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P. Hrngs. \_\_\_\_\_  
Pgs. 13  
Filed: 11-22-16

Sponsored by: Fishel

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

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

COUNCIL BILL NO. 2016- 284

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

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of  
2 the public streets and easements to the City of Springfield, Missouri,  
3 as shown on the Preliminary Plat of Ironbridge Phase XIV, generally  
4 located at the 4900 block of South National Avenue, upon the  
5 applicant filing and recording a final plat that substantially conforms to  
6 the preliminary plat; and authorizing the City Clerk to sign the final plat  
7 upon compliance with the terms of this Ordinance.  
8  
9

10 WHEREAS, an original Preliminary Plat of Ironbridge Phase XIV, dated October  
11 31, 2016, is on file with the City's Department of Planning and Development; and  
12

13 WHEREAS, on November 10, 2016, the Planning and Zoning Commission  
14 approved the preliminary plat and subdivision of Ironbridge Phase XIV, generally  
15 located at the 4900 block of South National Avenue, as a subdivision of the City of  
16 Springfield, Greene County, Missouri.  
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
19 SPRINGFIELD, MISSOURI, as follows, that:  
20

21 Section 1 – The City Council hereby authorizes the Director of Planning and  
22 Development to accept the land and easements dedicated to the City for public use as  
23 shown on the Preliminary Plat of Ironbridge Phase XIV, generally located at the 4900  
24 block of South National Avenue, as approved by the Planning and Zoning Commission,  
25 the original of which is on file in the City's Department of Planning and Development  
26 ("Approved Preliminary Plat"), a reduced version of which is attached hereto and  
27 incorporated herein by this reference as "Exhibit B," upon the applicant filing and  
28 recording a final plat in accordance with the Subdivision Ordinance of the City of  
29 Springfield, Missouri, which plat shall substantially conform to the Approved Preliminary  
30 Plat, including those conditions established by the Planning and Zoning Commission,  
31 which conditions are described in the explanation sheet to this Ordinance, a copy of  
32 which is attached hereto and incorporated herein, and hereby authorizes acceptance of  
33 the public improvements required by this Ordinance and the Subdivision Ordinance of

34 the City, upon the City's Director of Public Works certifying to the City's Director of  
35 Planning and Development and the City Clerk that the public improvements have been  
36 made in accordance with City standards and specifications.  
37

38 Section 2 – The final plat shall not be recorded until the public improvements  
39 relating to the Approved Preliminary Plat, shall have been constructed by the person or  
40 party subdividing the property according to the specifications of the City of Springfield,  
41 Missouri, and are approved by the City's Director of Public Works; and provided that  
42 said party shall have paid to the City all engineering fees, permit fees, licenses, and  
43 other fees occasioned by the construction of the Improvements; or, in lieu of the  
44 construction of the Improvements, that the Applicant has filed with the City Manager,  
45 according to the terms of the Subdivision Ordinance of the City, the prescribed financial  
46 assurances to insure the construction of the Improvements, and the payment to the City  
47 of all engineering fees, permit fees, licenses, and other fees occasioned or which will be  
48 occasioned by the construction of the Improvements.  
49

50 Section 3 – Upon compliance with all the requirements of this Ordinance, the City  
51 Clerk is hereby authorized to endorse the Council's approval upon the final plat  
52 pursuant to Section 445.030, RSMo.  
53

54 Section 4 – Should said parties fail to submit a final plat for the subdivision or  
55 portion thereof which substantially conforms to the preliminary plat within two years from  
56 the date of this Ordinance, then this Ordinance shall be of no effect and shall be  
57 considered void.  
58

59 Passed at meeting: \_\_\_\_\_  
60

61 \_\_\_\_\_  
62 Mayor  
63

64 Attest: \_\_\_\_\_, City Clerk  
65

66 Filed as Ordinance: \_\_\_\_\_  
67

68 Approved as to form: Richard T. Wadew, Assistant City Attorney  
69

70 Approved for Council action: Greg Burnett, City Manager

## EXPLANATION TO COUNCIL BILL NO: 2016- 284

FILED: 11-22-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept dedication of the public streets and easements as shown on the Preliminary Plat of Ironbridge Phase XIV generally located at the 4900 block of South National Avenue. (Staff recommends that City Council accept the public streets and easements).

### BACKGROUND INFORMATION:

- A. An original Preliminary Plat of Ironbridge Phase XIV dated October 31, 2016, is on file in the City's Department of Planning and Development. A reduced version is included for general reference as part of "Exhibit B."
- B. The Planning and Zoning Commission held a public hearing on November 10, 2016 and approved the preliminary plat by a vote of 7 to 0, 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.
  2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
    - a. Access to National Avenue is limited to the two access points on Lot 1 as specified on the plat. No direct access shall be allowed to National Avenue from Lots 2 or 3. Cross access between lots is also required as shown on the plat.
    - b. Additional easements may be required to extend gas and water mains to the building proposed on Lot 3. These can be dedicated on the final plat if the locations are known at the time of review. If not, they can be dedicated by separate instrument at a later date.
  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.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section No. 36-231 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 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of public streets and easements.

Attached for Council's information is a sketch showing the location of the plat area, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission. (Please see "Exhibit B").

The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for low-density housing; however these properties are located near a major intersection of two arterial streets. This area is located near the intersection of National and Weaver which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterial and near intersections of primary and secondary arterials.

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.

REMARKS: Staff recommends approval.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:

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

Approved by:

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

**EXHIBITS:**

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

**ATTACHMENTS:**

Attachment 1, Department Comments

Attachment 2, Preliminary Plat

**Exhibit A**

**RECORD OF PROCEEDINGS  
Planning and Zoning Commission October 13, 2016**

Preliminary Plat - Major Subdivision Ironbridge Phase XIV  
4900 blk South National Avenue

**Applicant:** Martin Property Management, LLC

Mr. Hosmer stated that this is a request to approve the plat of Ironbridge Phase XIV to subdivide approximately 7.8 acres into a three lot subdivision.

The property is currently zoned Planned Development 306, but the applicant has requested to rezone the property to construct a new nursing home facility on Lot 3. This preliminary plat is being processed concurrently with the rezoning request Planned Development 352. The preliminary plat of Ironbridge Phase XII, expired on March 15, 2014. Since all requirements of the plat were never met for the subject property, a new preliminary plat is required to be reviewed and approved by Planning and Zoning Commission and City Council. The proposed plat was reviewed by City departments All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department City Council Public Hearing October 31, 2016. Staff Recommends approval.

Mr. Ray opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis Street representing the applicant. This will be a 3 lot subdivision, access to the back lot which is adjacent to the residential. There will be two access points that would come onto National from the east and one to Weaver from the south.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

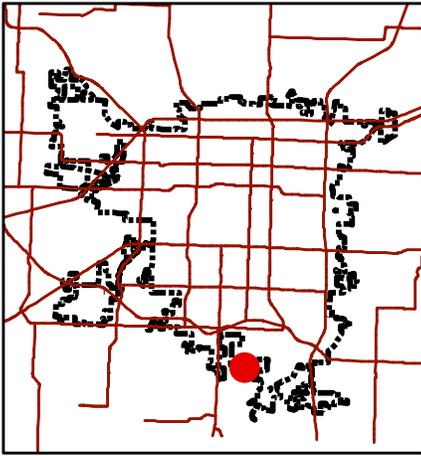
Mr. Doennig motioned to approve Preliminary Plat - Major Subdivision Ironbridge Phase XIV (4900 blk South National Avenue). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Ogilvy, Cox, Cline, Rose, and Coltrin. Nays: None. Abstain: None. Absent: Edwards and Shuler.

