

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: MAY 10, 2018

CITY COUNCIL PUBLIC HEARING:

N/A



CASE NUMBER:

Request to Relinquish Easement
No. 861

LOCATION: 3600 Blk. South Street

ACRES: N/A

EXISTING LAND USE: Vacant

APPLICANT: TDC Investments 2, LLC

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:

Approve

PROPOSED MOTION:

Move to approve Relinquish Easement
No. 861

SUMMARY OF APPLICANTS REQUEST:

TDC Investments 2, LLC is requesting to relinquish an access easement and an ingress-egress easement in order to facilitate development of the property. The easements currently do not serve a purpose and there are no plans to utilize the easements. The drainage easement running concurrent with the access easement will remain in place and will not be included as part of the relinquishment.

STAFF COMMENTS:

PLANNING AND DEVELOPMENT:

1. The applicant is requesting to relinquish an access easement and an ingress-egress easement in order to facilitate development on the property. The existing easement would be in conflict with the proposed development.
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.

ENVIRONMENTAL SERVICES - CLEAN WATER SERVICES:

No objection to vacating the alley easement.

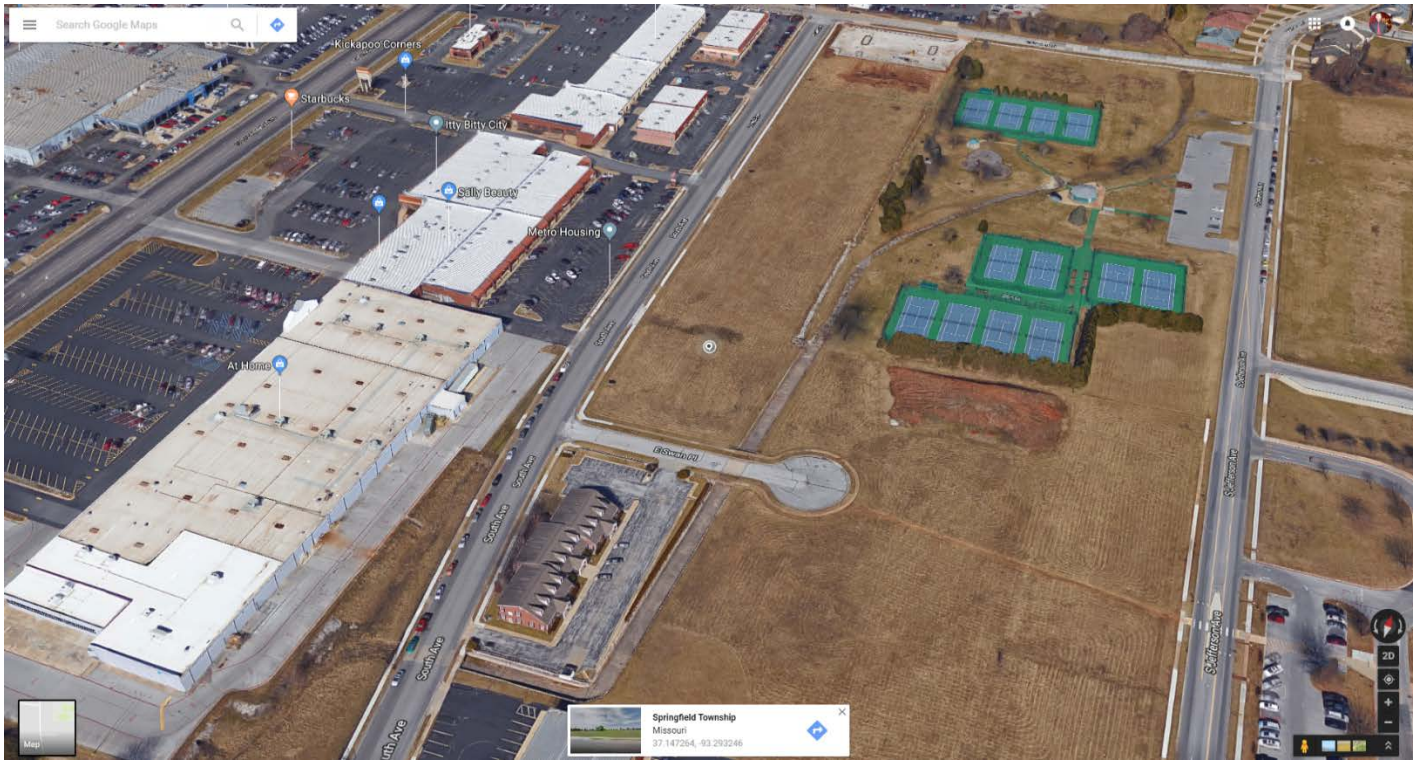
CITY UTILITIES COMMENTS:

