

One-rdg. \_\_\_\_\_  
P. Hrngs.   X    
Pgs.   18    
Filed:   06-21-16  

Sponsored by:   Schilling  

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

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

COUNCIL BILL NO.   2016- 148  

SPECIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 APPROVING the mapping of the East West Arterial, generally located between US  
2 Highway 65 and Riverbluff Boulevard to Kissick Avenue, pursuant to  
3 Section 11.10 of the City Charter of the City of Springfield, Missouri in  
4 order to preserve right-of-way for future public street improvements for  
5 five years. (Planning and Zoning Commission and Staff recommend  
6 approval).  
7  
8

9 WHEREAS, the East West Arterial was identified as a future primary arterial in  
10 the Springfield-Greene County Comprehensive Plan, Transportation Plan Element  
11 which was adopted June 11, 2001 and amended April 4, 2016; and  
12

13 WHEREAS, the Planning and Zoning Commission ("Commission") of the City of  
14 Springfield, Missouri, has surveyed and established the exact locations for right-of-way  
15 lines of an area within the City of Springfield to be known as the East West Arterial; and  
16

17 WHEREAS, the Commission has caused the location and lines of such area to  
18 be located upon a plat, attached hereto and incorporated herein by reference as "Exhibit  
19 C;" and  
20

21 WHEREAS, the Commission has certified to the City Council the aforementioned  
22 plat and the location of said right-of-way lines as shown on "Exhibit C," attached hereto  
23 and incorporated by reference; and  
24

25 WHEREAS, proper notice has been given that this ordinance, adopting the plat  
26 showing the location of and mapping the future street generally located between US  
27 Highway 65 and Riverbluff Boulevard to Kissick Avenue, would be considered on May 2  
28 and May 16, 2016 before final passage, as required by Section 11.10 of the Charter of  
29 the City of Springfield, Missouri; and  
30

31 WHEREAS, on May 2, 2016, the City Council remanded the East West Arterial  
32 back to the Commission and recommended that the Commission place a five year time

33 limit on the mapping of the East West Arterial and to clarify that the mapping is only for  
34 properties located within the City limits of the City of Springfield, Missouri; and  
35

36 WHEREAS, on June 9, 2016, the Commission approved the mapping of the East  
37 West Arterial with a five year limitation and with the clarification that the mapping is only  
38 for those properties within the City limits; and  
39

40 WHEREAS, the City Council has considered the plat and street locations as  
41 submitted to it and has heard discussion on said plat.  
42

43 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
44 SPRINGFIELD, MISSOURI, as follows, that:  
45

46 Section 1 – The plat of the East West Arterial between US Highway 65 and  
47 Riverbluff Boulevard to Kissick Avenue, as submitted by the Commission, is hereby  
48 accepted and adopted by the City Council, as more specifically shown on the legal  
49 descriptions of such right-of-way lines, and contained within the plat which are attached  
50 hereto, respectively, as "Exhibit B" and "Exhibit C" and are also on file in the office of  
51 the City Clerk. The East West Arterial, as shown on said plat, is hereby mapped, as  
52 provided by Section 11.10 of the Charter of the City of Springfield, Missouri.  
53

54 Section 2 – The City Clerk of the City of Springfield, Missouri, shall cause the  
55 certified copy of the plat, submitted to the Council by the Commission, to be filed in their  
56 office; and the same shall constitute the official copy of the plat of the planned East  
57 West Arterial.  
58

59 Section 3 – In the event the planned construction of the East West Arterial is not  
60 implemented within five years from the date of the passage of this ordinance, the  
61 Commission shall conduct further review of the continuing need for the mapping of said  
62 street and, if a continuing need for the East West Arterial is found, shall recertify the  
63 plats of the East West Arterial and resubmit the issue to City Council.  
64

65 Section 4 – This ordinance shall be in full force and effect from and after  
66 passage.  
67

68 Passed at meeting: \_\_\_\_\_  
69

70 \_\_\_\_\_  
71 Mayor  
72

73 Attest: \_\_\_\_\_, City Clerk  
74

75 Filed as Ordinance: \_\_\_\_\_  
76

77 Approved as to form: Achalee T. Wade, Assistant City Attorney  
78

79 Approved for Council action: , City Manager

## **EXPLANATION TO COUNCIL BILL NO: 2016-148**

FILED: 06-21-16

ORIGINATING DEPARTMENT: Planning and Development

**PURPOSE:** To adopt an ordinance to approve the mapping of the East West Arterial for five (5) years between US Highway 65/ Riverbluff Boulevard to Kissick Avenue pursuant to Article XI, Section 11.10 of the City Charter of the City of Springfield, Missouri (Planning and Zoning Commission and Staff recommend approval).

### **BACKGROUND INFORMATION: EAST WEST ARTERIAL MAPPING**

Planning and Zoning Commission held a public hearing on April 14, 2016 and approved the East West Arterial Mapping.

On May 2, 2016 the City Council remanded this item back to the Planning and Zoning Commission. City Council recommended that Commission place a five (5) year time limit on the mapping of the East West Arterial as well as clarify that the mapping is only for properties that are within the City of Springfield.

The Planning and Zoning Commission on June 9, 2016 approved the East West Arterial Mapping with the five (5) year limitation and clarified the City's authority.

The City Charter (section 11.10) gives the Planning and Zoning Commission the ability to make surveys for the exact location of new streets that have been previously included in the Major Thoroughfare Plan. When Commission certifies to the City Council that they have made such a survey; the city may by ordinance map the subject street on the official street map.

The general location of the East-West Arterial was identified as a future primary arterial in the City of Springfield-Greene County Comprehensive Plan Transportation Plan Element which was adopted on June 11, 2001 and amended on April 4, 2016.

A more detailed survey has been completed showing the exact alignment of the East West Arterial corridor "Exhibit C."

The City Council may provide by general ordinance that no permit shall be issued for any buildings or structures or any part thereof on any land located between the mapped lines of a street as shown on the official map.

**RECOMMENDATIONS:** The Planning and Zoning Commission held a public hearing on June 9, 2016, and recommended approval, by a vote of 7 to 0, to approve the East West Arterial Mapping as described in Exhibit B with a five (5) year term limit.

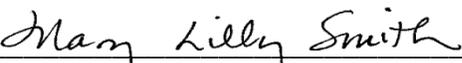
REMARKS:

The Planning and Development Staff recommends approval of the East West Arterial mapping.

Submitted by:

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

Approved by:

  
\_\_\_\_\_  
Mary Lilly Smith, Director

  
\_\_\_\_\_  
Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Survey Plat

Exhibit D, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Legal Description

Attachment 3, Aerial of Proposed Mapped Street

## Exhibit A

### RECORD OF PROCEEDINGS EAST WEST ARTERIAL MAPPING

East West Arterial Mapping  
US Highway 65/Riverbluff Boulevard  
**Applicant:** City of Springfield

Mr. Hosmer states that this is a request to approve the East West Arterial Mapping from U.S. Highway 65 and Riverbluff Boulevard to Kissick Avenue (Farm Road 169).

Planning and Zoning Commission approved the East West Arterial Mapping on April 14, 2016. On May 2, 2016 the City Council held a public hearing on the East West Arterial Mapping and decided to remand this item back to the Planning and Zoning Commission. City Council wanted Commission to consider placing a (5) five year time limit on the mapping of the East West Arterial as well as clarify that the mapping is only for properties that are within the City of Springfield. The City Charter (section 11.10) gives the Planning and Zoning Commission the ability to make surveys for the exact location of new streets that have been previously included in the Major Thoroughfare Plan. The general location of the East-West Arterial was identified as a future primary arterial in the City of Springfield-Greene County Comprehensive Plan Transportation Plan Element which was adopted on June 11, 2001 and updated March 3, 2016. The City Planning and Zoning Commission approved the preparation of preliminary designs for the alignment of the East West Arterial at their meeting on June 4, 2015. A more detailed survey has been completed showing the exact alignment of the East-West Arterial corridor (Attachment 2 and 3). The timing of the street will be limited to 5 years. The adoption of a mapped street shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes. The City Council may provide by general ordinance that no permit shall be issued for any buildings or structures or any part thereof on any land located between the mapped lines of a street as shown on the official map. The mapped alignment is only for land within the City of Springfield. City Council will consider an ordinance to include the East West Arterial on the City's official map.

