

One-rdg. _____
P. Hrngs. _____
Pgs. 14
Filed: 10-25-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 242

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Section 1-9 of the Springfield City Code, 'City Limits,' by annexing
2 approximately 4.7 acres of Greene County right-of-way into the City of
3 Springfield, Missouri, generally located between the 2700 and 3000 blocks
4 of West Republic Street, generally referenced as Annexation A-2-16; and
5 amending the Springfield City Code, Chapter 46, Section 46-1,
6 'Boundaries of wards, precincts and council zones,' by adding this
7 property to the ward and precinct assigned them by the County Clerk.
8
9

10 WHEREAS, a verified petition requesting annexation was filed by the owners of
11 all fee interests of record in all tracts of real property located within the area proposed to
12 be annexed, as described in "Exhibit A" attached hereto; and
13

14 WHEREAS, said petition was presented to the City Council more than fourteen,
15 but less than sixty days prior to the public hearing thereon; and
16

17 WHEREAS, proper notice was published at least seven days prior to the public
18 hearing; and
19

20 WHEREAS, the City Council now makes a determination regarding the
21 annexation of said real property.
22

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

26 Section 1 – The City Council, after holding a public hearing, hereby determines
27 that the annexation of the property described in "Exhibit A" and depicted in "Exhibit B,"
28 each attached hereto and incorporated herein by this reference, is reasonable and
29 necessary to the proper development of the City, and the City has the ability to furnish
30 normal municipal services to the area annexed within a reasonable time.
31

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

34 Section 3 – Section 1-9, 'City Limits,' is hereby amended by adding thereto the
35 land described in "Exhibit A," generally located between the 2700 and 3000 blocks of
36 West Republic Street, and contiguous to the city limits, which land shall be in addition to
37 all territory included within the corporate limits of the City.

38
39 Section 4 – Section 46-1, 'Boundaries of wards, precincts and council zones,' is
40 hereby amended by placing the property described on "Exhibit A" into the appropriate
41 ward and precinct as determined by the County Clerk in accordance with State law.

42
43 Section 5 – The City Clerk is directed to: (1) file three certified copies of this
44 annexation ordinance with the Clerk of Greene County; and (2) forward to the Missouri
45 Director of Revenue by U.S. registered mail or certified mail, a certified copy of this
46 Ordinance, accompanied by a map of the City clearly showing the territory added
47 thereto, and any other information that the Director of Revenue may require.

48
49 Section 6 – This Ordinance shall be in full force and effect from and after
50 passage.

51
52 Passed at meeting: _____

53
54
55 _____
56 Mayor

57 Attest: _____, City Clerk

58
59 Filed as Ordinance: _____

60
61 Approved as to form: Achalee J. Wicker, Assistant City Attorney

62
63 Approved for Council action: Greg Burnett, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 242

FILED: 10-25-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to annex approximately 4.7 acres of Greene County right-of-way into the City of Springfield, generally located in the 2700-3000 blocks of West Republic Street, generally referenced as Annexation A-2-16.

BACKGROUND INFORMATION: Greene County has petitioned the City of Springfield to annex right-of-way to be included within the corporate limits of the City of Springfield, Missouri, pursuant to Section 71.012, RSMo. This request includes the right-of-way of West Republic Street from Glenn Avenue to Golden Avenue and a small portion of Homewood Avenue ("Exhibit A"), which was part of a cost share agreement with Greene County in 2014 to widen the street to 5 lanes ("Exhibit B"). Currently, Republic Street in this area is maintained by Greene County.

The annexation of this right-of-way will fill in a gap between City boundaries along Republic Street. It will create a more logical boundary between the City and County and eliminate confusion between emergency responders.

An island of unincorporated Greene County will be created with this annexation which contains three separate properties at 4115, 4131 and 4193 S. Glenn Avenue. As required by state law, these property owners will receive notification of the annexation and an opportunity to be annexed in the future if desired.

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 (see "Exhibit B Attachment 2," Annexation Schedule).

City Council initiated this annexation request on October 3, 2016.

The annexation is consistent with the *Growth Management and Land Use Plan* of the *Comprehensive Plan*.

The annexation supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors.

STAFF RECOMMENDATIONS:

1. The area to be annexed is contiguous to the City of Springfield.

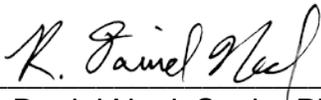
2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.

REMARKS:

The area to be annexed ("Exhibit A") is contiguous to the City of Springfield. See "Exhibit B" for the location of the right-of-way to be annexed.

Staff recommends approval of the annexation.

Submitted by:



R. Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department and Agency Review

Attachment 2, Annexation Schedule

Exhibit A

STREET RIGHT-OF-WAY DESCRIBED AS FOLLOWS:

ALL THAT PART OF SECTIONS 9 AND 16, TOWNSHIP 28 NORTH, RANGE 22 WEST, LOCATED IN GREENE COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 9;

THENCE NORTH 88°42'07" WEST, ALONG THE SECTION LINE, A DISTANCE OF 74.68 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 03°29'36" WEST A DISTANCE OF 66.78 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF REPUBLIC ROAD, ALSO KNOWN AS STATE HIGHWAY M, AS IT NOW EXIST;

THENCE NORTH 88°34'45" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 114.34 FEET;

THENCE NORTH 84°34'02" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 165.12 FEET;

THENCE NORTH 89°01'47" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 161.68 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 443.95 FEET;

THENCE SOUTH 46°48'51" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.80 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GLENN AVENUE;

THENCE SOUTH 83°53'54" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.55 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GLENN AVENUE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 43°10'36" WEST, ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 42.05 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 632.60 FEET;

THENCE SOUTH 46°59'30" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.95 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HILLCREST AVENUE;

THENCE NORTH 88°41'50" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 55.01 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HILLCREST AVENUE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 43°00'04" WEST, ALONG SAID SOUTH RIGHT OF WAY, A DISTANCE OF 41.92 FEET;

THENCE NORTH 88°41'50" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 15.20 FEET;

THENCE SOUTH 81°33'46" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 284.70 FEET;

THENCE WESTERLY A DISTANCE OF 384.76 FEET, ALONG SAID RIGHT OF WAY, ALONG A 1181.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHICH HAS A CENTRAL ANGLE OF 18°40'00" AND A CHORD WHICH BEARS NORTH 89°06'13" WEST A DISTANCE OF 383.06 FEET;

THENCE SOUTH 66°12'05" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 51.91 FEET;

THENCE NORTH 72°07'20" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 6.13 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GOLDEN AVENUE, ALSO KNOWN AS FARM ROAD 135;

THENCE SOUTH 17°52'40" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 53.38 FEET;

THENCE NORTH 89°53'56" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 175.71 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID GOLDEN AVENUE;

THENCE NORTH 43°18'05" WEST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 140.09 FEET TO A POINT OF THE SOUTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 03°15'20" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 123.80 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE NORTH 46°49'03" EAST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 120.64 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GOLDEN AVENUE;

THENCE NORTH 10°55'46" EAST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 19.14 FEET;

THENCE NORTH 89°58'02" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 107.52 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GOLDEN AVENUE;

THENCE SOUTH 43°10'56" EAST, ALONG THE EXISTING RIGHT OF WAY, A DISTANCE OF 104.39 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 88°43'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 85.00 FEET;

THENCE SOUTH 74°40'54" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 103.08 FEET;

THENCE SOUTH 88°43'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 500.00 FEET;

THENCE SOUTH 83°00'26" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 82.35 FEET;

THENCE NORTH 45°55'04" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 39.90 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HILLCREST AVENUE;

THENCE SOUTH 88°36'36" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 60.13 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HILLCREST AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 38°20'18" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 39.16 FEET;

