Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: AUGUST 15, 2019

CASE NUMBER:
Request to Relinquish Easement No. 886

LOCATION: 1301 East Lark Street

ACRES: 0.13

EXISTING LAND USE: Cross Access Easement

APPLICANT: Siraff, Inc.

STAFF: Andrew Menke, 864-1613

STAFF RECOMMENDATION: Approve

PROPOSED MOTION: Move to approve Relinquish Easement No. 886

SUMMARY OF APPLICANTS REQUEST:

Siraff, Inc. is requesting to relinquish a cross access easement to facilitate the development of the property. Connecting easements on neighboring properties have been relinquished, making the subject easement no longer necessary. No replacement easement is to be dedicated.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish a cross access easement in order to facilitate the development of the property.
2. The Planning and Zoning Commission has the authority to relinquish easements; if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

PUBLIC WORKS – TRAFFIC DIVISION:

Traffic has no issues with the proposed relinquishment.
FINDINGS FOR STAFF RECOMMENDATION:

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

<table>
<thead>
<tr>
<th>APPROVAL CRITERIA</th>
<th>STAFF RESPONSE</th>
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</thead>
<tbody>
<tr>
<td>1. No one has objected to the relinquishment of the easements.</td>
<td>No one has objected to the relinquishment of the easement.</td>
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<tr>
<td>2. The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.</td>
<td>All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement. The applicant is not required to dedicate a replacement easement.</td>
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<td>3. That the retention of the easements no longer serves any useful public purpose.</td>
<td>The retention of the subject easement no longer serves a public purpose. The applicant is not required to dedicate a replacement easement.</td>
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LEGAL DESCRIPTION:

DESCRIPTION OF PLATTED CROSS ACCESS EASEMENT TO BE RELINQUISHED:

RELINQUISHMENT OF 26' PLATTED CROSS ACCESS EASEMENT SHOWN ON LOT 1R ZIMMERMAN OFFICE PARK AN ADMINISTRATIVE REPLAT OF LOT 2 ST. JOHN'S LARK SUBDIVISION AS RECORDED IN PLAT BOOK AAA-426 #5011 DEED BOOK 2016 PAGE 028621-16 GREENE COUNTY, MO, RECORDER'S OFFICE MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1R THENCE ALONG THE WESTERLY LINE OF SAID LOT 1R THE FOLLOWING TWO (2) COURSES: 1.) N 12°33'34" 4 A DISTANCE OF 25.00' 2.) N 02°02'29" E A DISTANCE OF 4.13' TO SAID TRUE POINT OF BEGINNING: THENCE CONTINUING ALONG SAID WESTERLY LINE N 02°02'29" E A DISTANCE OF 26.87'; THENCE LEAVING SAID WESTERLY LINE N 77°26'26" E A DISTANCE OF 113.28'; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 90.71', WITH A RADIUS OF 1085.00', WITH A CHORD BEARING OF N 79°45'17" E, WITH A CHORD LENGTH OF 90.69';

THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 9.55', WITH A RADIUS OF 1084.78', WITH A CHORD BEARING OF N 82°30'55" E, WITH A CHORD LENGTH OF 9.55', TO THE EASTERN LINE OF SAID LOT 1R; THENCE ALONG SAID EASTERN LINE S 02°03'02" W A DISTANCE OF 26.35'; THENCE LEAVING SAID EASTERN LINE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 5.04', WITH A RADIUS OF 1058.88', WITH A CHORD BEARING OF S 82°24'05" W, WITH A CHORD LENGTH OF 5.04';

THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 88.53', WITH A RADIUS OF 1059.00', WITH A CHORD BEARING OF S 79°45'13" W, WITH A CHORD LENGTH OF 88.51';

THENCE S 77°26'26" W A DISTANCE OF 120.07' TO SAID TRUE POINT OF BEGINNING, HAVING AN AREA OF 5,553.47 SQUARE FEET, 0.13 ACRES SUBJECT TO ALL EASEMENTS AND/OR RIGHTS OF WAY.
**EXHIBIT "B"**

OWNER: SIRAFF, INC.
BK. 2019 PG. 17168-19

LOT 1R ZIMMERMAN OFFICE PARK
1301 E LARK STREET

26' CROSS-ACCESS EASEMENT
(PLAT BK WW P 91)
TO BE RELINQUISHED

<table>
<thead>
<tr>
<th>CURVE</th>
<th>ARC LENGTH</th>
<th>RADIUS</th>
<th>DELTA ANGLE</th>
<th>CHORD BEARING</th>
<th>CHORD LENGTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>90.71'</td>
<td>1085.00'</td>
<td>4°47'25&quot;</td>
<td>N79°45'17&quot;E</td>
<td>90.69'</td>
</tr>
<tr>
<td>C2</td>
<td>9.55'</td>
<td>1084.78'</td>
<td>0°30'15&quot;</td>
<td>S82°30'55&quot;W</td>
<td>9.55'</td>
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<tr>
<td>C3</td>
<td>5.04'</td>
<td>1058.88'</td>
<td>0°16'22&quot;</td>
<td>S82°24'05&quot;W</td>
<td>5.04'</td>
</tr>
<tr>
<td>C4</td>
<td>88.53'</td>
<td>1059.00'</td>
<td>4°47'23&quot;</td>
<td>N79°45'13&quot;E</td>
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