

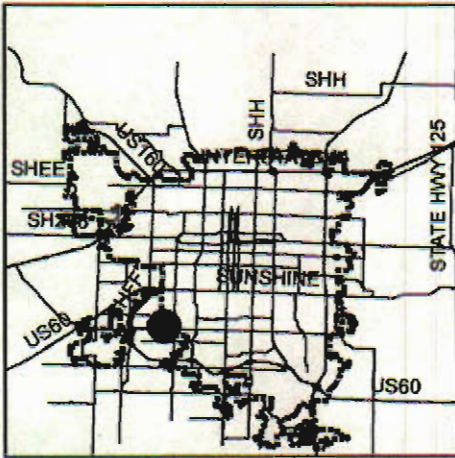
Zoning & Subdivision Report

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

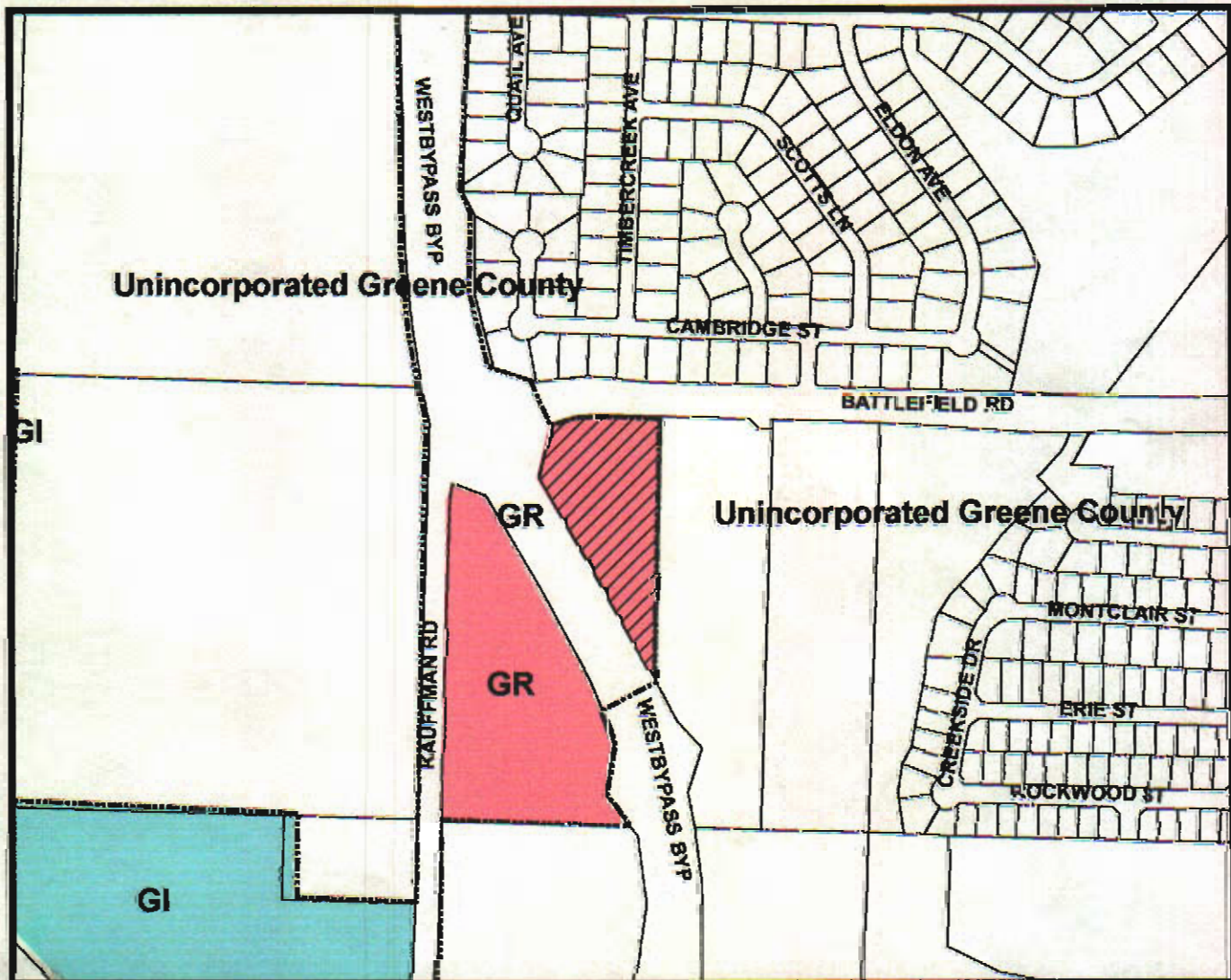
Preliminary Plat - Kum & Go No. 489

Location: 4020 W. Battlefield

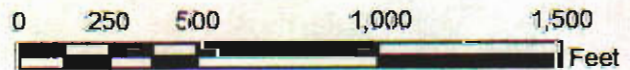
Current Zoning: GR, General Retail District



LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. _____
Filed: August 21, 2009

Sponsored by: _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2009- _____

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield as shown on renewal of the Preliminary Plat of KUM & GO No. 489, generally located at 4020 West Battlefield Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Planning and Zoning Commission has approved the Preliminary Plat. Both the Planning and Zoning Commission and staff recommend that City Council accept the public streets and easements.)

WHEREAS, on September 3, 2009, the Planning and Zoning Commission of the City of Springfield, Missouri, approved the renewal of the Preliminary Plat of KUM & GO No. 489, generally located at 4020 West Battlefield Street, as a subdivision of the City of Springfield, Greene County, Missouri.

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

Section 1 - The City Council hereby authorizes the Director of Planning and Development on behalf of the City of Springfield, Missouri to accept the land and easements dedicated to the City of Springfield for public use as shown on the renewal of the Preliminary Plat of KUM & GO No. 489, generally located at 4020 West Battlefield Street, as approved by the Planning and Zoning Commission, the original of which is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is included for general reference in "Exhibit A" upon the subdivider filing and recording a final plat in accordance with the Subdivision Ordinance of the City, which plat shall substantially conform to the Approved Preliminary Plat, including those conditions established by the Planning and Zoning Commission, which conditions are shown in the explanation to this ordinance a copy of which is attached hereto, and hereby authorizes acceptance of the public improvements required by this ordinance and the Subdivision Ordinance of the City, upon the Director of Public Works

certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications.

