CASE NUMBER:  
Request to Acquire No. 531

LOCATION: 3148 East Chestnut Expressway

ACRES: 0.75

EXISTING LAND USE: Warehouse/Industrial

APPLICANT: City Utilities

STAFF: Andrew Menke, 864-1613

STAFF RECOMMENDATION: Approve

PROPOSED MOTION: Move to approve Acquisition No. 531

APPLICANTS PROPOSAL:

City Utilities proposes to acquire property located at 3148 East Chestnut Expressway in order to allow for future expansion of the utility substation. The substation expansion is necessary to accommodate future growth in the area.

FINDINGS FOR STAFF RECOMMENDATION:

The request is consistent with the Planning and Zoning Commission’s land acquisition policy.

SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th></th>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>GM</td>
<td>GM</td>
<td>HC/IC/GM</td>
<td>GM</td>
</tr>
<tr>
<td>LAND USE</td>
<td>Warehouse</td>
<td>Utility Substation</td>
<td>Office Building</td>
<td>Industrial Use</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
PLANNING AND ZONING COMMISSION REVIEW:

The Springfield City Charter requires the Planning and Zoning Commission to review all proposals to acquire real property by the City for public use. Commission’s function in this matter is to determine whether the proposal is generally consistent with the Comprehensive Plan.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the Comprehensive Plan designates this area appropriate for General Industry, Transportation and Utilities. The Plan also recommends that the City provide infrastructure in an orderly and timely manner so as to promote, as the highest priority, intensive investment and redevelopment in Activity Centers and neighborhoods within or near the presently urbanized area. The proposed use is consistent with the Comprehensive Plan.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT

1. Approval of this request is consistent with the Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area for General Industry, Transportation and Utilities. Utility substations are permitted in all zoning districts. The current zoning is General Manufacturing. The proposed utility substation expansion is consistent with this land use category.

2. The property is zoned GM – General Manufacturing District

3. Approval will allow City Utilities to expand upon the existing utility substation.

4. City Utilities will follow up with an Administrative Lot-Line Adjustment to include the acquired property and the existing property into one tract of land. This will include an access easement from Chestnut Expressway to the property.

5. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission’s function regarding the acquisition of property and the process for appeal of such decision:

   “In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

   In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission’s disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership.”

   In the case of this proposed property acquisition, appeal of the decision of the Planning and
The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant’s response to that section.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.
   
   **RESPONSE:**
   The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for General Industry, Transportation and Utilities.

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.
   
   **RESPONSE:**
   Acquisition will be to allow expansion of an existing substation for future electric needs in the area.

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.
   
   **RESPONSE:**
   There is only one structure on the property which was involved in a recent fire. The remains will be demolished to eliminate the danger.

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.
   
   **RESPONSE:**
   N/A.

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be
made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:
See response to #3 above.

LEGAL DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2 OF BELCREST INDUSTRIAL PARK 1ST ADDITION AND BEING ON THE SOUTH RIGHT OF WAY OF CHESTNUT EXPRESSWAY; THENCE SOUTH 87°11'49" EAST, ALONG SAID SOUTH RIGHT OF WAY, 373.87 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY, SOUTH 1°19'06" WEST, ALONG THE WEST RIGHT OF WAY OF THE ST. LOUIS-SAN FRANSISCO RAILWAY, 970.17 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°19'06" WEST, ALONG SAID WEST RIGHT OF WAY OF THE ST. LOUIS-SAN FRANSISCO RAILWAY, 281.32 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY, NORTH 87°17'29" WEST, 231.39 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF BELCREST INDUSTRIAL PARK 1ST ADDITION; THENCE ALONG THE EAST LINE OF SAID BELCREST INDUSTRIAL PARK 1ST ADDITION NORTH 1°14'00" EAST, 444.63 FEET; THENCE SOUTH 87°43'40" EAST, 150.99 FEET; THENCE SOUTH 28°35'01" EAST, 55.51 FEET TO THE POINT OF BEGINNING. CONTAINING 97,440 SQUARE FEET OR 2.236 ACRES.