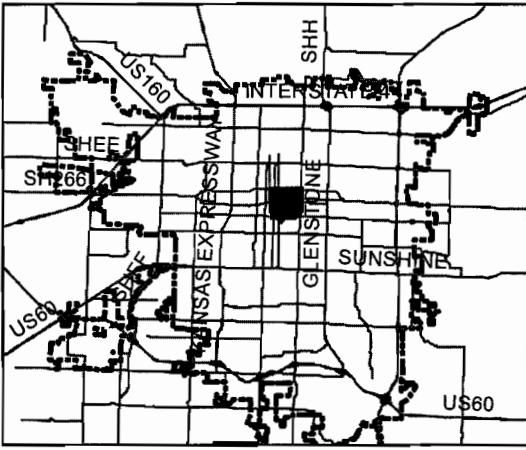


Zoning & Subdivision Report

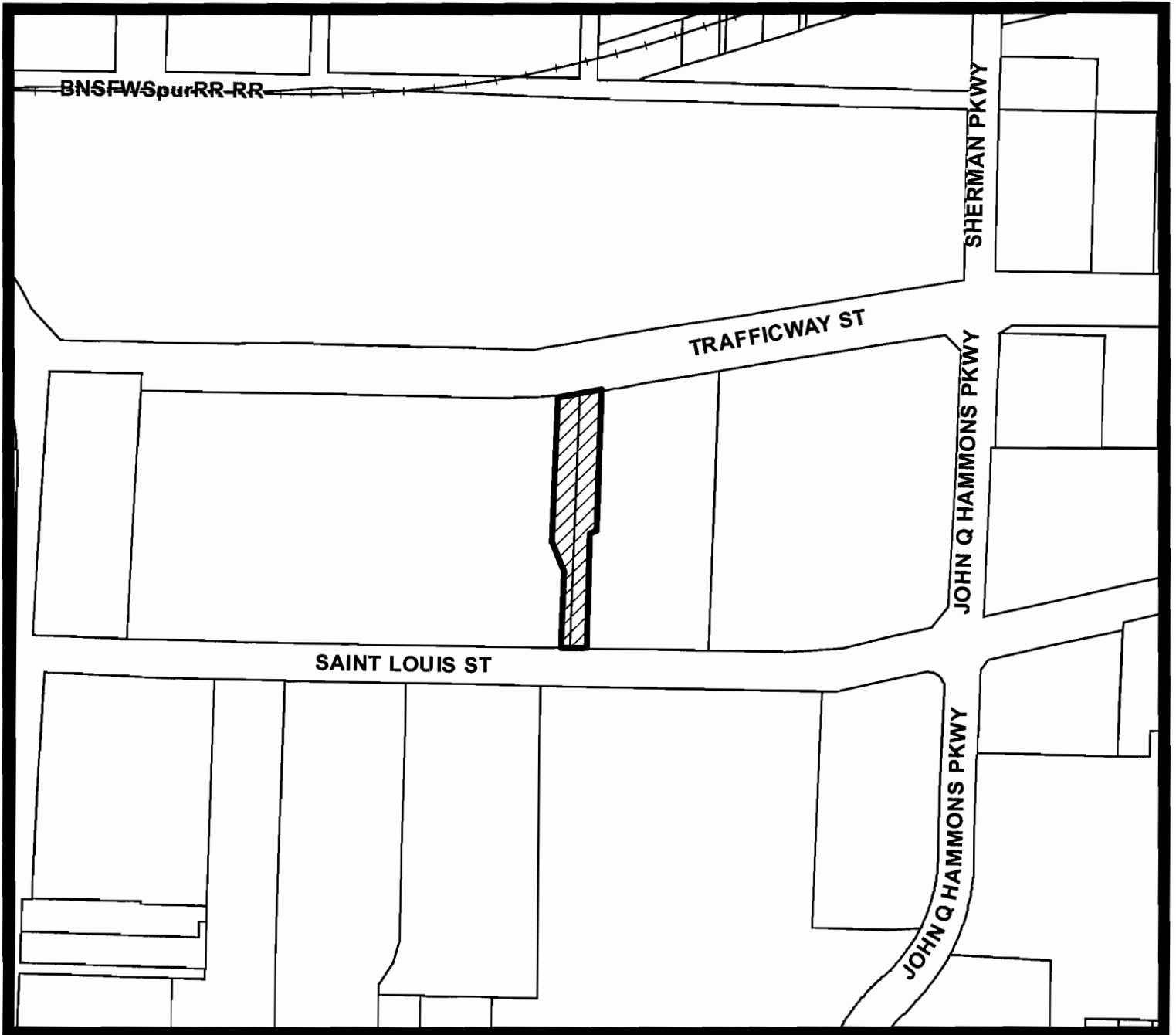
Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

Relinquish Easement #716

Location: 800 block of St. Louis Street, north side



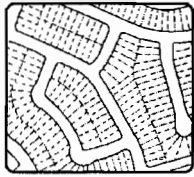
LOCATION SKETCH



- Area of Proposal



1 inch equals 240 feet



Zoning & Subdivision Report

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

RELINQUISH EASEMENT #716

DATE: September 18, 2008

PURPOSE: To relinquish a utility and ingress/egress easement and provide a replacement easement.

BACKGROUND:

LOCATION: 800 block St. Louis Street, north side

APPLICANT: City of Springfield

RECOMMENDATION:

Approval of this request

FINDINGS FOR STAFF RECOMMENDATION:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Matt D. Schaefer
Senior Planner
864-1100

ATTACHMENTS:

Attachment A - Background report
Attachment B - Approval Criteria
Exhibit I - Legal Description
Exhibit II - Survey of the Subject Property

ATTACHMENT A
BACKGROUND REPORT
RELINQUISH EASEMENT #716

APPLICANT’S PROPOSAL:

The applicant proposes to relinquish a utility and ingress/egress easement and provide a replacement easement.

HISTORY:

The utility and ingress/egress easement was dedicated on the Final Plat of Jordan Valley Park – Phase 1c, recorded in November, 2002. The easement was intended for the provision of utilities and for ingress/egress between the Jordan Valley Car Park and the formerly proposed arena (was to be constructed adjacent to the Car Park).

BUILDING AND DEVELOPMENT SERVICES:

Building and Development Services has no objections to the proposed relinquishment.

CITY UTILITIES:

CU has no objection to the relinquishment of this easement.

TRAFFIC ENGINEERING:

The requested utility and ingress-egress easement relinquishment does not affect traffic circulation or access. The original concept for the site was to provide a pedestrian walkway between the arena and the car park. The pedestrian walkway is not a priority for development of the property and area pedestrian circulation.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect utilities or restrict access to properties.
2. The utility and ingress/egress easement was dedicated in order to provide utilities and a means of ingress/egress between the Jordan Valley Car Park and the formerly proposed arena. Because an arena is no longer going to be constructed at this location, the easement is no longer necessary for providing a means of ingress/egress or for the extension of utilities.
3. Mediacom currently has underground cable located within this easement. If relinquished, a much narrower easement will be dedicated to specifically serve the underground cable.
4. Relinquishment of this easement will facilitate the sale of the Jordan Valley Car Park and the adjoining lot to the west (also known as the former arena site) to John Q. Hammons. Sale of this property is part of a development agreement the City of Springfield has entered into with the John Q. Hammons Revocable Trust and Opus Northwest, LLC, which will result in the construction of a new office building at the southwest corner of St. Louis Street and John Q. Hammons Parkway as well as a new hotel on the tract of land adjacent to the Car Park.

ATTACHMENT B
APPROVAL CRITERIA
RELINQUISH EASMENT #716

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of this easement;

STAFF RESPONSE:

No one has objected to the relinquishment of this easement.