THENCE SOUTH 88°40'12" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 204.91 FEET;

THENCE NORTH 89°27'45" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 147.68 FEET;

THENCE SOUTH 88°38'14" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 84.19 FEET;

THENCE NORTH 46°44'37" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 45.07 FEET TO A POINT ON THE WEST RIGHT OF WAY OF GLENN AVENUE;

THENCE NORTH 87°18'10" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.17 FEET TO A POINT ON THE EAST RIGHT OF WAY OF GLENN AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 43°13'51" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 49.44 FEET;

THENCE SOUTH 88°38'19" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 373.82 FEET;

THENCE NORTH 02°03'55" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 5.63 FEET;

THENCE SOUTH 88°41'50" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 232.56 FEET;

THENCE NORTH 46°33'02" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 42.03 FEET TO A POINT ON THE WEST RIGHT OF WAY OF HOMEWOOD AVENUE;

THENCE SOUTH 82°28'26" EAST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 50.58 FEET TO A POINT ON THE EAST RIGHT OF WAY OF HOMEWOOD AVENUE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SAID REPUBLIC ROAD;

THENCE SOUTH 43°25'11" EAST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 42.36 FEET;

THENCE SOUTH 88°38'14" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 355.85 FEET;

THENCE SOUTH 01°17'53" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 35.09 FEET TO THE **POINT OF BEGINNING**;

EXCEPT ANY PART THEREOF PREVIOUSLY ANNEXED BY:

GENERAL ORDINANCE NUMBER: 4587;

GENERAL ORDINANCE NUMBER: 4889;

GENERAL ORDINANCE NUMBER: 5214;

GENERAL ORDINANCE NUMBER: 5255;

GENERAL ORDINANCE NUMBER: 5938,

GENERAL ORDINANCE NUMBER: 6250, INTO THE CITY OF SPRINGFIELD, MISSOURI.

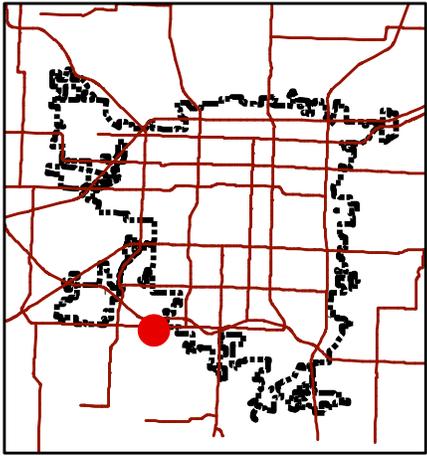
CONTAINING 4.7 ACRES MORE OR LESS.

