



Springfield Planning and Zoning Commission

City Council Chambers

Date: February 19, 2015

Time: 6:30 p.m.

Members: Tom Baird, IV (Chairman), Gabrielle White (Vice-Chairman), Matt Edwards, Jason Ray, Phil Young, Melissa Cox, David Shuler, Randall Doennig, Andrew Cline

1. ROLL CALL

2. APPROVAL OF MINUTES

3. COMMUNICATIONS

4. FINALIZATION AND APPROVAL OF CONSENT ITEMS

(These consent cases will be approved by Commission unless a Commissioner or someone else wishes to speak to them. If so, those cases will be moved to the appropriate place on the agenda and they may be spoken to, and voted on, at that time.)

5. Acquire 509

1610 E. Sunshine, Springfield Public Schools

Documents: [ACQUIRE 509 REPORT.PDF](#)

6. UNFINISHED BUSINESS

7. Vacation 775

440 E. Tampa Avenue, Advocates for a Healthy Community, Inc.

Documents: [VACATION 775.PDF](#)

8. Fuldner Condominiums

2937 S. Claremont Avenue, Fuldner Enterprises, LLC

Documents: [FULDNERCONDOMINIUMS.PDF](#)

8. PUBLIC HEARINGS

10. Security Agreement

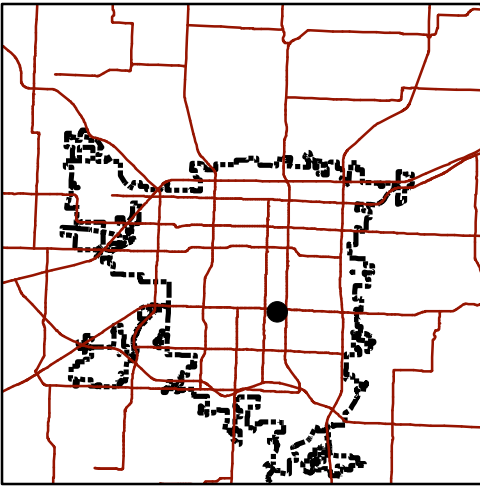
3938 S. Lone Pine, GSH Construction

Documents: [EXTENDSECURITYAGREEMENT31.PDF](#)

20. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

21. ADJOURNMENT

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. **Please fill out a Speaker Card. When you address Commission, please step to the microphone at the podium and state your name and address.** All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.



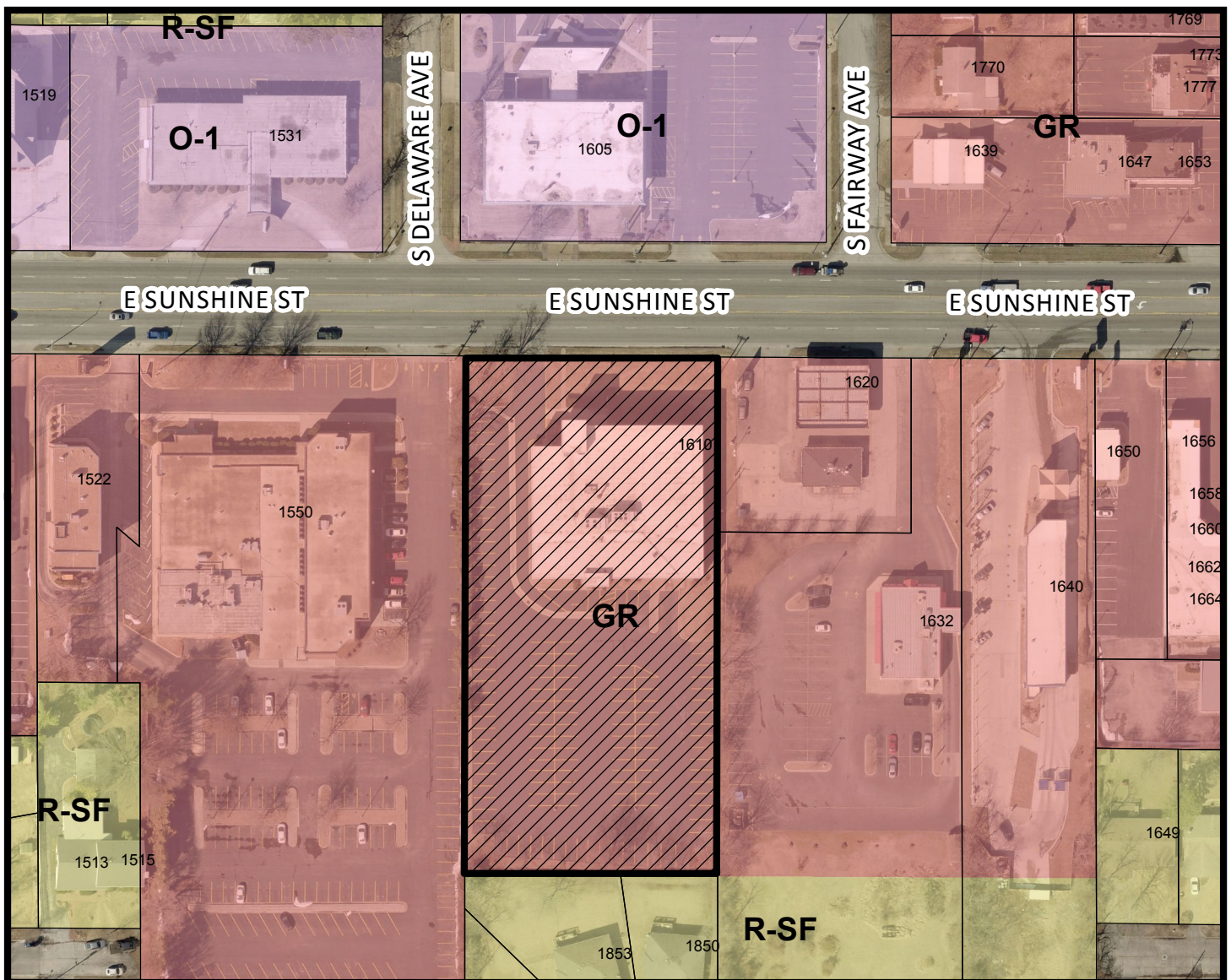
Zoning & Subdivision Report

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

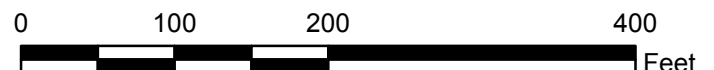
Request to Acquire Property #509

LOCATION: 1610 E. Sunshine Street
CURRENT ZONING: GR, General Retail

LOCATION SKETCH



- Area of Proposal



1 inch = 125 feet

Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65802*

REQUEST TO ACQUIRE NUMBER 509

DATE: February 11, 2015

PURPOSE: To approve the acquisition of property by Springfield R-12 School District for office purposes

BACKGROUND:

LOCATION: 1610 E. Sunshine Street

APPLICANT: Springfield R-12 School District

TRACT SIZE: Approximately 1.83 acres

EXISTING USES: Office

RECOMMENDATION:

Staff recommends that this request be **approved**.

FINDINGS:

1. The request is consistent with the Planning and Zoning Commission's land acquisition policy (Attachment 2).

STAFF CONTACT PERSON:

Michael Sparlin
Assistant Planner

ATTACHMENT 1
REQUEST TO ACQUIRE NUMBER 509

APPLICANT'S PROPOSAL:

The Springfield R-12 School District has acquired the property at 1610 E. Sunshine Street for office purposes.

PLANNING AND ZONING COMMISSION REVIEW:

The *Springfield City Charter* requires the Planning and Zoning Commission to review all proposals to acquire real property by the City for public use. Commission's function in this matter is to determine whether the proposal is generally consistent with the *Comprehensive Plan*.