2. The appropriate agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service, and;

STAFF RESPONSE:

The subject easement contains buried cable that is owned and maintained by Mediacom. Mediacom has indicated to Staff that the easement may be relinquished, provided that a replacement easement is dedicated or the buried cable is relocated.

3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

The easement was dedicated for the provision of utilities and as a means of ingress/egress between the Jordan Valley Car Park and the formerly proposed arena. Because an arena is no longer going to be constructed at this location, the easement is no longer necessary for providing a means of ingress/egress or for the extension of utilities.

EXHIBIT I
LEGAL DESCRIPTION
RELINQUISH EASEMENT #716

A PLATTED UTILITY & INGRESS-EGRESS EASEMENT, AS DEDICATED ON THE FINAL PLAT OF JORDAN VALLEY PARK PHASE 1C, AND NOW PARTIALLY LYING WITHIN LOT 1B OF JORDAN VALLEY PARK PHASE 2C, BOTH BEING SUBDIVISIONS IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1B; THENCE NORTH 89 DEGREES 00 MINUTES 29 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 1B, A DISTANCE OF 14.50 FEET; THENCE NORTH 00 DEGREES 58 MINUTES 40 SECONDS EAST, 124.04 FEET; THENCE NORTH 22 DEGREES 28 MINUTES 21 SECONDS WEST, 52.13 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 29 SECONDS EAST, 234.55 FEET TO THE NORTH LINE OF SAID LOT 1B; THENCE NORTH 79 DEGREES 54 MINUTES 06 SECONDS EAST, 35.39 FEET TO THE NORTHEAST CORNER OF SAID LOT 1B; THENCE NORTH 79 DEGREES 52 MINUTES 14 SECONDS EAST, ALONG THE NORTH LINE OF LOT 2 IN SAID JORDAN VALLEY PARK PHASE 1C, A DISTANCE OF 35.99 FEET; THENCE SOUTH 01 DEGREES 01 MINUTES 24 SECONDS WEST, 229.10 FEET; THENCE SOUTH 67 DEGREES 31 MINUTES 42 SECONDS WEST, 11.12 FEET; THENCE SOUTH 00 DEGREES 58 MINUTES 40 SECONDS WEST, 186.63 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 89 DEGREES 01 MINUTES 22 SECONDS WEST, ALONG SAID SOUTH LINE, 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 24,065 SQUARE FEET.

EXHIBIT II - Survey of Subject Property

SURVEY NOTES

THIS PROPERTY BOUNDARY SURVEY IS BASED ON THE PROPERTY DESCRIPTIONS IN EXHIBIT "A" OF A TITLE COMMITMENT BY LINCOLN LAND TITLE INC., FILE NO. 08-020414 DATED JULY 1, 2008 AT 8:00 AM.

THE DESCRIPTIONS OF TWO TRACTS LABELED "TRACT I" AND "TRACT II". THE TRACTS AS SURVEYED ARE LABELED HEREON.

FOR DEVELOPMENT PURPOSES, THE CITY OF SPRINGFIELD ZONING AND SUBDIVISION SERVICES CONSIDERS THE TWO TRACTS AS SEPARATE TRACTS OF RECORD. THE TITLE COMMITMENT SHOWS FEE SIMPLE INTEREST IN THE LAND AS BEING HELD BY THE CITY OF SPRINGFIELD.

SCHEDULE B - SECTION 8 OF THE TITLE COMMITMENT HAS BEEN EXAMINED. I MAKE NOTE OF THE FOLLOWING:

C. SPECIAL EXCEPTIONS. ITEM 2. EASEMENTS AS SHOWN ON THE PLAT (PLAT BOOK W/ PAGE 189) ARE SHOWN HEREON. WITH THE EXCEPTION OF A "5' PLATED BUILDING SETBACK LINE" AS NOTED BELOW UNDER "THE HAMMONS TOWER", NO SETBACK LINES ARE SHOWN ON THE PLAT. THE PROPERTY IS CURRENTLY ZONED CC - CENTER CITY DISTRICT. SETBACKS ALONG ST. LOUIS STREET AND EAST TRAFFICWAY (AS SECONDARY ARTERIAL STREETS) IS 35 FEET FROM STREET CENTERLINE.