No objection. No impact on utilities.

PUBLIC WORKS – TRAFFIC DIVISION

Traffic has no issues with the relinquishment of the alley easement along the eastern property line and the ingress/egress easements along the northern and southern property lines, but the ingress/egress easement across the front (western side) of the property must remain.

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



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FINDINGS FOR STAFF RECOMMENDATION:

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

<u>APPROVAL CRITERIA</u>	<u>STAFF RESPONSE:</u>
1. No one has objected to the relinquishment of the easements.	No one has objected to the relinquishment of the easements.
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.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easements. The applicant is not providing a replacement easement.
3. That the retention of the easements no longer serves any useful public purpose.	The retention of the subject easements no longer serve a public purpose. The applicant is not providing replacement easements.

LEGAL DESCRIPTIONS:

ACCESS EASEMENT (PRIVATE ALLEY EASEMENT) TO BE RELINQUISH:

ALL THAT PART OF LOTS 12 AND 13 OF TOWN SQUARE ADDITION SECOND AMENDED FINAL PLAT, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED IN BOOK KK AT PAGE 71 GREENE COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION;

THENCE NORTH 00°55'11" WEST, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 10.02 FEET;

THENCE NORTH 85°12'22" EAST, A DISTANCE OF 171.16 FEET;

THENCE NORTH 01°23'59" EAST, A DISTANCE OF 213.12 FEET TO THE NORTH LINE OF SAID LOT 12;

THENCE NORTH 89°05'50" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 20.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 12;

THENCE SOUTH 01°23'59" WEST, ALONG THE EAST LINE OF SAID LOTS 12 AND 13, A DISTANCE OF 221.82 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13;

THENCE SOUTH 85°12'22" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 190.87 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 6,160 SQUARE FEET

THIS DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.

INGRESS-EGRESS EASEMENT TO BE RELINQUISHED:

ALL THAT PART OF LOTS 12 AND 13 OF TOWN SQUARE ADDITION SECOND AMENDED FINAL PLAT, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, RECORDED IN BOOK KK AT PAGE 71 GREENE COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION;

THENCE NORTH 85°12'22" EAST, ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 47.11 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°55'11" WEST, A DISTANCE OF 26.06 FEET;

THENCE NORTH 85°12'22" EAST, A DISTANCE OF 124.71 FEET;

THENCE SOUTH 01°23'59" WEST, A DISTANCE OF 26.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 13;

THENCE SOUTH 85°12'22" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 123.64 FEET TO THE **POINT OF BEGINNING**;

AND

COMMENCING AT THE NORTHWEST CORNER OF LOT 12 OF SAID SUBDIVISION;

THENCE NORTH 89°05'50" EAST, ALONG THE NORTH LINE OF SAID LOT 12, A DISTANCE OF 47.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°05'50" EAST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 132.39 FEET;