Section 2 - The final plat shall not be recorded until the public improvements relating to the Approved Preliminary Plat, as set out in the Explanation and the Planning and Zoning Commission report which are attached hereto and incorporated herein by reference, shall have been constructed by the person or party subdividing the property according to the specifications of the City of Springfield, Missouri, and to the approval of the Director of Public Works of the City; and provided that said party shall have paid to the City of Springfield engineering fees, permit fees, licenses and other fees occasioned by the construction of said improvements; or, in lieu of the construction of said improvements, that said parties have filed with the City Manager, according to the terms of the Subdivision Ordinance of the City, the prescribed financial assurances to insure the construction of said improvements, and the payment to the City of Springfield of all engineering fees, permit fees, licenses and other fees occasioned or which will be occasioned by the construction of the improvements.

Section 3 - That upon compliance with all the requirements of this ordinance, the City Clerk is hereby authorized to endorse the Council's approval upon the final plat pursuant to Section 445.030, RSMo.

Section 4 - That should said parties fail to submit a final plat for the subdivision or portion thereof which substantially conforms to the preliminary plat within two years from the date of this ordinance, then this ordinance shall be of no effect and shall be considered void.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

Affected Agency Notified: Yes
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required: Yes
Public Hearing: No
Sponsor:
Date: August 21, 2009

EXPLANATION TO COUNCIL BILL NO. 2009 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the renewal of the Preliminary Plat of **KUM & GO No. 489**, generally located at 4020 West Battlefield Street. (Planning and Zoning Commission has approved the Preliminary Plat. Both the Planning and Zoning Commission and staff recommend that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the renewal of the Preliminary Plat of KUM & GO No 489, dated August 19, 2009, as approved by the Planning and Zoning Commission, 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 Exhibit A.
- B. The Planning and Zoning Commission held a public hearing on September 3, 2009 and approved the proposed preliminary plat by a vote of to , subject to the following conditions:

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. Sanitary sewers shall be extended to all building sites.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

- a. No driveways are permitted to US Highway 160 (FF). Ingress-Egress access easements, as shown on the preliminary plat, are required to allow both proposed lots to access W. Battlefield Rd. Ingress-/egress easements should be at least twenty five (25) feet wide to allow for better vehicular access.
3. Detention / water quality basin is required to be platted in Common Area. According to Section 5-2300 of the Zoning Ordinance, Common Area cannot be platted as a part of an individual lot
 - a. As mentioned in the pre-subdivision comments, an as-built survey is required of the existing detention basin. This survey will certify that the volume and outlet structure of the existing facility matches the building plan for Kum N Go (BLD2008-00555). This final copy of this survey will be submitted on mylar and filed at the City. If the survey varies from the planned design, engineering calculations and public improvements will be necessary for the subdivision.
 - b. Additional drainage easements are required on Lot 2 in order to convey all of the surface runoff from Lot 1 to the detention basin.
 4. The developer shall meet all city and state erosion control regulations prior to disturbing the soil
 5. The developer shall be responsible for the relocation costs of any existing services and shall be responsible for clearing all utility easements of trees, brush, and overhanging limbs.
 6. 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 Code.
 7. 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.

All required improvements shall be the sole responsibility of the subdivider. 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 subdivider 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.

RECOMMENDATIONS:

The Planning and Zoning Commission recommends that City Council accept the public streets and easements.

Staff recommends that City Council accept the public streets and easements.

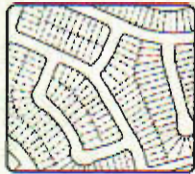
Submitted by:

Approved by:

Michael K MacPiterson

Planning and Development

City Manager



Zoning & Subdivision Report

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

PRELIMINARY PLAT – KUM & GO No. 489

DATE: August 21, 2009

PURPOSE: To approve a preliminary plat to subdivide 4.145 acres into a 2 lot commercial subdivision with a third lot dedicated as common area for storm water detention.

BACKGROUND:

LOCATION: 4020 W. Battlefield

APPLICANT: Tomar Properties Registered, LLLP

TRACT SIZE: 4.145 acres

EXISTING USE: One commercial building and vacant land.

PROPOSED USE: Two commercial lots and a third lot to be used as a common area for storm water detention.

RECOMMENDATION:

Staff recommends Planning and Zoning Commission **approve** the preliminary plat, with the conditions listed below, and recommends that City Council accept the public streets and easements.

FINDINGS:

- i. 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. Sanitary sewers shall be extended to all building sites.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No driveways are permitted to US Highway 160 (FF). Ingress-Egress access easements, as shown on the preliminary plat, are required to allow both proposed lots to access W. Battlefield Rd. Ingress-/egress easements should be at least twenty five (25) feet wide to allow for better vehicular access.
3. Detention / water quality basin is required to be platted in Common Area.

According to Section 5-2300 of the Zoning Ordinance, Common Area cannot be platted as part of an individual lot.

 - a. As mentioned in the pre-subdivision comments, an as-built survey is required of the existing detention basin. This survey will certify that the volume and outlet structure of the existing facility matches the building plan for Kum N Go (BLD2008-00555). This final copy of this survey will be submitted on mylar and filed at the City. If the survey varies from the planned design, engineering calculations and public improvements will be necessary for the subdivision.
 - b. Additional drainage easements are required on Lot 2 in order to convey all of the surface runoff from Lot 1 to the detention basin.
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. 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 Code.
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:

**Mike MacPherson
Principal Planner**

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – Kum & Go No. 489

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide 4.145 acres into a two lot commercial subdivision. A third lot is proposed as common area to be used for storm water detention.

