



Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Ken McClure, Mayor

Zone Councilmembers General Councilmembers

Phyllis Ferguson, Zone 1 Jan Fisk, General A

Abe McGull, Zone 2 Craig Hosmer, General B

Mike Schilling, Zone 3 Andrew Lear, General C

Matthew Simpson, Zone 4 Richard Ollis, General D

Upcoming Council Meeting Agenda

August 24, 2020 6:30 p.m.

This meeting will be conducted both at 830 N. Boonville Ave. and electronically. The public may observe, physically attend (the number of people gathered will be limited to fewer than 10 per space with physical distancing requirements applied) or viewed at <https://cityview.springfieldmo.gov/livestream/>.

Speakers must [sign up with the City Clerk](#) no later than 5:00 p.m. the Friday before the meeting to speak to an issue on the agenda. Citizens wishing to submit comments to City Council may do so using the [citizen comments form](#).

Speakers are to limit their remarks to three to five minutes.

Note: Sponsorship does not denote Council member approval or support.

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES. AUGUST 10, 2020 CITY COUNCIL MEETING AND AUGUST 11 AND 18, 2020 SPECIAL CITY COUNCIL MEETINGS.**

Documents:

[08-10-2020.PDF](#)

[08-11-20 SPECIAL CITY COUNCIL MEETING.PDF](#)

[08-18-20 SPECIAL CITY COUNCIL MEETING.PDF](#)

3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST NOTIFY THE CITY CLERK BY 5:00 P.M. ON FRIDAY, AUGUST 21, 2020.**
4. **CEREMONIAL MATTERS**

4. **GENERAL MATTERS.**

5. **CITY MANAGER REPORT, PUBLIC HEALTH DIRECTOR REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS.**

6. **SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.**

7. **Council Bill 2020-181 (Ferguson)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.3 acres of property generally located at 410, 414, and 430 North Boonville Avenue, 310 East Phelps Street, and 405 North Jefferson Avenue from HM, Heavy Manufacturing District, to CC, Center City District; establishing Conditional Overlay District No. 187; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Missouri State University and Vecino Group; 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue; Z-12-2020 w/COD #187.)

Documents:

[2020-181.PDF](#)

8. **Council Bill 2020-182 (Ferguson)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing District, and GI, Governmental and Institutional Use District, to CC, Center City; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Advocates for a Health Community Inc.; 618 North Benton Avenue; Z-15-2020.)

Documents:

[2020-182.PDF](#)

9. **Council Bill 2020-184 (Ferguson)**

A special ordinance granting Conditional Use Permit No. 445 for the purpose of authorizing a warehousing and storage facility to operate within the CS, Commercial Service District generally located at 2706 West Chestnut Expressway as a conditional use. (Staff and Planning and Zoning Commission recommend approval.) (By: MOCAL Investment Company, LLC; 2706 West Chestnut Expressway; Conditional Use Permit 445.)

Documents:

10. Council Bill 2020-185 (Schilling)

A special ordinance vacating the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; Vacation 819.)

Documents:

[2020-185.PDF](#)

11. Council Bill 2020-186 (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff recommends approval and Planning and Zoning Commission recommends denial.) (By: Sunshine TP LLC; 1738 West Sunshine Street; Z-14-2020.)

Documents:

[2020-186.PDF](#)

12. Council Bill 2020-189 (McClure)

A general ordinance amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' by repealing Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' due to preemption by state law.

Documents:

[2020-189.PDF](#)

13. Council Bill 2020-190 (Hosmer)

A special ordinance amending the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year 2018-2019 carryover funds and increasing expenses in the amount of \$175,000.00, for special election costs related to the fee for a Short-Term Loan Establishment permit.

Documents:

[2020-190.PDF](#)

14. Council Bill 2020-191 (Schilling)

14. Council Bill 2020-191 (Schilling)

A special ordinance authorizing the Director of Planning and Development and the City Clerk to sign the Plat of the Administrative Subdivision of Kansas at Grand Phase 2 with a Subdivision Variance, generally located at 1720 West Grand Street, upon compliance with all the terms of this Ordinance. (Staff and Planning and Zoning Commission recommend approval.) (McKeen Trust; 1720 West Grand Street, Kansas at Grand Subdivision Phase 2 Replat, submitted with a variance.)

Documents:

[2020-191.PDF](#)

15. RESOLUTIONS. Citizens May Speak. May Be Voted On.

16. Council Bill 2020-196 (Council)

A resolution declaring the results of a Special Municipal Election held on August 4, 2020, under the Home Rule Charter of the City of Springfield, Missouri, on the question of whether the City shall be authorized to impose a fee for a Short-Term Loan Establishment permit.

Documents:

[2020-196.PDF](#)

17. EMERGENCY BILLS.

18. PUBLIC IMPROVEMENTS.

19. GRANTS. Citizens May Speak. May Be Voted On.

20. Council Bill 2020-197 (Fisk)

A special ordinance authorizing the City Manager, or his designee, to accept grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$40,000.00, to fund job and skills training for ten apprentices; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$40,000.00 to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

Documents:

[2020-197.PDF](#)

21. Council Bill 2020-198 (Lear)

A special ordinance authorizing the City Manager, or his designee, to accept Workforce Innovation and Opportunity Act National Dislocated Worker Grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$240,163.00 to fund job and skills training; amending the budget of the Department of Workforce

...and training, amending the budget of the Department of Economic Development for Fiscal Year 2020-2021 in the amount of \$240,163.00 to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

Documents:

[2020-198.PDF](#)

22. AMENDED BILLS.

23. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On. (Public Hearing Continued From The August 10, 2020 City Council Meeting.)

24. Council Bill 2020-187 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 4.2 acres of property, generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail, and LB, Limited Business District to Planned Development No. 374; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: Elevation Enterprises, LLC; 3503, 3521, 3527, and 3535 South Lone Pine Avenue; Planned Development 374.)

Documents:

[2020-187.PDF](#)

25. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

26. Council Bill 2020-199 (Fisk)

A special ordinance approving the plans and specifications for Project #06-0061 Southwest Wastewater Treatment Plant - Administrative and Maintenance Facility Improvement; accepting the bid of Mechanical Services, Inc., d/b/a MSI Constructors, in the amount of \$675,700.00 for construction and oversight; authorizing the City Manager, or his designee, to enter into an agreement with such bidder; and approving a budget adjustment to amend the Fiscal Year 2020-2021 Budget for the Department of Environmental Services in the amount of \$850,000, by appropriating retained earnings of the Clean Water Enterprise Fund.

Documents:

[2020-199.PDF](#)

27. Council Bill 2020-200 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program Urban Program Agreement with the

into a Surface Transportation Program/Urban Program Agreement with the Missouri Highways and Transportation Commission; and amending the budget of the Department of Public Works for Fiscal Year 2020-2021, in the amount of \$640,000.00, for the purpose of appropriating federal funds to be used in purchasing battery back-ups for traffic signals.

Documents:

[2020-200.PDF](#)

28. Council Bill 2020-201 (Lear)

A special ordinance declaring the necessity of condemning right(s)-of-way for construction and permanent easements over, under, and through the properties herein described and generally located near the intersection of South Campbell Avenue and West Republic Road in the City of Springfield, Missouri, including 4101 and 4222 South Campbell Avenue, for the purpose of completing City Project #2015PW0077WTE, funded through the 1/8-Cent Capital Improvement Sales Tax, MoDot Cost-Share and federal funds; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

Documents:

[2020-201.PDF](#)

29. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

Michael Hasty wishes to address City Council.

Carl Hawn wishes to address City Council.

Melanie Taylor wishes to address City Council.

Jacob Metz wishes to address City Council.

Jeremy Cochrane wishes to address City Council.

Lisa Meeks wishes to address City Council.

Amanda Douglas wishes to address City Council.

Sharla Chandler wishes to address City Council.

Jennifer Thompson wishes to address City Council.

Toni Robinson wishes to address City Council.

30. NEW BUSINESS.

The Mayor recommends the following reappointment the Springfield Convention and Visitors Bureau, Inc. Board: Tim Rosenbury with term to expire January 1, 2022

Refer to the Finance and Administration Committee a Recommendation by the Police Officers' and Firefighters' Retirement System Board of Trustees to eliminate Section 2-477 from the City Code.

31. **UNFINISHED BUSINESS.**

32. **MISCELLANEOUS.**

33. **CONSENT AGENDA – FIRST READING BILLS. See Item #3.**

34. **Council Bill 2020-202 (Fisk)**

A special ordinance authorizing the City Manager, or his designee, to modify an Intergovernmental Agreement with the City of Nixa, Missouri, modifying the terms of the existing consolidated Police Records Management System agreement.

Documents:

[2020-202.PDF](#)

35. **Council Bill 2020-203 (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to modify the Intergovernmental Agreement with the City of Republic, Missouri, relating to the use of a consolidated Police Records Management System agreement.

Documents:

[2020-203.PDF](#)

36. **Council Bill 2020-204 (Lear)**

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Springfield R-XII School District, for the use of a consolidated Police Records Management System.

Documents:

[2020-204.PDF](#)

37. **CONSENT AGENDA – ONE READING BILLS. See Item #3.**

38. **CONSENT AGENDA – SECOND READING BILLS. See Item #3.**

39. **Council Bill 2020-192 (Schilling)**

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, upon the

applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Documents:

[2020-192.PDF](#)

40. Council Bill 2020-193 (Ollis)

A special ordinance authorizing the City Manager, or his designee, to enter into a Joint Funding Agreement with the United States Department of the Interior for the purpose of operating and maintaining four streamgages.

Documents:

[2020-193.PDF](#)

41. END OF CONSENT AGENDA.

42. ADJOURN.

Persons addressing City Council will be escorted to a monitored computer and address City Council via Zoom. Please clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 417-864-1443 at least three days prior to the scheduled meeting.

August 10, 2020
Springfield, Missouri

The City Council met in regular session August 10, 2020 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. A moment of silence was observed.

Roll Call

Present. Abe McGull, Matthew Simpson*, Mike Schilling*, Phyllis Ferguson*, Jan Fisk*, Craig Hosmer, Andrew Lear* and Ken McClure. Absent. Richard Ollis.

*Members attending via videoconference.

Mike Schilling joined the meeting via videoconference at 6:41pm.

Minutes

The minutes of July 27, 2020 City Council meeting and July 28, 2020 Special City Council Meeting were approved as presented

Consent Agenda

The Consent Agenda was approved as presented.

CEREMONIAL MATTERS

City Manager Report

Clay Goddard, Director of Public Health and Welfare, noted there 1,584 confirmed cases of COVID-19 in Greene County with 650 being active. He noted the Health Department's dashboard had been updated in order to provide the public with more information in the community and our region. Mr. Goddard noted there has been a 26% increase in cases in the last 7 days, however if you remove the number of people that live in institutions the percentage increase drops to 8%. He noted overall, there is an increase and the masking ordinance was designed with the community in mind and an 8% case growth is progress, however other counties in the region have experienced higher case growth than Greene County. Mr. Goddard expressed his belief masking is working, but is not a replacement for physical distancing or lowering densities in indoor settings. He noted offers have been made for all 37 positions available through the Health Department and are in the last stages of finalizing the contract for contact tracing. Mr. Goddard noted there have been two additional deaths, bringing the total number of deaths from COVID-19 to 16.

Mayor McClure asked Mr. Goddard for an update on Greene County's distribution of the CARES money.

Mr. Goddard answered he believes the committee is currently reviewing applications and could distribute money by the end of the week.

Councilman Simpson asked if the number of increased cases from institutional settings had come from the jail, and if so, what could Mr. Goddard share.

Mr. Goddard noted the Health Department is continuing to work with the Sheriff and his department, and the Health Department had done some testing at the jail earlier today. He noted institutional settings bring unique challenges and are very conducive to the propagation and spread of this disease.

Councilman Simpson asked the time between when a person takes a COVID-19 test and when s/he gets the results.

Mr. Goddard answered there is some variability because some of the labs report slower than other labs. He noted the Health Department lab often has the results the same day, while there are other labs that may take up to five days to report results.

Councilman Hosmer asked if the rise in cases has affected the opening of public and private schools.

Mr. Goddard answered Springfield Public School (SPS) has put together a reasonable plan that will give them the best chance for success by dividing the students into two separate cohorts and having 25% sign up for virtual learning will give some classroom densities, along with masking, that will allow for the best success.

Councilman Hosmer asked if the Health Department has served as a resource for schools.

Mr. Goddard answered affirmatively.

Mayor Pro Tem Ferguson asked for an update on the local hospital facilities.

Mr. Goddard answered there is a total of 63 hospitalized, with 23 in the ICU. He noted the majority of those patients are probably from outside Greene County.

Mayor Pro Tem Ferguson asked if the hospitals had what they needed in terms of staff and supplies to treat the COVID-19 patients.

Mr. Goddard answered affirmatively. He noted the largest concern was for the therapeutic medicines Remdesivir and the convalescent plasma.

Councilman Schilling noted he was in a small business earlier and the owners of the business expressed gratitude to the City Council for the masking ordinance and shared their belief they would not currently be open for business if it were not for the masking ordinance.

Councilman McGull asked Mr. Goddard if he was working with the jail and if he is aware of the number of infected at the jail.

Mr. Goddard answered the Health Department is working with the jail and he did not currently have information pertaining to the number of infected cases with him. He noted staff from the Health Department went to the jail today to collect specimens.

Councilman McGull asked if there are any protocols if an inmate tested positive but was scheduled for release.

Mr. Goddard answered he is not aware of what the protocols are, but he could inquire.

Jason Gage, City Manager, noted Public Information specialists working across City departments and throughout the community continue working together to keep residents and visitors informed regarding the coronavirus. He noted upcoming videos will help humanize the impact of the disease through testimonials by those surviving it and those whose loved ones weren't so lucky. Mr. Gage noted additional activities include a community-wide masking awareness multimedia campaign, video discussions with higher education leaders and focus groups of college students.