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Bob Hosmer, AICP  
Principal Planner

# Development Review Staff Report

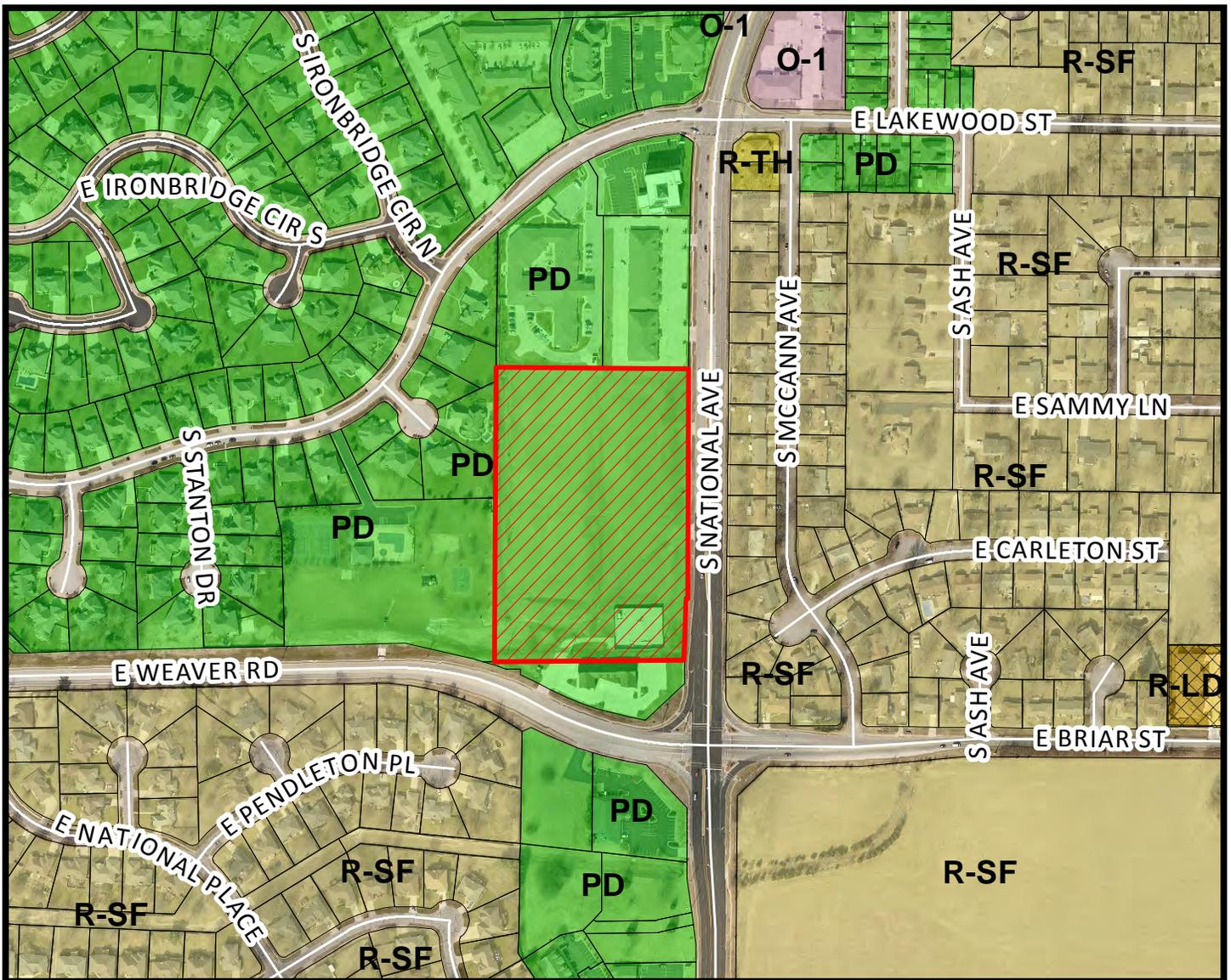
Department of Planning & Development - 417-864-1031  
840 Boonville - Springfield, Missouri 65802



## Preliminary Plat - Ironbridge Phase XIV

LOCATION: 4900 block S. National Ave.  
CURRENT ZONING: PD 306  
PROPOSED ZONING: PD 352

### LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT  
PRELIMINARY PLAT – IRONBRIDGE PHASE XIV

PURPOSE: To approve a preliminary plat to subdivide approximately 7.8 acres into a three lot subdivision

REPORT DATE: October 26, 2016

LOCATION: 4900 block S. National Avenue

APPLICANT: Martin Property Management, LLC

TRACT SIZE: Approximately 7.8 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Nursing home and other commercial uses as permitted by the PD

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission **approve** the Preliminary Plat, with the conditions listed below:

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.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
  - a. Access to National Avenue is limited to the two access points on Lot 1 as specified on the plat. No direct access shall be allowed to National Avenue from Lots 2 or 3. Cross access between lots is also required as shown on the plat.
  - b. Additional easements may be required to extend gas and water mains to the building proposed on Lot 3. These can be dedicated on the final plat if

the locations are known at the time of review. If not, they can be dedicated by separate instrument at a later date.

7. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
8. 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.
9. 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.
10. 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.

**SURROUNDING LAND USES:**

AREA	ZONING	LAND USE
North	PD 306 & 338	Office and retail uses
East	R-SF	Single-family residences
South	PD 306	Dental office
West	PD 200	Single-family residences

**HISTORY:**

The preliminary plat of Ironbridge Phase XII, which included the subject property, expired on March 15, 2014. Since all requirements of the plat were never met for the subject property, a new preliminary plat is required to be reviewed and approved by Planning and Zoning Commission and City Council.

## COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for low-density housing; however these properties are located near a major intersection of two arterial streets. This area is located near the intersection of National and Weaver which are both classified as arterial streets. Community-Scale Businesses are recommended on primary arterial and near intersections of primary and secondary arterials.

## STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 7.8 acres into a three lot office/commercial subdivision named "IRONBRIDGE PHASE XIV". The property is currently zoned Planned Development 306, but the applicant has requested to rezone the property to construct a new nursing home facility on Lot 3. This preliminary plat is being processed concurrently with the rezoning request Planned Development 352.
2. If Planning and Zoning Commission approves the preliminary plat, 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.
3. Staff recommends that a commercial lot have at least 60 feet of street frontage when possible as to plan for future street extensions and redevelopment of the site. The applicant has shown more than 60 feet of street frontage, thus staff supports this request.
4. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

CITY COUNCIL: November 28, 2016

## STAFF CONTACT:

Daniel Neal  
Senior Planner  
864-1036

ATTACHMENT 1

DEPARTMENT COMMENTS  
PRELIMINARY PLAT – IRONBRIDGE PHASE XIV

AT&T COMMENTS:

AT&T requests a 10 foot utility easement along entire north property line of Lot 1 and a 15 foot utility easement along entire lot line of Lots 2 and 3 with 7.5 feet on each side of lot line. AT&T also requests existing utility easement along east lot line of all 3 lots be called out with footage. No objections to plat otherwise.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The proposed zoning change is to add uses to the current PD. This would not affect the proposed subdivision.

CITY UTILITIES COMMENTS:

Additional easements may be required to extend gas and water mains to the building proposed on Lot 3. These can be dedicated on final plat if the locations are known at the time of review. If not, they can be dedicated by separate instrument at a later date.

FIRE DEPARTMENT COMMENTS:

No issues.

TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies National Avenue as a Primary Arterial roadway. The standard right of way width for National Avenue is 50 feet from the centerline. Additional right of way is not needed. National Avenue is a City maintained street. The most recent traffic counts on National Avenue is 12,628 vehicles per day. There are two existing driveway access points along National Avenue. There is a sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There are no bus stops along this area of National Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along National Avenue.

Public Works Traffic Division	Response
Street classification	National Avenue - Primary Arterial
On-street parking along streets	No
Trip generation - existing use	480 vehicles per day
Trip generation change - proposed use	480 vehicles per day
Existing street right of way widths	National Avenue - 50 feet from the centerline
Standard right of way widths	National Avenue - 50 feet from the centerline

Traffic study submitted	Not required
Proposed street improvements	None required

**STORMWATER COMMENTS:**

The property is located in the Ward Branch 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 applicable since regional detention is provided. Since the project will be will disturbing more than one (1) acre there will be a land disturbance permit required. There is existing regional detention southwest of the development available to discharge into. There are no sinkholes on the proposed property.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Water quality will be required if disturbing more than 1 acre.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Ward Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	NA

**CLEAN WATER SERVICES COMMENTS:**

No objection to plat. All lots have access to public sewer.