Development Review Staff Report

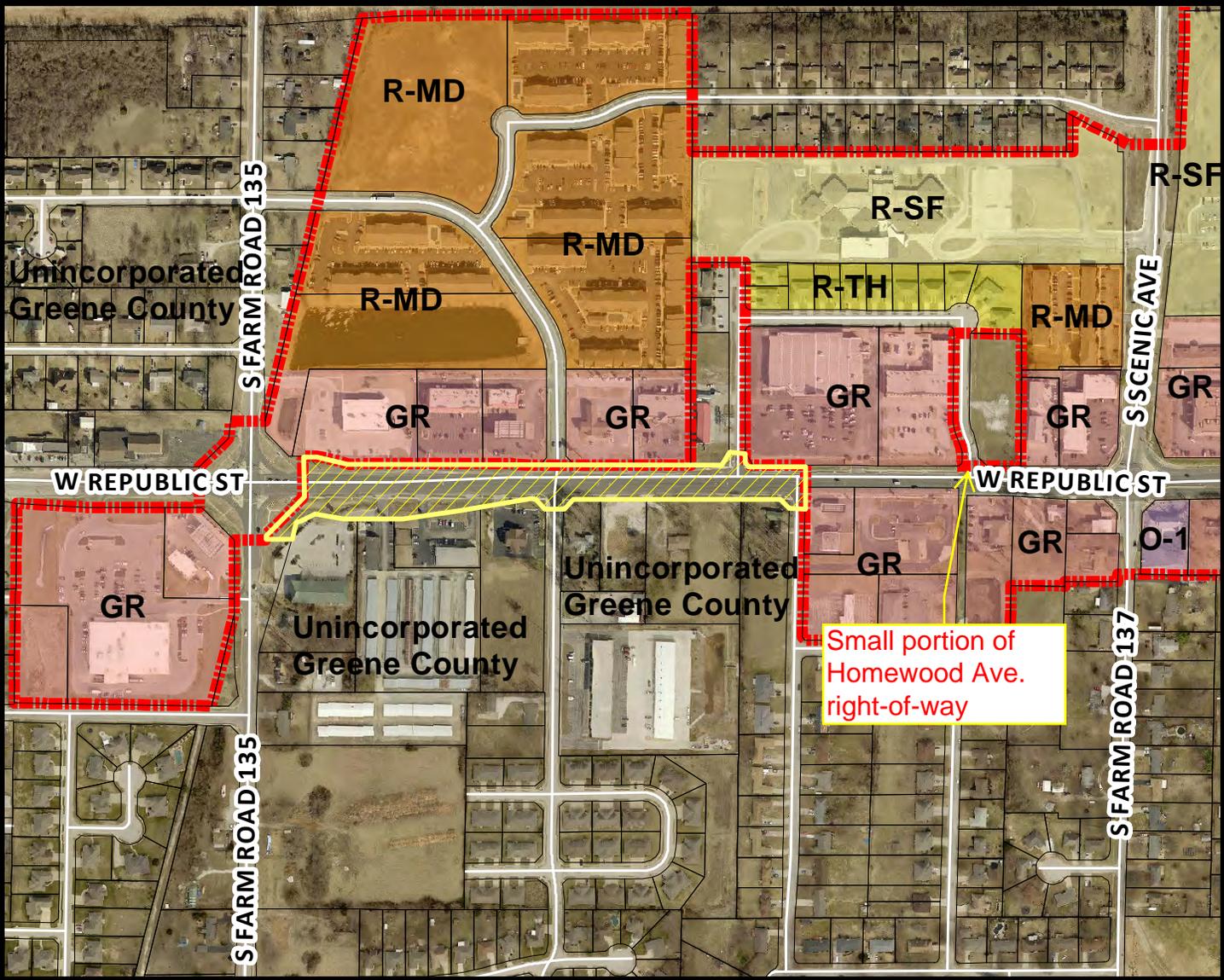
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Annexation A-2-16

LOCATION: 2700-3000 block W. Republic St.
CURRENT ZONING: N/A



LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

DEVELOPMENT REVIEW STAFF REPORT
ANNEXATION A-2-16

TRACT DESCRIPTION:

The legal description of the property involved in annexation A-2-16 is attached as Exhibit A.

EXISTING LAND USE:

The subject right-of-way is currently being used for Republic Street and other public utilities.

CURRENT ZONING:

Public right-of-way does not have a zoning classification.

COMPREHENSIVE PLAN:

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.

ENVIRONMENTAL CONSTRAINTS:

The proposed annexation area does not contain a sinkhole and is not within a floodplain area.

STREETS AND HIGHWAYS:

This proposed annexation includes Republic Street and adjacent street intersections which are currently being maintained by Greene County.

RURAL FIRE DISTRICT JURISDICTION:

The right-of-way to be annexed is currently served by the Battlefield Fire Protection District.

