CASE NUMBER: Request to Acquire No. 532

LOCATION: 824 East Locust Street, 1515, 1523, 1527, 1533, 1535 North Sherman Avenue and 833 East Division Street

ACRES: 1.7

EXISTING LAND USE: Residential dwellings and vacant property

APPLICANT: Springfield Public Schools

STAFF: Andrew Menke, 864-1613

STAFF RECOMMENDATION: Approve

PROPOSED MOTION: Move to approve Acquisition No. 532

APPLICANTS PROPOSAL:

Springfield Public Schools proposes to acquire property located at 824 East Locust Street, 1515, 1523, 1527, 1533, 1535 North Sherman Avenue, and 833 East Division Street in order to allow for future construction of an elementary school. The school is necessary to accommodate the number of students 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:

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<td>ZONING</td>
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<td>LAND USE</td>
<td>Residential</td>
<td>Commercial</td>
<td>Residential and Community Center</td>
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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 Low-Density Housing. The Plan encourages schools in a way that attracts investment in the north part of the City. The proposed use is consistent with the Comprehensive Plan.

STAFF COMMENTS:

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 Low-Density Housing. Elementary schools are permitted in all residential zoning districts. The current zoning is Single-Family Residential and Limited Business. The proposed elementary school is permitted in the R-SF District, however it is not permitted in the Limited Business district. If approved the applicant intends to rezone the property to an appropriate district.

2. The property is zoned R-SF, Single-Family Residential District and LB, Limited Business District.

3. Approval will allow Springfield Public Schools to construct a new elementary school.

4. Springfield Public Schools will follow up with an Administrative Lot Combination to include the acquired property into one tract of land.

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:

   a. “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.

   b. 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 Zoning Commission would be to City Council.

LAND ACQUISITION POLICY:

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:
   It is the District’s understanding the subject property is consistent with the adopted Plans and Policies of the City of Springfield.
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 Low-Density Housing. Elementary schools are permitted in all residential zoning districts.

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:**

*The basic use of the subject property will change from vacant parcels and single family residences and become the site for a new elementary school building. The completion of the new school will not have any negative effects on the surrounding land use.*

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:**

*It is the District’s intent the subject property be used as the building site for a new elementary school for the District of Springfield R-12. Demolition of structures, clearing of land and design work for the new school would not take place until June 2019 with construction commencing February 2020.*

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:**

*None of the structures on the subject property are on the Historic Registry nor are they considered to have any architectural significance.*

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:**

*The previous owners did not express interest in reusing any of the structures at a different location. Many of the structures are uninhabitable and the current plan of the District is to demolish these structures so the new school can be built on the property.*

**LEGAL DESCRIPTION:**

**824 E. LOCUST STREET:**
THE WEST 55 FEET OF LOTS ONE (1) AND TWO (2), IN BLOCK TWO (2) IN NORTH SPRINGFIELD, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

**1535 N. SHERMAN AVENUE:**
ALL OF THE NORTH 45 FEET OF THE EAST 86 FEET OF LOT ONE (1), BLOCK TWO (2), IN THE ORIGINAL TOWN OF NORTH SPRINGFIELD, NOW A PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.
1533 N. SHERMAN AVENUE:
BEGINNING AT A POINT 55 FEET EAST OF THE NORTHWEST CORNER OF LOT ONE (1), IN BLOCK TWO (2), ORIGI-
NAL PLAT OF NORTH SPRINGFIELD, NOW A PART OF THE CITY OF SPRINGFIELD, MISSOURI; THENCE RUN-
NING SOUTH 92 FEET; THENCE EAST 42 FEET; THEN NORTH 92 FEET, TO THE SOUTH LINE OF LOCUST
STREET; THENCE WEST TO THE PLACE OF BEGINNING.

ALL OF THE SOUTH 21 FEET OF THE EAST 86 FEET OF LOT ONE (1) AND NORTH 26 FEET OF THE EAST 86
FEET OF LOT TWO (2), IN BLOCK TWO (2), IN THE PLAT OF NORTH SPRINGFIELD, IN THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI.

1527 N. SHERMAN AVENUE:
ALL OF THE SOUTH 40 FEET OF LOT TWO (2), BLOCK TWO (2), EXCEPT THE WEST 55 FEET THEREOF IN
THE ORIGINAL PLAT OF NORTH SPRINGFIELD, GREENE COUNTY, MISSOURI.

1523 N. SHERMAN AVENUE:
ALL OF LOT THREE (3), BLOCK TWO (2), IN THE ORIGINAL PLAT OF NORTH SPRINGFIELD, GREENE COUNTY,
MISSOURI.

1515 N. SHERMAN AVENUE:
ALL OF LOT NUMBERED FOUR (4) IN BLOCK TWO (2) IN THE ORIGINAL TOWN OF NORTH SPRINGFIELD,
NOW A PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1509 N. SHERMAN AVENUE:
ALL OF LOT FIVE (5), IN BLOCK TWO (2), IN THE ORIGINAL PLAT OF NORTH SPRINGFIELD, NOW A PART
OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT I:
ALL OF THE WEST ONE HALF (W½) OF LOT SIX (6), IN BLOCK TWO (2), IN THE TOWN OF NORTH
SPRINGFIELD, GREENE COUNTY, MISSOURI.

833 E. DIVISION STREET:
ALL OF THE WEST FORTY-FIVE (45) FEET OF THE EAST NINETY (90) FEET OF LOT SIX (6) IN BLOCK TWO
(2) OF THE ORIGINAL PLAT OF NORTH SPRINGFIELD NOW A PART OF THE CITY OF SPRINGFIELD. BEING A
PART OF THE WEST HALF (W½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWELVE (12), TOWNSHIP
TWENTY-NINE (29), RANGE TWENTY-TWO (22) IN GREENE COUNTY, MISSOURI.

TRACT II:
ALL OF THE EAST 45 FEET OF LOT SIX (6), BLOCK TWO (2), IN THE ORIGINAL PLAT OF NORTH
SPRINGFIELD, NOW A PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.