COMPREHENSIVE PLAN:

The subject property is zoned GR, General Retail District. The proposed use is generally consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. The Springfield R-12 School District has acquired the subject property located at 1610 E. Sunshine Street for offices purposes. The Planning and Zoning Commission must review this Request to Acquire to determine whether the proposal is consistent with the *Comprehensive Plan*. In summary, SPS requests that approval be granted to continue the property usage to allow for office purposes.
2. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the Acquisition of property and the process for appeal of such decision:

“In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the

planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership.”

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to the Board of Education.

ATTACHMENT 2
REQUEST TO ACQUIRE NUMBER 509
LAND ACQUISITION POLICY

The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant's response to that section.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.

RESPONSE:

It is understood the proposed use of the land would be within "generally consistent with the "Master Plan of the City".

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.

RESPONSE:

The basic use of the subject property will remain the same.

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.

RESPONSE:

It is our intent the subject property be used as "office space" for the District of Springfield R-12..

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

The current structure will be used. It is not listed on the Historic Registry.

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

There is no plan to remove the current structure. The structure will be necessary for the operation of the district.



Springfield Public Schools

Scott Wendt
Director of Business Operations
1359 E. St. Louis St.
Springfield, Missouri 65802
Direct 1-417-523-0051
Cell 1-417-830-7995
Fax 1-417-895-2007
swendt@spsmail.org

Date: December 29, 2014

To: Planning and Zoning

Re: 1610 E. Sunshine

The District of Springfield R-12 is requesting approval by the Planning and Zoning Commission for the acquisition of: 1610 E. Sunshine, for office use.

In accordance with the Planning and Zoning Commission policy for land acquisition by public bodies, we have the following responses to the five sections identified:

1. It is our understanding the subject property is "generally consistent with the Master Plan of the City."
2. The basic use of the subject property will remain the same.
3. It is our intent the subject property be used as "office space" for the District of Springfield R-12.
4. The current structure will be used. It is not listed on the Historic Registry.
5. There is no plan to remove the current structure. The structure will be necessary for the operation of the district.

Thank you for your consideration.

Respectfully,

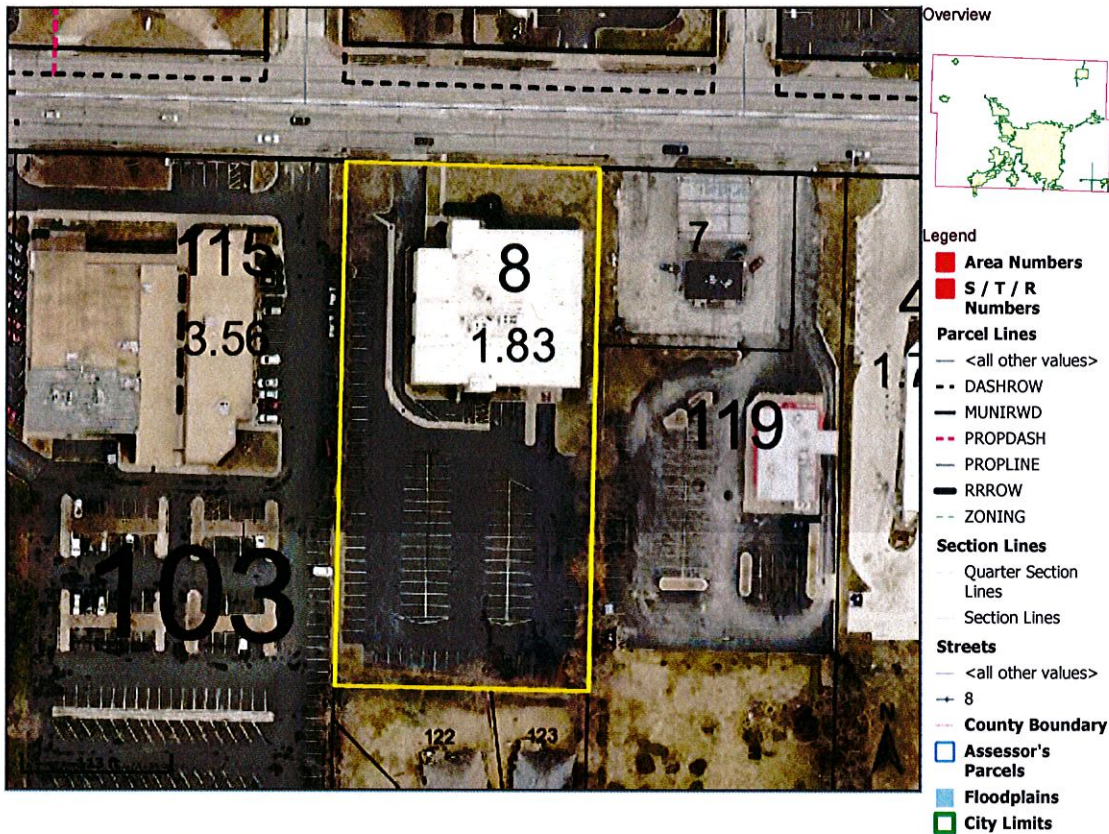
Scott Wendt,
Director of Business Operations



Greene County, MO



Date Created: 12/29/2014



Parcel ID 881231103008
Sec/Twp/Rng 31-29-21
Property Address 1610 E SUNSHINE ST
SPRINGFIELD

Alternate ID n/a
Class C
Acreage 1.827

Owner Address DUNCAN PROPERTIES LLC
%DOUGLAS DUNCAN
2410 E ROSEBRIER ST
SPRINGFIELD MO 65804

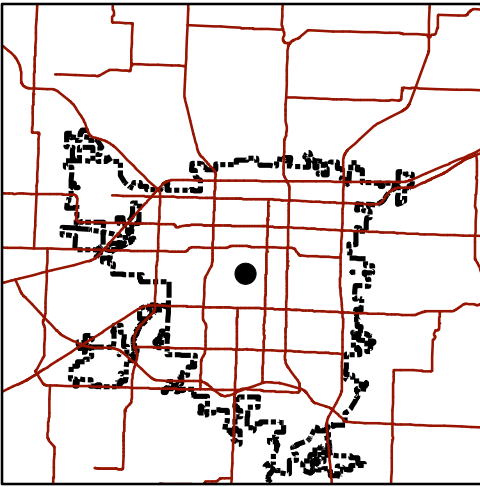
District 105
Brief Tax Description M/L N 400 FT E 3A W 3.5A N1/2 NE1/4 NE1/4 (EX HWY) 31/29/21
(Note: Not to be used on legal documents)

Last Data Upload: 12/26/2014 11:21:31 PM

The sinkhole layer on the map is only intended to show a general location of sink holes and cannot be used to determine the exact locations. Confusion

 developed by
The Schneider Corporation
www.schneidercorp.com

Last Data Upload: 12/26/2014 11:21:31 PM



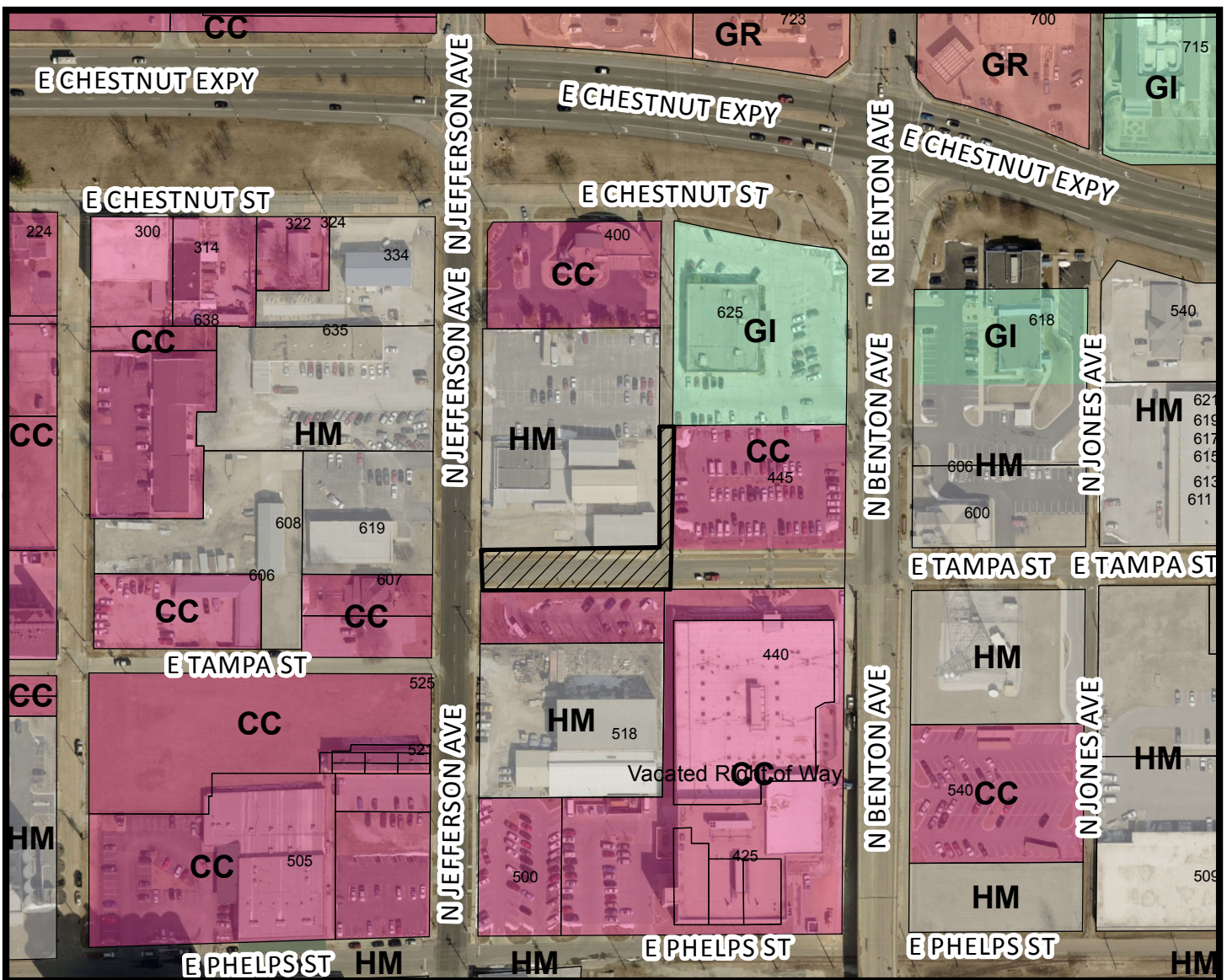
Zoning & Subdivision Report

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

Vacation 775

Location: 440 East Tampa Street
Current Zoning: HM, Heavy Manufacturing District and
CC, Center City District

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report
Planning & Development Department ~ 417/864-1031
840 Boonville Avenue ~ Springfield, Missouri

VACATION #775

DATE: January 15, 2015

PURPOSE: To vacate a portion of Tampa Street between Benton Ave and Jefferson Ave and an existing alley.

BACKGROUND:

Jordan Valley Community Health Center owns property on both sides of Tampa which does not continue east of Benton Ave since this portion of Tampa was vacated by Vacation #762 in 2013.

LOCATION: Tampa Street between Benton and Jefferson Ave.

APPLICANT: Jordan Valley Community Health Center

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #775 meets the approval criteria listed in Attachment 2.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENTS:

Attachment 1 – Background Report
Attachment 2 – Approval Criteria
Attachment 3 – Legal Description

ATTACHMENT 1
BACKGROUND REPORT
VACATION #775

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate the western portion of Tampa Street between Benton and Jefferson Ave and an adjacent north/south alley.

TRAFFIC ENGINEERING COMMENTS:

Traffic does not oppose the vacation. Traffic has no issues with the vacation of Tampa. The alley vacation may extend just to the property line at the City of Springfield Municipal Court property

CITY UTILITIES COMMENTS:

CU will need replacement easements for existing facilities. We will tie down the locations and let applicant know the areas to describe.

AT&T COMMENTS:

Utility easements will have to be provided for current and future facilities in this proposed area.

STORM WATER COMMENTS:

No Stormwater issues with the proposed alley and street vacation. However, the following item needs to be addressed prior to approval:

Need drainage easement in alley and on East Tampa Street for the public drainage system. Please submit copies of the proposed drainage easement to City Right-of-Way Agent, Paul Blees, for review and approval prior to obtaining signatures. Once the drainage easement is reviewed and approved, signatures may be obtained and the document returned to the City to be filed.

EMERGENCY 911 COMMENTS:

The Department does not have any issues with the requested vacation.

FIRE DEPARTMENT COMMENTS:

The only concern would be fire apparatus access to any existing buildings. If the vacation creates a situation by which any portion of a building exceeds 150" from an

access point, an easement and/or marked fire lane will be required to be obtained/installed.

ENVIRONMENTAL SERVICES:

Need to reserve sewer easements for sewer in the right-of-way.

BUILDING DEVELOPMENT SERVICES:

Building Development Services does not have any issues with the requested vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Thirteen (13) property owners are within three hundred (300) feet of this site and have been notified of this action.

STAFF COMMENTS:

1. This request is to vacate the remaining portion of Tampa Street between Benton and Jefferson Ave and an adjacent alley in order to incorporate the Jordan Valley Community Health Center parking lots into the overall development.
2. All properties adjacent to Jefferson Ave and the alley will still have access to a public street. In addition, all necessary easements are being retained as part of this vacation.
3. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #775

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.

1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.

STAFF RESPONSE:

All adjacent property has access to other public access ways.

2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.

STAFF RESPONSE:

All adjacent property owners have signed their consent to the vacation. The adjacent property is owned by Jordan Valley Community Health Center.

3. That the retention of the street, alley, public way or subdivision serves no useful purpose.

STAFF RESPONSE:

Vehicular traffic will still be able to be accommodated with the surrounding street system.

4. That the vacation will not affect the ability to use utilities, public or private.

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private. All necessary easements are being retained.

ATTACHMENT 3
LEGAL DESCRIPTION
VACATION #775

TAMPA STREET VACATION

All that part of Tampa Street, lying between Lot 111 of Block "G" of Harwood, Lisenby and Boyd's Addition to the City of Springfield, Greene County, Missouri, according to the recorded plat thereof and Lot 1 of the Administrative Re-plat of L. E. Cox Building Site and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1, of the Administrative Re-plat of L. E. Cox Building Site, said point being on the East Right-of-Way of Jefferson Avenue; thence, North 01°33'55" East, along and with said Right-of-Way, a distance of 49.50 feet to the Southwest corner of Lot 111 of Block "G" of Harwood, Lisenby and Boyd's Addition and the North Right-of-Way of Tampa Street; thence, South 89°10'02" East, along said Right-of-Way, a distance of 235.77 feet to the Southwest corner of Lot 88 of said Block "G"; thence, South 01°43'05" West, leaving said North Right-of-Way, a distance of 49.51 feet, to the South Right-of-Way of said Tampa Street; thence, North 89°10'02" West, along said Right-of-Way, a distance of 235.64' to the POINT OF BEGINNING, containing 0.27 acres. Subject to easements and rights-of-way, if any.

ALLEY VACATION

All that part of an existing 16.5 foot alley lying North of Tampa Street in Harwood, Lisenby and Boyd's Addition to the City of Springfield, Greene County, Missouri, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 111, Block "G" of Harwood, Lisenby & Boyd's Addition to the City of Springfield, Greene County, Missouri, as recorded in Plat Book "B" at Page 86 in the Office of the Greene County Recorder; thence, North 01°43'02" East, along and with the West line of an existing platted alley, said line also being the East line of Lots 111 and 110 in Block "G" of said subdivision, a distance of 152.97 feet; thence, South 88°57'41" East, leaving said West line, a distance of 16.50 feet to an existing iron pin on the East line of said platted alley, said East line also being the West line of Lots 89 and 88 in Block "G" of said Subdivision; thence, South 01°43'02" West, along and with said East line, a distance of 152.91 feet to the Southwest corner of Lot 88, said point lying on the North right-of-way line of Tampa Street; thence, North 89°10'02" West, along and with said North line, a distance of 16.50 feet to the POINT OF BEGINNING, containing 2,520 square feet.

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **FULDNER CONDOMINIUMS** generally located at 2937 South Claremont Avenue. (Planning and Zoning Commission and Staff recommends that City Council _____ the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of **FULDNER CONDOMINIUMS** dated January 12, 2015, the original of which is on file in the Department of Planning and Development, a reduced version of which is included for general reference in Attachment 2.
- B. The Planning and Zoning Commission held a public hearing on March 5, 2015 and _____ the preliminary plat by a vote of ___ to __, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer is available for the lot; however, maintenance and access rights for private sewer to each unit need to be established in the condominium covenants. Condominium covenants need to be submitted for review and approval.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Utilities will have to be extended across the common area to provide service all units. The utility easements that need to be added can be shown generally on the preliminary plat. They do not have to be precisely located until the final plat stage. Assure that there is appropriate language in the covenants to allow utility installation in the common area.
 - 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

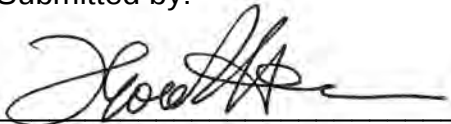
4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
5. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section No. 300 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond or escrow agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

Submitted by:



Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

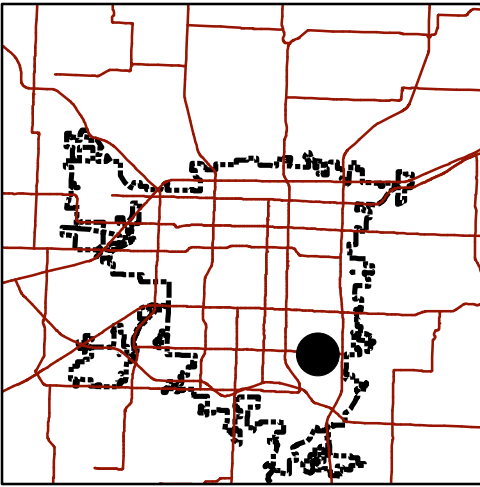
Exhibit A, Record of Proceeding

Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Preliminary Plat



Zoning & Subdivision Report

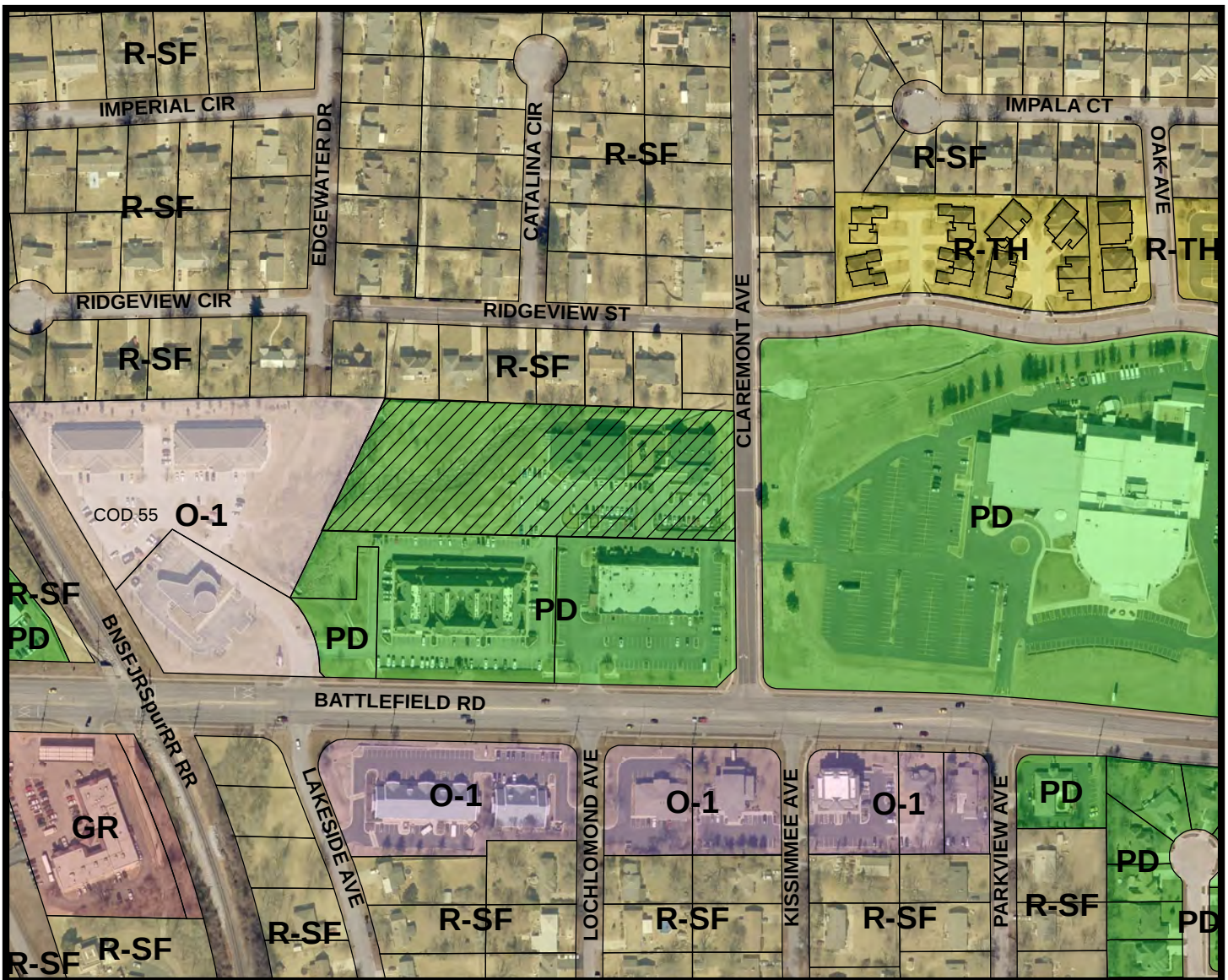
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Fuldner Condominiums

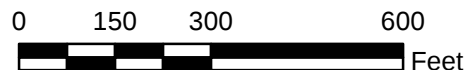
Location: 2937 S. Claremont Ave.

Current Zoning: PD 322

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65802*

PRELIMINARY PLAT– FULDNER CONDOMINIUMS

DATE: January 21, 2015

PURPOSE: To approve a preliminary plat to subdivide 3.9 acres into a three (3) unit condominium and common area

BACKGROUND:

LOCATION: 2937 S. Claremont Ave.

APPLICANT: Fuldner Enterprises, LLC

TRACT SIZE: Approximately 3.9 acres

EXISTING USES: Daycare and professional offices

PROPOSED USE: Uses permitted in Planned Development 322

RECOMMENDATION:

The request be **approved**.