Mr. Gage noted citizens made their choices known during last week's election and the City Clerk is working on scheduling a Special City Council meeting to certify the results. He noted both measures that were supported by City Council and City staff passed: Amendment 2- Medicaid Expansion and Question 1 – giving the City of Springfield the authority to impose a \$5,000 fee for a payday loan establishment permit.

Mr. Gage provided two citizen engagement updates. He noted the first is Forward SGF, which continues with a series of focus groups that convene subject matter experts on a variety of topics pertinent to the next phase of the project, but noted there is a "small hiccup" as the Chicago consultants are unable to travel to Missouri at the current time. Mr. Gage noted the second citizen engagement process is for the Grant Avenue Parkway project and is currently being mapped out as surveyors plan to begin their work in the corridor on August 17, 2020. He noted several of internal departments, such as Public Works, Public Information & Civic Engagement, Quality of Place, and Planning are working alongside Crawford, Murphy & Tilly (CMT) engineers on a schedule and agenda for engagements.

The following bills appeared on the agenda under Second Reading Bills.

Rezoning 3146 South Golden Avenue

Sponsor: Schilling. City Council Bill 2020-175.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3146 South Golden Avenue from GM, General Manufacturing to O-1, Office District; establishing Conditional Overlay District No. 188; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: OIP Golden, LLC; 3146 South Golden Avenue; Z-16-2020 w/COD #188.)

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-175. General ordinance 6608 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Amending City
Code Chapter 74
to Lead Poisoning**

Sponsor: Council. City Council Bill 2020-176.

A general ordinance amending the Springfield City Code Chapter 74, 'Nuisance and Housing Code,' Article I, 'In General,' Section 74-1, to redefine 'Lead-bearing substance' and 'Lead hazard' to cross-reference definitions in state law, and Article IV, 'Lead Poisoning,' Section 74-171, to replace "elevated blood lead toxicity" with "lead poisoning," and Section 74-178, to delete "lead toxicity" as redundant to "lead poisoning."

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

Mayor Pro Tem Ferguson expressed her gratitude to staff for their work on the proposed.

There being no further questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-176. General ordinance 6609 was approved by the following roll call vote: Ayes: Fisk, Hosmer, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Hunt Branch
Trunk Sewer
Project**

Sponsor: Lear. City Council Bill 2020-177.

A special ordinance declaring the necessity of condemning rights-of-way over, under, and through the properties herein described for the purpose of constructing and maintaining sanitary sewers in the Hunt Branch Trunk Sewer Project, #5PW5716; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-177. Special ordinance 27371 was approved by the following roll call vote: Ayes: Hosmer, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: Ollis. Abstain: None.

**West Meadows
Trail and Parking
Lot Improvements**

Sponsor: Ferguson. City Council Bill 2020-178.

A special ordinance approving the plans and specifications for the West Meadows Trail and Parking Lot Improvements, Plan No. 2018PW0077; accepting the bid of Emery Sapp & Sons, Inc., in the amount of \$405,508.60, for construction of said project; and authorizing the City Manager, or his designee, to enter into an agreement with such bidder.

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-178. Special ordinance 27372 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Ollis. Abstain: None.

The following bills appeared on the agenda under Resolutions.

**Annexation of 6177
South Farm Road
189**

Sponsor: Simpson. Council Bill 2020-180.

A resolution declaring an intent to initiate the annexation of approximately 45 acres of private property generally located at 6177 South Farm Road 189. (Staff recommends approval.) (By: Frank J. and Kimberly L. Steed; 6177 S. Farm Road 189; A-4-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is only to initiate annexation, the proposed is not before City Council for an annexation decision and the public hearing would be September 8, 2020 with a second reading and vote on September 21, 2020. Ms. Smith noted the 45 acres is private property, within the Urban Service Area, is compact and contiguous to City limits, and is zoned R-1 for suburban residence.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

Anita Cotter, City Clerk, noted a representative (Christopher Wynn) was available to answer questions from City Council.

There being no questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-180. Resolution 10518 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Establishment of
the Commercial
Street Advisory
Team**

Sponsor: McClure. Council Bill 2020-194.

A resolution establishing the “Forward SGF – Commercial Street Advisory Team” for the purpose of providing additional citizen engagement and participation during the City’s comprehensive planning process.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed noting there had been prior discussion during a City Council Lunch workshop. Ms. Smith expressed the Commercial Street Advisory Team would assist with the planning process, serve as a sounding board, and gather public input. She noted the Commercial Street Advisory Team is part of the 2006 Commercial Street Strategy for Success and development of optimal organizational collaboration, work program and budget. Ms. Smith reviewed the recommended members of the Commercial Street Advisory Team.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

Councilman Simpson expressed his opinion the recommended members list for the Commercial Street Advisory Team was diverse and believed the Commercial Street Advisory Team would be successful.

There being no further questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-194. Resolution 10519 was approved by the following roll call vote: Ayes: McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Establishment of
the Downtown
Advisory Team**

Sponsor: McClure. Council Bill 2020-195

A resolution establishing the “Forward SGF – Downtown Advisory Team” for the purpose of providing additional citizen engagement and participation during the City’s comprehensive planning process.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed noting there had been prior discussion during a City Council Lunch workshop. Ms. Smith explained the Downtown area consists of the central business district, University Plaza, and the Jordan Valley Park areas. She noted the Downtown Advisory Team is part of the Forward SGF Comprehensive Planning Process and reviewed a list of recommended members.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

There being no questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-195. Resolution 10520 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear, McGull and McClure. Nays: None. Absent: Ollis. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

The following bills appeared on the agenda under Council Bills for Public Hearing.

**Rezoning 410, 414
and 430 N.
Boonville Avenue,
310 E. Phelps
Street and 405 N.
Jefferson Avenue**

Sponsor: Ferguson. Council Bill 2020-181.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.3 acres of property generally located at 410, 414, and 430 North Boonville Avenue, 310 East Phelps Street, and 405 North Jefferson Avenue from HM, Heavy Manufacturing District, to CC, Center City District; establishing Conditional Overlay District No. 187; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Missouri State University and Vecino Group; 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue; Z-12-2020 w/COD #187.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is part of the continued plan to facilitate the IDEA Common project and eFactory redevelopment. Ms. Smith noted the comprehensive plan is appropriate for high-intensity office, retail, and housing, preferably in mixed-use buildings with a strong pedestrian orientation. She noted the Conditional Overlay District will require a traffic impact study if there is an increase over 100 peak hour trips or 1,000 trip-ends per day and residential use requires off-street parking.

An opportunity was given for citizens to express their views.

Jane Earnhart spoke in favor of the proposed. Ms. Earnhart noted she represents the applicant and is available to answer any questions.

There being no further speakers the public hearing was declared closed.

**Rezoning at 618
North Benton
Avenue**

Sponsor: Ferguson. Council Bill 2020-182.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing District, and GI, Governmental and Institutional Use District, to CC, Center City; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Advocates for a Health Community Inc.; 618 North Benton Avenue; Z-15-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for community-public land uses, Center City zoning supports the existing uses and vision of IDEA Commons Plan and Jordan Valley Park Concept Plan, and rezoning will facilitate the expansion of Jordan Valley Health Clinic and consolidates their campus into one zoning district.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

**Rezoning at 3221
West Kearney
Street**

Sponsor: Ferguson. Council Bill 2020-183.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10.41 acres of property generally located at 3221 West Kearney Street from HC, Highway Commercial District to R-MD, Medium-Density Multifamily Residential District; establishing Conditional Overlay District No. 186; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Agron H. & Lele L. Selencia; 3221 West Kearney Street; Z-13-2020 w/COD#186.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the north portion is appropriate for medium or high-density housing and the south portion is appropriate for medium-intensity retail, office, or housing. She noted the Conditional Overlay District requires 11 dwelling units per acre, must be subdivided according to zoning lines, and must dedicate 50' right of way along full length of north property line for future collector street.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

**Conditional Use
Permit No. 445 at
2706 West
Chestnut
Expressway**

Sponsor: Ferguson. Council Bill 2020-184.

A special ordinance granting Conditional Use Permit No. 445 for the purpose of authorizing a warehousing and storage facility to operate within the CS, Commercial Service District generally located at 2706 West Chestnut Expressway as a conditional use. (Staff and Planning and Zoning Commission recommend approval.) (By: MOCAL Investment Company, LLC; 2706 West Chestnut Expressway; Conditional Use Permit 445.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for medium-intensity retail, office, or housing. She noted the conditional use permit is to allow warehousing and storage in the Commercial Service District, the conditional use permit previously approved in November 2017 expires if no action is taken within 18 months, and the proposed satisfies all standards for the conditional use permit.

Anita Cotter, City Clerk, noted a representative was available to answer questions from City Council.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

Vacation 819

Sponsor: Schilling. Council Bill 2020-185.

A special ordinance vacating the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; Vacation 819.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted City Utilities controls all property adjoining Crenshaw, the proposed is not needed for the City street system, and Ridgecrest provides an alternative route for the traveling public. She noted citizens have filed an appeal of Planning and Zoning to City Council. Ms. Smith reviewed the four requirements for a Vacation and staff response to the Crenshaw Road Vacation.

Councilman Hosmer asked for clarification on the objections raised by property owners in the area.

Ms. Smith noted many of the property owners would be addressing City Council this evening and many of the property owners opposed to the proposed reside south from the extension. She noted the property owners would be able to travel using Ridgecrest. Ms. Smith noted one of the reasons for the objection related to site distance. She noted there are also representatives from City Utilities to speak to the clearing they have been doing in the area to improve site distance.

An opportunity was given for citizens to express their views.

Doug Hays spoke in opposition of the proposed. Mr. Hays expressed his concern for the proposed is two-fold, access and safety. He noted he owns a business in the area and expressed concern for the danger his clients will be exposed to due to lack of site distance at the corner. Mr. Hays expressed his opinion City Utilities has not cleared the area until this past week. He expressed his opinion after the Planning and Zoning meeting agendas are at play that have nothing to do with property owners or safety issues. Mr. Hays encouraged City Council to vote no to the proposed.

Chris Jones spoke in support of the proposed. Mr. Jones noted he is employed at City Utilities (CU). He noted Ridgecrest was built specifically with the intent of vacating Crenshaw road. Mr. Jones noted Crenshaw Road splits CU property. He reviewed the facilities located on the property, staffing at the facilities, and future uses of the facilities. Mr. Jones noted since the James River Power Station is no longer staffed 24 hours per day, the facility has been vandalized, there has been property damage, and trash dumping. He expressed his opinion if Crenshaw Road is vacated it will improve the overall security of the CU sites.

Councilman Schilling asked if Mr. Jones was aware of any accidents at the intersection Mr. Hays referred to.

Mr. Jones noted the referred intersection is Ridgecrest and Kissick and is a three-way intersection. He noted there is a subdivision to the east and when the subdivision was built it was tied into the intersection, making it a four-way intersection. Mr. Jones expressed his belief the Public Works staff would be able to answer questions related to public safety better than he. He noted CU has removed trees and brush in order to improve the site line to the north and CU will do what they can to help.

Councilman Schilling clarified the area with vandalism and trashing is off Crenshaw Road.

Mr. Jones answered affirmatively.

Ruth Seboldt spoke in opposition of the proposed. Ms. Seboldt noted she has lived near the power plant for 53 years. She noted when she travels, she uses Crenshaw Road. Ms. Seboldt expressed her opinion the intersection at Ridgecrest and Kissick is dangerous and is a blind intersection. She expressed her opinion closing Crenshaw Road is not a safe answer.

Jessie Price spoke in opposition of the proposed. Ms. Price noted she uses Crenshaw Road and asked for Crenshaw Road to be left open.

Maureen Hays spoke in opposition of the proposed. Ms. Hays noted she lives on Crenshaw Road. She noted she attended the Planning and Zoning meeting and the only reason given for closing Crenshaw Road was graffiti and vandalism on the bridge. Ms. Hays expressed her shock these reasons would take precedent over safety. She noted she has also experienced vandalism, but has not previously heard of vandalism as a reason for closing a road. Ms. Hays expressed her opinion City Utilities (CU) knew Crenshaw Road divided the property when CU purchased the property. She expressed her shock at learning none of the members of the Planning and Zoning Committee had visited the site and no traffic studies had been conducted. Ms. Hays noted she took pictures via Google Earth and submitted the pictures to City Council. She requested City Council leave Crenshaw Road open.

Leonard Bieri wishes to address City Council. Mr. Bieri did not appear.

Steve Stodden spoke in support of the proposed. Mr. Stodden noted he is employed at City Utilities (CU). He noted in 2000, James River Power Station was setting production records which caused an influx of coal trains. Mr. Stodden noted the trains crossed Kissick Avenue and this caused traffic delays and problems with emergency vehicle access. He noted these factors lead to building an overpass and building Crenshaw Road. Mr. Stodden noted building an overpass became cost prohibitive, leaving both Crenshaw Road and Ridgecrest Road in service. He noted James River Power Station is no longer bringing in coal trains, therefore there is not a need for Crenshaw Road.

Councilman Schilling asked what the traffic count in the past has been for Crenshaw Road.

Mr. Stodden noted City staff has those number and he would defer to them; however, he would assume the traffic has decreased as it was related to the operation of the power plant.

Councilman Simpson asked if City staff can obtain the traffic count and the intersection of Ridgecrest and Kissick. He noted he has driven through this area and the site lines are difficult.

Derrick Estell, Public Works Engineer II, noted Public Works has conducted a speed study, collected crash counts, and collected traffic volumes on all three roadways. Mr. Estell noted the section of Crenshaw Road noted in the Vacation has a current traffic count of 104 vehicles per day. He noted the posted speeds are 45 miles per hour, except for Kissick Avenue between Ridgecrest and Southview and posted limits are at or under the posted speed limit. Mr. Estell noted one crash on all three roadways at Ridgecrest and Kissick in 2016 and was a property damage only crash.

Jason Gage, City Manager, asked Mr. Estell asked what traffic control devices are at the intersections in the proposed and the areas citizens are expressing concern for and if any changes to traffic control devices are warranted.