ATTACHMENT 1
DEPARTMENT & AGENCY REVIEW
ANNEXATION A-2-16

FIRE DEPARTMENT:

1. **Service** – The primary Fire Station responding to this area would be Station #6 located at 2620 W Battlefield, which is 1.67 miles from the NE corner of the property. Fire Station #9 located at 450 W Walnut Lawn is the secondary station responding to this location, which is 2.93 miles from the NE corner of the property.
2. **ISO area** – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by just over 3/16th of a mile for the 1st due unit. ***This is not significantly greater than the ISO recommendation, so it will not have a significant impact on our ISO rating.***
3. **Response times/Standards of Cover** – Estimated response time was calculated by actual driving time under normal driving conditions. The 1st due company has an estimated total response time of 6 minutes. The 2nd due company has an estimated total response time of 7 minutes and 45 seconds. It is likely the standard of coverage benchmark could be met for single company responses but it is unlikely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 2 Battalion Chiefs to arrive on scene within 11 minutes and 24 seconds. ***The department expects that it is able to meet the initial unit and the effective response force baseline and benchmarks, so it will not negatively affect our accreditation.***

| | | Estimated Total Response Time | Benchmark* | Baseline** |
|--------------------------------|---------------------|-------------------------------|-----------------------|-----------------------|
| 1 st Due Company | Station 6 | 5.5 – 6.5 minutes | 6 minutes 20 seconds | 8 minutes 13 seconds |
| Total Effective Response Force | Station 9, 8, 10, 1 | 11 – 13 minutes | 10 minutes 20 seconds | 13 minutes 18 seconds |

4. **Water Supply** – Currently there is adequate water supply to service the proposed area to be annexed. There is one hydrant on the Southeast corner of Scenic and Republic and a second hydrant 300' west of the property on Republic. Depending on the specifics of the development, additional hydrants may be required. ***The Fire Department does not have any concerns with the water supply for this 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.

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

POLICE DEPARTMENT:

Police Recommendations: No objections or impact to the PD.

SANITARY SERVICES:

No objections to annexing the right-of-way. Not all of the tracts south of here have been served by public sewer.

STORMWATER:

At this time no additional stormwater improvements will be required.

The property is located in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not required. There are natural channels along both sides of Republic Street for stormwater to drain into. There are no sinkholes on the proposed property.

| Public Works Stormwater Division | Response |
|---------------------------------------|----------------|
| Which Drainage Basin is this located? | Galloway Creek |
| Is property located in Floodplain? | No |
| Is property located on a sinkhole? | No |
| Is stormwater buyout an option? | N/A |

TRAFFIC ENGINEERING:

No traffic issues with annexing this property.

PUBLIC GROUNDS:

W. Republic – Approximately 1,542 lf of 4-lane road with center turn lane (1.46 lane miles), asphalt pavement:

The street is in good condition with curb and gutter on both sides, and approximately 2630 lf of sidewalks.

Also includes drainage infrastructure and approximately 780 lf of ditch behind the sidewalk on the south side of the street.

Using an annual maintenance cost of \$3,800 per lane mile: 1.46 lane miles * \$3800 = \$5,548 per year maintenance cost

Note: \$3,800 per lane mile is based on annual costs associated with Street Operations activities that maintain, repair, and replace a variety of typical street sections.

HEALTH DEPARTMENT:

No comments.

BUILDING DEVELOPMENT SERVICES:

No issues.

ECONOMIC DEVELOPMENT:

No significant economic impact is anticipated with this request because it is public right-of-way.

NON-CITY AGENCIES REVIEW
ANNEXATION A-2-16

CITY UTILITIES:

There will be no additional costs to City Utilities to provide services to the annexed area.

GREENE COUNTY:

The proposed annexation is consistent with City/County policies on annexation of county road right-of-way. The Greene County Highway Department supports Annexation A-2-16.

MoDOT:

MoDOT has no facilities adjacent to this area.

AT&T:

AT&T has no objections.

ATTACHMENT 2
ANNEXATION SCHEDULE
ANNEXATION A-2-16

ANNEXATION:

- Initiate annexationOctober 3, 2016
- City Council public hearing.....October 31, 2016
- City Council second reading and voteNovember 14, 2016