FINDINGS:

1. The applicant's proposal, with the conditions listed below, is consistent with the City's Subdivision Regulations.

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer is available for the lot; however, maintenance and access rights for private sewer to each unit need to be established in the condominium covenants. Condominium covenants need to be submitted for review and approval.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Utilities will have to be extended across the common area to provide service all units. The utility easements that need to be added can be shown generally on the preliminary plat. They do not have to be precisely located until the final plat stage. Assure that there is appropriate language in the covenants to allow utility installation in the common area.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – FULDNER CONDOMINIUMS

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 3.9 acres into a three (3) unit condominium and common area.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

The utility easements that need to be added can be shown generally on the preliminary plat. They do not have to be precisely located until the final plat stage. Electric and water is available to Unit 3 at this time. If natural gas is desired a main extension may be required. There is a gas main on the next lot south but it hasn't been determined if there is an easement connecting the main to this property. Natural gas availability is not a requirement.

FIRE DEPARTMENT COMMENTS:

No comments on subdivision. Any fire code issues would be addressed during the building permit process.

TRAFFIC DIVISION COMMENTS:

No comments. All issues have been addressed.

STORMWATER COMMENTS:

All stormwater comments have been addressed on the preliminary plat. However, please note that at the time of development the property will be subject to the following conditions:

1. Based upon City contour and sinkhole information, no sinkholes exist on the site and the site is not within a sinkhole watershed.
2. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Therefore, a note needs to be added to the Plat stating that "Public improvement plans will be required for relocating the existing off-site flows across the site. Drainage easements must be provided for this new conveyance and any existing drainage easements that are no longer needed will need to be relinquished. Owner of property where off-site flow is relocated must provide written permission to the City approving the location of new drainage easement and proposed conveyance improvements."
3. Drainage improvements serving only the subject property must be constructed, inspected,

approved and operational prior to issuance of building permit.

4. If detention basin/water quality basin was previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the original design criteria of the detention basin. If runoff from the proposed development exceeds the original design of an existing detention basin, additional detention must be provided, based on the current requirements.

CLEAN WATER SERVICES COMMENTS:

Covenants will need to be filed with maintenance and access language for sewer access across common areas. Submit for review.

LAW COMMENTS:

No issues with preliminary plat. Have your declarations and covenants submitted and reviewed prior to the recording of the final condominium plat, following the checklist at <http://www.springfieldmo.gov/documentcenter/view/4083>.

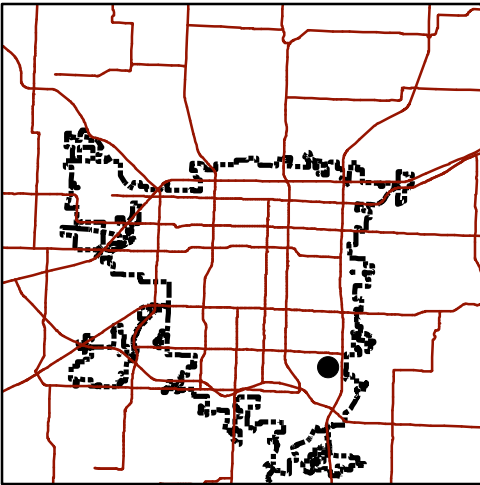
STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 3.9 acres into a three (3) unit condominium plat named "Fuldner Condominiums". The first unit will consist of the existing daycare building and required outdoor play area, the second unit is a professional office building and the third unit is undeveloped. The property owner will apply for an administrative re-plat condominium after the building has been constructed to re-plat the common and limited common elements in Unit 3. The property is currently zoned Planned Development 322.
2. If Planning and Zoning Commission approves the preliminary, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

CITY COUNCIL: March 23, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner



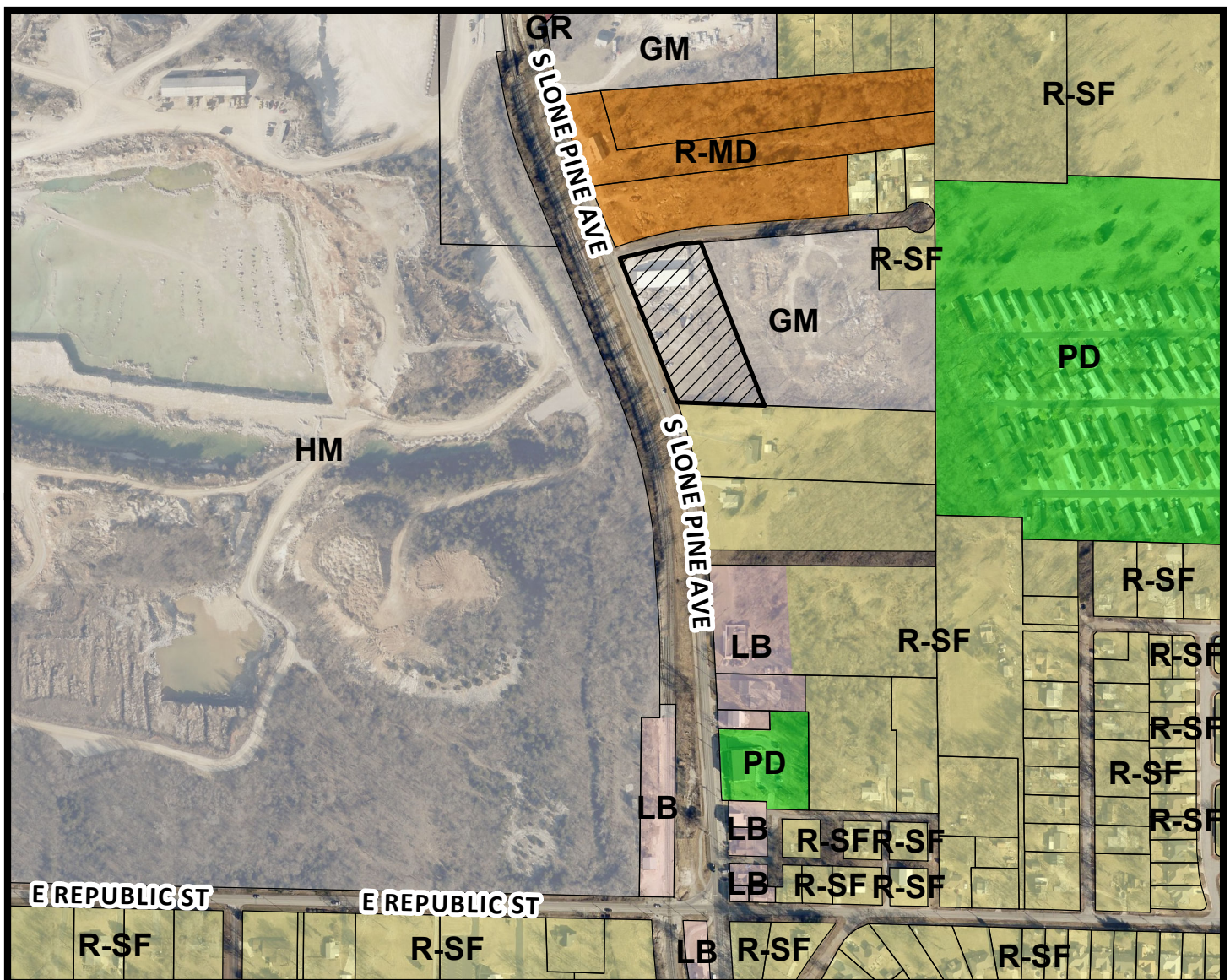
Zoning & Subdivision Report

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

Request to Extend Security Agreement #31

LOCATION: 3938 S Lone Pine
CURRENT ZONING: GM
PROPOSED ZONING: NA

LOCATION SKETCH

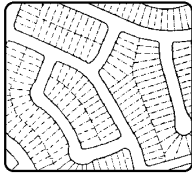


- Area of Proposal

0 100 200 400

Feet

1 inch = 425 feet



Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801

REQUEST TO EXTEND SECURITY AGREEMENT NO. 31

DATE: February 5, 2015

PURPOSE: To extend the security agreement for Galloway Plaza subdivision recorded 5/1/14 for an additional year.