THE ADMINISTRATIVE RE-PLAT, JORDAN VALLEY PARK - PHASE 2C (AS NOTED IN THE PROPERTY DESCRIPTION) IS NOT NOTED IN SCHEDULE B-SECTION 8. THE RE-PLAT IS RECORDED IN BOOK AAA PAGE 38 OF THE GREENE COUNTY RECORDS OFFICE. THE RE-PLAT DOES NOT SHOW ANY ADDITIONAL EASEMENTS SUFFICIENTLY DIMENSIONED ON THE RE-PLAT TO LOCATE.

THE SUBDIVISION PLATS REFERRED TO THE FOLLOWING BEING EASEMENTS (AS SHOWN HEREON) THAT ARE NOT SPECIFICALLY LISTED IN SCHEDULE B:

ELECTRIC LINE EASEMENT - BOOK 1500 PAGE 107

"THE HAMMONS TOWER" SUBDIVISION PLAT:

SCHEDULE B DOES NOT REFER TO "THE HAMMONS TOWER" SUBDIVISION, WHICH INCLUDED A PORTION OF THE SUBJECT PROPERTY (NOW A PART OF LOT 2 OF JORDAN VALLEY PARK PHASE 1C). THE "HAMMONS TOWER" SUBDIVISION, AS SHOWN ON THE SUBDIVISION PLAT, IS SHOWN AND SHOWN AS SHOWN HEREON. IS NOT SPECIFICALLY NOTED IN SCHEDULE B.

A "5' PLATED BUILDING SETBACK LINE" NOTED ON THE "HAMMONS TOWER" PLAT, AND AS SHOWN ON THE PHASE 1C SUBDIVISION PLAT, IS SHOWN HEREON. THE "HAMMONS TOWER" PLAT, NOTED ON THE "HAMMONS TOWER" PLAT, IS NOT SHOWN ON THE CURRENT SUBDIVISION PLAT AND IS THEREFORE NOT SHOWN HEREON. THE STATUS OF THE EASEMENT IS UNCERTAIN.

FLOOD ZONE DESIGNATION: ZONE C - AREA OF MINIMAL FLOODING PER FEMA FLOOD RATE INSURANCE MAP, COMMUNITY PANEL NUMBER 290149 0008 B. MAP REVISED OCT. 18, 1991.

RULE REGULATIONS PER SPRINGFIELD ZONING ORDINANCE FOR CC CENTER CITY DISTRICT:

MAXIMUM FLOOR AREA RATION: 10.0

MAXIMUM HEIGHT STRUCTURE: NONE

REQUIREMENT STRUCK FROM STREET RIGHT-OF-WAY CENTERLINE

35 FEET FROM STREET RIGHT-OF-WAY CENTERLINE

PARKING AREAS: LOT 1B - NO DESIGNATED PARKING

LOT 2 - IS OCCUPIED BY A SIX LEVEL PARKING GARAGE. NO DESIGNATED PARKING AREAS EXIST OUTSIDE THE GARAGE.

THE FOLLOWING APPARENT ENCROACHMENTS WERE FOUND TO EXIST AND ARE SHOWN HEREON:

AN UNDERGROUND ELECTRIC LINE RUNS INSIDE THE NORTH PROPERTY LINE ALONG BOTH LOTS.

A SANITARY SEWER LINE, SERVING THE HAMMONS TOWER, RUNS ACROSS THE CORNER OF LOT 2.

A CABLE TV BOX SITS ACROSS THE SOUTH PROPERTY LINE OF LOT 2, 50 FEET EAST OF THE SOUTHWEST CORNER OF LOT 2.

A CONCRETE PAV FOR A PAD MOUNTED TRANSFORMER SITUATES THE EAST PROPERTY LINE OF LOT 2 JUST SOUTH OF THE NORTHEAST CORNER.

