

BILL NO. 2936

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE AUTHORIZING A BOUNDARY ADJUSTMENT FOR LOT 1 AND LOT 2 OF EAST SIDE COUNTRY CLUB CENTER LOCATED AT THE SOUTHWEST CORNER OF WEST OSAGE STREET AND LAMAR PARKWAY. THE SITE IS LOCATED WITHIN THE CITY'S PD-C PLANNED DISTRICT COMMERCIAL DISTRICT. (P.Z. 2014.010 CVS)

WHEREAS, an application has been filed with the Zoning Officer requesting a boundary adjustment of Lots 1 & 2 of East Side Country Club Center located on the southwest corner of West Osage Street and Lamar Parkway; and

WHEREAS, the final boundary adjustment has been reviewed by the Zoning Officer and various officers of the City with such findings presented to the Planning Commission; and

WHEREAS, the City held a public hearing before the Planning and Zoning Commission and the Board of Aldermen with published notices in conformance with Chapter 89 RSMo.; and

WHEREAS, the boundary adjustment plat, accompanied by the Planning and Zoning Commission's recommendation of approval (by a vote of 8-0), has been submitted to the Board of Aldermen for review and approval; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section One. That the following described real estate located within the City of Pacific, Franklin County, is authorized to record the Final Boundary Adjustment Plat consisting of 3.04 acres and 2 lots (Lot 1 being 1.42 acres and Lot 2 being 1.62 acres) with the Franklin County Recorder of Deeds, as shown on the attached Boundary Adjustment Plat, and as set forth in this ordinance for the following described land area:

LOT 1 & LOT 2 OF EAST SIDE COUNTRY CLUB CENTER PER P.B. P,
PG. 746, PART OF THE S.W. ¼ OF THE N.W. ¼ OF SECTION 11, T-43 N.,
R.2E.

Section Two. The attached and incorporated Boundary Adjustment Plat, as more fully depicted and described on the attached **Exhibit 1** incorporated herein by reference ("**Boundary Adjustment Plat**") is hereby approved.

Section Three. The approval of the Boundary Adjustment shall be effective, from and after its date of passage and approval, provided, all required fees are paid to the City,

subject to compliance with all applicable provisions of the Subdivision and Zoning Regulations.

Section Five. The City Clerk is authorized to evidence the approval of this Boundary Adjustment by affixing such signature and the official seal of the City of Pacific to a Certificate of Approval upon this instrument. The Applicant shall record the approved Boundary Adjustment Plat within ninety (90) days of its approval by the Board of Aldermen of the City of Pacific at the Office of the County Recorder of Deeds, with all costs paid by the Applicant.

Section Six: This Ordinance shall be in full force and effect on and after its passage and approval.

This Bill was passed and approved this 16th day of December, 2014, by the Board of Aldermen of the City of Pacific, Missouri after having been read by title two times prior to passage.