SANITARY SEWER COMMENTS:

Both proposed lots are currently served by public sanitary sewer.

STAFF COMMENTS:

1. With the conditions of approval, the applicant's request meets the requirements of the city's Subdivision Regulations.

ATTACHMENT B
STREET SYSTEM REPORT
PRELIMINARY PLAT – Kum & Go No. 489

TRAFFIC ENGINEER COMMENTS:

1. The east-west portion of the ingress-egress easement on proposed Lot 2 should be 25 feet to allow for better vehicular access through the two 90 degree turns.

STATE DEPARTMENT OF TRANSPORTATION:

No comments.

BUILDING DEVELOPMENT SERVICES COMMENTS:

1: The fire department may require additional fire lanes to be dedicated to serve potential development on lot 2.

2: Need to verify that a minimum of 20% of lot 1 is in open space.

3: Need to verify that the exterior lighting from the existing development will meet the standards at the proposed new lot line.

4: This site will be considered a "premise" with respect to signage. Need to note this on the plat.

CITY UTILITIES COMMENTS

Main extensions will be required along with related dedication of easements.

ATTACHMENT C
DRAINAGE REPORT
PRELIMINARY PLAT – Kum & Go No 489

STORMWATER COMMENTS:

1. Detention / water quality basin is required to be platted in Common Area. According to Section 5-2300 of the Zoning Ordinance, Common Area cannot be platted as part of an individual lot.
2. As mentioned in the pre-subdivision comments, an as-built survey is required of the existing detention basin. This survey will certify that the volume and outlet structure of the existing facility matches the building plan for Kum N Go (BLD2008-00555). This final copy of this survey will be submitted on mylar and filed at the City. If the survey varies from the planned design, engineering calculations and public improvements will be necessary for the subdivision.
3. Additional drainage easements are required on Lot 2 in order to convey all of the surface runoff from Lot 1 to the detention basin.