Ms. Cox asked about the public meetings the East West Arterial Mapping has taken to date.

Mr. Hosmer stated that it went originally to Planning and Zoning in April and then City Council on May 2 where they had remanded it back the Planning and Zoning Commission for additional action requiring a review of the mapping if the road is not constructed within five years and only pertains to right-of-way segments in Springfield city limits.

Ms. Cox asked if anything has changed on the survey.

Mr. Hosmer stated that nothing has changed on the survey, but only where City Council wants the consideration of the five year term limit and the right-of-way segments within city limits. He also noted that the people who spoke at the April Planning and Zoning meeting have their property in the county and out of the City of Springfield jurisdiction.

Ms. Cox asked to be reminded where Christian and Greene County has there boundaries with regards to the mapping.

Mr. Hosmer went over the boundaries of the area.

Mr. Coltrin noted that the East West Arterial has been part of the Major Thoroughfare Plan available to the public for 10 years or more and that they are only reviewing a more refined centerline.

Mr. Hosmer agreed and noted some of the old alignment and noted the expense of that construction.

Mr. Rose asked about the original right-of-way and the reasoning for the alignment.

Mr. Kirk Juranas, Assistant Director of Public Works noted that none of the property has been purchased and the intent of the original developer was to narrow the right-of-way. The objective at the time was to utilize those areas for development and we don't know if that will be possible. There are significant cuts and fills in the area and the City only owns a small piece of right-of-way at the end of the roundabout and noted that the City does not own the remainder.

Mr. Ray opened the public hearing.

No speakers.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

Ms. Cox motions that we approve East West Arterial Mapping (US Highway 65/Riverbluff Boulevard). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Shuler, Cline, Cox, Coltrin, Ogilvy, and Rose. Nays: None. Abstain: Doennig (recused himself). Absent: Edwards.

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Bob Hosmer, AICP  
Principal Planner

## Exhibit B

### LEGAL DESCRIPTION EAST WEST ARTERIAL MAPPING

The description of the surveyed centerline of East West Arterial (also known as Riverbluff Boulevard), from Station 131+07.28 (a point west of Kissick Avenue) to Station 189+41.59 (the intersection of Southwood Avenue) as shown on the:

Mapping Plan  
for  
East West Arterial  
City of Springfield, Greene County, Missouri

on file with the City of Springfield Public Works Department, file #2016PW0009T and described as follows:

COMMENCING at a found iron pin at the Northeast corner of the Southwest Quarter of Section 29, Township 28 North, Range 21 West, Greene County, Missouri; thence North 86 Degrees 54 Minutes 37 Seconds West along the North line of said Quarter, a distance of 496.80 feet to a point in the same; thence departing said North line South 03 Degrees 05 Minutes 23 Seconds West, a distance of 883.49 feet to centerline station 131+07.28 for a POINT OF BEGINNING of centerline; thence South 88 Degrees 24 Minutes 23 Seconds East, a distance of 617.52 feet to centerline P.C. station 137+24.80; thence Southeastwardly along a curve to the right having a Radius of 1,050.00 feet, an Included Angle of 20 Degrees 26 Minutes 47 Seconds, a distance of 374.71 feet to centerline P.T. station 140+99.51; thence South 67 Degrees 57 Minutes 35 Seconds East, a distance of 883.75 feet to centerline P.C. station 149+83.26; thence Southeastwardly on a curve to the left having a Radius of 1,050.00 feet, an Included Angle of 50 Degrees 59 Minutes 02 Seconds, a distance of 934.32 feet to centerline P.T. station 159+17.58; thence North 61 Degrees 03 Minutes 23 Seconds East, a distance of 1,570.79 feet to centerline P.C. station 174+88.37; thence Northeastwardly on a curve to the right having a Radius of 1,900.00 feet, an Included Angle of 26 Degrees 47 Minutes 08 Seconds, a distance of 888.24 feet to centerline P.T. station 183+76.61; thence North 87 Degrees 50 Minutes 30 Seconds East, a distance of 564.98 feet to the intersection of the centerline of Southwood Avenue at station 189+41.59 and the POINT OF TERMINATION.

