AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 0.07 acre (2,858 square feet) of property generally located at 3723 South Scenic Avenue from County R-1, Suburban Residence District, to R-SF, Single-Family Residential District; and adopting an updated ‘Official Zoning Map.’ (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 3723 South Scenic Avenue, and more fully described in "Exhibit A," from a County R-1, Suburban Residence District, to R-SF, Single-Family Residential District; and

WHEREAS, following proper notice, a public hearing was held before the Planning and Zoning Commission, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit B," and said Commission made its recommendation; and

WHEREAS, the City has reviewed the applicant’s request and prepared a staff report concerning the application which is attached hereto and incorporated herein by this reference as "Exhibit C"; and

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from County R-1, Suburban Residence District, or such other zoning district designated on the official zoning map adopted by City Council, to R-SF, Single-Family Residential District; and the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for
interpretation,’ is hereby amended, changed and modified accordingly.

Section 2 – City Council hereby directs the City Manager, or his designee, to update the City's digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in the Springfield Land Development Code, Section 36-306, ‘Official zoning maps and rules of interpretation.’

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

Section 4 – 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 2018-265

FILED: 10-30-18

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.07 acre (2,858 square feet) of property generally located at 3723 South Scenic Avenue from County R-1, Suburban Residence District, to R-SF, Single-Family Residential District; and adopting an updated ‘Official Zoning Map.’ (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-24-2018

The applicant is proposing to rezone the subject property generally located at 3723 S. Scenic Avenue from County R-1, Suburban Residence 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 subject property is also concurrently being processed with an annexation and will have a public hearing at the same City Council meeting.

FINDINGS FOR STAFF RECOMMENDATION:

1. 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.

2. The proposed R-SF, Single-Family Residential District is consistent with the zoning in the surrounding area.

REMARKS:

The Planning and Zoning Commission held a public hearing on October 11, 2018, and recommended approval, by a vote of 8 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be approved.

Submitted by:

Daniel Neal, Senior Planner
Recommended by: Mary Lilly Smith, Director

Approved by: Jason Gage, 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-24-2018

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.
Mr. Hosmer stated that this is a request to rezone approximately 0.07 acres of property generally located at 3723 South Scenic Avenue from County R-1 Single Family District to an R-SF, Single Family Residential District. The Growth Management and Land Use Plan identifies this as an appropriate area for Low-Density Housing. Scenic Avenue, is classified as a Secondary Arterial roadway. The proposed R-SF, Single-Family Residential District is consistent with the zoning in the surrounding area. The property is currently being annexed into the city. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Melody Hargiss, 3723 S. Scenic Avenue, owner and wanting to add to my current property and annex into the City and clean it up.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Bob Hosmer, AICP
Principal Planner
CASE NUMBER: Z-24-2018
LOCATION: 3723 S. Scenic Avenue
ACRES: 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 rezoning from County R-1, Single-Family Residential District, to R-SF, Single-Family Residential District, as submitted in the staff report

SUMMARY OF REQUEST:
Request 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

FINDINGS FOR STAFF RECOMMENDATION:
1. 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.
2. The proposed R-SF, Single-Family Residential District is consistent with the zoning in the surrounding area.

SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th></th>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>County R-1</td>
<td>County R-1</td>
<td>R-SF</td>
<td>County R-1</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):
GROWTH MANAGEMENT AND LAND USE PLAN:
PROPERTY HISTORY:
The subject property is zoned County R-1, Suburban Residence District and is currently outside the city limits in unincorporated Greene County.

COMPATIBILITY WITH THE ZONING ORDINANCE:

<table>
<thead>
<tr>
<th>CODE ITEM</th>
<th>REQUIREMENTS FOR R-SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Limitations</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>Thirty-five feet</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations</td>
</tr>
<tr>
<td>Side and Rear Setbacks</td>
<td>Side: Ten feet on each side of a lot or as required by section 36-453, supplemental open space and yard regulations. Rear: Twenty percent of the lot depth, but may not be less than ten feet nor more than 25 feet be required.</td>
</tr>
<tr>
<td>Open Space Requirement</td>
<td>20%</td>
</tr>
<tr>
<td>Design Requirements</td>
<td>Standard per code</td>
</tr>
</tbody>
</table>

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 3723 S. Scenic Avenue. Scenic Avenue, is classified as a Secondary Arterial roadway.

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 an annexation and will have a public hearing at the same City Council meeting.
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. 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.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

**NEIGHBORHOOD MEETING:**

The applicant held a neighborhood meeting on September 10, 2018, regarding the request for rezoning. A summary of this meeting is attached (Attachment 2).

**PUBLIC NOTIFICATION:**

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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

BUILDING DEVELOPMENT SERVICES COMMENTS:
No comments.

CITY UTILITIES:
CU has no issue with zoning request.

CLEAN WATER SERVICES COMMENTS:
No comments.

FIRE DEPARTMENT COMMENTS:
No comments.

GREENE COUNTY HIGHWAY DEPARTMENT:
No comments; however, a replat was approved by Greene County that noted this lot is intended to be annexed into the City limits of Springfield and joined with the property to the east currently owned by Melody Hargiss.

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:

No issues with re-zoning. If this property is staying residential the stormwater will require no improvements at this time. 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. Water quality will be required if disturbing more than one acre.
4. Detailed stormwater calculations will have to be submitted before any permits can be approved.

<table>
<thead>
<tr>
<th>Public Works Stormwater Division</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>Drainage Basin</td>
<td>Inman Creek</td>
</tr>
<tr>
<td>Is property located in Floodplain</td>
<td>No</td>
</tr>
<tr>
<td>Is property located on a sinkhole</td>
<td>No</td>
</tr>
<tr>
<td>Is stormwater buyout an option</td>
<td>No</td>
</tr>
</tbody>
</table>
AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: ______ R1 _______ to ______ R.S.F _______
   (existing zoning) (proposed zoning)

2. Meeting Date & Time: Monday, September 10th, 2018

3. Meeting Location: ______ Prima's Restaurant Meeting Room ______

4. Number of invitations that were sent: 102

5. How the mailing list was generated: ______ by city ______

6. Number of neighbors in attendance (attach a sign-in sheet): ______ 1 ______

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

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

   ______

I, ______ Melody Hargiss ______ (print name), attest that the neighborhood meeting was held on
09/10/2018 (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."

Melody Hargiss
Signature of person completing affidavit

Melody Hargiss
Printed name of person completing affidavit
To Whom It May Concern,

My annexation meeting took place in Primas Meeting Room Monday, September 10th, 2018, from 4:30-6:30 p.m.

One neighbor attended the meeting. Mrs. Jeanie Petrie said that she was curious about what I was doing with the lot and I informed her that the City of Springfield zoning was changing the lot's description from County to City. Mrs. Petrie told me that the change was okay with her and we had a very nice visit.

No one else showed up for the meeting and I left at 6:30 p.m.

Sincerely,

Melody Mangeiss
<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>Curious What was about</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeanie Petitie</td>
<td>2746 W. Swan Spfld Mo 65807</td>
<td></td>
</tr>
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</table>