

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. 4
Filed: 3-2-2010

Sponsored by: Rushefsky

COUNCIL BILL NO. 2010-081

RESOLUTION NO. _____

A RESOLUTION

1 GRANTING the request to waive the fee in lieu of constructing a sidewalk along Blaine
2 Street and Packer Road, generally located at 1725 N. Packer Road. (Staff
3 recommends approval.)
4

5 _____
6

7 WHEREAS, the Planning and Zoning Commission approved a request for
8 variance from the requirement to construct a sidewalk along Blaine Street and Packer
9 Road; and

10
11 WHEREAS, the property owner has requested the fee be waved in lieu of
12 constructing the sidewalks required by Section 303(7) of the Subdivision Regulations;
13 and

14
15 WHEREAS, Public Works is working on a street improvement project which
16 includes intersection improvements to Blaine Street and Packer Road, construction of
17 sidewalk and stormwater improvements, and this project will include the area a
18 developer would normally construct sidewalks as a part of platting property; and

19
20 WHEREAS, Public Works supports the granting of the fee; and

21
22 WHEREAS, following an independent review, the City Council may grant a
23 waiver in whole or in part of the fee in lieu of construction of sidewalks for extraordinary
24 circumstances.

25
26 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
27 SPRINGFIELD, MISSOURI, as follows, that:

28
29 Section 1 – The requirement of paying a fee in lieu of a sidewalk being
30 constructed as required by Section 303(7) of the Subdivision Regulations of the City of

31 Springfield, Missouri, is hereby waived for the sidewalk along Blaine Street and Packer
32 Road, generally located at 1725 N. Packer Road.

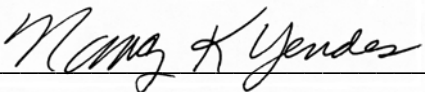
33
34 Section 2 – This resolution shall be in full force and effect immediately upon
35 adoption.

36
37
38 Passed at meeting: _____

39
40
41 _____
42 Mayor

43
44
45 Attest: _____, City Clerk

46
47
48 Filed as Ordinance: _____

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51
52 Approved as to form:  Assistant City Attorney

53
54 Approved for Council Action:  City Manager

55
56
57
58 N:\SHARE\CBILLS\2010\3-8-10\Arnie'sSubWaiverofSidewalk_ord-nky-dw

Affected Agency Notified: Yes
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required: Yes
Public Hearing: No
Sponsor: Rushefsky
Date: February 19, 2010

EXPLANATION TO COUNCIL BILL NO. 2010 -

ORIGINATING DEPARTMENT: Planning & Public Works

PURPOSE: To adopt a resolution to grant the waiver of a fee in lieu of construction of a sidewalk along Blaine Street & Packer Road, generally located at 1725 N. Packer Road. (Staff recommends approval.)

BACKGROUND INFORMATION:

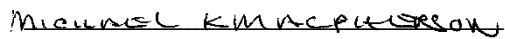
The Planning Commission held a public hearing on January 21, 2010, and approved the Preliminary Plat of Arnie's Subdivision with a Subdivision Variance to not construct the sidewalks along Blaine Street or Packer Road by a vote of 8 to 0.

STAFF COMMENTS:

Public Works supports a waiver of sidewalk construction and a waiver of the fee in lieu of sidewalk construction as this was discussed with the property owner at the time right-of-way and construction easements were donated. Public Works is working on a street improvement project which includes the widening, construction of sidewalk and stormwater improvements to Packer Road. Intersection improvements to Blaine & Packer are also planned.

While Public Works rarely supports a waiver of the fee in lieu of construction for sidewalk, staff believes this is a unique case in terms of serving the public's best interest. The available options to the owner are to (1) construct the sidewalk along the frontage of Blaine Street and Packer Road; (2) pay a fee in lieu of construction or (3) obtain Council approval for a waiver of the fee in lieu of construction. Given that the right-of-way was donated while discussing that the City would construct the sidewalk, a waiver of the fee is warranted in this situation.