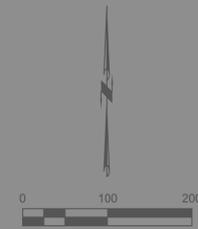
Right of way widths, slope easements, and other appurtenances are as shown on plan #2016PW0009T which is made a part of this description by reference

# Exhibit C

SPRINGFIELD

Point of commencement  
East-West Arterial Centerline  
NE Cor. SW¼ Sec. 29-28-21

N86°54'37"W  
496.80'



MATCH LINE - STA: 159+17.58 SEE SHEET 2



POINT OF BEGINNING  
East-West Arterial  
STA: 131+07.28  
Grid Northing=140626.664m  
Grid Easting=432748.784m

GREENE COUNTY

DEPARTMENT OF PUBLIC WORKS  
SPRINGFIELD, MISSOURI

Mapping of the East-West Arterial from  
Kissick to Southwood

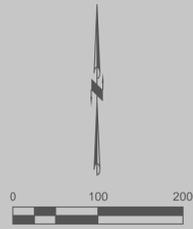
APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

SURVEYED BY: DIII	DESIGN: _____	SCALE: 1"=100'	SHEET 1 OF 2 SHEETS
FIELD BK.: _____	DRAWN: DIII	HOR: _____	FILE NO. 2016PW0009T
LEVEL BK.: _____	CHECKED: _____	VERT: _____	

GREENE COUNTY

GREENE COUNTY

SPRINGFIELD



MATCH LINE - STA: 159+17.58 SEE SHEET 1

Wings Street (o.s.)

S. Farm Rd. 175

Southwood Ave.

SW 1/4 NW 1/4  
SEC28-T28N-R21W

SE 1/4 NW 1/4  
SEC28-T28N-R21W

Mapped  
right of way

Mapped  
right of way

Mapped  
right of way

INTERSECTION  
East-West Arterial STA: 189+41.59=  
Southwood Avenue STA: 23+61.76  
Grid Northing=140823.769m  
Grid Easting=434422.195m

R=1900.00  
L=888.24'  
Delta=26°47'08"  
CH=N74°26'55"E  
CL=880.17

City of Springfield  
Bk. 2012  
Pg. 023271-12  
Right of way, slope  
easement and temp.  
const. easement.

City of Springfield  
Bk. 2012  
Pg. 023271-12  
Right of way, slope  
easement and temp.  
const. easement.

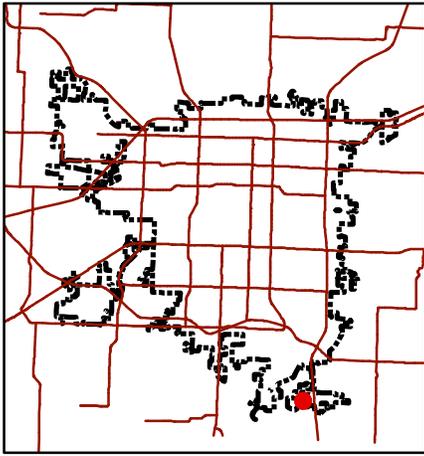
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SPRINGFIELD, MISSOURI