ACCESS ISSUES: SIDEWALK ON THE EAST SIDE OF THE PARKING GARAGE AFFORDS DIRECT ACCESS TO AND FROM THE HAMMONS TOWER PRIVATE PROPERTY. NO ACCESS AGREEMENT BETWEEN THE TWO PROPERTIES WAS PROVIDED.

DOORWAYS ALONG THE EAST WALL OF THE JORDAN VALLEY EXPO CENTER BUILDING AFFORD DIRECT ACCESS TO THE SUBJECT PROPERTY. NO ACCESS AGREEMENT BETWEEN THE TWO PROPERTIES WAS PROVIDED.

UNDERGROUND COMMUNICATION LINE

COMMUNICATION MANHOLE

SANITARY SEWER LINE

SANITARY SEWER MANHOLE

5" STORM SEWER MANHOLE

REINFORCED CONCRETE PIPE

CORRUGATED METAL PIPE

CORRUGATED PLASTIC PIPE

EXISTING POST

CLEAN OUT

CONCRETE

AIR CONDITIONER

MODULAR BLOCK WALL

CROSSING GATE

KEYPAD

TRUCK BOX

CAMPY SUPPORT COLUMN

HANDRAIL

FRIGIDON CONTROL VALVE

ARBOREOUS TREE WITH SIZE

SHRUB

EXISTING MONUMENT (AS NOTED)

SET CORNER MONUMENT - CHISELED

1/2" IN CONCRETE SODIUM PIP

PLAT DISTANCE

MEASURED DISTANCE

50'X

UNDERGROUND ELECTRIC LINE

ELECTRIC METER

PAD MOUNTED TRANSFORMER

PALLETRY

UNDERGROUND WATER LINE

FIRE HYDRANT

WATER VALVE

WATER METER

UNDERGROUND GAS LINE

GAS VALVE

GAS METER

LEGEND

SURVEYOR'S CERTIFICATION

TO: CITY OF SPRINGFIELD, MISSOURI

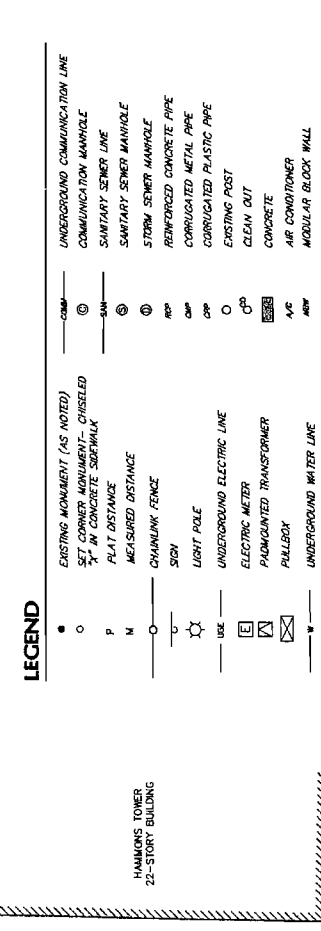
FROM: JOHN G. HAMMONS, TRUSTEE OF THE HAMMONS REVOCABLE TRUST

DATED: DECEMBER 28, 1999, AS AMENDED AND RESTATED.

LINCOLN LAND TITLE INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MISSOURI SURVEYING ACT AND THE RULES AND REGULATIONS THEREUNDER, AND THAT THE SURVEYING WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE SURVEYING PROFESSION AS ADOPTED BY ALTA AND NPS IN 2005, AND INCLUDES ITEMS 1, 3, 4, 5, 6, 7A, 8, AND 19 (LOCATION OF ADJACENT STREETS AND BUILDINGS) OF TABLE A, THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NPS IN 2005, THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY AND THE ADJACENT PROPERTIES, AND HAS FOUND THAT THE SURVEYING WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE SURVEYING PROFESSION AS ADOPTED BY ALTA AND NPS IN 2005, AND THAT THE SURVEYOR IS A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF MISSOURI, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

PETER W. STEVENS, PLS MISSOURI 24007
DATE: 7/19/08



UTILITY DISCLAIMER

INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR COMPLETE. CONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UTILITIES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND THE ADJACENT PROPERTIES, AND HAS FOUND THAT THE SURVEYING WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE SURVEYING PROFESSION AS ADOPTED BY ALTA AND NPS IN 2005, AND THAT THE SURVEYOR IS A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF MISSOURI, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

TICKET NUMBERS 81922014, 81922001, 81960115 AND 81960540 DATED 07/10/2008 & 7/14/2008.

