PLANNING AND ZONING COMMISSION PUBLIC HEARING: AUGUST 15, 2019

CASE NUMBER: Vacation 807

PROJECT LOCATION: 700 & 730 North Benton Avenue and 729 North Drury Avenue.

ACRES: .13 acres (5,740 square feet)

EXISTING LAND USE: Alley right-of-way

APPLICANT: Drury University

STAFF: Jared Follin, Associate Planner
417-864-1612

STAFF RECOMMENDATIONS: Approve

PROPOSED MOTION: Move to approve Vacation 807 as submitted.

SUMMARY OF REQUEST:
Drury University is requesting to vacate alley right-of-way generally located between 700 & 730 North Benton and 729 North Drury Avenue to facilitate the development and control traffic through the site. Drury plans to use the property adjacent to the west of the alley as green space and as a “front door” to the Drury campus. The alley is planned to be accessible to emergency and safety personnel. Drury owns both sides of the alley.

FINDINGS FOR STAFF RECOMMENDATION:
1. The requested vacation meets the approval criteria listed on Attachment 2.

SURROUNDING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th>NORTH</th>
<th>SOUTH</th>
<th>EAST</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZONING</td>
<td>GR/GI</td>
<td>GI</td>
<td>GR</td>
</tr>
<tr>
<td>LAND USE</td>
<td>General Office/Church</td>
<td>Medical Office/Eating and Drinking Establishment</td>
<td>College and University</td>
</tr>
</tbody>
</table>
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

GOOGLE MAPS STREET VIEW:
MAJOR THOROUGHFARE PLAN:
PROPERTY HISTORY:
This segment of street right-of-way was platted in 1867 as part of the Harwood Lisenby and Boyds Addition.

STAFF COMMENTS:
1. This is a request to vacate the alley right-of-way generally located between 700 & 730 North Benton and 729 North Drury Avenue to facilitate development of the site.
2. The entire vacated portion of alley right-of-way will return to the applicant’s property.
3. Easements for existing infrastructure were requested by City Utilities, Environmental Services and MODOT. The applicant has provided these easements for review and they have been approved.
4. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:
The applicant’s representative conducted a neighborhood meeting on June 20, 2019. There were 44 notices sent out. The neighborhood meeting summary is attached.

PUBLIC NOTIFICATION:
The public notice was advertised in the News-Leader at least 30 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 300 feet.

Notices sent to property owners within 300 feet: Mailed: 6 Returned: 0
ATTACHMENT 1: DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:
No issues.

CITY UTILITIES COMMENTS:
Utility easement will be needed for remaining OH electric facilities. Contact Justin Penrose @ 417-831-8571.
Utility easement appears acceptable. No issues with proposed vacation.

ENVIRONMENTAL SERVICES - CLEAN WATER SERVICES COMMENTS:
Need to submit replacement sewer easements for the vacated R/W.
Vacation is approvable.

PUBLIC WORKS - TRAFFIC DIVISION COMMENTS:
Replacement easements for sewer and utilities must be in place prior to approval. Book and Page for these replacement easements should be included in the submittal.
Please ensure all applicable replacement easements are in place prior to vacation.

PUBLIC WORKS - STORMWATER COMMENTS:
No issue with alley vacation but alley should not be blocked by a building or structure as the stormwater drains south through this alley to an inlet to the South along Chestnut.

FIRE DEPARTMENT COMMENTS:
The vacation of the alley is approved provided fire access to the existing building located at 729 N. Drury Lane is provided as discussed.

MODOT COMMENTS:
MoDOT needs a drainage easement near Chestnut for the stormwater system.
## ATTACHMENT 2: REQUIREMENTS FOR APPROVAL

In order to approve the vacation of a public street or alley, 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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<tbody>
<tr>
<td>1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.</td>
<td>All adjacent properties have access to other public streets.</td>
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<tr>
<td>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.</td>
<td>Owners of two-thirds of the property adjacent to the public right-of-way petitioned for the vacation.</td>
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<tr>
<td>3. That the retention of the street, alley, public way or subdivision serves no useful purpose.</td>
<td>The requested portion to be vacated is no longer a benefit to the city street system and the traveling public.</td>
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<tr>
<td>4. That the vacation will not affect the ability to use utilities, public or private.</td>
<td>The applicant will be dedicating easements to accommodate existing utilities, stormwater, sanitary sewer in the alley.</td>
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On June, 20th at 4:00pm I hosted a neighborhood meet with everyone within a 500’ radius of the proposed alley vacation. Three people visited to discuss the plans to vacate the alley. The individuals that met with me were as listed below:

Judy Hadsall – Multipli Credit Union
Greg Snyder -- Multipli Credit Union
Marie Wood – Midtown neighborhood Associate

All three were highly in favor with Drury vacating the alley to stop traffic and add to the corner green space project. All three also expressed great appreciation for the work done so far taking down the facilities that were once located on the property. They all felt that it has cleaned the area up and is a benefit for the neighborhood and the city in general. Drury has great support from all three with vacating the alley.
<table>
<thead>
<tr>
<th>Time</th>
<th>Print Name</th>
<th>Company/Organization</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>4:00</td>
<td>Greg Snyder</td>
<td>Multipli Credit Union</td>
<td></td>
</tr>
<tr>
<td>4:00</td>
<td>Judy Hasenau</td>
<td>Multipli Credit Union</td>
<td>Judy Hasenau</td>
</tr>
<tr>
<td>5:45</td>
<td>Marie Wood</td>
<td>Midtown Neighborhood Assoc. Marie A. Wood</td>
<td></td>
</tr>
</tbody>
</table>
DEAR PROPERTY OWNER,

You have received a notice of a “Neighborhood Meeting” since all development applications involving an advertised public hearing require that a developer hold a neighborhood meeting and invite the property owners within 500 feet of the property and the officers of any neighborhood associations on file with the City of Springfield.

The applicant or representative below has filed an application with the City of Springfield for a change in land use, zoning or street vacation in your neighborhood.

APPLICANT CONTACT INFORMATION:

Applicant/Representative Name: Drury University / Brandon Gammill - Facilities

Address: 900 N Benton

City, State and Zip: Springfield, MO, 65802

Phone Number: 417-873-7410 E-mail: bgammill @ drury.edu

PROJECT LOCATION:

PROPOSED CHANGES: Provide details of the existing zoning and proposed zoning (planned development, conditional use permit, conditional overlay district or vacation of roadways).

Drury University would like to vacate the Alley to stop traffic driving through and to make the area a greenspace.

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting: 6-20-19

Location of Meeting: Drury University Trustee Science Center - Reed Auditorium 729 N Drury Ln

Time of Meeting: 4:00 PM to 6:30 PM

We look forward to seeing you at this meeting! Thank You!

ATTACHMENTS: Notice Letter from City with Comment Card attached to this letter
ATTACHMENT 3: LEGAL DESCRIPTION

ALL THAT PART OF THE PUBLIC ALLEY IN BLOCK “K” OF HARWOOD, LISENBY AND BOYD’S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF AND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST AS REFERENCED IN MISSOURI CERTIFIED LAND CORNER DOCUMENT NO. 600-94766; THENCE N65°49'16"W, 3411.73 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CHESTNUT EXPRESSWAY, 42.25 FEET LEFT OF CHESTNUT EXPRESSWAY WESTBOUND LANE BASELINE STATION 134+68.0; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, THROUGH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02°12'21", A RADIUS OF 913.12 FEET AND A CHORD OF 35.15 FEET BEARING N69°43'10"W, AN ARC DISTANCE OF 35.15 FEET TO A POINT 42.25 FEET LEFT OF BASELINE STATION 134+31.22 FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, THROUGH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01°52'21", A RADIUS OF 913.12 FEET AND A CHORD OF 29.84 FEET BEARING N67°40'49"W, AN ARC DISTANCE OF 29.84 FEET TO A POINT 42.25 FEET LEFT OF BASELINE STATION 134+00; THENCE N23°15'22"E, 30.80 FEET TO A POINT 73 FEET LEFT OF BASELINE STATION 134+00, SAID POINT BEING ON THE EAST LINE OF LOT 65 IN BLOCK “K” OF HARWOOD, LISENBY AND BOYD’S ADDITION TO THE CITY OF SPRINGFIELD; THENCE N01°31'57"E ALONG THE EAST LINES OF LOTS 65, 64, 63 AND 62 IN SAID BLOCK “K”, 311.60 FEET TO THE NORTHEAST CORNER OF SAID LOT 62 ON THE SOUTH RIGHT-OF-WAY LINE OF BOB BARKER BOULEVARD; THENCE S89°13'04"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 16.50 FEET TO THE NORTHWEST CORNER OF LOT 43 IN SAID BLOCK “K”; THENCE S01°31'57"W ALONG THE WEST LINES OF LOTS 43, 42, 41 AND 40 IN SAID BLOCK “K”, 351.02 FEET TO THE POINT OF BEGINNING.

(BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.)
SE CORNER
SECTION 13
T29N, R22W
MO CERTIFIED LAND
CORNER DOCUMENT
NO. 600-94766

Δ = 01°06'17"
R = 913.12'
L = 17.60'
C = 17.60'
CB = N68°03'52"W

Δ = 02°22'21"
R = 913.12'
L = 35.15'
C = 35.15'
CB = N69°43'10"W

SOURCES OF TITLE:
BOOK 1934, PAGE 392
BOOK 2781, PAGE 304
BOOK 2018, PAGE 10911–18
BOOK 2019, PAGE 2207–19

PLAN AND ZONING COMMISSION
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STATE OF MISSOURI
REGISTERED LAND SURVEYOR
TO BRIAN D. VIELE
02/01/2019

ALLEY VACATION EXHIBIT
ALLEY BETWEEN BOB BARKER BLVD. AND CHESTNUT EXPRESSWAY
N BLOCK "K" OF HARWOOD, LISENBY AND BOYD'S ADDITION
TO THE CITY OF SPRINGFIELD, MISSOURI

CHECKED
BY: ____________________

DRAWN
BY: ____________________

JOB
NUMBER: 4093

FILE
NAME: 4093_VAC

GREAT RIVER
ENGINEERING
205 S. 106TH W. AVE., COLUMBIA, MO 65203
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www.greinc.com

Missouri State Certificate of Authority Numbers:
Engineering: 200106505, Land Surveying: 2001011476, Landscape Architecture (20701397)