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Kissick to Southwood

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

SURVEYED BY: DIII DESIGN: \_\_\_\_\_ SCALES: SHEET 2  
FIELD BK.: \_\_\_\_\_ DRAWN: DIII HOR: 1"=100' OF 2 SHEETS  
LEVEL BK.: \_\_\_\_\_ CHECKED: \_\_\_\_\_ VERT: \_\_\_\_\_ FILE NO. 2016PW0009T

**Exhibit D**

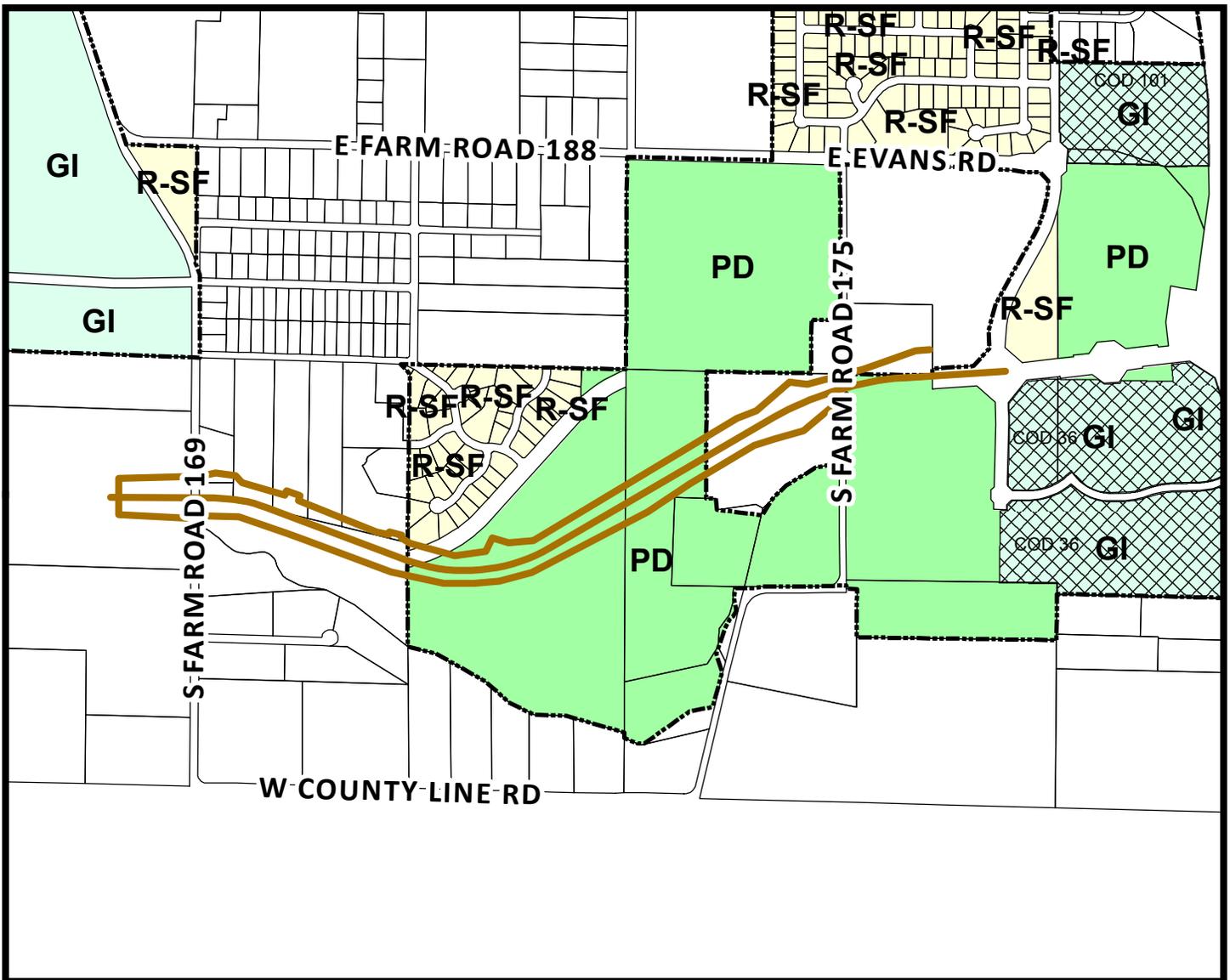


Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802

### East West Arterial Mapping

LOCATION: US Highway 65/ Riverbluff Blvd to Kissick Ave.  
CURRENT ZONING: NA  
PROPOSED ZONING: NA

#### LOCATION SKETCH



- Area of Proposal



1 inch = 1,000 feet

DEVELOPMENT REVIEW STAFF REPORT  
EAST WEST ARTERIAL MAPPING

DATE: May 25, 2016

LOCATION: US Highway 65 and Riverbluff Boulevard to Kissick Avenue  
(Farm Road 169)

APPLICANT: City of Springfield

EXISTING USE: Agricultural uses, single family residential and undeveloped  
vacant land

RECOMMENDATION: The request be **approved**.

PURPOSE:

1. To approve the mapping of the East West Arterial alignment located between US Highway 65 and Riverbluff Boulevard to Kissick Avenue (Farm Road 169), implement a 5 year time limit on the mapping and to clarify that the mapping only applies to property currently within the City of Springfield.

FINDINGS:

1. The City Charter (section 11.11) gives the Planning and Zoning Commission the ability to make surveys for the exact location of new streets that have been previously included in the Major Thoroughfare Plan. When Commission certifies to the City Council that they have made such a survey; the City may by ordinance map the subject street on the official street map.
2. The East West Arterial is generally located between US Highway 65/ Riverbluff Boulevard on the east and Kissick Avenue/ Farm Road 169 on the west.
3. The general location of the East West Arterial was identified as a future primary arterial in the City of Springfield-Greene County Comprehensive Plan Transportation Plan Element which was adopted on June 11, 2001.
4. The City Planning and Zoning Commission approved the preparation of preliminary designs for the more detailed alignment of the East West Arterial at their meeting on June 4, 2015.
5. On February 4, 2016, the Planning and Zoning Commission amended the City of Springfield-Greene County Comprehensive Plan Transportation Plan Element Major Thoroughfare plan which included the new general alignment of the primary arterial.

6. A more detailed survey has been completed showing the exact alignment of the East West Arterial corridor (Attachment 2 and 3). The Commission's estimate of the time within which the land shown on the survey for the East West Arterial should be acquired for street purposes shall be (5) five years. In the event that plans for the East West Arterial are not implemented within (5) five years from the date of the passage of the ordinance, the Planning and Zoning Commission shall conduct further review of the continuing need for the East West Arterial and shall report its findings to the City Council.
7. The adoption of a mapped street shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes.
8. The City Council may provide by general ordinance that no permit shall be issued for any buildings or structures or any part thereof on any land located between the mapped lines of a street as shown on the official map of the City of Springfield.
9. The public can view the exact alignment plans in the City of Springfield Public Works Department, file #2016PW0009T.

ATTACHMENT 1  
BACKGROUND REPORT  
EAST WEST ARTERIAL MAPPING

APPLICANT'S PROPOSAL:

The City of Springfield proposes to map the alignment of that portion of the East West Arterial located between US Highway 65 and Riverbluff Boulevard to Kissick Avenue (Farm Road 169) that lies within the city limits. The City Council may provide by general ordinance that no permit shall be issued for any buildings or structures or any part thereof on any land located between the mapped lines of a street as shown on the official map.