Presiding Officer

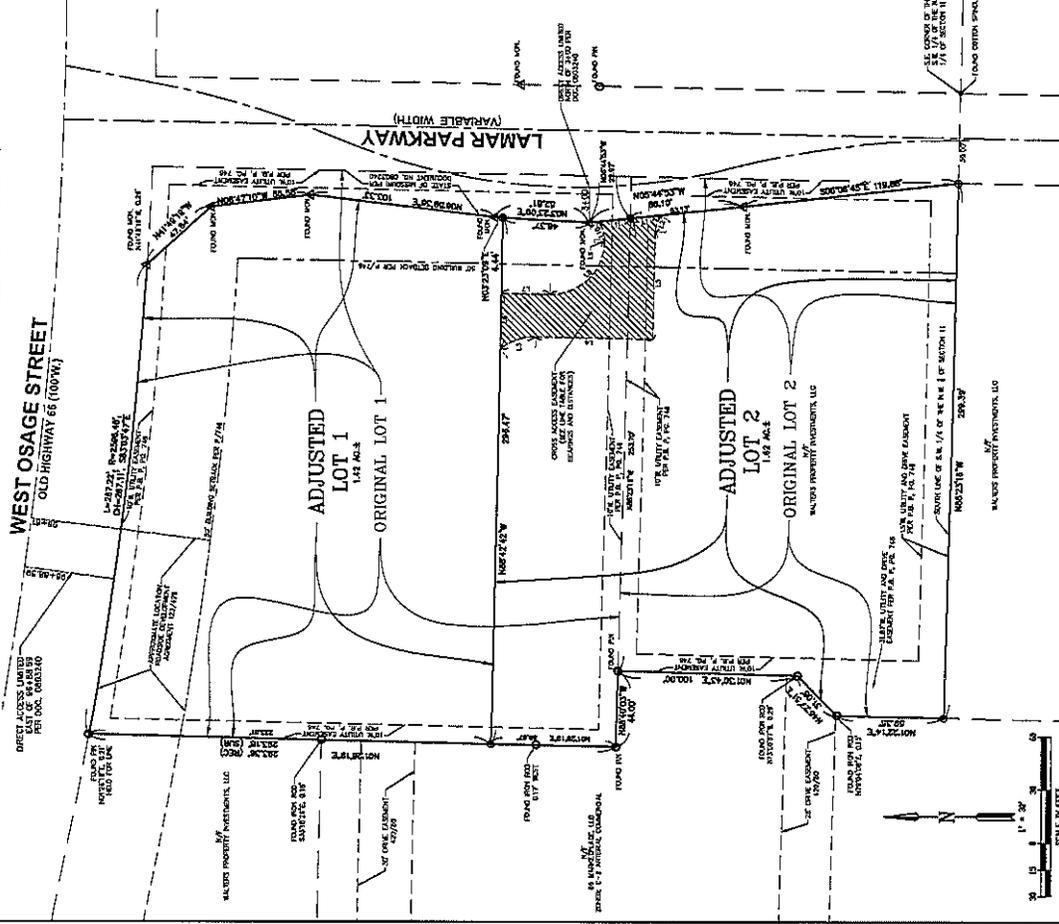
Jeffrey M. Palmore, Mayor

ATTEST:

City Clerk

City Clerk

BOUNDARY ADJUSTMENT PLAT OF LOTS 1 AND 2 OF EAST SIDE COUNTRY CLUB CENTER PLAT BOOK P, PAGE 746 PART OF THE SOUTHWEST 1/4 OF SECTION 11 TOWNSHIP 43 NORTH, RANGE 2 EAST CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI



GENERAL NOTES:

1. BASIS OF SURVEY FOR THIS SURVEY WAS PROVIDED FROM THE RECORD COORDINATE SURVEY OF THE CITY OF PACIFIC, MISSOURI, PLAT BOOK P, PAGE 746.
2. THE LOTS ARE SHOWN AS BEING ADJACENT TO THE RECORD PLAT.
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9. THE LOTS ARE SHOWN AS BEING ADJACENT TO THE RECORD PLAT.
10. THE LOTS ARE SHOWN AS BEING ADJACENT TO THE RECORD PLAT.

ORIGINAL PLAT LEGAL DESCRIPTION FOR ORIGINAL LOT 1:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 43 NORTH, RANGE 2 EAST, CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI, AS SHOWN IN PLAT BOOK P, PAGE 746, BEING 1.42 ACRES, MORE OR LESS, AS SHOWN BY THE SURVEY THEREON.

ORIGINAL PLAT LEGAL DESCRIPTION FOR ORIGINAL LOT 2:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 43 NORTH, RANGE 2 EAST, CITY OF PACIFIC, FRANKLIN COUNTY, MISSOURI, AS SHOWN IN PLAT BOOK P, PAGE 746, BEING 1.48 ACRES, MORE OR LESS, AS SHOWN BY THE SURVEY THEREON.

LINE NUMBER	DIRECTION	LENGTH	BEARING	AREA (SQ. FT.)	ADJUSTED LOT
1	N 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 1
2	E 90° 00' 00" S	100.00	100.00	100.00	ADJUSTED LOT 1
3	S 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 1
4	N 90° 00' 00" E	100.00	100.00	100.00	ADJUSTED LOT 1
5	N 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 2
6	E 90° 00' 00" S	100.00	100.00	100.00	ADJUSTED LOT 2
7	S 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 2
8	N 90° 00' 00" E	100.00	100.00	100.00	ADJUSTED LOT 2
9	N 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 2
10	E 90° 00' 00" S	100.00	100.00	100.00	ADJUSTED LOT 2
11	S 0° 00' 00" W	100.00	100.00	100.00	ADJUSTED LOT 2
12	N 90° 00' 00" E	100.00	100.00	100.00	ADJUSTED LOT 2

CVS Pharmacy
 8000 SF - CENTER ENTRY
 CHAMBER DRIVE-THRU
 STORE NUMBER #0773
 516 WEST OSAGE ST. AND LAMAR PARKWAY
 PACIFIC, MO
 PROJECT THIS INTO COMPLIANCE
 HEALTHING THE COMMUNITY
 CS PROJECT NUMBER #80050

