AMENDING Section 1-9 of the Springfield City Code, ‘City Limits,’ by annexing approximately 0.07 acre (2,858 square feet) of property into the City of Springfield, Missouri, generally located at 3723 South Scenic Avenue, and generally referenced as Annexation A-4-18; and amending the Springfield City Code, Chapter 46, Section 46-1, ‘Boundaries of wards, precincts and council zones,’ by adding this property to the ward and precinct assigned by the County Clerk.

WHEREAS, a verified petition requesting annexation was filed by the owner of all fee interests of record in all tracts of real property located within the area proposed to be annexed, as described in “Exhibit A”; and

WHEREAS, said petition was presented to City Council more than fourteen, but less than sixty days prior to the public hearing thereon; and

WHEREAS, proper notice was published at least seven days prior to the public hearing.

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

Section 1 – City Council, after holding a public hearing, hereby determines that the annexation of the property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is reasonable and necessary to the proper development of the City, and the City has the ability to furnish certain municipal services to the area annexed within a reasonable time.

Section 2 – Pursuant to the provisions of Section 71.012 RSMo., the property described in "Exhibit A," is hereby annexed into the City of Springfield, Missouri.

Section 3 – Section 1-9, ‘City Limits,’ is hereby amended by adding thereto the land described in "Exhibit A," generally located at 3723 South Scenic Avenue, such land being found to be contiguous to the city limits.
Section 4 – Section 46-1, ‘Boundaries of wards, precincts and council zones,’ is hereby amended by placing the property described on "Exhibit A" into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

Section 5 – The City Clerk is directed to: (1) file two certified copies of this Annexation Ordinance with the Clerk of Greene County; (2) file one certified copy of this Annexation Ordinance with the Assessor of Greene County; and (3) forward to the Missouri Director of Revenue, by certified mail, a certified copy of this Ordinance, and any other information that the Director of Revenue may require.

Section 6 – 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
EXPLANATION TO COUNCIL BILL 2018-264

FILED: 10-30-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending Section 1-9 of the Springfield City Code, 'City Limits,' by annexing approximately 0.07 acre (2,858 square feet) of property into the City of Springfield, Missouri, generally located at 3723 South Scenic Avenue, and generally referenced as Annexation A-4-18; and amending the Springfield City Code, Chapter 46, Section 46-1, 'Boundaries of wards, precincts and council zones,' by adding this property to the ward and precinct assigned by the County Clerk.

BACKGROUND INFORMATION: The owner of private property, generally located at 3723 S. Scenic Avenue is requesting annexation into the City of Springfield. The petition to annex this property has been presented to the City Clerk and the petition was initiated at the City Council meeting on October 8, 2018 (Resolution 10401). A zoning case to rezone the subject property from a County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District will be presented to City Council with this annexation request. The owner is proposing to annex and rezone to allow for the expansion of their backyard for single-family residential uses.

City Council is required to hold a public hearing to determine whether the annexation is reasonable and necessary for the proper development of the City and whether the City has the ability to furnish normal services within a reasonable period of time. If no written objection is filed within fourteen (14) days of the public hearing, the City may annex the property by ordinance without further action.

REMARKS:

The area to be annexed (“Exhibit A”) is contiguous to the City of Springfield. See “Exhibit B” for the location of the private property to be annexed.

RECOMMENDATIONS:

1. The area to be annexed is within the City’s Urban Service Area and is consistent with its policies.

2. The area to be annexed is contiguous to the City of Springfield and all City services can be provided to the property.

3. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.

4. The City will receive property tax revenue upon annexation of this property.
Staff recommends the annexation of this private property.

Submitted by:

R. Daniel Neal, Senior Planner

Recommended by: Approved by:

Mary Lilly Smith, Director Jason Gage, City Manager

EXHIBITS:
Exhibit A, Legal Description
Exhibit B, Development Review Staff Report

ATTACHMENTS:
Attachment 1, Department and Agency Review
Attachment 2, Annexation Schedule
THAT CERTAIN PARCEL OR TRACT OF LAND BEING ORIGINALLY PLATTED AS LOT 12 OF COBBLESTONE MANOR I, A RECORDED SUBDIVISION IN GREENE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

LOT 12-A

COMMENCING AT THE PLATTED SOUTHEAST CORNER OF SAID LOT 12;

THENCE, ALONG THE SOUTH LINE OF SAID LOT 12 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES:

THENCE, N88°38'14"W, A DISTANCE OF 14.40 FEET TO A POINT OF CURVATURE TO THE RIGHT;

THENCE, ALONG SAID CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 397.97 FEET, AN ARC DISTANCE OF 61.80 FEET, A CENTRAL ANGLE OF 08°53'48", ALONG A CHORD BEARING N84°15'01"W, A CHORD DISTANCE OF 61.73 FEET TO THE SOUTHWEST CORNER OF AFORESAID LOT 12;

THENCE, N01°21'39"E, ALONG THE WEST LINE OF SAID LOT 12, A DISTANCE OF 124.16 FEET AND THE POINT OF BEGINNING;

THENCE, CONTINUING N01°21'39"E, A DISTANCE OF 69.04 FEET TO THE NORTHWEST CORNER OF SAID LOT 12;

THENCE, S88°38'39"E, ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 42.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 12;

THENCE, S02°14'52"W, ALONG THE EAST LINE OF SAID LOT 12, A DISTANCE OF 68.86 FEET;

THENCE, N88°54'23"W, A DISTANCE OF 40.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,858.9 SQUARE FEET, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.
CASE NUMBER: Annexation A-4-18
LOCATION: 3723 S. Scenic Avenue
ACRES: Approximately 0.07 acre or 2,858 sq. ft.
EXISTING LAND USE: Single-family residential
APPLICANT: Melody Hargiss
STAFF: Daniel Neal, 864-1036
STAFF RECOMMENDATIONS: Approve
PROPOSED MOTION: Move to approve the request to annex the subject property into the City of Springfield as submitted in the staff report

SUMMARY OF REQUEST:
Request to annex approximately 0.07 acre or 2,858 square feet of private property into the City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:
1. The area to be annexed is within the City’s Urban Service Area and is consistent with its policies.
2. The area to be annexed is contiguous to the City of Springfield and all City services can be provided to the property.
3. The Growth Management and Land Use Plan of the Comprehensive Plan supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.
4. The City will receive property tax revenue upon annexation of this property.

SURROUNDING ZONING AND LAND USES:

<table>
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<tr>
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<td>R-SF</td>
<td>County R-1</td>
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</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):
GROWTH MANAGEMENT AND LAND USE PLAN:
PROPERTY HISTORY:

The subject property is zoned R-1, Suburban Residence District and is currently located in unincorporated Greene County.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low-Density Housing. The subject property is located just west of the private property at 3723 S. Scenic Avenue, classified as a secondary arterial street.

The Growth Management and Land Use Plan element of the Comprehensive Plan states that City annexations should enhance governmental efficiencies through rational and simplified City boundaries and reduce any potential inter-jurisdictional conflict.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.07 acre or 2,858 square feet of property from County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District. The applicant will combine the subject property with their existing single-family residential property at 3723 S. Scenic Avenue to enlarge their backyard. The property is also concurrently being processed with a rezoning to R-SF and will have a public hearing at the same City Council meeting. The area to be annexed is within the City’s Urban Service Area and is consistent with its policies.

2. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low-Density Housing. The subject property is located just west of 3723 S. Scenic Avenue. Scenic Avenue is classified as a Secondary Arterial roadway.

3. The applicant is proposing to rezone to R-SF and the subject property is completely surrounded by single-family residential uses in the City and County. The single-family residential district is consistent with this area.

4. The proposed annexation does not contain any floodplain areas.

5. The proposed annexation will not include any existing right-of-way.

6. The private property is currently served by the Battlefield Fire Protection District.

7. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1. The legal description of the private property involved in this annexation is attached as Exhibit A.

PUBLIC NOTIFICATION:

The public notice was advertised in the Daily Events at least 30 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: Mailed: 15 Returned: 0
DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

AT&T COMMENTS:
AT&T has no objections

BUILDING DEVELOPMENT SERVICES COMMENTS:
No comments.

CITY UTILITIES:
No issues.

CLEAN WATER SERVICES COMMENTS:
Approved with the expectation that it will be annexed and combined with 3723 S Scenic Avenue.

ECONOMIC DEVELOPMENT:
No significant economic impact is anticipated with this request; however, additional City property tax will be collected.

FIRE DEPARTMENT:

1. **Service** – The primary Fire Station responding to this area would be Station #06 located at 2620 W Battlefield, which is approximately 1.1 miles from the northeast corner of the property. Fire Station #09 located at 450 W Walnut Lawn, is the secondary station responding to this location, which is 2.46 miles from the northeast corner of the property.

2. **ISO area** – The proposed annexation is currently inside the recommended ISO 1.5 mile (ISO diamond) response distance for the 1st due unit. *This will not have a significant impact on our ISO rating.*

3. **Response times/Standards of Cover** – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 3 minutes, 28 seconds. The 2nd due company has an estimated total response time of 5 minutes, 17 seconds. It is probable the standard of coverage benchmark could be met for single company responses but and likely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. *The department expects that it will be able to meet the initial unit baseline and benchmark, and probable it will meet the baseline and benchmark for the effective response force. This will not impact our accreditation.*
4. **Water Supply** – Currently there is adequate water supply to service the proposed area to be annexed. There are currently 3 fire hydrants located adjacent to the site specified. *The Fire Department does not have any concerns with the water supply for this proposed annexation.*

5. **Impact** - The Fire Department is unable to estimate the call activity after development occurs because the type of development is unknown, but is expected to be low under its current zoning. *The Fire Department does not have any concerns with the operational impact to the department or the City of Springfield.*

**Fire Department Recommendation:** *Based upon all the relevant factors, the Fire Department is supportive of this annexation.*

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**GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:**

The county concurs with the proposed annexation as it involves no county road right of way and should have no effect on county maintenance or emergency service response.

**POLICE DEPARTMENT COMMENTS:**

No comments.

**PUBLIC WORKS TRAFFIC DIVISION COMMENTS:**

**STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION**

City’s Transportation Plan classifies S. Scenic Avenue as a Secondary Arterial roadway. The standard right-of-way width for S. Scenic Avenue is 35 feet from the centerline. It appears additional right-of-way is not needed along S. Scenic Avenue. A survey is recommended to determine the exact amount of existing right-of-way. This section of S. Scenic Avenue is under City of Springfield Jurisdiction. North and south of this property are under Greene County jurisdiction.

**TRAFFIC COUNTS & ON-STREET PARKING**

The most recent traffic count on S. Scenic Avenue S. of W. Battlefield Road is 6,334 vehicles per day. On-street parking is not allowed along S. Scenic Avenue.

**DRIVEWAY ACCESS**

There is currently one driveway access point onto the property from S. Scenic Avenue.

**SIDEWALK**

There is existing sidewalk along the property frontage of S. Scenic Avenue. The existing infrastructure meets current City Standards.
IMPROVEMENTS
None required. A Traffic Impact Study was not required, as the change in zoning did not increase the trip generation in the AM/PM peaks by more than 100 additional trips nor did it exceed the threshold of 1,000 additional trip-ends daily. The City of Springfield has no plans to make improvements to this section of S. Scenic Avenue.

STORMWATER COMMENTS:
The property is in the Inman Creek drainage basin. The part of the property is not in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Fee in lieu of on-site stormwater detention will not be allowed and detention will be required. Since the project will not be disturbing more than one (1) acre, there will not be a land disturbance permit required. This property does not have a sinkhole.

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. Detailed stormwater calculations will have to be submitted before any permits can be approved.

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<td>Drainage Basin</td>
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<tr>
<td>Is property located in Floodplain</td>
<td>No</td>
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<td>Is property located on a sinkhole</td>
<td>No</td>
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<tr>
<td>Is stormwater buyout an option</td>
<td>No</td>
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ANNEXATION:

Initiate annexation ................................................................. October 8, 2018

City Council public hearing ..................................................... November 5, 2018

City Council second reading and vote ...................................... November 19, 2018