UTILITY DATUM

CITY BM 002: NATIONAL 8 EAST TRAFFICWAY - CITY OF SPRINGFIELD

ELEVATION: 1305.56

CONTOUR INTERVAL: 1' (10.00 PER CITY OF SPRINGFIELD)

VERTICAL CONTROL NETWORK

BENCHMARK

CITY BM 002: NATIONAL 8 EAST TRAFFICWAY - CITY OF SPRINGFIELD

ELEVATION: 1305.56

SOUTH ENTRANCE

LANDSCAPED AREA

SCALE: 1" = 10'

ST. LOUIS STREET

60' RIGHT-OF-WAY

TRAFFICWAY

(R/W WIDTH VARIES)

JORDAN VALLEY PARK PHASE 1C

2.226 ACRES (98,975 SQ. FT.)

THE HAMMONS TOWER

22-STORY BUILDING

LOT 1A

2.566 ACRES (111,770 SQ. FT.)

LOT 1B

2.566 ACRES (111,770 SQ. FT.)

LOT 2

2.226 ACRES (98,975 SQ. FT.)

LOT 3

98,975 SQ. FT.

JORDAN VALLEY PARK

PHASE 1C

ST. LOUIS STREET

TRAFFICWAY

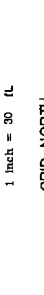
EAST TRAFFICWAY

LOT 1A

LOT 1B

LOT 2

LOT 3



GRID NORTH

PER THE FINAL PLAT OF JORDAN VALLEY PARK PHASE 1C BASED ON EXISTING MONUMENTATION ON THE EAST LINE OF LOT 2

STAMPED MEDIAN

LANDSCAPED MEDIAN

5/8" IRON PIN CAPPED LC 290

NO. 7 PAV. (CONC.)

ANGLE POINT-LOT 1B

12" DIA.

FL=130.0

ASPHALT

PARKING

SEE ACCESS NOTE

DOORWAY

FF=1301.9

JORDAN VALLEY EXPO CENTER CONCRETE BUILDING

SEE ACCESS NOTE

DOORWAY

FF=1305.1

7.5 SQUARE BLOCKS

LANDSCAPED AREA

CONC. RETAINING WALL

CRATE=1300.7

FF=1283.3

5/8" IRON PIN CAPPED LC 290

NO. 7 PAV. (CONC.)

ANGLE POINT-LOT 1A

12" DIA.

FL=130.0

ASPHALT

PARKING

SEE ACCESS NOTE

DOORWAY

FF=1301.9

JORDAN VALLEY EXPO CENTER CONCRETE BUILDING

SEE ACCESS NOTE

DOORWAY

FF=1305.1

7.5 SQUARE BLOCKS

LANDSCAPED AREA

CONC. RETAINING WALL

CRATE=1300.7

FF=1283.3

5/8" IRON PIN CAPPED LC 290

NO. 7 PAV. (CONC.)

ANGLE POINT-LOT 1B

12" DIA.

STAMPED MEDIAN

LANDSCAPED MEDIAN

5/8" IRON PIN CAPPED LC 290

NO. 7 PAV. (CONC.)

ANGLE POINT-LOT 2

12" DIA.

FL=130.0

ASPHALT

PARKING

SEE ACCESS NOTE

DOORWAY

FF=1301.9

JORDAN VALLEY EXPO CENTER CONCRETE BUILDING

SEE ACCESS NOTE

DOORWAY

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