NORR
 ARCHITECT ENGINEERS PLANNERS
 ARCHITECT OF RECORD

PREMIER CIVIL ENGINEERING
 CONSULTANT
 208 FIVE OAKS
 LAW OFFICE
 FROM 015707-044, REC 014/07/07
 MISSOURI (STATE OF) 015707-044, REC 014/07/07
 MISSOURI (STATE OF) 015707-044, REC 014/07/07

T.M. CROWLEY & ASSOCIATES
 DEVELOPER

REVISIONS:
 1. 11/11/11 UPDATING COMPLETION DATES

DATE: 11/11/11

DRAWING BY: JAVIERA

DATE: 11/11/11

JOB NUMBER: 110101

TITLE: BOUNDARY ADJUSTMENT PLAT

SHEET NUMBER:

FOR REVIEW AND COMMENT
 V-3

December 11, 2014

Mayor and Members of the Board of Aldermen
City of Pacific, Missouri
300 Hoven Street
Pacific, MO 63068

Re: A request to adjust the boundaries of lots 1 and 2 of East Side Country Club Center by moving the shared boundary line 70' to the north. The site is located at the southwest corner of West Osage Road and Lamar Parkway. (P.Z. 2014.010 CVS)

Dear Mayor and Members of the Board;

The proposed boundary adjustment would make the area of **Lot 1** 1.42 acres and the area of **Lot 2** 1.62 acres. No new lot will be created. The adjusted lots are located in the City's "C-2" Arterial Commercial District. The petitioner (CVS) is purchasing Lot 1 and also requesting approval to construct a 6,000 square foot pharmacy with a drive thru, which requires rezoning to the City's Planning District Overlay.

The Planning Commission reviewed the Boundary Adjustment Plat at their December 9, 2014 meeting and by a vote of 8-0, passed a motion to recommend approval of the proposed Boundary Adjustment with the following condition:

1. A permanent shared access easement is included on the Plat to allow shared access between lots 1 & 2 thereby providing ingress/egress to Lamar Parkway.

This matter is now forwarded for your review and consideration. The Staff Report presented to the Planning and Zoning Commission at their December 9, 2014 meeting and the proposed ordinance authorizing the Boundary Adjustment are attached.

Staff Report (CVS)

ON AN APPLICATION TO: Adjust the boundaries of lots 1 and 2 of East Side Country Club Center by moving the shared boundary line 70' to the north. The proposed boundary adjustment would make the area of Lot 1 1.42 acres and the area of Lot 2 1.62 acres. The adjusted lots are located in the City's "C-2" Arterial Commercial District. No new lot will be created. The petitioner is also requesting "Lot 1" be re-zoned to the City's PUD District with "C-2" Arterial Commercial as the underlying district. According to the City's zoning and subdivision requirements and procedures, rezoning requires a public hearing before the Planning & Zoning Commission and approval by the Board of Aldermen.

APPLICANT: Steve Marion
Premier Civil Engineers
308 TCW Court
Lake Saint Louis, MO 63367

PROPERTY OWNER: Missouri CVS Pharmacy
1165 North Clark Street Suite 305
Chicago, IL 60610

LOCATION: SWC of West Osage Street and Lamar Parkway

PRESENT ZONING CLASSIFICATION: "C2" Arterial Commercial.

PROPOSED ZONING CLASSIFICATION: PUD with "C2" Underlying (Lot 1 only)

PURPOSE: To consider a boundary adjustment of Lots 1 & 2 of East Side Country Club Center and rezoning Lot 1 (1.42 acres) to the City Planned Commercial Development District (PD-C). The proposed lot sizes are well over the 22,000 SF minimum lot size requirement of the "C2" Zoning District. Approval of this rezoning and minor boundary adjustment plat will allow the owner to record the plat with the Franklin County Recorder of Deeds and construct one (1), 6,000 SF Pharmacy on Lot 1. The approval of the boundary adjustment and rezoning of Lot 1 will require the following waiver;

1. The proposed building on Lot 1 does not meet the "C2" front setback requirement, which states; *"building facades shall be placed a minimum of 15 feet and a maximum of 50 feet from the public right of way line"*. The proposed building is located 82.17 feet from the public right of way line. The maximum setback pursuant to Section 400.130 is 50'.

Staff recommends the Planning Commission pass a motion to approve, approve with conditions or deny the Boundary Adjustment Plat and a separate motion to approve, approve with conditions or deny the PD-C rezoning, site development plan, landscape plan, architectural elevations and waiver request for the proposed CVS.