development Code, Section 36-306, Official Zoning Maps  
42 and Rules of Interpretation.

43  
44 Section 3 – The Official Zoning Map herein adopted shall be maintained and  
45 archived in the same digital form in which this Council has approved its adoption.

46  
47 Section 4 – This ordinance shall be in full force and effect from and after  
48 passage.

49  
50 Passed at meeting: \_\_\_\_\_

51  
52 \_\_\_\_\_  
53 Mayor

54  
55 Attest: \_\_\_\_\_, City Clerk

56  
57 Filed as Ordinance: \_\_\_\_\_

58  
59 Approved as to form: *Richard J. Wieden*, Assistant City Attorney

60  
61 Approved for Council action: *Greg Burt*, City Manager

## **EXPLANATION TO COUNCIL BILL NO: 2016- 222**

FILED: 09-13-16

ORIGINATING DEPARTMENT: Planning and Development

**PURPOSE:** To rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval).

**BACKGROUND INFORMATION:** ZONING CASE NUMBER Z-14-2016/CONDITIONAL OVERLAY DISTRICT NO. 110

The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110. The proposed Conditional Overlay District will restrict the residential density to 11 dwelling units per acre or less, similar to a R-TH, District. A 15 feet wide landscaped buffer yard "Type B," is required adjacent to any R-SF and R-TH District property. No portion of a structure shall be higher than forty-five (45) degree bulk plane where the property adjoins any R-SF District. This is a one to one relationship, for every 1 foot of height there is an equal 1 foot required building setback.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area as appropriate for Low Density Housing uses. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourage a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents. The Major Thoroughfare Plan classifies Blaine Avenue as a residential local roadway.

**REMARKS:** The Planning and Zoning Commission held a public hearing on September 1, 2016, and recommended approved, by a vote of 5 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings, "Exhibit B").

The Planning and Development staff recommends the application be approved with the requirements of Conditional Overlay District No. 110 (see the attached Development Review Staff Report "Exhibit C.")

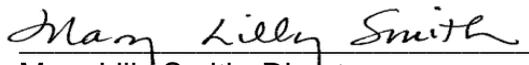
FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identify this property as an appropriate area for Low Density Housing. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourage a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. This ordinance 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 centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
4. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local residential roadway.
5. The proposed conditional overlay district will lower the residential density similar to the adjacent R-TH, Residential Townhouse District to the west. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

Submitted by:

  
\_\_\_\_\_  
Bob Hosmer, AICP Principal Planner

Reviewed 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
- Attachment 3, Conditional Overlay District Provisions

**Exhibit A**

LEGAL DESCRIPTION  
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

TRACT 26:

ALL OF BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION (7), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), THENCE SOUTH 36 RODS, THENCE EAST ONE HUNDRED SEVENTY-NINE AND SEVENTY-FIVE HUNDREDTHS (179.75) FEET, THENCE NORTH 36 RODS, THENCE WEST ONE HUNDRED SEVENTY-NINE AND SEVENTY-FIVE HUNDREDTHS (179.75) FEET TO THE PLACE OF BEGINNING, EXCEPT A STRIP OF LAND ONE (1) ROD WIDE OFF THE NORTH SIDE FOR ROADWAY, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. [COMMONLY KNOWN AS 1606 EAST BLAINE STEET] SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

**Exhibit B**

**RECORD OF PROCEEDINGS  
Planning and Zoning Commission September 1, 2016**

Z-14-2016 w/COD #110  
1606 East Blaine Street  
**Applicant:** John Peterson

Mr. Hosmer stated that this is a request to rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110.

The Growth Management and Land Use Comprehensive Plan identify this property as an appropriate area for Low Density Housing. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #110 will not generate a significant amount of additional traffic. The proposed conditional overlay district will restrict the residential density to 11 dwelling units per acre which is similar to the R-TH, Residential Townhouse District to the west. The R-TH and R-LD Districts both allow duplexes; the primary difference is that the R-TH District only allows one duplex per lot while the R-LD allows for multiple duplexes or units on a single lot.

There is a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right-of-way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right-of-way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right-of-way will have to be dedicated from the property owners.