Mr. Estell noted certain criteria must be met before a stop sign can be installed. He noted the intersection of Ridgecrest and Kissick did not meet the criteria. Mr. Estell noted other options included clearing the intersection to improve the site distance and City Utilities has cleared a 500-foot area to the north to improve the site distance. He noted making changes to the south is more difficult as there is a vertical curve on Kissick and would require substantial road realignment.

Councilman Lear asked if City Utilities would be responsible for keeping the intersection cleared.

Mr. Estell answered affirmatively.

Councilman Lear noted he is familiar with the intersection. He expressed his opinion the intersection at Evans Road and Kissick is more dangerous and asked if there was any crash data.

Mr. Estell noted Public Works collected crash data from 2015 forward and only one crash was reported, the crash at Ridgecrest and Kissick. He noted crashes may have occurred, but not reported.

Councilman Lear expressed his opinion the intersection at Evans and Kissick is probably the intersection people are trying to avoid. He asked if warning signs could be posted at the intersection of Evans and Kissick.

Mr. Estell noted Public Works can review the intersection and determine if modifications can be made. He noted the vacation at Crenshaw Road is a separate issue.

Councilman Hosmer asked Mr. Estell to depict on the map the intersection citizens are concerned about.

Mr. Estell pointed to the intersection on the map.

Councilman Hosmer asked if it was a three-way intersection.

Mr. Estell noted it is a four-way intersection.

Councilman Hosmer clarified both streets are 45 mile per hour speed zones.

Mr. Estell answered affirmatively.

Councilman Hosmer clarified the site lines.

Mr. Estell noted to the north it is 500-feet and to the south it is 270-feet.

Councilman Hosmer asked how many feet a vehicle travels in that distance.

Mr. Estell noted there is an equation used to calculate the site distance. He noted Public Works used 55 miles per hour to determine the 500-foot site distance in order to provide better site distance; therefore, the 45 miles per hour limit should be sufficient to see another vehicle approaching from the north.

Councilman Hosmer asked about the site distance from the south.

Mr. Estell noted trees and brush are not the issue, it is the hill. He noted unless the entire roadway is lowered, there is not much else that can be done.

Councilman Hosmer asked if this warranted different signage or lower speed limits.

Mr. Estell answered affirmatively. He noted Public Works is reviewing adding placards.

Councilman Hosmer clarified the intersection did not meet the criteria for signage and asked if City Council could or could not request signage.

Mr. Estell noted signage for the intersection could be reviewed, but noted if traffic calming signs are installed when the criteria is not met, it lowers the compliance rate.

Councilman Hosmer clarified Public Works is continuing to look at the intersection.

Mr. Estell answered affirmatively.

Mayor Pro Tem Ferguson asked if the mowing at the intersection will be the City's responsibility and what the mowing cycle is.

Mr. Estell deferred to Mr. Stoddard.

Mr. Stoddard noted City Utilities (CU) can look at a mowing cycle for the intersection in question. He noted CU will keep the intersection mowed as much as they can and keep the line of site.

Written comments were submitted in opposition of City Council Bill 2020-185 from Maureen Hays. Ms. Hays submitted photos of the intersection in question and requests either to keep Crenshaw Road open for safety reasons or before Crenshaw Road is closed to increase safety at the other intersections by consulting experts and adding stop signs.

Written comments were submitted in opposition of City Council Bill 2020-185 from Doug Hays. Mr. Hays expressed concern for the blind intersection at Kissick and Ridgecrest, if Vacation 819 happens it will cause traffic congestion at the corner of Kissick and Evans Road, and if the current road is closed the school bus stop will have to be moved from Ridgecrest to Crenshaw to Kissick and Ridgecrest putting children in closer proximity to traffic and a busy intersection. He expressed his opinion he, and many of his neighbors, are fearful of the intersections at Kissick and Ridgecrest and Kissick and Evans. Mr. Hays expressed his concern for citizen safety.

Written comments were submitted in opposition of Vacation 819 from Maureen Hays to the Planning and Zoning Committee. Ms. Hays expressed her concern for the dangerous intersection at Kissick and Ridgecrest and Kissick and Evans. She noted minimal site distance and encouraged the Planning and Zoning Committee to vote no.

Written comments were submitted in opposition of Vacation 819 from Jessie Price. Ms. Price submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 on July 16, 2020.

Written comments were submitted in opposition of Vacation 819 from Maureen Hays. Ms. Hays submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 on July 16, 2020.

Written comments were submitted in opposition of City Council Bill 2020-185 from Carol Smart. Ms. Smart expressed her concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and vehicles traveling at a high rate of speed.

Written comments were submitted in opposition of City Council Bill 2020-185 from Dennis Kahn. Mr. Kahn expressed his concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and vehicles traveling at a high rate of speed.

Written comments were submitted in opposition of City Council Bill 2020-185 from Nancy Coats. Ms. Coats suggested if the road were to be closed, a safer alternative route needs to be offered. She expressed her concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and an increase in traffic because more homes are being built in the area. Ms. Coats suggested adding stop signs in the area.

Written comments were submitted in opposition of Vacation 819 from Diane Rathe. Ms. Rathe submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 and noted the road was dedicated to public use.

Written comments were submitted in opposition of Vacation 819 from Christina Rizzo. Ms. Rizzo submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 and noted trees were being trimmed at the intersection of Kissick and Ridgecrest, but it does not help as there are hills on both sides of Kissick. Ms. Rizzo expressed her concern for the danger and blind spot at the intersection noting just days before she had a near miss.

There being no further speakers the public hearing was declared closed.

**Rezoning at 1738
West Sunshine
Street**

Sponsor: Schilling. Council Bill 2020-186.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff recommends approval and Planning and Zoning Commission recommends denial.) (By: Sunshine TP LLC; 1738 West Sunshine Street; Z-14-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for medium-intensity retail, office, or housing. She noted the proposed is appropriate for a variety of commercial and/or medium- or high-density housing may be appropriate at major intersections or along certain road corridors. Ms. Smith noted 1738 West Sunshine is a limited business district and will have the least intense commercial zoning, a 25' structure height, a 30-degree bulk plane from property line, individual business gross floor area limited to 5,000 square feet, and drive through ATMs for restaurants and financial institutions will require a Conditional Use Permit.

Councilman Hosmer asked what the basis was for denial by the Planning and Zoning Commission.

Ms. Smith noted there was substantial neighborhood opposition and a primary concern is the lack of access from Sunshine due to the proximity to the intersection. She noted all access would come from Lexington and there is concern from property owner this will force traffic into the residential areas.

Councilman Hosmer asked if the homes in the neighborhood in question are single family residences.

Ms. Smith answered affirmatively.

Councilman Hosmer asked what the plan is for the development in the proposed area.

Ms. Smith answered the developer has not indicated an exact plan.

Councilman Schilling asked for the current traffic count on Sunshine and Kansas Expressway.

Ms. Smith noted there is not a current traffic county, but Planning and Development will get the information from prior traffic counts to City Council.

Councilman Schilling expressed his opinion this would be adding a significant amount of commercial business into a small area with the possibility of encroaching on a residential area, causing more congestion.

An opportunity was given for citizens to express their views.

Eric Henry wishes to address City Council in opposition of the proposed. Mr. Henry did not appear.

Stephen Allen spoke in opposition of the proposed. Mr. Allen noted he lives 130 feet south of the proposed area. He expressed his opinion the rezoning will create a traffic hazard into the Lakeshore neighborhood. Mr. Allen noted the Lakeshore neighborhood has narrow streets with no curbs or sidewalks and natural drainage. He expressed his opinion the Lakeshore neighborhood cannot handle an influx of traffic. Mr. Allen noted as there are not sidewalks in the neighborhood people walk in the street. He expressed his opinion opening the neighborhood of 38 homes to traffic, the Lakeshore neighborhood will be destroyed. Mr. Allen encouraged City Council to vote no on the proposed.

Rebecca Welsh spoke in opposition of the proposed. Ms. Welsh noted she lives directly to the south of the proposed. She expressed her opinion there will be an increase in rear-end crashes if traffic is diverted to Lexington, west bound traffic will be directed through the Lakeshore neighborhood as there is no other west bound access, and added traffic will result in safety concerns. Ms. Welsh noted there is a

significant amount of people who walk in the Lakeshore neighborhood and expressed her concern for pedestrian safety as there are no curbs or sidewalks. She also expressed concern if the rezoning proposal is passed it will lead to other areas of rezoning and expressed her belief any rezoning will bring no benefit to her neighborhood. Ms. Welsh noted Planning and Zoning Committee has already voted to deny the proposed and expressed her opinion City Council should do the same. She expressed her opinion she is not against developing the property, but in a way to benefit the existing neighborhood.

Anita Cotter, City Clerk, noted a representative was available to answer questions from City Council.

Ms. Smith noted Eric Claussen, Public Works Traffic Engineer, the traffic counts from 2014 for Kansas Expressway has a daily count of 36,700 vehicles and Sunshine has a daily count of 27,960 vehicles.

There being no further speakers the public hearing was declared closed.

**Rezoning at 3503,
3521, 3527, and
3535 South Lone
Pine Avenue**

Sponsor: Simpson. Council Bill 2020-187.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 4.2 acres of property, generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail, and LB, Limited Business District to Planned Development No. 374; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: Elevation Enterprises, LLC; 3503, 3521, 3527, and 3535 South Lone Pine Avenue; Planned Development 374.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the history of the zoning for the four property addresses. She noted in October 2019, City Council accepted a study resulting in an administrative delay allowing 270 days to allow time for the City to seek input from area residents, property owners, design professionals, and the business and development community. Ms. Smith noted citizen engagement consisted of six stakeholder meetings, three public meetings, and two online surveys. She noted the Galloway Study Policy Implementation allowed staff to review zoning and lot combination proposals and recommend Conditional Overlay Districts and encourage appropriate density of multi-family developments. Ms. Smith reviewed the revised multi-family development and design guidelines as set forth in Resolution 9668. She noted the proposed would add 4.2 acres to the Lone Pine project, add mixed use development with two new residential buildings and the reuse of four existing buildings for commercial use, and Lone Pine would be a Secondary Arterial. Ms. Smith noted the surrounding uses/permitted uses includes: to the north permitted development 264 10,000 square feet of medical and general offices; to the east Sequiota Park and City; to the south general retail uses; and, to the west Church with columbarium and detention basin. She noted the proposed land use is for maximum residential density of 25 dwelling units per acre, with a total of 7,995 square feet of

existing space to be renovated to non-residential uses distributed among four existing buildings. Ms. Smith noted there is a 45-degree bulk plane from residential single family, 60' maximum height for structures except those within 60' of Lone Pine, and 45' maximum height for structures within 60' of Lone Pine. She noted parking lots are placed behind buildings and lighting, signage, and retaining wall will be compliant with the Study recommendations. Ms. Smith noted there 25% open space and reviewed the landscaping requirements. She reviewed the design elements and presented a preliminary rendering. Ms. Smith addressed historic preservation of existing structures. She noted the required public improvements include a northbound turn lane, a crosswalk, a sidewalk, the approval of any street furniture, additional right of way dedicated on Lone Pine, required sanitary sewer, stream buffer easements, and all utilities must be underground.

Councilman Simpson asked Ms. Smith to summarize the differences between the current proposal and the 2018 proposal.

Ms. Smith noted a planned development allows the City and the developer to be more creative, therefore requiring a conditional overlay district. She noted the reason the developer needs a planned development rather than a Conditional Overlay is because the developer is doing mixed development and the only area the City allows for a mixed development is in the City Center zoning district; therefore, a planned development is required. Ms. Smith noted in 2018 the developer did not own the Treadway building; therefore, fewer acres, were only considering 95 apartments, and all buildings were four story buildings.

Councilman Simpson asked for a summary of the involvement from Tim Rosenbury, Director of Quality of Place Development.

Ms. Smith answered City staff have met with the developer to develop a project addressing all guidelines in the Galloway Study, but were unable to meet all guidelines. Mr. Rosenbury was included in the conversations and was able to address issues the City believed to be problematic and listed examples of Mr. Rosenbury's assistance to the proposed.

Councilman Lear clarified if the buildings referenced in the proposed would be similar to the historic buildings on Walnut Street.

Ms. Smith answered affirmatively. She noted the process and boards related to historic building and reviewed the process for applying for a certificate of economic hardship.

Councilman Hosmer asked if the height of the building in the Corridor is higher than any other building in the Corridor.

Ms. Smith answered she did not have that information.

Councilman Hosmer asked if the density was higher than other buildings in the Corridor.

Ms. Smith answered the density is not higher. She noted Galloway Creek is a mixed-use structure to the south and was developed at 32 dwelling units per acre.

Councilman Hosmer asked if the City made recommendations to the number of stories of the development next to the roadway, specifically asking about the five-story structure.

Ms. Smith noted the structure next to the road is two stories and reviewed the height guidelines related to Lone Pine. She referred Councilman Hosmer to the developer for the location of the five-story structure in relation to Lone Pine.

Councilwoman Fisk asked about the sidewalk to be added to Lone Pine.

Ms. Smith noted the sidewalk would be across the developer's area only.

An opportunity was given for citizens to express their views.

Brent Stevens spoke in support of the proposed. Mr. Stevens noted he is a developer with H Design Group. He noted his firm is the architects for the proposed. Mr. Stevens noted in 2018 the property was smaller, the buildings were all four stories, they did not intend to save the existing commercial buildings, and they did not have an extensive tree preservation plan. He noted the proposed building is 200 feet from Lone Pine and under the 60-foot limit compared to Galloway Creek is 63 feet tall and 60 feet from Lone Pine. Mr. Stevens noted the adopted Galloway Creek Redevelopment Policy was generated by City staff and adopted by City Council and H Design Group has strictly adhered to the guidelines in developing the proposed. He noted they have complied with the adopted Galloway Creek Redevelopment Policy and ask City Council to vote yes on the proposed.

Ryan Phillips spoke in support of the proposed. Mr. Phillips noted he is the design lead at H Design Group. He spoke to the building design and image enhancement of the development. Mr. Phillips noted the land and street scaping to the project and the company's desire to create an experience that is both welcoming and encourages walkability. He noted a concern expressed by residents of the area was to keep several historic buildings in the area and expressed his opinion H Design Group listen and incorporated the historic buildings into the overall master plan even though the buildings exist on prime real estate and are in need of significant renovation. Mr. Phillips noted H Design Group worked with Tim Rosenbury and other City staff to reduce the building from four stories to two stories and to ensure village character as it relates to new buildings. He encouraged City Council to vote yes on the proposed.

Councilman Hosmer asked how far the five-story building is away from Lone Pine.

Mr. Phillips answered greater than 200 feet.

Councilman Hosmer asked how the five-story building compares to other buildings that have been approved in the Galloway Corridor.

Mr. Phillips answered the five-story building they are proposing has buried parking on the first level and then four stories on top, so technically a four-story building with a basement.

Councilman Hosmer asked does this compare with other buildings in the area.

Mr. Phillips noted the building is under the bulk plane on the west side of the property and around 60 feet on the roof line.

Jane Earnhart spoke in support of the proposed. Ms. Earnhart noted she is a landscape architect with Olsson. She noted this position emphasizes working with the natural environment. Ms. Earnhart reviewed the landscape constraints required for the development project. She explained if the proposed is approved a double culvert will be installed under Lone Pine providing new drainage for the entire subdivision.

Bailey Irvine spoke in support of the proposed. Ms. Irvine noted she is from Springfield and chose to stay in Springfield as an adult. She noted she purposefully selected to live in the Lone Pine Galloway area for the safety, easy access to shopping, and access to trails. Ms. Irvine expressed her opinion the neighborhood will continue to get better if Planned Development 374 is approved allowing for more housing opportunities and businesses.

Matt O'Reilly spoke in opposition of the proposed. Mr. O'Reilly noted a summary document and analysis had been provided for each member of City Council. He asked for his presentation to be projected on screen and noted the proposed high-density development exceeds many regulations across many City departments and seeks to override the regulations using a Planned Development. He expressed his opinion the applicant has failed to meet guidelines and is continuing to ask for concessions. Mr. O'Reilly reiterated many of the requirements for development in the Galloway Corridor and then listed ways in which the applicant did not meet the requirements. He noted he is a developer and noted this project is the applicant's first development project and expressed his opinion the applicant does not have the experience to take on a project of this magnitude. He encouraged City Council to vote no.

Councilman Hosmer asked about the height of the structure and the proximity to Lone Pine and how does this building compare other structure in the Galloway Corridor.

Mr. O'Reilly answered the building at Quarry Town, one his company built, is 51-feet tall and 450-feet from the road and the proposed is 65-feet tall (allowed to measure to the middle of the gable or pitched roof, not the top). He noted Galloway Creek is very tall and right on the road because it was zoned General Retail with no conditional use overlays. Mr. O'Reilly noted the next tallest buildings are 41-feet and 43-feet; therefore, the proposed is 14-feet taller than any of the other structures.

Councilman Hosmer clarified the location of the proposed to Lone Pine.

Mr. O'Reilly noted Quarry Town is 100 units, 450-feet from the road, and 51-feet tall; while the proposed is 65-feet tall and 180-feet from the road.

Councilman Hosmer clarified one of Mr. O'Reilly's complaints is the size of the structure and its proximity to the Corridor and Lone Pine.

Mr. O'Reilly noted the guidelines around the park are very specific and explained bulk plane guidelines.

Cristina Bustamante spoke in opposition of the proposed. Ms. Bustamante noted she is an architect and urban designer. She noted she has worked on several projects along the Corridor and assisted in crafting the Galloway recommendations. Ms. Bustamante noted the topics most widely discussed included the preservation and environmental protection of the Galloway area while emphasizing the unique village feel and historic character. She expressed her opinion the proposed disregards both. Ms. Bustamante relayed finding from the analysis of the proposed and reviewed how the proposed did not meet requirements. She noted there are currently 389 trees on site and the proposed would remove 282 trees and expressed concern after blasting and construction, building location, and slope only 16% of tree canopy would remain.

Earl Newman spoke in support of the proposed. Mr. Newman noted he served as a traffic engineer for the City for 30 years. He noted he was retained by Mitch Jenkins to conduct a traffic impact study for the first development proposal in 2018 and due to the administrative delay, a second traffic study was conducted. Mr. Newman reported because the developer scaled down the intensity of the project, the traffic impact was reduced on a daily basis by approximately 300 vehicles per day, in the am peak hour, the traffic was reduced by 60, and in the afternoon peak hour the traffic was reduced by 40. He noted the City has intentions to widen Galloway Road and the applicant has worked with the City to ensure construction of the proposed supports the City's project when it happens.

Councilman Schilling asked how many access points does the development have.

Mr. Newman answered there are two and one is a shared driveway. He noted Mr. Jenkins did meet with the fire department to ensure there is access for fire trucks. Mr. Newman noted there is discussion with the property owner at the corner to determine if there is a possibility of a direct connection to Galloway Road.

Councilman Schilling clarified there is not an access point onto Galloway Road.

Mr. Newman answered they are connected to the property at the northwest corner, but there needs to be a cross action easement and noted Mr. Jenkins is working on this issue.

Melanie Bach spoke in opposition of the proposed. Ms. Bach noted she is president of the Galloway Neighborhood Association and would summarize the neighborhood's opposition to Planned Development 374. She noted for over two years the neighborhood has asked for protection from the density high risks associated with

over development of the Lone Pine Corridor. She expressed her opinion the neighborhood has consistently expressed the desire to limit the development along the Lone Pine Corridor to a reasonable human scale and protect the sense of place. Ms. Bach noted when the Galloway Creek Redevelopment Policy was generated by City staff and adopted by City Council the Galloway Neighborhood Association expressed concern there were no substantive protections from density high and public safety issues. Ms. Bach reiterated the exhibit submitted by Galloway Village Neighborhood Association details how the proposed does not meet the guidelines of the Galloway Creek Redevelopment Policy. She reviewed the definition of a planned development and expressed her opinion Planned Development 374 contradicts the definition of a planned development. Ms. Bach encouraged City Council to vote no on the proposed.

David Evans spoke in support of the proposed. Mr. Evans noted he grew up in the Galloway Corridor. He expressed his opinion after the quarry was removed the area grew and developed with beautiful buildings and quality things. Mr. Evans expressed his opinion if the development was held within the strict guidelines would be an attractive development and the difficulty of finding another developer willing to make the numerous concessions this developer has to try to please so many people. He expressed his opinion the developer is young, ambitious, and intelligent. He expressed his belief the developer would only construct aesthetically pleasing buildings and is very quality oriented.

Bryan Bevel spoke in support of the proposed. Mr. Bevel noted he is a local business owner and has a food truck in the Galloway Corridor. He noted his affinity for the Galloway Corridor and encouraged City Council to pass the proposed and allow other small business the opportunity of operating in the Galloway Village area. Mr. Bevel noted he worked as a project deliverer for twenty years working with the City and the Missouri Department of Transportation and asked City Council to vote in favor.

Jeff Haymes spoke in opposition of the proposed. Mr. Haymes noted he is the owner of Sequiota Properties located directly south of the proposed. He expressed his opinion when the developer bought the properties, he knew the zoning of the properties. Mr. Haymes noted he is the most directly affected by the proposed as the traffic from the construction will empty into his parking lot, noting it is a one-acre area with a shared easement. He expressed concern the traffic from the development will cause for his business, clients, and tenants.

Councilman Hosmer clarified everyone who exists the proposed construction will drive through Mr. Haymes' parking lot.

Mr. Haymes answered affirmatively.

Councilman Hosmer asked if Mr. Jenkins proposed construction was landlocked.

Mr. Haymes answered affirmatively.

Councilman Hosmer asked if Mr. Haymes had given Mr. Jenkins permission.

Mr. Haymes answered he did not. He noted he shares a small easement with Mr. Jenkins. He noted the easement is too small for a fire truck.

Councilman Hosmer asked the size of the shared easement.

Mr. Haymes answered he has not measured the easement, but it is too small for a fire truck.

Councilman Hosmer asked City staff for clarification of access.

Mary Lilly Smith, Director of Planning and Development, answered the access is an easement.

Councilman Hosmer asked for the dimensions of the easement.

Derrick Estell, Public Works Engineer II, answered there is an easement on the south side of the property. He also noted there is more than one access point, he pointed out access from the north, south, and an ADA access point in the middle. Mr. Estell noted the easement runs in front of the property and was agreed upon by both property owners and serves the interests of both properties.

Councilman Hosmer asked the width of the easement.

Mr. Estell answered 16-feet wide.

Councilman asked the width of a normal city street.

Mr. Estell answered widths vary depending on need, but 20-feet wide for a typical driveway.

Councilman Hosmer asked how a fire or other emergency vehicle access the proposed.

Mr. Estell noted this is a concern they are working on and elaborated one of the reasons the easement is 16-feet wide is because of existing structures on both sides of the easement.

Councilman Hosmer asked for clarification of the other access points.

Mr. Estell pointed to the access points on the presentation slide to the north and in the middle (he noted the map is not oriented correctly and north is to the left). He noted both of the other access points were to Lone Pine.

Mr. Haymes noted driving across his parking lot is the quickest, easiest, and only way to Galloway Road. He expressed his opinion it would be foolish to believe people would not cut across his parking lot.

Councilman Lear clarified the north access is to be gated for the residential portion.

Mr. Estell noted the parking for the development is all connected, therefore, residents can enter or exit from either end of the property.

Jason Gage, City Manager, asked Mr. Estell to highlight on the presentation slide the easement and clarified if there is additional parking.

Mr. Estell noted there is additional parking off to the right that is not pictured in the presentation slide and this is the area Mr. Haymes is referring to.

Mr. Haymes noted when the easement was created it was intended for the three small buildings lining the easement.

Rhett Smillie spoke in support of the proposed. Mr. Smillie noted he has been in real estate for 25 years and he owns two commercial properties in Galloway. He expressed his opinion Galloway is a great neighborhood and lends itself to walking to dinner, drinking, and whatnot. Mr. Smillie noted he has known the developer for several years and expressed his opinion Mr. Jenkins is truly concerned about the neighborhood and the people as demonstrated by his amended plan and continued efforts. He noted the City indicated Mr. Jenkins has met the guidelines and Planning and Zoning recommended approval; therefore, he is requesting City Council vote yes.

Wendy Huscher spoke in opposition of the proposed. Ms. Huscher noted she is the treasure for Galloway Village Neighborhood Association (GVNA). She noted she lives on a property bordering the proposed on the north side. Ms. Huscher noted the developer does not live in Galloway Village and did not purchase the property until the property went into administrative delay in December 2018. She expressed her opinion the easement in question may measure 16-feet from building to building, but is actually only about 12-foot wide. Ms. Huscher noted information indicating GVNA spoke with every property owner within 500-feet of the development and the petition had been emailed to each City Council member. She noted she has filed a protest petition against the proposed. She reiterated the concerns for traffic through Mr. Haymes' parking lot.

Allen Kunkel spoke in support of the proposed. Mr. Kunkel spoke about the favorable business climate and the development climate. He reviewed the administrative delay of 2018 and the creation of the Galloway Creek Redevelopment Policy. Mr. Kunkel expressed his opinion the City's business climate being perceived as business friendly is imperative to economic vitality. He expressed his opinion the proposed has met or exceeded every element of the Galloway Creek Redevelopment Policy and has presented a solid plan. He noted the City approved Mr. Jenkins' plan, Planning and Zoning recommended approval, and he believes the proposed is an appropriate use of the land. Mr. Kunkel expressed his opinion the proposed is perfect for attracting young professionals to the Springfield community.

Neil Brady spoke in support of the proposed. Mr. Brady expressed his opinion as the community continues to grow in a competitive world, we need to show Springfield is open for business and supports development. He noted his job is to create and support quality developments. Mr. Brady expressed his opinion the applicant has taken time to solicit feedback from the area, work with City staff, and other community

members to create a development to meet the standards enacted by the Galloway Creek Redevelopment Policy. He expressed his opinion support should be demonstrated for applicants who go through the process to meet all requirements.

Tom O'Connell spoke in opposition of the proposed. Mr. O'Connell noted he lives across the street from the proposed development site. He expressed concern residents of the proposed will use his street and as there are no sidewalks it creates a safety hazard. Mr. O'Connell expressed his opinion having historic retail shops surrounded by four-story buildings is inappropriate and disrespectful.

Marcie Kirkup spoke in opposition of the proposed. Ms. Kirkup noted she is a board member of the Galloway Village Neighborhood Association (GVNA) and past president. She noted GVNA has consistently advocated for specific, measurable limitations on the density, height, and public safety issues related to future developments in the neighborhood. Ms. Kirkup expressed she was told protections would come in the use of conditional overlays, future rezonings, and staff would ensure future developments were reasonable to the area. Ms. Kirkup expressed GVNA believed the Galloway Creek Redevelopment Policy should have been more specific and referenced Exhibit A in the information submitted to City Council. She expressed her opinion GVNA was not opposed to development, but seeks development to enhance the neighborhood. Ms. Kirkup expressed her opinion GVNA has expressed concerns to the developer, but the concerns are not being heard. She encouraged City Council to vote no to the proposed.

Duane Johnson spoke in opposition of the proposed. Mr. Johnson noted he has lived in the Galloway area for 38 years. He expressed his opinion the administrative delay was due to the same type of development and concerns expressed by people in the neighborhood; and, now two years later, the same type of development and the same concerns still exist. Mr. Johnson expressed opinion Planned Development 374 does not comply with Galloway Creek Redevelopment Policy, specifically citing the City should protect established neighborhoods. He expressed his opinion, the neighborhood is not against development and wants nice development, but the proposed is out of scale with the existing neighborhood. Mr. Johnson requested City Council to deny the application.

Councilman McGull noted the proposed seems to be an important topic and issue. He expressed his opinion City Council would like to hear additional feedback and comments. Councilman McGull noted it had come to his attention, and to other members of City Council's attention, that several people did not sign up to speak at the public hearing because they missed the deadline. He expressed his opinion because this is such an important issue, City Council should hear from all voices. Councilman McGull moved to continue the public hearing on Council Bill 2020-187 until the August 24, 2020, City Council meeting in order to hear all comments necessary for City Council to make an informed decision. Councilman Lear seconded the motion and was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Written comments were submitted in opposition of City Council Bill 2020-187 by Sue Skidmore. Ms. Skidmore expressed concern the proposed development would have on the Galloway community, Sequiota Park, the land, the traffic, the beauty, the peace, the safety, and the quality of life. She expressed her opinion the proposed does not keep in style with the village atmosphere of the Galloway Corridor. Ms. Skidmore noted she attended the meeting in August 2018 where Mr. Jenkins was meeting with Galloway residents and in her opinion the meeting was full of residents opposed to the development. She expressed her opinion Galloway should not be hijacked by a developer looking to make a profit at the expense of residents. Ms. Skidmore expressed her belief a population study and environmental impact study should be conducted.

Written comments were submitted in opposition of City Council Bill 2020-187 by Wendy Huscher. Ms. Huscher noted the neighborhood meeting requirement was waived due to COVID-19 and it was her understanding the 500-foot mailing was not done. She submitted a list of all addresses from the City's notification list for Planned Development within 500-feet of the proposed which indicated each resident is in opposition. Ms. Huscher also submitted a letter from Loren Cook, of NN Land Development LLC, who owns several properties within the 500-foot area indicating he is also opposed to the proposed due to the design not being in character with the community, the proposed being too large and dense, and the addition of too much traffic to the area.

Patrick Platter, partner at Neale & Newman, submitted document on behalf of the Galloway Village Neighborhood Association (GVNA) in opposition of Council Bill 2020-187. Mr. Platter listed the application is incompatible with the presence of Sequiota Park, incompatible in several ways with the surrounding residential neighborhood, places undue traffic demands upon the neighborhood, does not meet standards concerning water quality and stormwater control, and does not meet staff recommendations published last year.

The following bills appeared on the agenda under First Reading Bills.

**Acceptance of
equipment from
the State
Homeland
Security Grant
Program**

Sponsor: Lear. Council Bill 2020-188.

A special ordinance authorizing the City Manager, or his designee, to accept equipment with a value of \$39,447.92 provided through the State Homeland Security Grant Program which is necessary to sustain capabilities for response to explosive device incidents by the Springfield Fire Department Bomb Squad; and declaring that this Ordinance qualifies for approval in one reading.

David Pennington, Fire Chief, provided a brief overview of the proposed. Chief Pennington noted the proposed is a grant for nearly \$40,000 in equipment originally approved through the year 2018 grant funding cycle, but there was not sufficient funding to purchase the equipment at that time. He noted as the grant cycle is closing out, money became available through cost savings allowing for the purchase of the equipment. Chief Pennington noted the equipment is for the Bomb Squad which serves Springfield and all of Region D.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

There being no further questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-188. Special ordinance 27373 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear, McGull and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Repealing Section
106-24, 'Protective
Headgear for
Persons Riding
Motorcycles and
Motortricycles'**

Sponsor: McClure. Council Bill 2020-189.

A general ordinance amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' by repealing Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' due to preemption by state law.

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. Ms. Lewsader noted the Missouri Legislature passed and the Governor signed in the 2020 regular legislative session House Bill 1963. She noted this was a large bill and contained a number of items related to transportation. Ms. Lewsader noted one item was an prohibited any political subdivision, such as the City, from imposing a protective headgear requirement on operators or passengers of motorcycles or motortricycles. She noted the proposed would repeal the City code section related to protective headgear as the City is now preempted by state law.

Councilman Lear asked what would happen if City Council failed to act on the proposed.

Ms. Lewsader noted if the City failed to pass the ordinance, the City would be unable to enforce the ordinance. She also noted there is a requirement under Missouri law mandating city laws conform to state laws.

Councilman Hosmer noted the state bill that passed, contained a number of items and asked about the possibility of challenge.

Ms. Lewsader answered she had not examined the bill from that perspective. She noted the bill covers at least one topic, transportation. Ms. Lewsader noted some omnibus bills may cover tax measures and then transportation and then some other area, this is one subject and is appropriate under state law to pass a larger bill revising numerous statutes as long as they relate to one subject.

Councilman Hosmer asked if the City was advised there could be a preemptive measure from the state.

Mayor McClure answered the content of the proposed has been introduced in the legislature in various forms for numerous years.

Councilman Hosmer noted when he was in the legislature, both Republican and Democratic Governors had vetoed repealing protective headgear. He clarified his question is to the preemption, as he has never seen a preemption measure attached.

Ms. Lewsader noted she would need to research the history. She noted Councilman Hosmer may not have seen the preemption attached to helmets, but it is sometimes adopted in other areas of state law.

Councilman Hosmer expressed his opinion City Council may be required to repeal the helmet law, but he believes it is incredibly bad public policy and there will be an increase in accidents and fatalities both in the City of Springfield and statewide. He expressed his belief the law is a short-sited, not well-thought out measure. Councilman Hosmer noted there will be an increase of riders over the age of 26 with medical insurance without helmets and asked how this will be enforced.

Ms. Lewsader noted police officers will be able to write tickets and people will be prosecuted through the county prosecutor versus the municipal prosecutor.

Councilman Hosmer clarified police officers cannot stop a rider with the sole purposes of checking to see if the rider meets the requirements.

Ms. Lewsader answered affirmatively. She noted the requirement is for all law officers.

Councilman Hosmer clarified law officers cannot stop riders solely to check for compliance.

Ms. Lewsader answered affirmatively and read from the state statute.

Councilman Hosmer asked will the law stating anyone under age 26 must wear a helmet ever be enforced.

Ms. Lewsader answered enforcement will be much more difficult based on the way the statute was passed, noting the rider would have to first be stopped for an independent issue and then charged for the helmet issue.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

**Special Election
Costs Related to
the Fee for a
Short-Term Loan
Establishment
Permit**

Sponsor: Hosmer. Council Bill 2020-190.

A special ordinance amending the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year 2018-2019 carryover funds and increasing expenses in the amount of \$175,000.00, for special election costs related to the fee for a Short-Term Loan Establishment permit.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted information on the proposed had been presented to City Council during a City Council Luncheon Workshop. He noted the budget adjustment is

required for the special election costs related to the Short-Term Loan Establishment permit election held last Tuesday. Mr. Holtmann noted there were questions raised at the City Council Luncheon Workshop and he provided answers to those questions. He noted one question was related to estimated revenue and noted 30 vendors have been identified and the estimated revenue is approximately \$150,000 annually. He noted the next question was related to the allocation of costs related to Greene County and there are provisions for Greene County to pass along the costs and the costs are prorated based on the number of registered voters prior to the election.

Mayor McClure asked for the billed costs from Greene County.

Mr. Holtmann clarified Greene County bills an estimate first and after the election provides an accounting.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

Sponsor: Schilling. Council Bill 2020-191.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is 11.53 acres and is a four-lot commercial subdivision. She noted City Council approval is required as the administrative replat includes a subdivision variance with conditions and the variance is to retain an existing access point located 166 feet from the Grand and Kansas Expressway intersection. Ms. Smith noted the conditions include redesign as a right-in/right-out access, access is temporarily closed until new access can be constructed, plat note referencing the variance, and improvements built or escrowed before recording plat.

Councilman Schilling expressed concern for the variance and the roll around from Kansas Expressway onto Grand and the traffic at the curve. He asked if there is another point on the property further to the east that could be used for traffic.

Ms. Smith noted the applicant does not own the small cut out depicted in the presentation and noted the access is at the furthest east point of the applicant's property on Grand Street. Ms. Smith asked Derrick Estell, Public Works Engineer II, to address the traffic concern.

**Plat of the
Administrative
Subdivision of
Kansas at Grand
Phase 2 with a
Subdivision
Variance**

Mr. Estell noted when the project originally came to the City, the applicant was asked to meet the access spacing requirements. He noted the applicant marketed the property and potential owners for sections three and four requested to keep the current access. Mr. Estell noted the applicant brought the question back to the City and the City noted a right-in\right-out is a free turning movement not dependent upon opposing traffic; therefore, the City determined a right turning movement at 166' was appropriate for the location.

Councilman Schilling clarified the entire lot has been broken into pieces and the current access point is the only access point on this property.

Mr. Estell answered affirmatively.

An opportunity was given for citizens to express their views. There being no speakers the public hearing was declared closed.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Michael Hasty wishes to address City Council. Mr. Hasty did not appear.

Heather Dietz wishes to address City Council. Ms. Dietz expressed her outrage for the masking ordinance passed by the City Council. She expressed her opinion the City Council demonstrated disregard for the community and noted the virus has affected less than 1% of the total population of Greene County. Ms. Dietz expressed her belief City Council used public safety to disguise tyranny and the choice to wear a mask should be individual, not the government.

Tim Havens wishes to address City Council. Mr. Havens expressed his belief people should be able to use their talents free of worry and live and breathe in happiness. He expressed his opinion the Mayor has indicated Springfield is this type of city, however he believes this is only true for Caucasians. Mr. Havens expressed his opinion things may have improved for African Americans since the 1906 lynching, except all social gains in equality have come from mandates or pressure from the outside world. Mr. Havens expressed concern for police brutality and harassment of African Americans and the resolution City Council passed related to not tolerating police brutality and racism was lip service. He noted numerous speakers have come before City Council expressing concern for the Springfield Police Department (SPD) and expressed his opinion City Council has remained silent. Mr. Havens noted he is requesting accountability from City Council regarding treatment of African Americans from the SPD. Mr. Havens listed several requests he would like to see City Council implement with the SPD.

Christal Mercado wishes to address City Council. Ms. Mercado did not appear.

Jessica Lawson wishes to address City Council. Ms. Lawson did not appear.

Star Smith wishes to address City Council. Ms. Smith did not appear.

The following item appeared on the agenda under New Business.

**Records
Destruction**

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

UNFINISHED BUSINESS

MISCELLANEOUS

The following bills appeared on the agenda under Consent Agenda First Reading Bills.

**Preliminary Plat of
Firestone
Springfield
Addition**

Sponsor: Schilling. Council Bill 2020-192.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Anita Cotter, City Clerk, noted a representative (Bob Gage) was available to answer questions from City Council.

**Joint Funding
Agreement with
the United States
Department of the
Interior**

Sponsor: Ollis. Council Bill 2020-193.

A special ordinance authorizing the City Manager, or his designee, to enter into a Joint Funding Agreement with the United States Department of the Interior for the purpose of operating and maintaining four streamgages.

CONSENT AGENDA ONE READING BILLS

CONSENT AGENDA SECOND READING BILLS

END OF CONSENT AGENDA.

Motion to Adjourn

Councilman McGull moved to Adjourn. Councilman Simpson seconded the motion, and it was approved by the following vote. Ayes: Fisk, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: Hosmer. Absent: Ollis. Abstain: None. The meeting adjourned at 10:38 p.m.

Prepared by
Monica Paxton

Anita J. Cotter, CMC/MRCC
City Clerk

DRAFT

August 11, 2020
Springfield, Missouri

The City Council met in special session August 11, 2020 at Historic City Hall. The meeting was called to order by Mayor Ken McClure.

Roll Call

Present. Abe McGull, Matthew Simpson*, Mike Schilling*, Jan Fisk*, Craig Hosmer, Richard Ollis*, Andrew Lear* and Ken McClure. Absent. Phyllis Ferguson.

*Members attending via videoconference.

Closed Session

Councilman Hosmer moved City Council hold a closed meeting City Council will hold a closed meeting to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to Section 610.021(1), RSMo.; and this meeting, record, and vote shall be closed, and the City Council shall stand adjourned at the end of the closed session.

Councilman McGull seconded the motion, and it was approved by the following roll call vote: Schilling, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: Ferguson. Abstain: None.

Prepared by
Monica Paxton

Anita J. Cotter, CMC/MRCC
City Clerk

August 18, 2020
Springfield, Missouri

The City Council met in special session August 18, 2020 at Historic City Hall. The meeting was called to order by Mayor Ken McClure.

Roll Call

Present. Abe McGull, Matthew Simpson*, Mike Schilling*, Phyllis Ferguson*, Jan Fisk*, Craig Hosmer, Andrew Lear* and Ken McClure. Absent. Richard Ollis.

*Members attending via videoconference.

Closed Session

Councilman Hosmer moved City Council will hold a closed meeting to discuss hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded pursuant to Section 610.021(3) RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman McGull seconded the motion, and it was approved by the following roll call vote: Schilling, Ferguson, Fisk, Hosmer, Lear, McGull, Simpson and McClure. Nays: None. Absent: Ollis. Abstain: None.

Prepared by
Monica Paxton

Anita J. Cotter, CMC/MRCC
City Clerk

One-rdg. _____
P. Hrngs. _____
Pgs. 19
Filed: 08-04-20

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020- 181

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning
2 map and rules for interpretation,' by rezoning approximately 5.3 acres of
3 property generally located at 410, 414, and 430 North Boonville Avenue,
4 310 East Phelps Street, and 405 North Jefferson Avenue from HM, Heavy
5 Manufacturing District, to CC, Center City District; establishing Conditional
6 Overlay District No. 187; and adopting an updated Official Zoning Map.
7 (Staff and Planning and Zoning Commission both recommend approval.)
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 410, 414, and 430 North Boonville Avenue, 310 East Phelps Street,
12 and 405 North Jefferson Avenue, and more fully described in "Exhibit B," from HM,
13 Heavy Manufacturing District, to CC, Center City District with Conditional Overlay
14 District No. 187; and
15

16 WHEREAS, Conditional Overlay District No. 187 shall modify the requirements
17 of the Springfield Land Development Code Section 36-424, CC, Center City District, by
18 requiring that the property described in "Exhibit B" comply with the requirements
19 described in "Exhibit A"; and
20

21 WHEREAS, following proper notice, a public hearing was held before the
22 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
23 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
24 and said Commission made its recommendation; and
25

26 WHEREAS, the City has reviewed the applicant's request and prepared a staff
27 report concerning the application which is attached hereto and incorporated herein by
28 this reference as "Exhibit D;" and
29

30 WHEREAS, proper notice was given of a public hearing before City Council, and
31 said hearing was held in accordance with law.
32

33 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

34 SPRINGFIELD, MISSOURI, as follows, that:

35
36 Section 1 – The property described in "Exhibit B," which is attached hereto and
37 incorporated herein by this reference, is hereby rezoned from HM, Heavy Manufacturing
38 District, or such zoning district as is designated on the official zoning map adopted by
39 City Council, to CC, Center City District, with Conditional Overlay District No. 187.
40 Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for
41 interpretation,' is hereby amended, changed and modified consistent with this
42 Ordinance.

43
44 Section 2 – City Council hereby establishes Conditional Overlay District No. 187
45 which shall contain the requirements and standards provided on "Exhibit A," which is
46 attached hereto and incorporated herein by this reference as though set forth herein.
47 The requirements of Conditional Overlay District No. 187 shall modify the requirements
48 of the Springfield Land Development Code Section 36-424, Center City District, by
49 requiring the property described on "Exhibit B" to comply with the requirements
50 contained in "Exhibit A."

51
52 Section 3 – City Council hereby directs the City Manager, or designee, to update
53 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
54 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
55 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
56 rules of interpretation.'

57
58 Section 4 – The Official Zoning Map herein adopted shall be maintained and
59 archived in the same digital form in which this Council has approved its adoption.

60
61 Section 5 – This Ordinance shall be in full force and effect from and after
62 passage.

63
64 Passed at meeting: _____

65
66
67 _____
68 Mayor

69 Attest: _____, City Clerk

70
71 Filed as Ordinance: _____

72
73
74 Approved as to form: Kyle Tolbert, Assistant City Attorney

75
76
77 Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2020 - 181

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.3 acres of property generally located at 410, 414 and 430 North Boonville Avenue, 310 East Phelps Street and 405 North Jefferson Avenue from HM, Heavy Manufacturing District to CC, Center City District and establishing Conditional Overlay District No. 187. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-12-2020/
CONDITIONAL OVERLAY DISTRICT NO. 187

The applicant is proposing to rezone approximately 5.3 acres of property generally located at 410, 414 and 430 North Boonville Avenue, 310 East Phelps Street and 405 North Jefferson Avenue from HM, Heavy Manufacturing District to CC, Center City District and establishing COD No. 187. The intent of this rezoning application is to facilitate the redevelopment of the site for office, parking garage and eFactory/University uses.

A Conditional Overlay District has been submitted to mitigate any potential impacts of the base zoning. The requirements include a Traffic Impact Study to be submitted at the time of development and any roadway improvements required will be defined in the Traffic Impact Study and must be constructed. The Center City District does not require off-street parking, however, if residential uses are ever developed, off-street parking will be required. The applicant, MSU, is proposing an off-street parking garage for their proposed development.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended to approve, by a vote of 7 to 0.

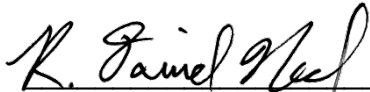
The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. This application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*, which identifies the subject property as appropriate for Greater Downtown uses. The Center City District is listed as an appropriate zoning district for this Land Use category.

2. The requested CC, Center City zoning is consistent with the existing CC zoning to the northeast, south and west of the subject property.
3. A Conditional Overlay District has been submitted to mitigate any potential negative impacts of the Center City District.
4. This request is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.

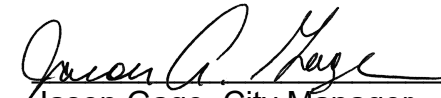
Submitted by:


Daniel Neal, Senior Planner

Recommended by:


Mary Lilly Smith, Director

Approved by:


Jason Gage, City Manager

EXHIBITS:

Exhibit A, Conditional Overlay District Provisions

Exhibit B, Legal Description

Exhibit C, Record of Proceedings

Exhibit D, Development Review Staff Report

ATTACHMENTS:

Attachment 1: Department Comments

Attachment 2: Conditional Overlay District Provisions

Exhibit A

CONDITIONAL OVERLAY DISTRICT PROVISIONS ZONING CASE Z-12-2020 & CONDITIONAL OVERLAY DISTRICT NO. 187

The requirements of *Section 36-424* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district to include the following.

1. Traffic Engineering shall evaluate any proposed development and if the estimated trip generation (using ITE trip generation rates) results in an increase of over 100 trip ends per peak hour or 1,000 trips ends per day, the City Traffic Engineer shall, at his discretion, require a Traffic Impact Study (TIS) be submitted. Any public improvements identified by the study as necessary to provide a satisfactory level of service in the peak hour shall be addressed before approval of the development.
2. The subject properties shall meet the off-street parking requirements for residential uses, however the number of parking spaces can be reduced by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space.

Exhibit B

LEGAL DESCRIPTION ZONING CASE Z-12-2020 & CONDITIONAL OVERLAY DISTRICT NO. 187

A parcel of land being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 13, Township 29 North, Range 21 West, in the City of Springfield, Greene County, Missouri, and a part of the tracts of land described in Book 2009, at Page 23561-09 and in Book 2009, at Page 039458-09, and in Book 1056, at Page 359, and all that part of the tract of land described in Book 2019, at Page 002044-19, all being recorded in the Greene County, Missouri Recorder of Deeds Office and all that part of the vacated right-of-way of Peach Alley or Robberson Avenue, lying South of the South right-of-way line of Phelps Street and North of the Saint Louis and San Francisco Railroad right-of-way or Mill Street, which is described in Vacation 361 (City of Springfield Ordinance Number 18567 dated June 18, 1979) and in Vacation 293 (City of Springfield Special Ordinance Number 17266 dated March 22, 1976) and in Council Bill 4173 (Special Ordinance Number 3946 dated July 1, 1942), being more particularly described as follows:

Book 2019, Page 002044-19:

Beginning at the Northwest Corner of Lot Five (5) in McNulty's Subdivision in the City of Springfield, Greene County, Missouri, Thence South along the West boundary of said Subdivision to a cross in the sidewalk, 30 feet, more or less, South of the Southwest Corner of Lot One (1) of said Subdivision; Thence East 268.18 feet, more or less, to the West line of vacated Robberson Avenue (Peach Alley) for a new Point of Beginning; Thence East 10 feet, more or less to the center of vacated Robberson Avenue; Thence North 106.19 feet along the Centerline of vacated Robberson Avenue; Thence West to the East line of McNulty's Subdivision; Thence South to the new Point of Beginning;
And

Beginning at the Northwest corner of Lot Five (5) in McNulty's Subdivision in the City of Springfield, Greene County, Missouri, Thence South along the West boundary of said Subdivision to a cross in the sidewalk, 30 feet, more or less, South of the Southwest Corner of Lot One (1) of said Subdivision, Thence East 278.18 feet, more or less, to the center of vacated Robberson (Peach) Avenue; Thence North 106.19 feet along the center of vacated Robberson Avenue; Thence West to the East line of McNulty's Subdivision; Thence North of the Northeast corner of Lot Five (5) of McNulty's Subdivision; Thence West along the North line of Lot Five (5) to the Point of Beginning, which tract includes Lots 1, 2, 3, 4 and 5 in McNulty's Subdivision and a tract 30 feet in width South thereof together with a portion of vacated Robberson Avenue, the South line of said tract being the same as the North boundary line of property being conveyed to Springfield Tablet Manufacturing CO. and all of which property is located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 29, Range 22, in Springfield, Greene County, Missouri.

Except from the above two tracts, the following three tracts:

Commencing at the Northwest corner of McNulty's Subdivision, said point also being the Northwest corner of Lot 5 and lying on the East right-of-way line of Boonville Avenue; Thence South 00°00'00" East along said East right-of-way 79.46 feet for a new Point of

Beginning, said point being an "X" cut in a concrete walk; Thence South 88°50'45" East 281.11 feet to the center of vacated Robberson Avenue; Thence South 02°16'00" West along said center of vacated Robberson Avenue a distance of 75.80 feet; Thence leaving said centerline of vacated Robberson Avenue, North 88°36'20" West 278.14 feet to the East right-of-way line of Boonville, said point being an "X" cut in concrete walk; Thence North 00°00'00" West along said right-of-way 74.63 feet to the Point of Beginning, all in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4 of Section 13, Township 29, Range 22, in Springfield, Greene County, Missouri, containing 0.48 Acres, more or less

And

Commencing at the Northwest corner of McNulty's Subdivision, said point also being the Northwest corner of Lot Five (5), and lying on the East along said East right-of-way, 79.46 feet for a new Point of Beginning, said point being an "X" cut in a concrete walk; Thence South 88°50'45" East 281.11 feet to the center of vacated Robberson Avenue; Thence South 02°16'00" West along said center of vacated Robberson Avenue, a distance of 75.80 feet; Thence leaving said centerline of vacated Robberson Avenue North 88°36'20" West 278.14 feet to the East right-of-way line of Boonville, said point being an "X" cut in concrete walk; Thence North 00°00'00" West along said right-of-way 74.63 feet to the Point of Beginning; all in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Springfield, Greene County, Missouri.

And

Beginning at the intersection of the East line of Boonville Avenue and the North line of Mill Street in the City of Springfield, Greene County, Missouri; Thence North along the East line of Boonville Avenue 120 feet; Thence East 280 feet more or less to the center of Robberson Avenue formally Peach Alley; Thence North along the centerline of Robberson Avenue 105 feet; Thence East 228 feet to the West line of the Springfield Tablet Company tract as described in Book 621, Page 301, in the Office of County Recorder; Thence South along the West line of said tract, 53 feet to the North line of the Springfield Tablet Company tract as described in Book 560 at Page 584; Thence West 5 feet to the Northwest corner of said tract, Thence South 100.3 feet; Thence Southwesterly 34 feet; Thence Southwesterly 186.2 feet to the East line of Robberson Avenue (vacated); Thence South 34 feet; Thence West 284.3 feet to the Point of Beginning, except that portion of Robberson not vacated; All in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Springfield, Greene County, Missouri.

Book 2009, Page 039458-09 (TractV):

Beginning at the Southeast corner of Phelps Street and Boonville Avenue in the City of Springfield, Greene County, Missouri, running thence South Forty-three (43) feet more or less; thence East Two Hundred Seventy-four and 4/10 (274.4) feet more or less to the West line of Robberson Avenue; thence North Fifty (5) feet more or less to the South line of Phelps Street; thence West along the South line of Phelps Street Two Hundred Seventy-six and 2/10 (276.2) feet more or less to the point of beginning, all in the City of Springfield, Greene County, Missouri, together with the West half of the vacated Robberson (Peach Alley) Avenue on the East side thereof and adjacent thereto.

And

Beginning at the Southeast corner of Phelps Avenue and Peach Alley (now Robberson Avenue) in the City of Springfield, Greene County, Missouri; thence South along the East line of Peach Alley (now Robberson Avenue) One Hundred (100) feet; thence East Two Hundred (200) feet; thence North One Hundred (100) feet to the South side of Phelps Avenue; thence West along the South side of Phelps Avenue Two Hundred (200) feet to the place of beginning, together with the East half of vacated Robberson (Peach Alley) Avenue on the West side thereof and adjacent thereto.

Book 2009, Page 023561-09 (Tracts I-V):

Tract I:

Beginning at a point on the West side of Jefferson Street in the City of Springfield, Missouri, twenty-five (25) feet of North of the section line dividing sections thirteen (13) and twenty-four (24), in Township Twenty-nine (29), Range Twenty-two (22); Thence north along the west line of Jefferson Street, a distance of 166 feet more or less to the center line of Wilson Creek; Thence West 215 Feet; Thence South 100 feet more or less to the center of Wilson Creek; Thence in a Southwesterly direction 15 feet, more or less along the centerline of said Creek to the parcel of ground deeded by R.O. Cravens ETAL to St. Louis and San Francisco Railway Company by deed recorded in Book 440 at Page 273, Deed Records of Greene County, Missouri; Thence South 53 feet more or less to the North line of the right-of-way of said railway company as shown by said deed above referred to recorded in book 468 at page 273; Thence East along the North line of said right-of-way as shown by said deed, 230.4 feet to Jefferson Street, being the place of beginning. All being in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Greene County, Missouri.

Tract II:

Beginning at a point on the West line of Jefferson Street in the City of Springfield, Missouri, midway between the West end of the abutments of the Wilson Creek Bridge, across said Jefferson Street; Thence north along the Western line of said Jefferson Street, 170 feet and 2 inches to the South line of Phelps Avenue; Thence West 222 feet and 9 inches to the land of M.F. Johnson; thence South 170 feet more or less to the point directly West of the beginning point; Thence due East 222 feet more or less to the Point of Beginning. All being in the Southwest quarter (SW1/4) of the Southwest quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Greene County, Missouri, subject to any part thereof, taken, deeded or used for road or highway purposes.

Tract III:

A Certain strip or parcel of land lying being and situate in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Greene County, Missouri, at Springfield and described as follows:

Commencing at the intersection of the Southerly tangential projection of the West line of Jefferson Avenue and the center line of Grantor's Main Link Track; Thence Northerly along said tangential projection twenty-five (25) feet; thence westerly along Grantor's right-of-way and parallel with said main tract center line, 230.4 feet to the point of beginning; thence Northerly at right angles 53 feet; thence Southwesterly making an

angle of 177 °12' to the left of last described course, 191.5 feet; Thence Southerly at right angles to said tract, 29 feet; Thence Easterly parallel with said main tract, 189 feet more or less to the Point of Beginning. All being in the City of Springfield, Greene County, Missouri.

Tract IV:

Commencing at the Northwest corner of McNulty's subdivision, said point also being the Northwest corner of lot five (5), and lying on the East right-of-way line of Boonville Avenue; thence South 00°00'00" East along said East right-of-way, 79.46 feet for a new Point of Beginning, said point being an "X" cut in a concrete walk; Thence South 88°50'45" East 281.11 feet to the center of vacated Robberson Avenue; Thence South 02D16'00" West along said center of vacated Robberson Avenue, a distance of 75.80 feet; Thence leaving said centerline of vacated Robberson Avenue North 88°36'20" West 278.14 feet to the East right-of-way line of Boonville, said point being an "X" cut in concrete walk; Thence North 00°00'00" West along said right-of-way 74.63 feet to the Point of Beginning; all in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Springfield, Greene County, Missouri.

Tract V:

Beginning at the intersection of the East line of Boonville Avenue and the North line of Mill Street in the City of Springfield, Greene County, Missouri; Thence North along the East line of Boonville Avenue 120 feet; Thence East 280 feet more or less to the center of Robberson Avenue formerly Peach Alley; Thence North along the center line of Robberson Avenue 105 feet; thence East 228 feet to the West line of the Springfield Tablet Company tract as described in Book 621 at Page 301, in the office of the County Recorder; thence South along the West line of said tract, 53 feet to the North line of the Springfield Tablet Company tract as described in Book 560 at Page 584; thence West 5 feet to the Northwest corner of said tract; thence South 100.3 feet; thence Southwesterly 34 feet; thence Southwesterly 186.2 feet to the East line of Robberson Avenue (vacated); Thence South 34 feet; thence West 284.3 feet to the Point of Beginning, except that portion of Robberson not vacated; all in the Southwest quarter (SW1/4) of the Southwest quarter (SW1/4) of Section Thirteen (13), Township Twenty-nine (29), Range Twenty-two (22), in Springfield, Greene County, Missouri.

Ordinance 18567 Vacation 361:

That part of Robberson Avenue lying between the south right-of-way line of Phelps Street and the North right-of-way line of Mill St. except the South 120 feet already vacated by Special Ordinance No. 691 dated March 2, 1937, and except the North 91 feet of the South 211 feet already vacated by Special Ordinance No. 17266 dated March 22, 1976; all in Section 13, Township 29, Range 22, Springfield, Greene County, Missouri.

Ordinance 17266 Vacation 293:

That part of Robberson Avenue lying between the south right-of-way line of Phelps Street and the North right-of-way line of Mill Street EXCEPT the North 98 feet and EXCEPT the South 120 feet already vacated by Special Ordinance No. 691, dated March 2, 1937. All in Section 13, Township 29, Range 22, Springfield, Greene County, Missouri.

Ordinance 3946 Council Bill 4173:

Beginning 181 feet South of the Southeast corner of Peach Alley or Robberson Avenue and Phelps Avenue in the City of Springfield, Missouri, for a beginning point, thence South along the East line of Peach Alley or Robberson Avenue to the Northeast corner of Peach Alley or Robberson Avenue and Mill Street; thence West along the North line of Mill Street to the Northwest corner of Peach Alley or Robberson Avenue and Mill Street; Thence North along the West line of Peach Alley or Robberson Avenue to a point due West of the beginning point; thence East on a due East and West line to the East boundary line of Peach Alley or Robberson Avenue, the point of beginning.

Except

All that part of the vacated right-of-way of Jefferson Avenue as described in Vacation 635 (dated July 1, 1999) described as follows:

Commencing at the northwest corner of Mill Street and Jefferson Avenue, Thence North $06^{\circ}13'11''$ East a distance of 11.37 feet to the POINT OF BEGINNING; Thence North $06^{\circ}13'11''$ East a distance of 12.34 feet to a point for corner; Thence South $05^{\circ}25'37''$ West a distance of 12.33 feet to a point for corner; Thence North $87^{\circ}53'23''$ West a distance of 0.17 feet to the POINT OF BEGINNING, and containing 1.05 square feet of land, more or less.

Containing 139,141 square feet or 3.194 acres, more or less, subject to rights-of-way, easements and restrictions of record.

Exhibit C

**RECORD OF PROCEEDINGS
ZONING CASE Z-12-2020 & CONDITIONAL OVERLAY DISTRICT NO. 187
Planning and Zoning Commission – July 16, 2020**

Z-12-2020

405 North Jefferson Avenue

Applicant: Missouri State Board of Governors and Vecino Group

Melissa Cox recused.

Mr. Hosmer stated that this is a request to rezone approximately 5.3 acres of property generally located at 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue from a HM, Heavy Manufacturing District to CC, Center City District. This application is consistent with the Comprehensive Plan, which identifies the subject property as appropriate for Greater Downtown uses. The Center City District is listed as an appropriate zoning district for this land use category.

The adjacent properties are mostly zoned for Center City uses. In addition, the majority of these properties are utilized for commercial, office or industrial purposes which is consistent with the intent of the Center City District. The Transportation Plan classifies Jefferson Avenue as a Secondary Arterial roadway, Phelps Street as a Local roadway, and Boonville Avenue as Collector roadway. A Traffic Impact Study is required to be submitted. Any roadway improvements required will be defined in the Traffic Impact Study. The property is located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not applicable as the site is already built out. The property is not located in a stream buffer area. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Jane Earnhart, developer here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

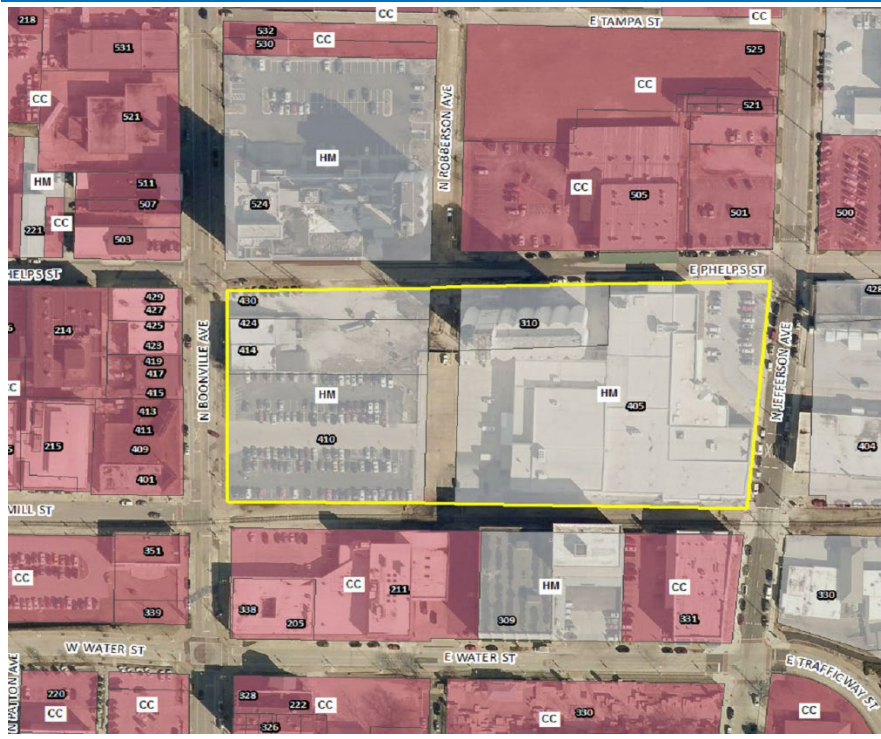
Mr. Jobe motioned to **approve** item Z-12-2020 (405 North Jefferson Avenue). Mr. King seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Jobe, Thomas, and Broekhoven. Nays: None.



Bob Hosmer, AICP
Planning Manager

Exhibit D

PLANNING AND ZONING COMMISSION PUBLIC HEARING: CITY COUNCIL PUBLIC HEARING:



July 16, 2020

August 10, 2020

CASE: Z-12-2020 w/COD #187

ACRES: 5.3 acres

LOCATION: 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue

EXISTING LAND USE: Office, warehousing and university uses

APPLICANT: Missouri State University and Vecino Group

STAFF: Daniel Neal, Senior Planner
417-864-1036

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 5.3 acres of property generally located at 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue from HM, Heavy Manufacturing District to CC, Center City District and establishing Conditional Overlay District No. 187.

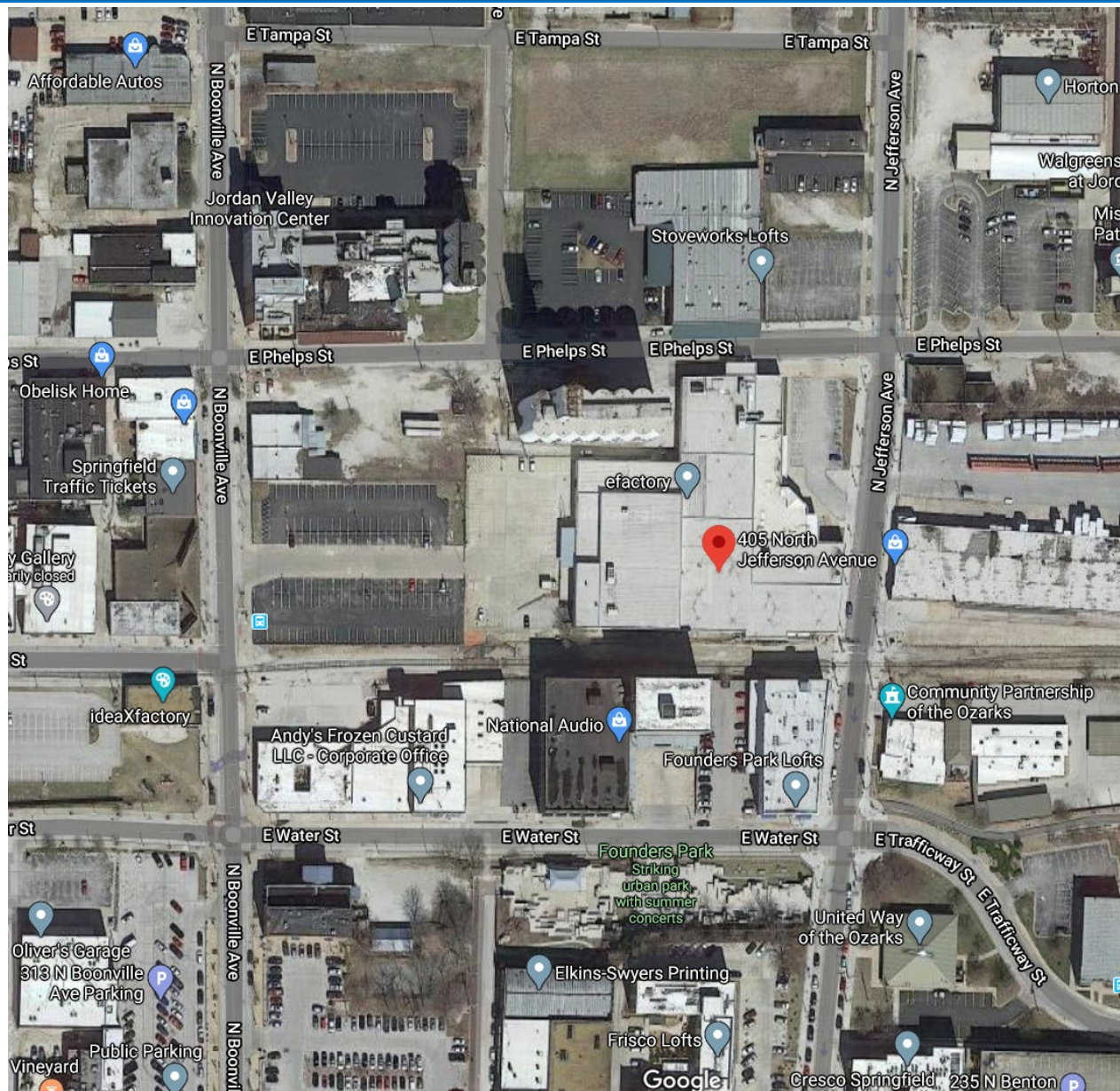
FINDINGS FOR STAFF RECOMMENDATIONS:

1. This application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*, which identifies the subject property as appropriate for Greater Downtown uses. The Center City District is listed as an appropriate zoning district for this Land Use category.
2. The requested CC, Center City zoning is consistent with the existing CC zoning to the northeast, south and west of the subject property.
3. A Conditional Overlay District has been submitted to mitigate any potential negative impacts of the Center City District.
4. This request is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.