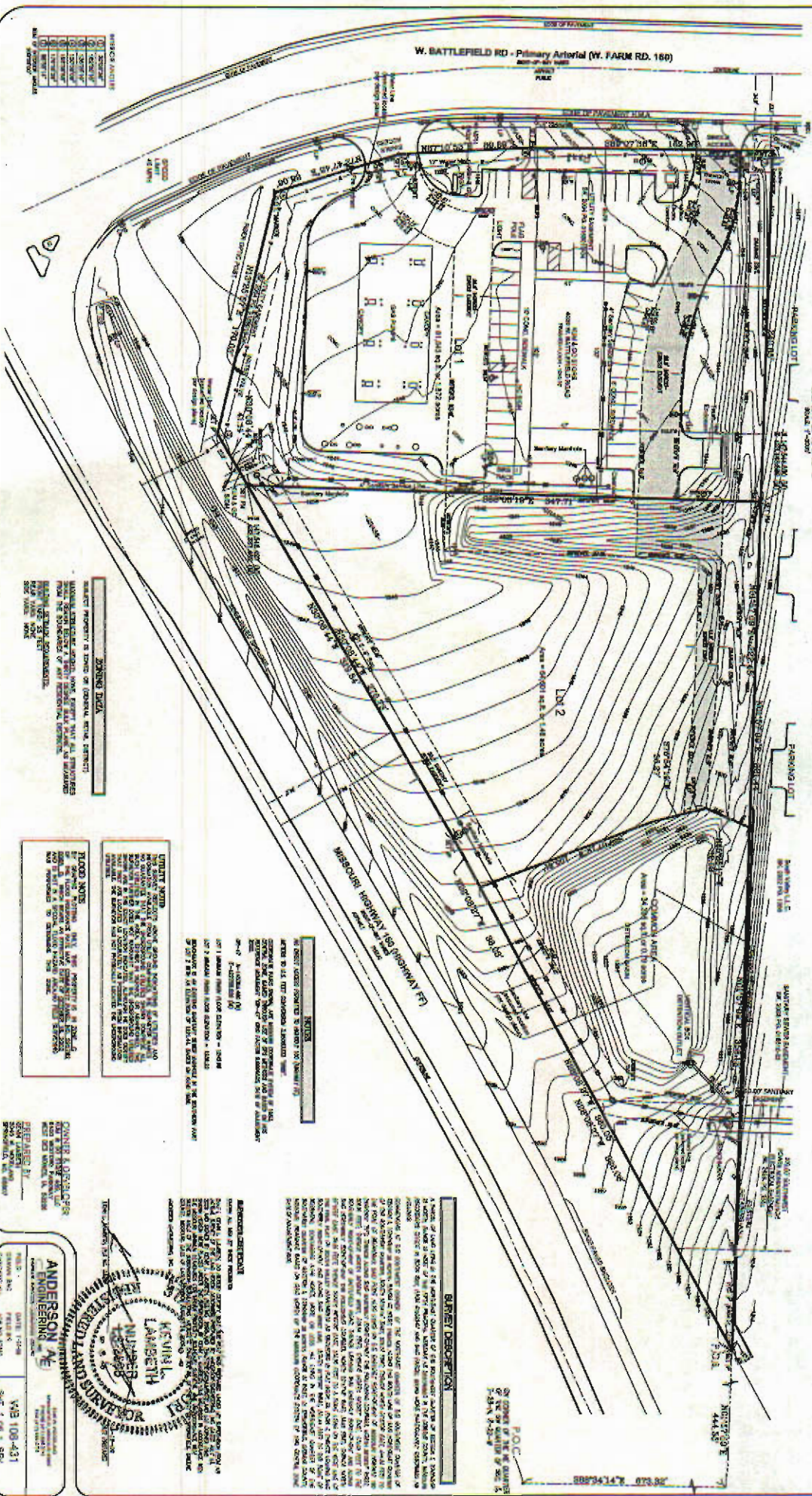
LEGEND

1	EXISTING STRUCTURES
2	PROPOSED STRUCTURES
3	PROPOSED DRIVEWAYS
4	PROPOSED SIDEWALKS
5	PROPOSED UTILITY LINES
6	PROPOSED FENCE LINES
7	PROPOSED DRIVEWAY
8	PROPOSED SIDEWALK
9	PROPOSED UTILITY LINES
10	PROPOSED FENCE LINES
11	PROPOSED DRIVEWAY
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93	PROPOSED UTILITY LINES
94	PROPOSED FENCE LINES
95	PROPOSED DRIVEWAY
96	PROPOSED SIDEWALK
97	PROPOSED UTILITY LINES
98	PROPOSED FENCE LINES
99	PROPOSED DRIVEWAY
100	PROPOSED SIDEWALK



**PRELIMINARY PLAT OF
KUM & GO NO. 489
NW 1/4 OF THE SW 1/4 OF SECTION 5, T-29-N, R-22-W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI
PRELIMINARY PLAT**

SPRINGFIELD, MISSOURI
PLAT BOOK 22, PAGE 4
LIT 1



ZONING DATA

UNLESS OTHERWISE SPECIFIED, ALL PROPOSED IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE CITY OF SPRINGFIELD, MISSOURI.

UTILITY NOTES

EXISTING UTILITY LINES ARE SHOWN ON THIS PLAN. ALL PROPOSED UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SPRINGFIELD, MISSOURI UTILITY ORDINANCES.

NOTES

1. ALL PROPOSED IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF SPRINGFIELD, MISSOURI ORDINANCES.

2. THE PROPOSED IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF SPRINGFIELD, MISSOURI ORDINANCES.

BLIND DESCRIPTION

A blind description is a legal description of a parcel of land that is based on a survey of the parcel and is not based on a plat of the parcel. A blind description is used when the owner of the parcel is unable to provide a plat of the parcel.

OWNER'S REPRESENTATIVE
KUM & GO
1234 MAIN ST.
SPRINGFIELD, MO 65801

**ANDERSON & ASSOCIATES
ENGINEERING, INC.**
1234 MAIN ST.
SPRINGFIELD, MO 65801
DATE: 1/20/20
SHEET 1 OF 1