A landscaped bufferyard "Type B" at least 15 feet wide is required between any adjacent R-SF and R-TH District property. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. This is a one to one relationship, for every one foot of height there is an equal one foot required building setback. Buyout in lieu of on-site stormwater detention is not an option. There is an existing 8 inch sewer main along the east side of the property and has adequate dry weather capacity for the 24 unit proposed development however there are downstream overflow and backup issues. There have been wet weather flow overflows to the south of Division which cause backups along Fairway north of Division. Staff recommends approval limiting the maximum density for the subject property to eleven (11) dwelling units per acre.

Mr. Coltrin questioned the report (page 7, item number 2, RL-D) that the intent of all vehicular access from a collector or higher classified streets without traversing minor streets in adjoining residential neighborhood streets, but then the next paragraph talks about whether putting a cul-de-sac in and taking access or where they can extend to Fairway. Can they extend Fairway based on the zoning because it would not be a collector's street?

Mr. Hosmer noted that there is a collector street to the south (Division) and if access is allowed through Fairway this is classified as a local street. Staff believed that reducing the density similar to the R-TH with the COD that this not increase traffic significantly.

Mr. Doennig opened the public hearing.

Mr. John Peterson, 1611 N. Campbell, would like to rezone this property.

Mr. Chris Miller, 1605 N. Fairway, representing owners at 1626 and 1619 N. Fairway. Stated that there are 27 people on this street that are not in favor of this proposal. Concerns are traffic and people turning around at the dead-end as well as parking along side the road. He also mentioned about problems with rainwater and sewer and that several people south of his residence have water backing up in their basement as well as native wildlife, foxes, turkey's and a crowned yellow night heron nests yearly in the trees and the local ornithology people study it. He stated that he would feel that he would have to sell his house if the proposal moves forward.

Mr. Coltrin asked if he is opposed to the traffic coming through and if he wanted the access off of Blaine to the north.

Mr. Miller stated that it is one of the main concerns and if the access would come off of Blaine that it would be much better.

Mr. Doennig asked for clarification about extending Fairway and getting right-of-way (ROW) from two property owners in addition to the subject property of the zoning request.

Mr. Hosmer stated that it is correct and there is a one foot line of property extending from the north of 1625 and 1626 N. Fairway which blocks 1606 S. Blaine from getting access. There would have to purchase the right-of-way (ROW) for access as well as from the church property.

Mr. Doennig noted that at this present time the traffic from the town-homes would exit to Blaine Street and not be moving south on Fairway unless they can purchase additional right-of-way (ROW).

Ms. Cox asked if are they are only looking at the rezoning and asked if any preliminary plat or future development would come in front of the commission again.

Mr. Hosmer stated that this is a certified tract and they would not have to go forward to the commission unless platted, but if there are no streets or extensions than they would not go back to commission.

Mr. Neil Stenger, 1615 E. Primrose talked about the Fairway issue and stated that the plat called for the cul-de-sac to be built but it was not. At the time of being platted they reserved one foot of property at the end of the subdivision and the design was a technique to prevent development of adjacent properties. Mr. Peterson and I originally thought that another driveway to access the duplexes made sense coming from Fairway and the balance of the project to go to Blaine in order to split the traffic. To be clear, Mr. Peterson does not care about access on Fairway versus Blaine. If he does not get access on Fairway he will do the access to Blaine.

Ms. Betty Dickensheet, 1530 N. Fairway and stated that her house was built in 1942. Her concerns are that they are doing R-LD when the street over on Delaware and also Evangel Court are R-TH and does not agree with some of the options on R-LD for the area and wanted to know why it was done as R-LD.

Mr. Dennis Stewart, 1613 N. Fairway and stated that his concerns are the traffic, and water drainage, noting that Jordan Valley Creek is at the end of street as well as the integrity of the neighborhood. There is a lot of water drainage at the end of the street in the spring and fall which completely floods. It floods enough to push the man-holes up and it started when they did the development with the cul-de-sac on Delaware. When Mr. Peterson had the neighborhood meeting he stated that he wanted an entrance from Fairway and Blaine Street but has not seen the plans yet.

Ms. JoAnn Ash, 1625 N. Fairway stated that her concerns are her property values, traffic, sewer, and water run-off and not knowing what type of housing is being considered.