BACKGROUND:

LOCATION: 3938 South Lone Pine Ave

APPLICANT: Billy Jalili

Before the final plat of any subdivided area shall be recorded, the subdivider shall provide for the improvements to be extended to all lots in the area to be included in the final plat at no cost to the City.

In lieu of the final completion of said improvements before the plat is recorded, the subdivider may post a surety bond, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the subdivider.

The Commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the Department of Public Works.

RECOMMENDATION:

The extension be approved for another year (to May 1, 2016), in the same amount as the original letter of credit.

FINDINGS FOR STAFF RECOMMENDATION:

1. The request complies with criteria #9 of Attachment B.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT A
REQUEST TO EXTEND SECURITY AGREEMENT NO. 31

APPLICANT'S PROPOSAL:

The applicant is requesting that the security agreement for construction of streets, sidewalks and a drainage facility within the Galloway Plaza Subdivision be extended for one additional year.

HISTORY:

1. The applicant first obtained approval to subdivide and record the subject property on May 1, 2014.
2. The security agreement for the required public improvements (except sidewalks, which may be secured for three years) will expire on May 1, 2015.

STAFF COMMENTS:

1. The criteria for extending security agreements, as approved by the Planning and Zoning Commission, are listed in Attachment B.
2. The Commission may decide that the applicant's proposal falls under criterion # 9 which refers to other factors the developer believes should be considered in the granting of an extension of time.
3. The applicant wants the agreement to be extended for one full year (see application attached). The Subdivision Regulations permit for an extension for a maximum period of one year.
4. The Public Works Department has reviewed this application request and agrees to the extension of the Letter of Credit (LOC) for Galloway Plaza for one (1) additional year until May 1, 2016 (see letter attached dated February 2, 2015).

ATTACHMENT B
PLANNING AND ZONING COMMISSION'S AUTHORITY
REQUEST TO EXTEND SECURITY AGREEMENT NO. 31

SUBDIVISION REGULATIONS:

Section 303(2) of the Subdivision Regulations states that the Commission “may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security agreement is revised pursuant to a revised estimate by the Department of Public Works.”

CRITERIA FOR EXTENDING SECURITY AGREEMENTS:

The following list of criteria was adopted by the Planning and Zoning Commission in April 1998 and the staff of the Public Works and Planning and Development Departments use this criteria in their review of all requests to extend subdivision security agreements:

1. Project is too large for construction in one year. Facts should be presented as to when the project was started and the actual time spent on the construction.
2. Incomplete due to seeding time frames. Public Works only permits seeding to be done from March 15 to June 1 and from September 1 to November 1. Facts should be presented that project was completed during a time when seeding is not allowed and that only seeding work remains to be done. A time extension should be considered for only the period necessary to complete the seeding.
3. Shortage of key construction material. For instance, in 1987, aggregate backfill was difficult to obtain at times.
4. Labor strike.
5. Weather (as it relates to a large project that requires continuous effort to complete within one year).
6. Problems with the contractor such as leaving the area or going broke. The developer should give facts as to his efforts to replace the contractor.
7. Project is redesigned for one reason or another. The key to this should be if the developer has had to submit the project to the Planning and Zoning Commission for approval.
8. Conflicts with major unknowns, such as sinkholes, utilities or other underground hazards.
9. Other factors not listed above that the developer believes should be considered in the granting of the extension of time.

REQUEST TO EXTEND SECURITY AGREEMENT 30
EXHIBIT 1

Property Description: _____

ALL OF LOTS TWELVE (12) THRU EIGHTEEN (18), GALLOWAY HEIGHTS ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ALSO, BEGINNING AT THE SOUTHWEST CORNER OF LOT EIGHTEEN (18); THENCE WEST 150 FEET; THENCE NORTHWESTERLY 109 FEET; THENCE EASTERLY 213 FEET; THENCE SOUTHWESTERLY 50 FEET; THENCE SOUTHEASTERLY 121.2 FEET TO BEGINNING, SUBJECT TO THAT PART TAKEN OR USED FOR ROADS; ALSO, THE SOUTH 5 ACRES OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) LYING EAST OF THE RAILROAD IN SECTION NINE (9), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-ONE (21), ALL BEING IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

Case No: _____
Date Filed: _____
Fee: \$25.00 1/2 of
Received By: _____

APPLICATION FOR EXTENSION OF SUBDIVISION SECURITY AGREEMENT

The signers of this application request that the Planning and Zoning Commission of the City of Springfield, Missouri approve an extension of the security agreement on the following described tract of land for one additional year:

LAND DESCRIPTION (an attached sheet may be used):

ATTACHE D

THE SECURITY AGREEMENT SHOULD BE EXTENDED FOR THE FOLLOWING REASON (provide documentation which substantiates your request. The criteria used by the Planning and Zoning Commission are on the reverse side of this form. An attached sheet may be used):

our architect's have been slow, we would like to do both PW and Construction of Building at same time

We, the undersigned, do attest to the truth and correctness of all facts and information presented with this application.

CURRENT PROPERTY OWNER'S NAME(S):

Name of current property owner(s): BILLY JALILI
(please print)

If corporation: Corporate official: _____
(please print)

(corporate seal)

Mailing address: 490 N. PEARSON CREEK LN, SPRINGFIELD, MO 65802
Telephone number: 417-861-1500 Fax number: _____

PROPERTY OWNER'S SIGNATURE:

Billy Jalili
(Not necessary if there is an authorized representative. That representative must sign below)

AUTHORIZED REPRESENTATIVE:

I hereby certify that I am authorized to represent all of the property owners of the above described tract in this proceeding. A power of attorney is attached.

Name: _____

Signature: _____

Address: _____

Telephone: _____

December 3, 2014
90 Day Notice

Mr. Billy Jalili
490 N. Pearson Creek Lane
Springfield, MO 65802

Galloway Plaza
3938 S. Lone Pine Avenue

City Contract Number: 2014-0375
LOC No. 435-14

The following Public Improvements (Streets-Sidewalks-Detention) is secured by LOC: \$76,038.50

The improvements should be completed by your contractor and accepted by the City prior to March 1, 2015 or the City will make preparations to collect prior to April 1, 2015.

For inspection of public improvements or to obtain a list of any unfinished items needing completion prior to acceptance by the City, contact the Public Works Inspector below. I will need an inspection release stating that the public improvements have been completed before the LOC may be released.

Sincerely,

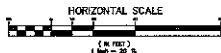


Kirk Juranas, P.E.
Assistant Director

Cc: Jason Saliba, EIT, Public Works Construction Inspection (417) 942-7309 cell

Department of Public Works
Busch Municipal Building • 840 Boonville Avenue, P.O. Box 8368
Springfield, Missouri 65801 • 417-864-1901 • springfieldmo.gov

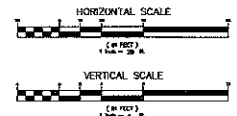
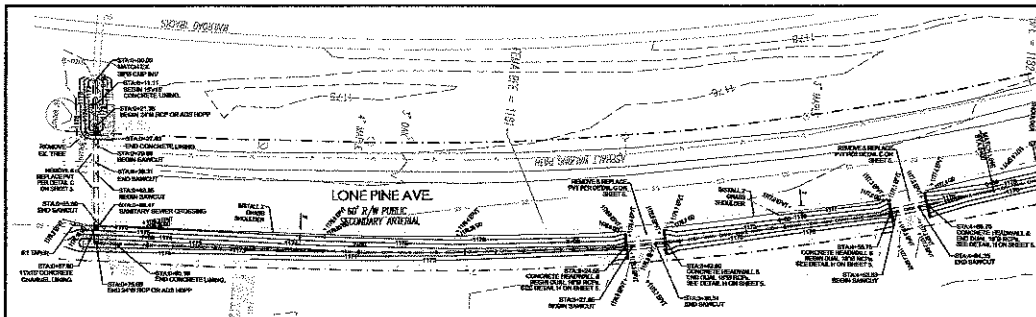




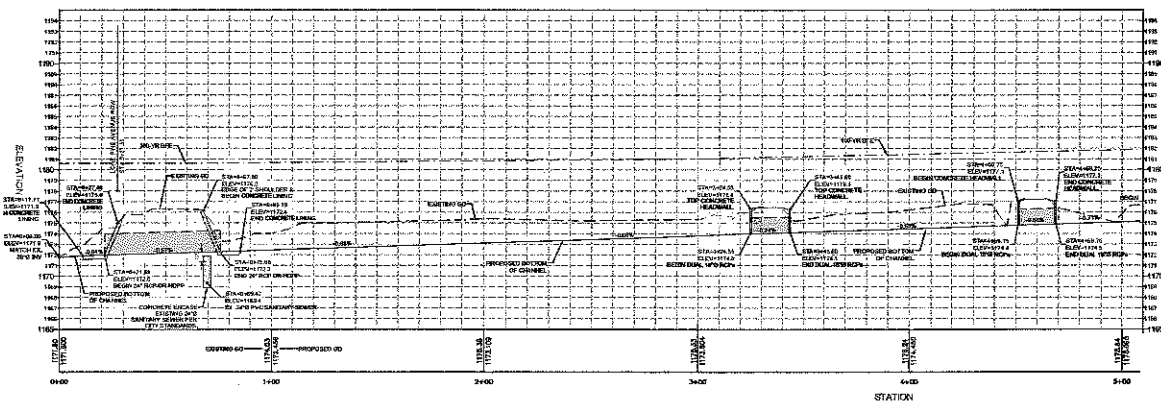
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
 3247 W. 10000 RD • GLENDALE, MISSOURI 64521 • PHONE (817) 885-2444 • FAX (817) 885-2472
 ANDERSON COMMUNICATIONS • P.O. BOX 270 • PEASE, MINN. 55651

JOB NO.	10222-13	CHARGING NO.	WB-100-937
REVISED			

REPORTING OFFICE		DATE	3
REPORTING OFFICER		BY	2
REPORTING OFFICER'S TITLE		FOR THE DISTRICT ATTORNEY	



A DRAINAGE CHANNEL PLAN
SCALE: 1" = 20'



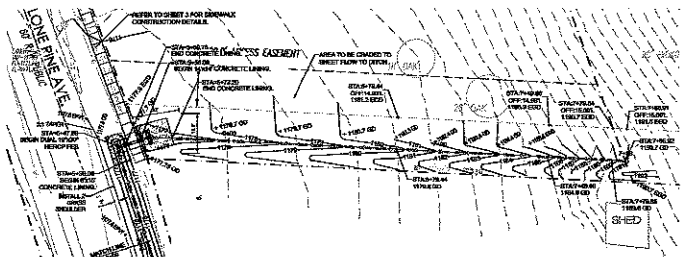
B DRAINAGE CHANNEL PROFILE
HORIZONTAL SCALE: 1" = 20' VERTICAL SCALE: 1" = 4'

ANDERSON ENGINEERING, INC.
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2001 W. MOORE AVE. • SPRINGFIELD, MISSOURI 65804
PHONE: (417) 875-1111 FAX: (417) 875-1112
WWW.ANDERSONENGINEERING.COM

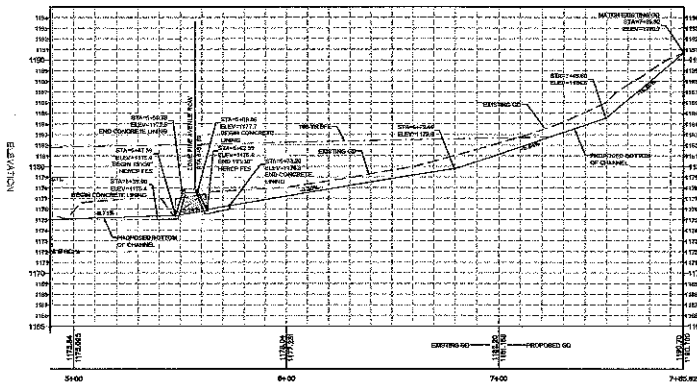
DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI
GALLOPWAY PLAZA SUBDIVISION
DRAINAGE CHANNEL PLAN & PROFILE
STATION 0+00 TO 5+00
LONE PINE AVE & ALLEN ST

APPROVED BY: _____ DATE: _____
DIRECTOR OF PUBLIC WORKS

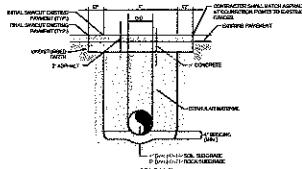
DESIGNED BY: _____ DRAWN BY: _____
CHECKED BY: _____



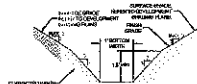
A DRAINAGE CHANNEL PLAN
SCALE: 1" = 20'



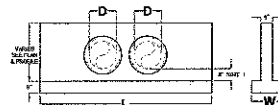
B DRAINAGE CHANNEL PROFILE
HORIZONTAL SCALE: 1"=20' VERTICAL SCALE: 1" = 4'



C TRENCH UNDER PAVEMENT
SCALE: NOT TO SCALE



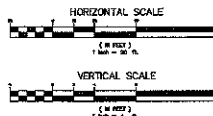
D TYPICAL GRASS CHANNEL
STA 0+00 TO 5+47.59
SCALE: NOT TO SCALE



B	L	W
18 inches	12 ft	2 ft
24 inches	16 ft	2 ft
30 inches	20 ft	2 ft
36 inches	24 ft	2 ft
42 inches	28 ft	2 ft

- GENERAL NOTES:**
1. SEE SPECIFICATIONS FOR DETAILS.
 2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MISSOURI DEPARTMENT OF PUBLIC WORKS SPECIFICATIONS.
 3. THE CHANNEL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE MISSOURI DEPARTMENT OF PUBLIC WORKS SPECIFICATIONS.
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SCALE: NOT TO SCALE