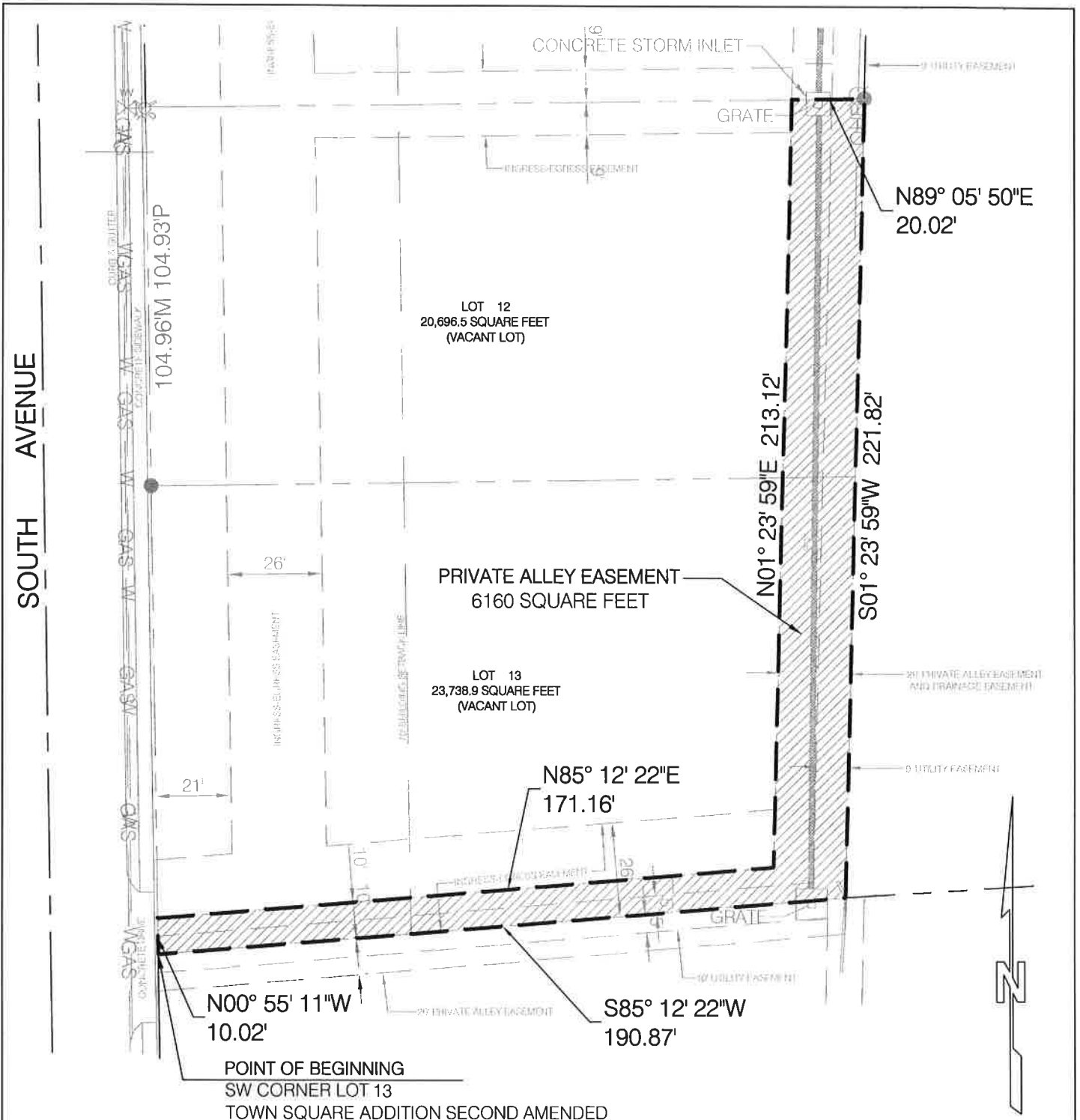
THENCE SOUTH 01°23'59" WEST, A DISTANCE OF 9.01 FEET;

THENCE SOUTH 89°05'50" WEST, A DISTANCE OF 132.03 FEET;

THENCE NORTH 00°55'11" WEST, A DISTANCE OF 9.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 4,418 SQUARE FEET

THIS DESCRIPTION WAS PREPARED BY CJW TRANSPORTATION CONSULTANTS, LLC; CORPORATE LAND SURVEY NUMBER 2007008003.



THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF A PRIVATE ALLEY EASEMENT FOR VACATION. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

GRID NORTH
 MISSOURI COORDINATE SYSTEM
 1983 CENTRAL ZONE
 SCALE 1"=40'

DATE 03/21/18 CJW PROJECT No. 18029

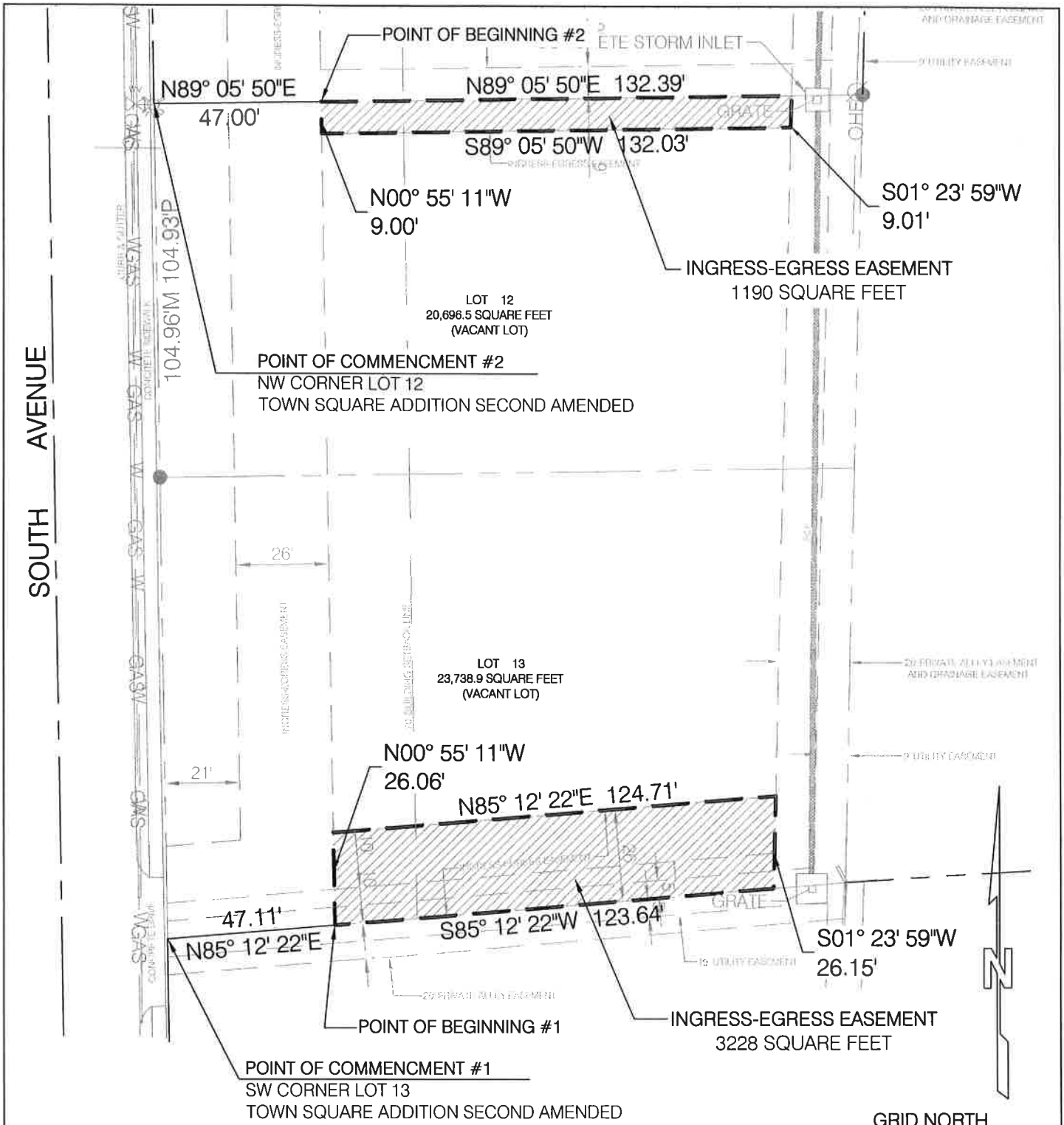
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SKETCH EXHIBIT "B"
 TODD CHAMBERS
 PRIVATE ALLEY EASEMENT VACATION
 LOTS 12 & 13 TOWN SQUARE ADDITION 2ND AMENDED
 SPRINGFIELD, GREENE COUNTY, MISSOURI



THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF AN INGRESS-EGRESS EASEMENT FOR VACATION. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

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