STAFF COMMENTS:

1. The Planning and Zoning Commission held a public hearing on April 14, 2016 and recommended approval of the East West Arterial Mapping.
2. On May 2, 2016 the City Council held a public hearing on the East West Arterial Mapping and decided to remand this back to the Planning and Zoning Commission. City Council wanted Commission to place a (5) five year time limit on the mapping of the East West Arterial as well as clarify that the mapping is only for properties that are within the City of Springfield.
3. The Planning and Zoning Commission shall have the power to make or cause to be made surveys for the exact location of the lines of new streets and to make and certify to the Council the location of the street lines as the planned or mapped lines of future streets together with the commission's estimate of the time period within which the land shown on the plat or street locations should be acquired for street purposes.
4. The Council may by ordinance establish an official map of the City, on which shall be shown and indicated:
  - a. All public streets existing and established by law at the time of the establishment of the official map.
  - b. All planned streets or street lines as located on plats adopted by Council in accordance with the provisions of [Section 11.11](#) of this Charter at the time of the establishment of the map.
  - c. All streets or street lines as located on final or recorded plats of subdivisions approved by the Planning and Zoning Commission at the time of the establishment of the map. The placing of any street or street lines upon the official map shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes. The Council may in the same manner place upon the official map the location of existing or planned parks or other public open spaces (City Code 11.11).

5. Any modification of such mapping shall before passage be submitted to the Planning and Zoning Commission and either approved by it or, if disapproved, be approved by a favorable vote of the City Council (City Code 11.11).
6. City Council will consider an ordinance on June 27, 2016 to include the East West Arterial on the City's official map. If adopted, the official map will be amended to include the location of the EW Arterial.
7. The public can view the plans as set forth by the City by going to the Public Works Department file number 9PS6179. The City will continue to map the East West Arterial as additional properties along the alignment are annexed into the City.

**PUBLIC COMMENTS:**

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 record owners of land on or abutting the future street lines designated on the East West Arterial. Fifteen (15) record owners of land on or abutting the future street lines designated on the East West Arterial were notified by mail of this request.

**CITY COUNCIL MEETING:**

June 27, 2016

**STAFF CONTACT PERSON:**

Bob Hosmer, AICP  
Principal Planner

ATTACHEMNT 2  
EAST WEST ARTERIAL MAPPING  
LEGAL

The description of the surveyed centerline of East West Arterial (also known as Riverbluff Boulevard), from Station 131+07.28 (a point west of Kissick Avenue) to Station 189+41.59 (the intersection of Southwood Avenue) as shown on the:

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SPRINGFIELD

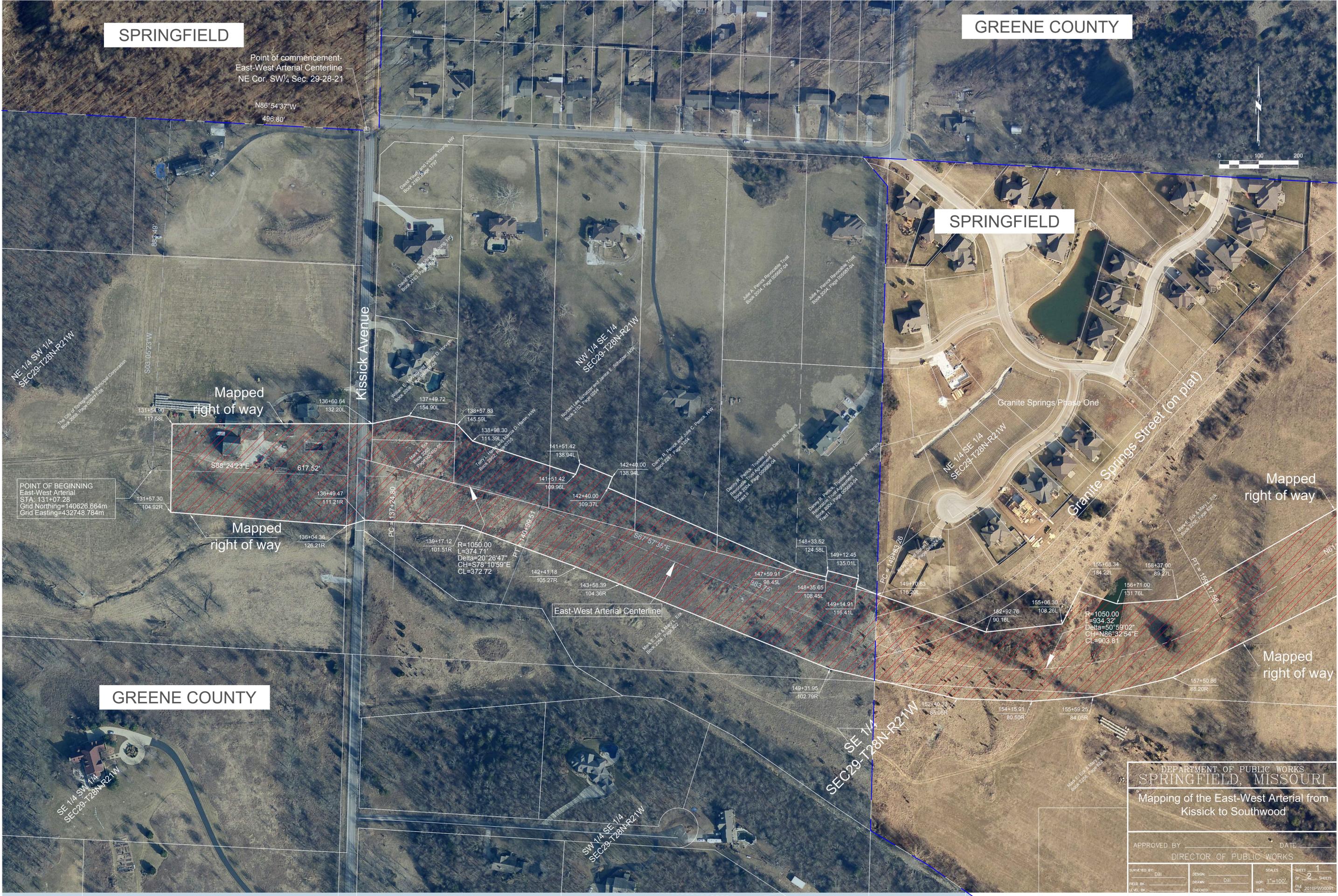
GREENE COUNTY

Point of commencement-  
East-West Arterial Centerline  
NE Cor. SW¼, Sec. 29-28-21

N86°54'37"W  
496.80'



SPRINGFIELD



POINT OF BEGINNING  
East-West Arterial  
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Grid Northing=140626.664m  
Grid Easting=432748.784m

Mapped  
right of way

Mapped  
right of way

Mapped  
right of way

Mapped  
right of way

GREENE COUNTY

DEPARTMENT OF PUBLIC WORKS  
SPRINGFIELD, MISSOURI  
Mapping of the East-West Arterial from  
Kissick to Southwood

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

SURVEYED BY: DJH	DESIGN: DJH	SCALE: 1"=100'	SHEET 1 OF 2 SHEETS
FIELD BK: _____	DRAWN: _____	HOR: _____	FILE NO. 2016P-W0009T
LEVEL BK: _____	CHECKED: _____	VERT: _____	

GREENE COUNTY

GREENE COUNTY

SPRINGFIELD



INTERSECTION  
 East-West Arterial STA: 189+41.59=  
 Southwood Avenue STA: 23+61.76  
 Grid Northing=140823.769m  
 Grid Easting=434422.195m

Mapped right of way

Mapped right of way

Mapped right of way

DEPARTMENT OF PUBLIC WORKS  
 SPRINGFIELD, MISSOURI

Mapping of the East-West Arterial from  
 Kissick to Southwood

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 DIRECTOR OF PUBLIC WORKS

SURVEYED BY: DIII	DESIGN: DIII	SCALE: 1"=100'	SHEET 2 OF 2 SHEETS
FIELD BK:	DRAWN:	NO.:	FILE NO. 2016PWB008T
LEVEL BK:	CHECKED:	VERT:	