Ms. Linda Snider, 1619 N. Fairway stated that her concerns are water run-off, sewer, traffic, and wildlife. This is a nice, safe and quiet area. We have Weller Gardens that is behind the church that the neighborhood uses and what will happen to the neighborhood garden once the housing goes in.

Mr. Doennig closed the public hearing.

Mr. Doennig asked about the direction of the slope on the property and the buffer requirements on the south end of the property.

Mr. Hosmer noted that the slope is to the south and that there will be a 15' bufferyard with a 45 degree bulk plane on the south as well as along the church property.

Mr. Doennig asked stormwater if there is known flooding in this area.

Mr. Chris Dunnaway noted that they are aware of the problems and will be required to provide detention.

Mr. Coltrin asked stormwater if there is a drainage system and where will the discharge be located.

Mr. Dunnaway noted that the initial impression would be on Fairway and it would not have any increase of peak rate of run-off so it would not be any worse than it is today however the one foot section of land might a problem.

Ms. Cox asked if they would have to provide detention.

Mr. Dunnaway stated they would have to provide detention and required to retain the water quantity volume for 24 to 48 hours, noting that the discharge rate would have to remain the same as it is today and not increase stormwater problems in the area.

Mr. Doennig asked if the detention basin is to discharge onto the street, but noted the one foot of land that goes across the entire area.

Mr. Dunnaway noted that this is a common problem where there is no right-of-way (ROW), easement, or drainage channel for someone to discharge into. Public Works will allow that it to be spread it back out to what it is today or condemn the one foot area.

Mr. Doennig asked if they can mandate the flow over someone else's property.

Mr. Dunnaway stated that as long as it mimic's what it is today and that the stormwater already drains south over that one foot strip.

Mr. Shuler asked for any drawings of where any possible streets would be because the proposed property appears narrow.

Mr. Peterson brought up a current draft drawing of what he proposing.

Mr. Hosmer noted that they are not required to build a street with a R-LD because they put all the structures on one lot which is the difference between R-TH, which requires individual lots, and a street and R-LD, would not require a street.

Ms. Cox asked if they would only require one access and not necessarily from Fairway.

Mr. Hosmer stated that this is correct because it is under 35 units and the Fire Department does not require two access points.

Ms. Cox asked if there is a quantity requirement for stormwater.

Mr. Dunnaway stated that there is not a requirement for quantity, they would restrict the rate and suggested that it would be better if they got an easement to discharge to the street.

Ms. Cox stated that she understands the ramifications of taking an open plot of land that is within Springfield city limits, they are few and far between where you can take your pets and allow your children to run across a field, but is in the middle of Springfield and would expect this piece of land to develop.

**COMMISSION ACTION:**

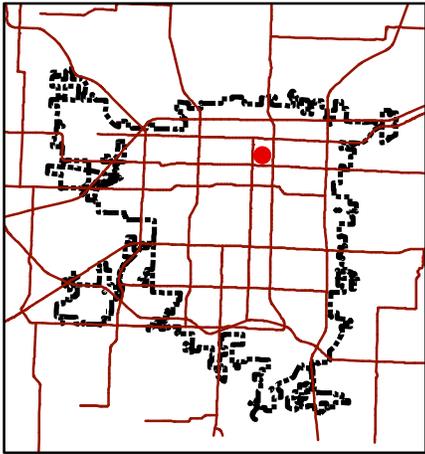
Mr. Coltrin motioned that we approve Z-14-2016 w/COD #110 (1606 East Blaine Street). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Doennig, Shuler, Ogilvy, Cox, and Coltrin. Nays: None. Abstain: None. Absent: Ray, Cline, Edwards, and Rose.

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Bob Hosmer, AICP  
Principal Planner

# Development Review Staff Report

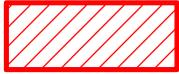
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



## Z-14-2016 Conditional Overlay District #110

LOCATION: 1606 E BLAINE  
CURRENT ZONING: R-SF Single Family Residential District  
PROPOSED ZONING: R-LD Multi-Family Residential  
Low Density with a COD # 110

### LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT  
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

PURPOSE: To rezone approximately 2.4 acres of property generally located at 1606 East Blaine Avenue from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 110.

REPORT DATE: August 15, 2016

LOCATION: 1606 East Blaine Avenue

APPLICANT: John Peterson

TRACT SIZE: Approximately 2.4 acres

EXISTING USES: One existing single-family residence and vacant land

PROPOSED USES: Multi-family apartments restricting property to the same density as the R-TH property to the west, 11 dwelling units per acre and retain the existing single-family residential dwelling.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this property as an appropriate area for Low Density Housing. However, the plan recommends that each neighborhood should contain a range of housing types, densities and building configurations including single family detached, townhouses and apartments. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation to limit the density. This property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. 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 centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
4. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway.

5. The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District to the west. The R-TH District density is 11 dwelling units per acre which could equate to approximately 26 dwelling units on 2.4 acres of property. The R-SF District which allows 7 dwelling units per acre would allow a total of 17 dwelling units for 2.4 acres. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.
6. The standard development requirements in the R-LD District are adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.

**RECOMMENDATION:**

Staff recommends **approval** of this request

**SURROUNDING LAND USES:**

| AREA  | ZONING | LAND USE                           |
|-------|--------|------------------------------------|
| North | R-SF   | Single-family residence            |
| East  | R-SF   | Single-family residence            |
| South | R-SF   | Single-family residence            |
| West  | R-TH   | Duplex and single-family residence |

**COMPREHENSIVE PLAN:**

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Low Density Housing uses. The plan recommends single family in this category. The subject property is adjacent to the Center City (Evangel University) Activity Center. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone Avenue and Weller Street as a local roadway.

**STAFF COMMENTS:**

1. The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110. The proposed Conditional

Overlay District (Attachment 3) will restrict the residential density to 11 dwelling units per acre or less. The applicant intends to leave the existing single-family home on the property and develop the southern portion of the property for 22 multi-family apartments.

2. The R-LD District is intended to accommodate multi-family developments at densities up to eighteen (18) units per acre and is intended to have all vehicular access from a collector or higher classified street without traversing minor streets in adjoining residential neighborhoods. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. The Multi-Family Location and Design Guidelines are not required for multi-family developments at eleven (11) dwelling units per acre or less. The current R-SF, Single-Family Residential District allows for a maximum residential density of 7 du/ac. The proposed conditional overlay district will restrict the residential density to 11 dwelling units per acre which is similar to the R-TH, Residential Townhouse District to the west. Both the R-TH and R-LD Districts allow duplexes, the primary difference is that the R-TH District only allows one duplex per lot while the R-LD allows for multiple duplexes or units on a single lot.
3. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #110 on such small lots will not generate a significant amount of additional traffic. The Major Thoroughfare Plan classifies Blaine Avenue between Glenstone and Weller as a local roadway. There appears to be a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right of way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right of way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right of way will have to be dedicated from the property owners.
4. A landscaped bufferyard "Type B" at least 15 feet wide is required between any adjacent R-SF and R-TH District property. A bufferyard "Type B" requires for each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, one (1) evergreen tree and six (6) shrubs.
5. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. This is a one to one relationship, for every 1 foot of height there is an equal 1 foot required building setback. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties such as noise, lighting, odor and signage will be covered by the Zoning Ordinance.

6. The proposed rezoning was reviewed by City departments and comments are attached (Attachment 1).

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on August 3, 2016. A summary of the meeting is attached (Attachment 2).

**PUBLIC COMMENTS:**

The property was posted by the applicant or their representative 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. Thirty-nine (39) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received 4 calls and emails from one property owner inquiring about this project.

**CITY COUNCIL MEETING:**

September 19, 2016

**STAFF CONTACT PERSON:**

Bob Hosmer, AICP  
Principal Planner  
864-1834

ATTACHMENT 1  
DEPARTMENT COMMENTS  
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

**BUILDING DEVELOPMENT SERVICES COMMENTS:**

1. Building Development Services does not have any issues with R-LD zoning with the COD to reduce the density.

**TRAFFIC DIVISION COMMENTS:**

1. The City's Transportation Plan classifies Blaine Street as a local residential roadway. The standard right of way width for Blaine Street is 50 feet. This is a City maintained street. The city does not have a recent traffic count on Blaine Street as it is classified as a local street. There is one existing driveway access point along the property frontage. There is existing sidewalk along Blaine Street. On-street parking is allowed along the adjacent streets. There is not a greenway trail in the area. There are no bus stops along this portion of Blaine Street. The proposed development is in an area that provides for limited direct street connections and does not provide for good connectivity in the area. North South intersecting streets within the area exceeds the block length of 1,320 feet between Glenstone and Weller Ave (1,900 feet). There are not any proposed improvements along Blaine Street. City GIS shows a strip of land owned by a separate property owner between 1606 East Blaine and Fairway Avenue. Access to Fairway Avenue will not be allowed without a dedication of right of way through this property. Driveway accesses from a stub street are not allowed unless a city standard turnaround is constructed, which will require additional right of way to be dedicated by the property at 1606 East Blaine and by the property owners to the east at 1624 East Blaine (church property). If Fairway Avenue is constructed through to Blaine Avenue then only the right of way will have to be dedicated from the property owners.

| Public Works Traffic Division       | Response                |
|-------------------------------------|-------------------------|
| Street classification               | Local Residential       |
| On-street parking along streets     | Yes                     |
| Trip generation - existing use      | 48 average daily trips  |
| Trip generation - proposed use      | 120 average daily trips |
| Existing street right of way widths | 50 feet                 |
| Standard right of way widths        | 50 feet                 |
| Traffic study submitted             | Not required            |
| Proposed street improvements        | Not required            |

**STORMWATER COMMENTS:**

The property is located in the North Jordan Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is 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 on-site stormwater detention is not an option. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There is not an existing stormwater system available for this development to discharge into. There are no sinkholes on the proposed property. 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. 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. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
4. 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                     | North Jordan Creek |
| Is property located in Floodplain? | No                 |
| Is property located on a sinkhole? | No                 |
| Is stormwater buyout an option?    | No                 |

**CLEAN WATER SERVICES COMMENTS:**

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

1. The existing 8 inch main along the east side of the property has adequate dry weather capacity for the 24 unit proposed development however there are downstream overflow and backup issues. There have been wet weather flow overflows to the south of Division which cause backups along Fairway north of Division. We do not have any records of backflow occurring north of Fairway, however backflow preventers are being installed along Fairway and might be recommended for this development.
2. There are multiple 4 inch tees available along the main. If a bigger lateral is required for the proposed development, the main will have to be tapped. If an 8 inch lateral is required, it will have to connect to a manhole. All new laterals will require cleanouts and tracer wire within the sewer easement. All new connections will have to be inspected and be done according to city standards.
3. Any further comments will require a site plan and proposed flows rates for the development.

**CITY UTILITIES:**

1. No objection. CU has all facilities available to provide service.

**FIRE DEPARTMENT COMMENTS:**

1. Fire has no issues with rezoning.

## ATTACHMENT 2

### Summary of rezoning meeting

On August 3<sup>rd</sup> from 4:00pm to 6:30pm a public neighborhood meeting was held concerning the rezoning of the property at 1606 E. Blaine St. in Springfield Mo. 65803. Ten people were in attendance at the meeting which took the format of a presentation and open house. At the meeting the following were the discussion topics of those in attendance.

Question: Will the street in the development be a through street from Fairway to Blaine?

Answer: There are no plans to build a through st.

Question: The sanitary sewer and storm sewers on Fairway are at capacity and back up into residents basements and homes on different occasions. Are re there any plan to improve this by the city?

Answer: For any plans of the sewer and sanitary system you will need to contact the City of Springfield.

Question: Our area has experienced a rise in crime Do you think there will be a rise after the development goes in?

Answer: I don't anticipate there will be a rise in crime and the criteria to live in the development should help not to have crime. That would be a number of references, criminal background checks, credit checks and only name or names on the lease can reside at the residence.

Question: Would you consider putting up a privacy fence around the entire development to create a barrier between the Fairway residents?

Answer: If the city thinks it is a good idea for a fence on the southside of development there will be one.

Thanks, John Peterson

Sign up sheet for neighborhood meeting  
Rezoning 1606 E Blaine St.