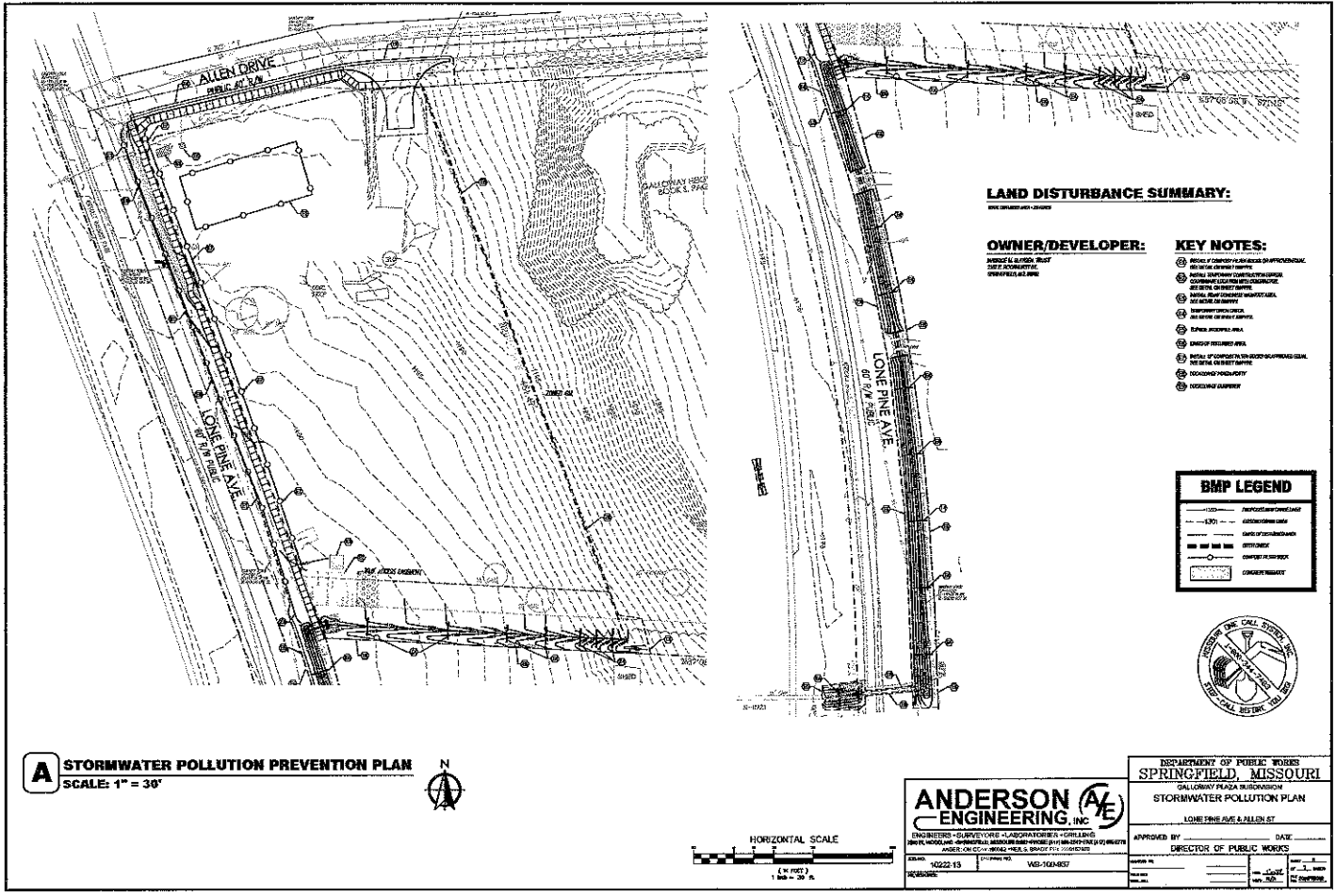


ANDERSON ENGINEERING, INC.
ENGINEERING - ARCHITECTURE - LANDSCAPE ARCHITECTURE - SURVEYING
2000 N. MOORE AVENUE, SUITE 100, SPRINGFIELD, MISSOURI 65814
PHONE: (417) 833-1111 FAX: (417) 833-1112
WWW.ANDERSONENGINEERING.COM

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI
GALLAGHER PLAZA, SUITE 100
DRAINAGE CHANNEL PLAN & PROFILE
STA 5+00 TO 7+50.52
LOUISIANA AVENUE & ALLEN ST.

APPROVED BY: _____ DATE: _____
DIRECTOR OF PUBLIC WORKS

DESIGNED BY: _____ DATE: _____
CHECKED BY: _____ DATE: _____



LAND DISTURBANCE SUMMARY:

OWNER/DEVELOPER:
ANDERSON ENGINEERING, INC.
10222 15
SPRINGFIELD, MO 65703

- KEY NOTES:**
- 1. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
 - 2. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY DISTURBANCE.
 - 3. SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY DISTURBANCE.
 - 4. ALL DISTURBED AREAS SHALL BE REVEGETATED WITH NATIVE PLANTS AND TREES.
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BMP LEGEND

---	PROPOSED IMPROVEMENTS
---	EXISTING IMPROVEMENTS
---	EXISTING DRAINAGE
---	EXISTING EROSION CONTROL
---	EXISTING SEDIMENT CONTROL
---	EXISTING REVEGETATION



ANDERSON ENGINEERING, INC.
ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS
10222 15
SPRINGFIELD, MO 65703

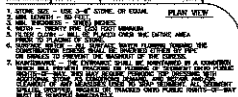
DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI
GALLAGHER PLAZA BUILDING
STORMWATER POLLUTION PLAN
LONE PINE AVE & ALLEN ST

APPROVED BY: _____ DATE: _____
DIRECTOR OF PUBLIC WORKS

DATE: _____
DRAWN BY: _____
CHECKED BY: _____



1. **PROCESSES AND PROCEDURES** (10%)
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4. **SAFETY AND HEALTH** (10%)
5. **QUALITY MANAGEMENT** (10%)
6. **LEGAL AND REGULATORY COMPLIANCE** (10%)
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8. **OPERATIONAL MANAGEMENT** (10%)
9. **INTEGRATION AND COORDINATION** (10%)
10. **INNOVATION AND RESEARCH** (10%)
11. **COMMUNICATION AND REPORTING** (10%)
12. **STAKEHOLDER ENGAGEMENT** (10%)
13. **PERFORMANCE MONITORING AND EVALUATION** (10%)
14. **CONTINGENCY PLANNING** (10%)
15. **CRISIS MANAGEMENT** (10%)
16. **ETHICS AND CORPORATE CITIZENSHIP** (10%)
17. **GOVERNANCE** (10%)
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19. **ADAPTABILITY AND FLEXIBILITY** (10%)
20. **TRANSFORMATIONAL LEADERSHIP** (10%)
21. **STRATEGIC VISION AND MISSION** (10%)
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CONSTRUCTION EGRESS DETAIL.
SCALE: NOT TO SCALE



ANDERSON
ENGINEERING, INC.
ENGINEERS • SURVEYORS • LABORATORY • DRILLING
200 W. HICKORY - CHICAGO, ILL. 60604 • PHONE (312) 241-7474 FAX (312) 241-7475
ANDERSON COUNCIL 02022 MEML. B. GRANT FEB 2001 ME78

330-101	10222-13	CHICAGO, ILL.	W6-109-937
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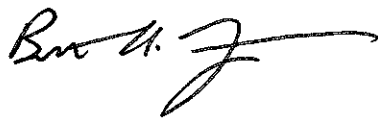
DEPARTMENT OF PUBLIC WORKS SPRINGFIELD, MISSOURI GALLOWAY PLAZA SUBDIVISION STORMWATER POLLUTION PLAN DETAILS LONE PINE/AVE & ALLEN ST	
APPROVED BY _____ DIRECTOR OF PUBLIC WORKS	DATE _____ _____

DATE: 2/6/2015

TO: Bob Hosmer, Principal City Planner
FROM: Brett Foster, P.E.

SUBJECT: Extension of City Contract # 2014-0375
NAME: Galloway Plaza
AMOUNT: \$76,038.50

This serves as notice that Public Works-Construction agrees to the extension of the Letter of Credit (LOC) for Galloway Plaza for One (1) year. As of today, no work has been completed on this development and the extension of the LOC does not adversely affect the City. At this time the LOC is secured through Liberty Bank with David D. Petiford, Senior Vice-President (417) 875-5200 as contact. The Developer is Billy Jalili 490 North Pearson Creek Lane, Springfield, MO 65802 (417) 861-1500. This agreement covers Streets, Sidewalks, and a Drainage Facility.



Brett Foster, P.E.
Principal Engineer
City of Springfield
Public Works-Construction Inspection
1010 W. Chestnut St.
Springfield, MO 65802
(417) 864-1937

Department of Public Works
Busch Municipal Building • 840 Boonville Avenue, P.O. Box 8368
Springfield, Missouri 65801 • 417-864-1901 • springfieldmo.gov

