

# Zoning & Subdivision Report

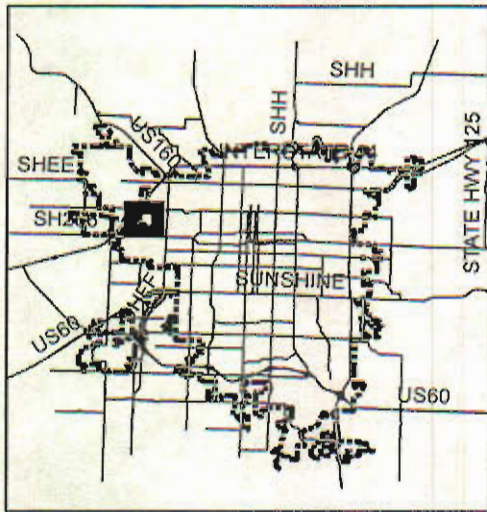
Planning & Development - 417/864-1611

840 Boonville - Springfield, Missouri 65801

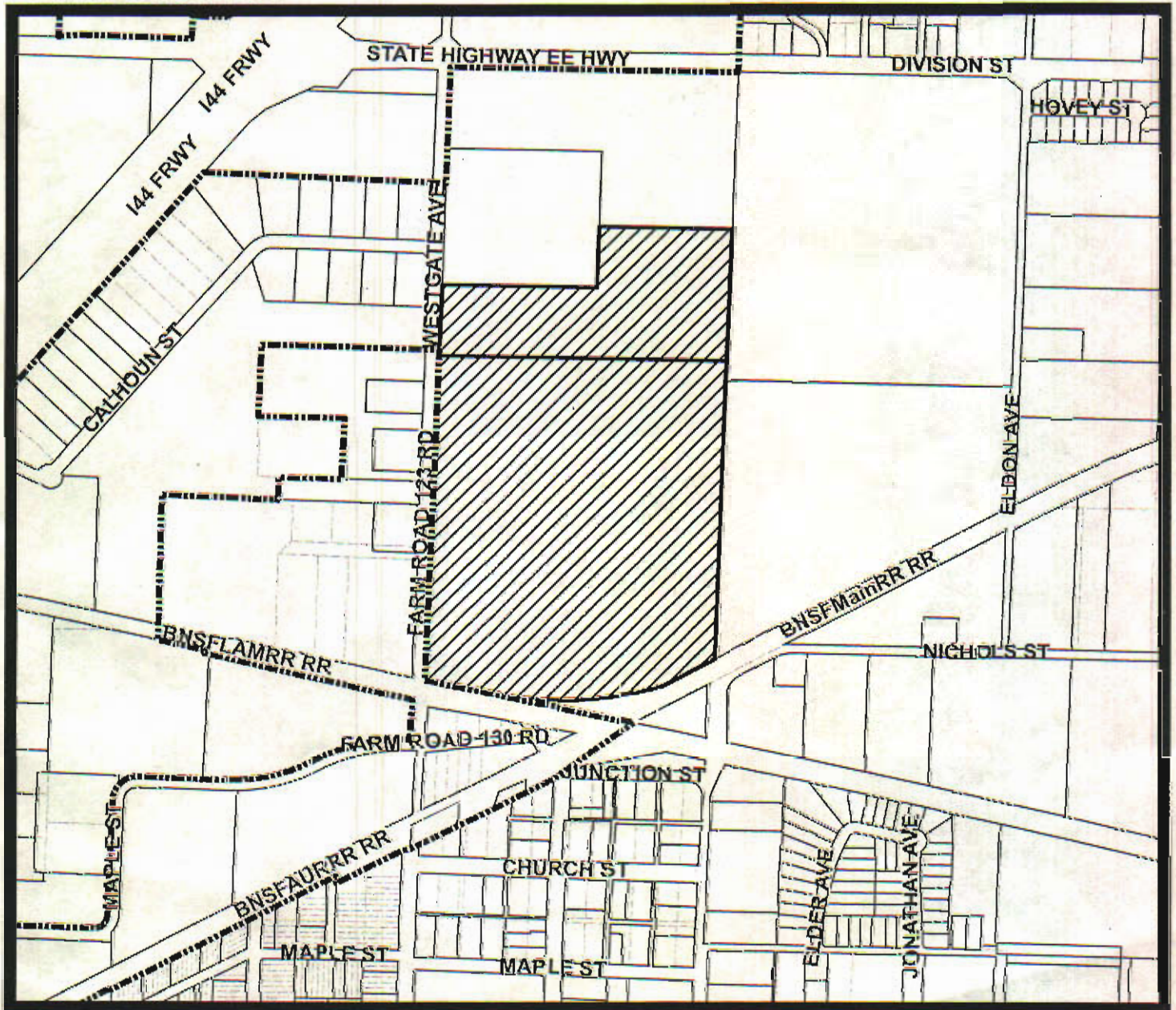
## Preliminary Plat Renewal - Roberts Industrial Park

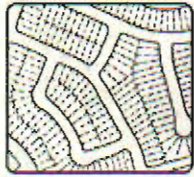
Location: 1012 & 1160 N Farm Road 123 (Westgate Avenue)

Current Zoning: HM (Heavy Manufacturing District)



LOCATION SKETCH





# Zoning & Subdivision Report

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

## PRELIMINARY PLAT RENEWAL – ROBERTS INDUSTRIAL PARK

DATE: August 19, 2009

### PURPOSE:

To renew a Preliminary Plat creating a 9 lot industrial subdivision

### BACKGROUND:

LOCATION: 1012 and 1160 North Westgate Avenue

APPLICANT: Javalina, LLC and Forerunner, LLC

TRACT SIZE: 60.18 Acres (Approximately)

EXISTING USE: Industrial/Manufacturing

PROPOSED Use: Industrial/Manufacturing

### RECOMMENDATION:

Staff recommends the Planning and Zoning Commission **approve** the Preliminary Plat, with the conditions listed below, and recommends that the City Council accept the proposed right-of-way and easements.

### 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, except for any standards modified by the applicant's request for a subdivision variance, if approved.
  - a. Sanitary sewers shall be extended to all building sites.

- b. Sidewalks shall be provided along the north side of Webster Street and the east side of Farm Road 123 (Westgate Avenue)
    - c. All required storm water detention and water quality facilities must be constructed prior to approval of the Final Plat.
    - d. An approved fire apparatus turn-around shall be constructed at the end of Webster Street, as shown on Exhibit A.
  2. All required street rights-of-way; drainage, utility, and cross-access easements; and limitations of access shall be dedicated on the Final Plat.
    - a. Additional right-of-way shall be dedicated for Farm Road 123 (Westgate Avenue) to total forty (40) feet from the centerline.
    - b. Drainage easements for the conveyance and detention of storm water shall be provided, as shown on Exhibit A. The final placement of the easement across Lot 7 will be established on the final plat as the final grading of the site will determine the final placement of the drainage easement.
    - c. A 10 foot wide utility easement shall be provided on lots 1 through 6, directly abutting Farm Road 123 (Westgate Avenue).
    - d. A 10 foot wide utility easement shall be provided on lots 4 through 9, directly abutting Webster Street.
    - e. A 30 foot wide sanitary sewer easement shall be provided along the south property line of lot 8.
    - f. A 10 foot wide sanitary sewer easement shall be provided across lots 2, 3, and 8.
    - g. An aviation easement shall be provided over all portions of the subdivision that are located within the boundaries of Airport Overlay District – 3.
    - h. An off-site detention contract agreement will be required with the City of Springfield Legal Department.
    - i. An irrevocable consent to dedicate right-of-way, acceptable to the City Attorney shall be tenured to the City for the future extension of Webster Street to the east side of the property.
    - j. The detention/water quality basin shall be platted within Common Areas to be owned and maintained by the property owners association. The flooding limits for the sinkholes shall be dedicated as drainage easements which extend fifty (50) feet into the property from the flooding limit as shown on Exhibit A.
  3. Additional detail regarding the perimeter of the sinkholes shall be part of the Final Plat submittal in addition to clearly delineating and describing the limits of the no-build zones surrounding all of the sinkholes.
  4. The aviation easement over the subject property shall be clearly identified and labeled on the Final Plat.
  5. The following note shall replace the surveyor's note on the Final Plat: "Development and use of the land within the aviation easement shall comply with and shall be governed by

standards for Airport Overlay District AO-3 as set out in the Springfield Zoning Ordinance.”

6. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
7. 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.
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 Code.
9. All other requirements necessary for this subdivision shall 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:

K. A. Giles  
Associate Planner

Attachment A : Staff Background Report  
Exhibit A : Preliminary Plat Drawing

ATTACHMENT A  
BACKGROUND REPORT  
PRELIMINARY PLAT – ROBERTS INDUSTRIAL PARK

**APPLICANT'S PROPOSAL:**

Javalina, LLC and Forerunner, LLC, owners of the subject property, are requesting renewal of the Preliminary Plat for Roberts Industrial Park, a 8-lot industrial subdivision.

**HISTORY:**

The original Preliminary Plat for Roberts Industrial Park was approved by City Council on October 3, 2005. The Preliminary Plat was renewed by City Council on October 8, 2007 (Special Ordinance No. 25278).

**TRAFFIC ENGINEERING COMMENTS:**

The Preliminary Plat is acceptable to City Traffic Engineer with the same conditions as previous plat approval.

**SANITARY SERVICE COMMENTS:**

The developer must extend public sanitary sewer to all proposed lots prior to filing the final plat. Plans for the extension of public sanitary sewer shall be submitted to Public Works Engineering.

**STORMWATER COMMENTS:**

1. The detention /water quality basin is required to be platted in Common Area as shown on the preliminary plat.
2. The flooding limits for the sinkholes should be shown within drainage easements. These easements should extend 50 feet into the property from the flooding limit in order to establish building setbacks as shown on Exhibit A.
3. An off-site drainage easement is required across Lot 7 to convey the surface runoff from the north.

**CITY UTILITIES COMMENTS:**

Ten foot wide utility easements shall be provided along all street frontages.

**STAFF COMMENTS:**

1. According to Section 206(3)(h) of the Subdivision Regulations, the approval of a Preliminary Plat shall be effective for a period of two years. Within this time period, a Final Plat shall be submitted; otherwise, the plat will expire and be considered null and

- void. However, upon request by the subdivider, the Planning and Zoning Commission may extend the effective period of the preliminary plat for an additional two years.
2. A cul-de-sac designed in accordance with the City's design standards will terminate Webster Street on this property at this time. The Preliminary Plat will contain a 60 foot wide strip of land reserved for the future extension of Webster Street to the east boundary of the subdivision.
  3. The Preliminary Plat for Roberts Industrial Park was approved with Subdivision Variances from Sections 403(4) and 403(6) of the Subdivision Regulations. More specifically, the approved Subdivision Variances permit Webster Street to exceed 800 ft in length (maximum length of cul-de-sac). They also remove the requirement to extend Webster Street to the east boundary of the subdivision. In lieu of extending the street, an irrevocable consent to dedicate right-of-way will be provided, thus allowing Webster Street to be extended in the future. The previously approved Subdivision Variances are included in this request to renew the Preliminary Plat for Roberts Industrial Park.
  4. As requested by City Utilities, 10 foot wide utility easements will be required along the street side of all lots with public street frontages
  5. A portion of the subdivision lies within the Airport Overlay District-3. According to Section 4-2600 of the Zoning Ordinance, an avigation easement is required upon subdividing property located within this zone. This easement shall establish a height restriction on the use of the property (development no greater than 50 ft in height) and hold the public harmless from any damages caused by noise vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the Springfield Regional Airport.
  6. An avigation easement is shown on the Preliminary Plat. Prior to recording of the Final Plat, the following will apply:
    - a. The portions of the subdivision that are located with the avigation easement shall be clearly identified (perhaps hash marked or shaded) and labeled on the Final Plat.
    - b. The following note shall replace the surveyor's note on the Final Plat:  
"Development and use of the land within the avigation easement shall comply with and shall be governed by standards for Airport Overlay District AO-3 as set out in the Springfield Zoning Ordinance"