Submitted by:


Planning and Development

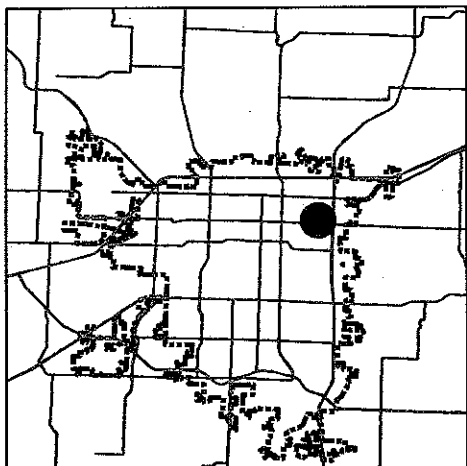

Public Works

Approved by:


City Manager

Zoning & Subdivision Report

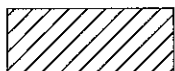
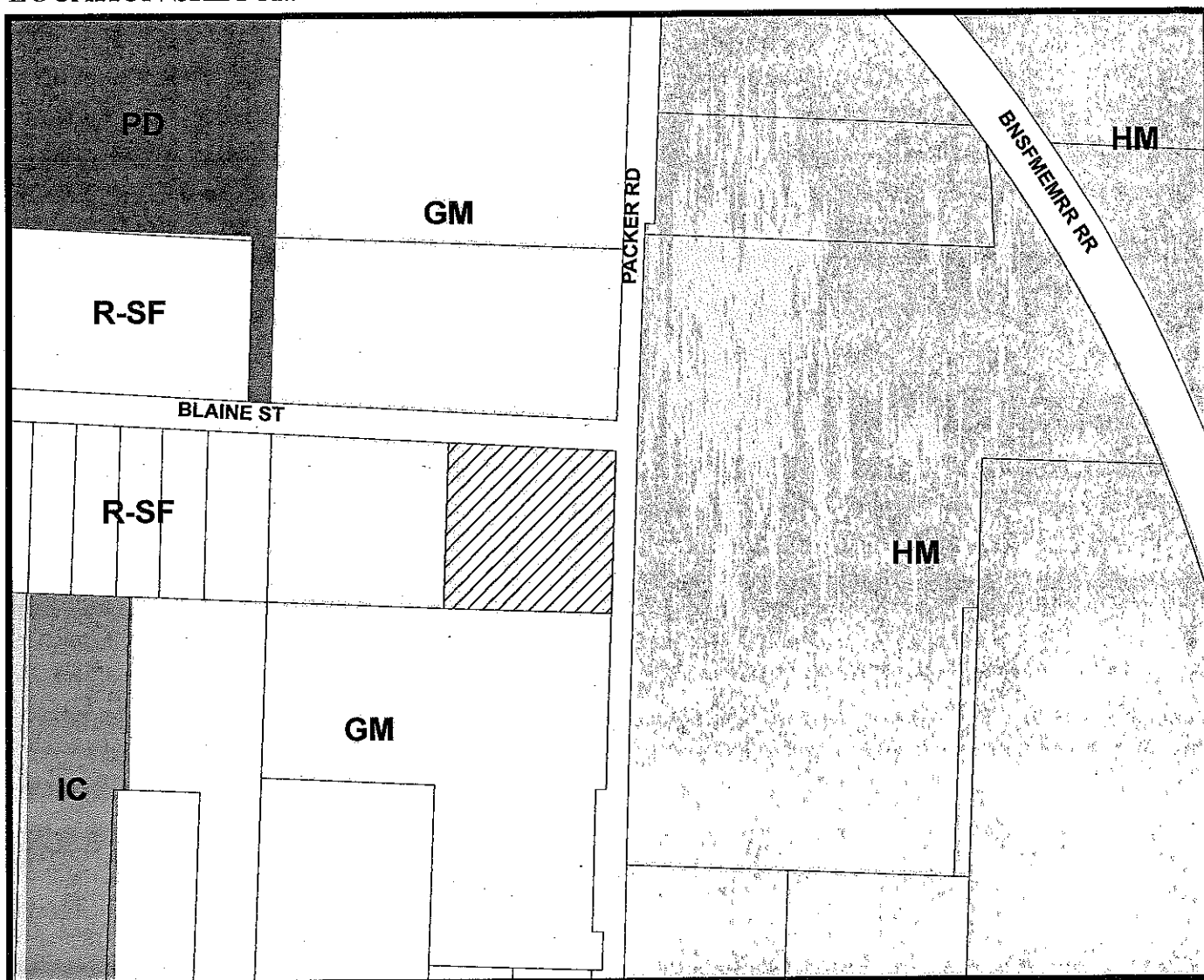
Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801



Location: 1725 Packer

Current Zoning: GM, General Manufacturing District

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet