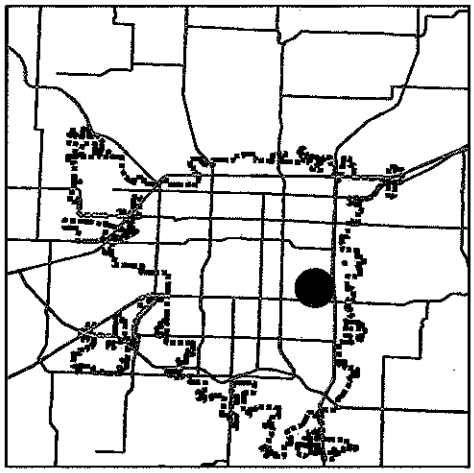


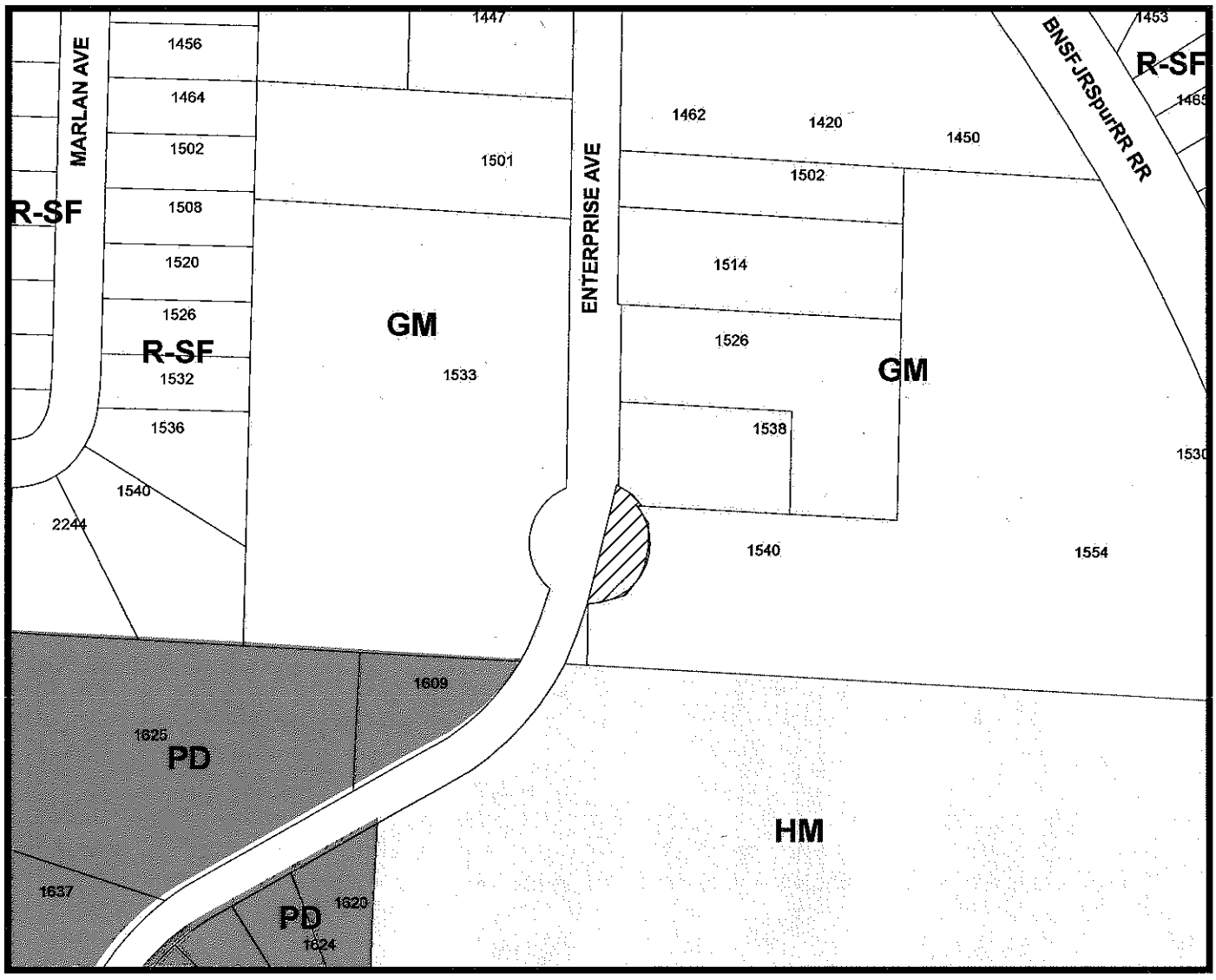
Zoning & Subdivision Report

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

Vacation 744

Location: 1500 block e/s S. Enterprise Avenue

LOCATION SKETCH



- Area of Proposal

N

0 100 200 400 600 Feet

1 inch = 200 feet

Zoning & Subdivision Report

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

VACATION #744

DATE: April 21, 2010

PURPOSE: To vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue.

BACKGROUND:

LOCATION: 1500 block e/s S. Enterprise Avenue

APPLICANT: Enterprise Laundry, Inc. c/o Jim Hopkins

RECOMMENDATION:

Staff recommends **approval** of this request with the following conditions.

CONDITIONS:

This vacation shall not become effective until the following conditions are met:

1. CU gas and water services shall be relocated or preserved with replacement easements. If relocation is necessary, then gas and water facilities are to be relocated at the owner's expense.
2. Dedicate additional right-of-way to thirty (30) feet from center of Enterprise Avenue along Lot 15 and adjacently owned tract.
3. Reconstruct curb and gutter along a radius of the street and construct sidewalk along entire frontage of Lot 15 and adjacently owned tract, each meeting Public Works design standards. A public improvement plan is required. The improvements may be escrowed following the City's Subdivision Regulations.
4. A certificate of decision is recorded along with the above mentioned dedications and easements.

If these conditions are not met within three (3) years of City Council's approval, then that vacation approval is null and void and the portion of the cul-de-sac shall remain public right-of-way.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #744 meets the approval criteria listed in Attachment B with the proposed conditions. The proposed conditions will require this request to be forwarded to City Council for review and approval.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENTS:

Attachment A - Background Report
Attachment B - Approval Criteria
Exhibit A - Legal Descriptions
Exhibit B - Alley Vacation Sketch

ATTACHMENT A
BACKGROUND REPORT
VACATION #744

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue. This vacation would facilitate the construction of a new addition onto the west side of the existing laundry facility.

TRAFFIC ENGINEERING COMMENTS:

1. Retain 30 feet from the centerline of Enterprise Avenue through the property being vacated and dedicate additional right-of-way to 30 feet from center of Enterprise Avenue along Lot 15 and Tract 2. [Enterprise Avenue is a collector street. The street right-of-way width south of this location is functionally deficient because it is not sufficient to provide adequate street facilities for all users]

2. Reconstruct curb and gutter and construct sidewalk along a radius that meets design standards. A public improvement plan is required.

3. Construct sidewalk along entire frontage of Lot 15 as combined with additional tracts.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

AT&T COMMENTS:

No comments.

CITY UTLITIES COMMENTS:

A utility easement will be needed to cover existing gas and water facilities located in the right-of-way to be vacated. If buildings are proposed in the vacated right-of-way there are significant water and gas facilities that could have to be relocated at the owner's expense. If the vacated area will remain as required front yard setback there shouldn't be much impact.

STORM WATER COMMENTS:

No comments.

FIRE DEPARTMENT COMMENTS:

No comments.

SANITARY SERVICE:

There is no sewer within the proposed vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Eight (8) property owners are within 300 feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

1. The proposed street vacation will reduce the City's liability for any parking or other operations that take place within our existing cul-de-sac right-of-way which serves no public purpose. It will also facilitate the potential expansion of services for St. John's.
2. The Public Works Traffic Division does not have any concerns with this vacation as long public infrastructure is replaced and adequate right-of-way is retained.
3. The proposed vacation meets the approval criteria for vacating right-of-way with the proposed conditions. The proposed conditions will require City Council to approve this vacation.
4. The applicant has requested three (3) years to meet the conditions because they may not have the funding for improvements within the next fiscal year budget and they may need more than one year to complete the conditions once they do have funding.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #744

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.

1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.

   STAFF RESPONSE:

   All adjacent property owners have access to other public access ways.

2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.

   STAFF RESPONSE:

   Two-thirds of the property owners have signed their consent to the vacation.

3. That the retention of the street, alley, public way or subdivision serves no useful purpose.

   STAFF RESPONSE:

   The cul-de-sac was originally platted and built when Enterprise Avenue was a dead end street. Since the street has been connected to Sunshine on the south, there is no need for the additional right-of-way for the cul-de-sac (turnaround).

4. That the vacation will not affect the ability to use utilities, public or private.

   STAFF RESPONSE:

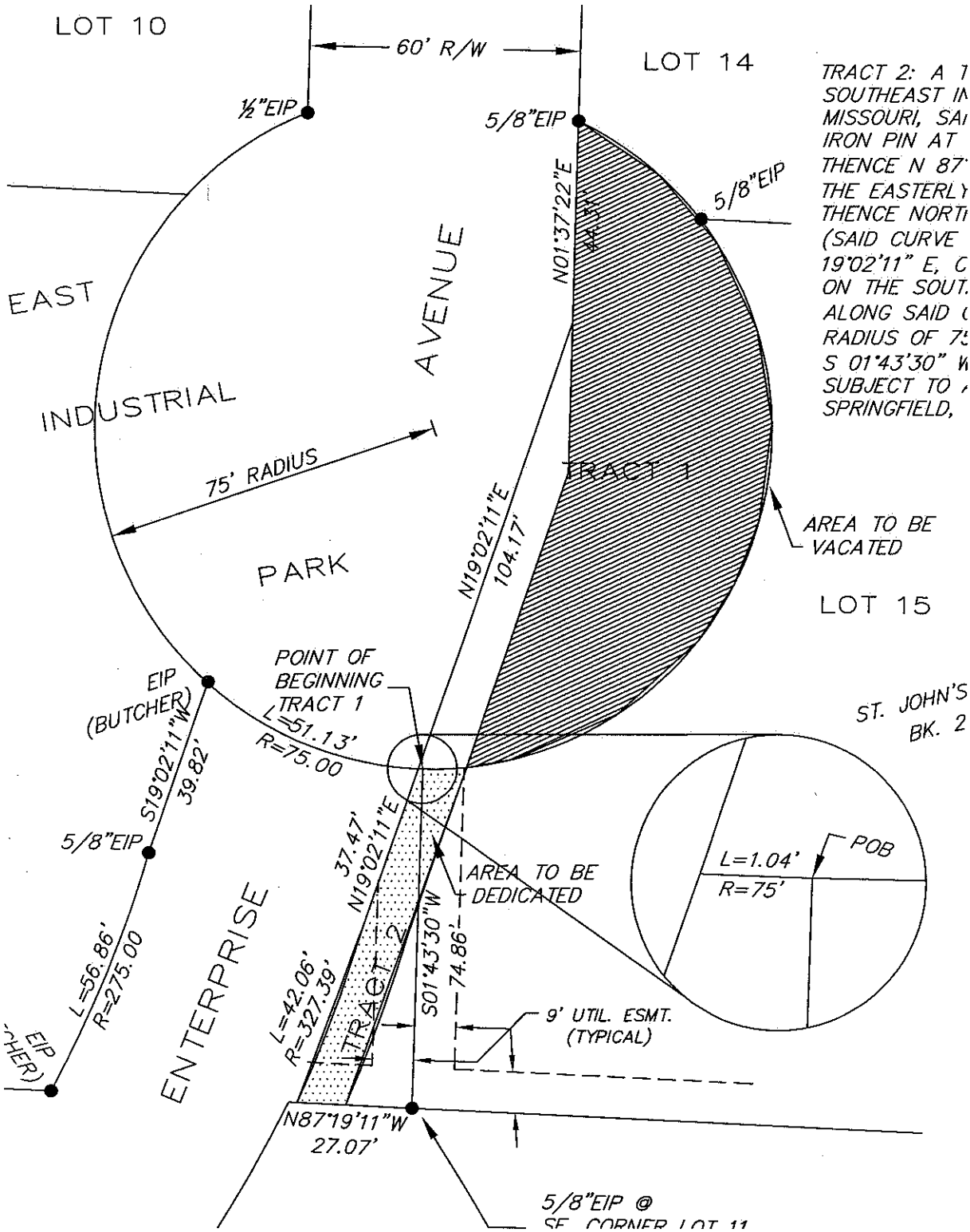
   With the proposed conditions, the vacation of this right-of-way will not affect the public utilities.

EXHIBIT A
LEGAL DESCRIPTIONS
VACATION #744

PORTION OF CUL-DE-SAC TO BE VACATED:

A TRACT OF LAND BEING A PART OF A 75 FOOT RADIUS CUL-DE-SAC IN THE SOUTHEAST INDUSTRIAL PARK, A RECORDED SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN AT THE SOUTHEAST CORNER OF LOT 11 OF SAID SOUTHEAST INDUSTRIAL PARK; THENCE N 01°43'30" E, ALONG THE EAST LINE OF SAID LOT 11, 74.86 FEET TO A POINT ON THE SOUTHERLY SIDE OF SAID CUL-DE-SAC; THENCE EASTERLY, ALONG THE SOUTH EDGE OF SAID CUL-DE-SAC, ON A CURVE TO THE LEFT, (SAID CURVE HAVING A RADIUS OF 75.00 FEET) AN ARC LENGTH OF 10.61 FEET FOR A POINT OF BEGINNING; THENCE N 19°02'11" E, 68.81 FEET; THENCE N 01°37'22" E, 77.46 FEET TO AN IRON PIN AT THE INTERSECTION OF THE NORTH SIDE OF SAID CUL-DE-SAC AND THE EAST RIGHT-OF-WAY OF ENTERPRISE AVENUE (AND BEING A CORNER OF LOT 14); THENCE IN A SOUTHEASTERLY TO SOUTHWESTERLY DIRECTION, ALONG SAID CUL-DE-SAC, ON A CURVE TO THE RIGHT, (SAID CURVE HAVING A RADIUS OF 75.00 FEET) AN ARC LENGTH OF 194.17 FEET TO THE **POINT** OF BEGINNING. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD. ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

Exhibit B



TRACT 2: A 1
SOUTHEAST I
MISSOURI, SA
IRON PIN AT
THENCE N 87
THE EASTERL
THENCE NORT
(SAID CURVE
19°02'11" E, C
ON THE SOUT
ALONG SAID
RADIUS OF 7
S 01°43'30" W
SUBJECT TO
SPRINGFIELD,

ST. JOHN'S
BK. 2