Print NAME <sup>doc</sup> @ceoradio.net

- 1 Mark Maynard (Weller Assoc) →
- 2 Betty Dickensheet Fairway Ave
- 3 Eric Kirklin Fairway PVE
- 4 William J. Spurrard Kentwood Ave
- 5 DENNIS STEWART 1613 N FAIRWAY (417) 880-3047
- 6 Chris Miller 1605 N. FAIRWAY Ave ←
- 7 Ben & Fay Ely 1650 E. COMMERCIAL ST. 65803
- 8 Cynthia Baldwin 1524 ~~St.~~ Fairway 65803
- 9 Donna Belcher 1524 N Fairway 65803
- 10 Jerany Jackson 3145 S. Arcadia 65804
- 11
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**AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY**

1. Request change to zoning from: R-BF to R-LD  
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 397 E Central St 5-6:30 pm
3. Meeting Location: LIBRARY, E CENTRAL, Springfield, Mo
4. Number of invitations that were sent: \_\_\_\_\_
5. How was the mailing list generated: by City staff
6. Number of neighbors in attendance (attach a sign-in sheet): 10
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.)

*See attached*

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

*See attached*

I, John Peterson (print name), attest that the neighborhood meeting was held on 8/9/16 (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."

*John Peterson*  
Signature of person completing affidavit

John Peterson  
Printed name of person completing affidavit

John Peterson  
1606 E. Blaine Street  
Springfield, MO 65803

Re: Neighborhood Rezoning Meeting August 3, 2016

Dear Neighbor:

John Peterson is requesting the rezoning of the property located at 1606 E. Blaine Street. Mr. Peterson is requesting a change from the current zoning of R-1 (Residential Single Family) to R-LD (Residential Low Density). You are invited to attend the Neighborhood Rezoning Meeting on August 3, 2016 from 4:00 pm to 6:30 pm at the Midtown Carnegie Branch Library located at 397 East Central Street in Springfield, Mo 65803 for more information.

Sincerely,



John Peterson

**From:** [bsdickens@mchsi.com](mailto:bsdickens@mchsi.com)  
**To:** [Zoning@springfieldmo.gov](mailto:Zoning@springfieldmo.gov)  
**Subject:** rezoning of 1606 E. Blaine St  
**Date:** Tuesday, August 02, 2016 5:53:48 PM

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Dear Mr. Hosmer,

I have lived at 1530 N. Fairway Ave. since 1991. Of the 20 houses on our two block long dead-end street, only 3 are rentals and 2 of those houses have been rented to the same family for 5-6 years. This is an owner occupied area.

When Weller Neighborhood Association was established by the City of Springfield (with help from Caring Communities), the city advised us and assisted us with zoning this neighborhood single family residential. This was to establish a sense of community.

Was the current owner of the property aware of the single family classification when the property was purchased? What is he planning to build?  
What has been built on the current RLD properties in the city and are they in the middle of single family properties?

I drove down Blaine St. from National Ave. to Weller Ave. There are nine vacant lots in this area. There are also 3 new houses being built at the corner of Weller and Commercial and it looked like a vacant set of duplexes east of those new houses. This seems to be a lot of opportunity for housing without disturbing the single family residential zoning area.

The townhouse district on Evangel Ct is patrolled by Evangel University personnel. Delaware Ave. has duplexes (and a vacant lot) at the end of their dead-street, but I know people that have owned houses on that street for a long time, too.

I looked at the city crime maps and it looks like this neighborhood of single family residential has less crime than most areas of the city.

At this time also, our area is having problems with overload of the sanitary sewer/storm sewer on our street. Until the problem has been found by the city and it is corrected, additional building will only make it worse.

After looking at the permitted uses and structures for the RLD district, I do not think it would be a good fit in the middle of this single family area.

Thank you for your time. I look forward to talking with you tomorrow.

Sincerely,

Betty Dickensheet  
1530 N. Fairway Ave.  
417-827-1552

ATTACHMENT 3  
CONDITIONAL OVERLAY DISTRICT PROVISIONS  
ZONING CASE Z-14-2016 & CONDITIONAL OVERLAY DISTRICT NO. 110

The requirements of *Section 36-382.* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. Use Limitations:

- a. The maximum density for the subject property is eleven (11) dwelling units per acre.