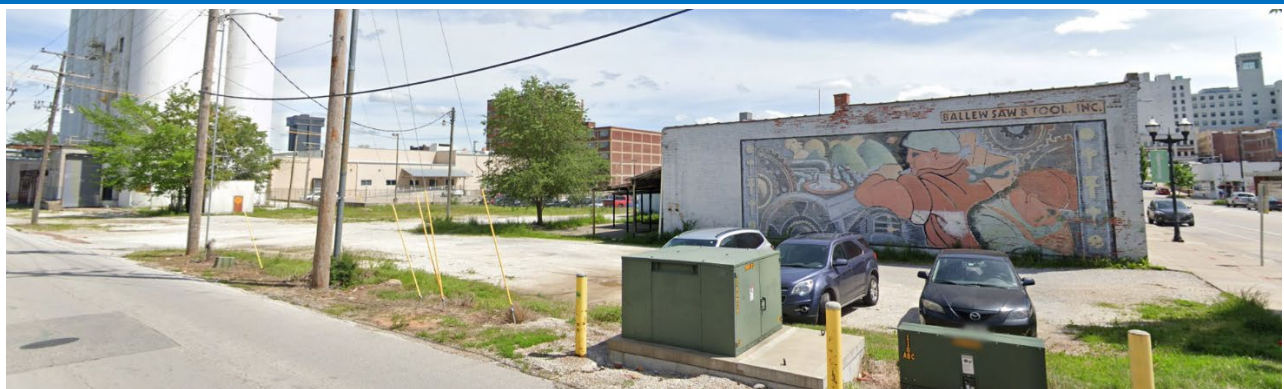
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM & CC	CC & HM	HM	CC
LAND USE	JVIC, warehousing and apartments	Office, warehousing, audio tape manufacturing	Office, warehousing and storage	Retail and office uses

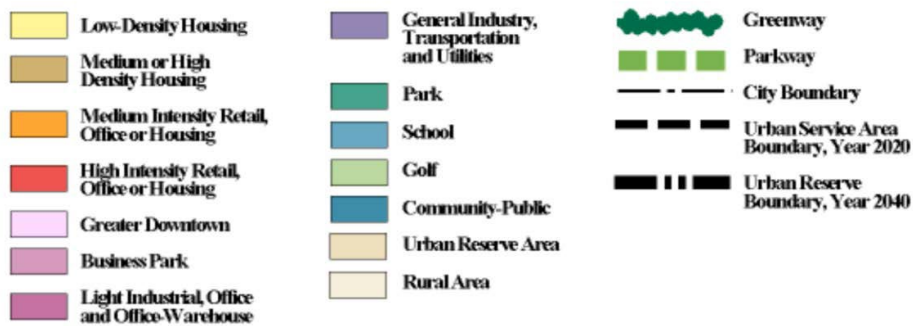
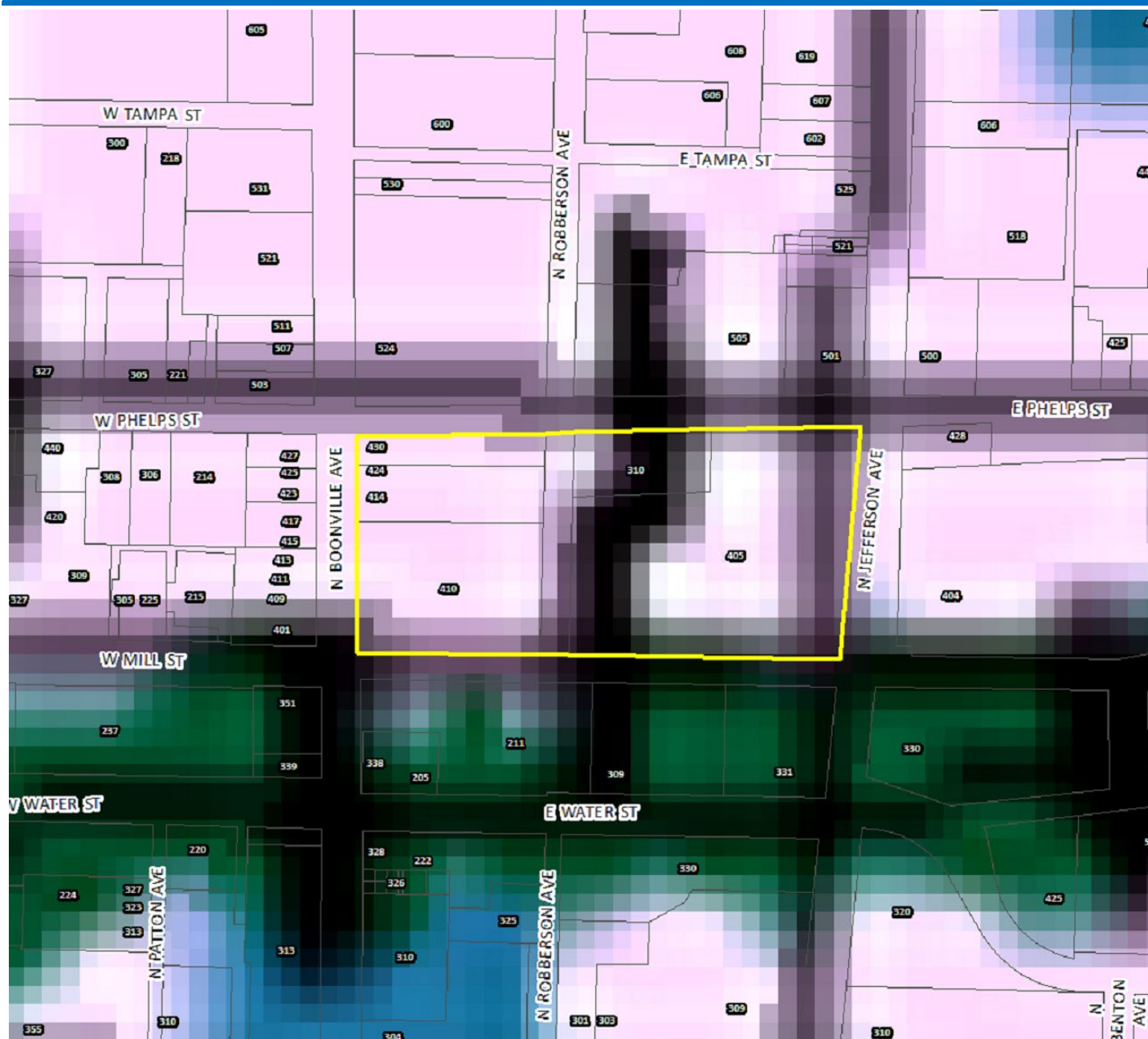
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

The subject property was originally zoned HM, Heavy Manufacturing District by General Ordinance No. 4494, which was a city-wide rezoning in 1995. The site has not been the subject of a map amendment since that time.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

- (a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:
1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
 2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
 3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
 4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
 5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
 6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
 7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
 8. Information submitted at the public hearing.

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR CC
Minimum Yard Requirements	None.
Maximum Structure Height	None.
Minimum Open Space	None.
BULK PLANE	BUFFERYARD AND LANDSCAPING
None.	None. Whenever any development in a CC district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards. Interior and perimeter landscaping requirements may apply in the event of future development.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* also designates this area within the Greater Downtown land use district. This district, which pertains to the downtown and University Plaza portions of Center City, promotes high-intensity office, retail and housing, preferably in mixed-use buildings with a strong pedestrian orientation. It recommends the most appropriate zoning district for this location would be the Center City District.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 5.3 acres of property generally located at 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue from HM, Heavy Manufacturing District to CC, Center City District and establishing COD #187. The intent of this rezoning application is to facilitate the redevelopment of the site for office, parking garage and eFactory/University uses.
2. A Conditional Overlay District has been submitted to mitigate any potential impacts of the base zoning. The requirements include a Traffic Impact Study to be submitted at the time of development and any roadway improvements required will be defined in the Traffic Impact Study and must be constructed. The Center City District does not require off-street parking; however, if residential uses are ever developed off-street parking will be required. The applicant, MSU, is proposing an off-street parking garage for their proposed development.

3. The adjacent properties are mostly zoned for Center City uses. In addition, the majority of these properties are utilized for commercial, office or industrial purposes which is consistent with the intent of the Center City District.
4. Properties zoned Center City are intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for older commercial and light industrial areas, particularly the central business district and Commercial Street area that tend to accommodate a wide variety of uses. These areas generally developed early in the city's history and do not display the characteristics typical of modern suburban development. These areas may also be experiencing or be in need of rehabilitation or redevelopment. This district is intended to accommodate the transition that must occur if these areas are to contribute to the vitality of the city. The proposed map amendment is consistent with the existing conditions of the area.
5. The proposed development does not require a multi-family location and design guideline assessment based on the Center City District regulations.
6. The subject property is within walking and bicycling distance of the MSU campus, the downtown area and bus stops. In addition, there is a good sidewalk system and marked bike routes in the area.
7. The proposed rezoning was reviewed by City departments, whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

All neighborhood meetings have been cancelled due to the Mayor's Proclamation of Civil Emergency. Property owners were mailed a comment card to provide their comments. None were received to date.

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 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 185 feet.

Notices sent to property owners within 185 feet: Mailed: 19 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Clean Water Services has no objections to the proposed rezoning. The subject property has access to public sewer.

FIRE DEPARTMENT:

Fire has no issues with the proposed rezoning.

CITY UTILITIES:

City Utilities has no issues with the proposed rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the Jordan Creek Lower Branch drainage basin. The property is located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention is not applicable as the site is already built out. Water quality will be required if adding an additional acre of impervious area. The property is not located in a stream buffer area.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing 1 acre or greater, water quality will also have to be provided.
3. Drainage easements must be provided for this conveyance.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.
5. A land disturbance permit will be required if disturbing 1 acre or greater.

Public Works Stormwater Division	Response
Drainage Basin	Jordan Creek Lower Branch
Is property located in Floodplain?	Yes
Is property located on a sinkhole?	No
Is property located in a stream buffer?	No
Is stormwater fee in lieu an option?	N/A

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies N. Jefferson Avenue Road as a Secondary Arterial roadway, E. Phelps Street as a Local roadway, and N. Boonville Avenue as Collector roadway. The standard right-of-way width for N. Jefferson Avenue is 35 feet from the centerline, E. Phelps Street is 25 feet from the centerline and N. Boonville Avenue is 30 feet from the centerline. It appears no additional right-of-way is needed along Jefferson, Phelps or Boonville. A survey is recommended to determine the exact amount of existing right-of-way. All three roads are city -maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for N. Jefferson Avenue, E Phelps Street or N. Boonville Avenue. On-street parking is allowed along all three roadways.

DRIVEWAY ACCESS

There is one driveway access point onto the property from N. Jefferson Avenue, three driveway access points from E. Phelps Street and two driveway access points from N. Boonville Avenue. Access to this property will be allowed based on existing City of Springfield standards.

SIDEWALK

There is existing sidewalk along the property frontage of N. Jefferson Avenue and N. Boonville Avenue. There is no sidewalk along the property frontage on E. Phelps Street. A Streetscape project is planned by the City of Springfield along Phelps Street between Boonville Avenue and Robberson Avenue. A fee in lieu of sidewalk construction has been approved by the Administrative Review Committee (ARC) for E. Phelps Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There is one bus stop along N. Boonville Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

A Traffic Impact Study is required to be submitted. Any roadway improvements required will be defined in the Traffic Impact Study.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	N. Jefferson Avenue	Secondary Arterial	Yes	35	35
Street 2	E. Phelps Street	Local	Yes	25	25
Street 3	N. Booneville Avenue	Collector	Yes	30	30
Street 4					
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		28	32	156	
*Proposed Trips Generated		110	160	1,600	
Additional Trips Generated		412	608	6,244	

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

The requirements of Section 36-424 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The City Traffic Engineer shall evaluate any proposed development and if the estimated trip generation (using ITE trip generation rates) results in an increase of over 100 trip ends per peak hour or 1,000 trips ends per day, the City Traffic Engineer shall, at his discretion, require a Traffic Impact Study (TIS) be submitted. Any public improvements identified by the study as necessary to provide a satisfactory level of service in the peak hour shall be addressed before approval of the development.
2. The subject properties shall meet the off-street parking requirements for residential uses, however the number of parking spaces can be reduced by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space.

One-rdg. _____
P. Hrngs. _____
Pgs. 14
Filed: 08-04-20

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-182

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning
2 map and rules for interpretation,' by rezoning approximately 1.08 acres of
3 property generally located at 618 North Benton Avenue from HM, Heavy
4 Manufacturing District, and GI, Governmental and Institutional Use
5 District, to CC, Center City; and adopting an updated Official Zoning Map.
6 (Staff and Planning and Zoning Commission both recommend approval.)
7
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 618 North Benton Avenue, and more fully described in "Exhibit A,"
11 from HM, Heavy Manufacturing District, and GI, Governmental and Institutional Use
12 District, to CC, Center City District; and
13

14 WHEREAS, following proper notice, a public hearing was held before the
15 Planning and Zoning Commission on July 16, 2020, a copy of the Record of
16 Proceedings from said public hearing being attached hereto and incorporated herein by
17 this reference as "Exhibit B," and said Commission made its recommendation; and
18

19 WHEREAS, the City has reviewed the applicant's request and prepared a staff
20 report concerning the application which is attached hereto and incorporated herein by
21 this reference as "Exhibit C;" and
22

23 WHEREAS, proper notice was given of a public hearing before City Council and
24 said hearing was held in accordance with law.
25

26 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
27 SPRINGFIELD, MISSOURI, as follows, that:
28

29 Section 1 – The property described in "Exhibit A," which is attached hereto and
30 incorporated herein by this reference, is hereby rezoned from HM, Heavy Manufacturing
31 District, and GI, Governmental and Institutional Use District, or such zoning districts as
32 are designated on the official zoning map adopted by City Council, to CC, Center City
33 District. Springfield Land Development Code, Section 36-306, 'Official zoning map and

rules for interpretation,' is hereby amended, changed and modified consistent with this Ordinance.

Section 2 – City Council hereby directs the City Manager, or designee, to update the City's digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in the Springfield Land Development Code, Section 36-306, 'Official zoning maps and rules of interpretation.'

Section 3 – The Official Zoning Map herein adopted shall be maintained and archived in the same digital form in which this Council has approved its adoption.

Section 4 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Kyle Teller, Assistant City Attorney

Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2020 - 182

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-15-2020

The applicant, Advocates for a Healthy Community, Inc., is proposing to rezone approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City.

Jordan Valley Community Health Clinic intends to build an expansion to the existing clinic. The subject property is split-zoned with HM district on the south portion of property and GI on the north. The split-zoned property makes development difficult when different zoning districts apply to the development as a whole.

The subject property is located within the *Idea Commons Plan* area. Adopted by City Council in October 2010, the plan's goal is to create a vibrant mixed-use community that is a model for innovative and sustainable development, complements Missouri State University's initiative to expand opportunities for business development and commercialization and support the vision for Jordan Valley, which is detailed in the *Jordan Valley Park Concept Plan and Design Guidelines*.

The CC district will promote the mixed-use community that is envisioned by the *Idea Commons Plan* and the *Jordan Valley Park Concept Plan and Design Guidelines*.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended to approve, by a vote of 8 to 0.

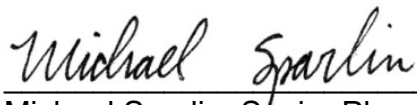
The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The CC district will promote the mixed-use community that is envisioned by the *Idea Commons Plan* and the *Jordan Valley Park Concept Plan and Design Guidelines*.

2. The CC district is intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for older commercial and light industrial areas, particularly the central business district and Commercial Street area that tend to accommodate a wide variety of uses. These areas generally developed early in the city's history and do not display the characteristics typical of modern suburban development.
3. The application will consolidate Jordan Valley Health Clinic facilities into one zoning district. The Clinic rezoned its other property located on the west side of Benton Avenue from HM to CC in June 2005.

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1: Department Comments

Exhibit A

**LEGAL DESCRIPTION
ZONING CASE Z-15-2020**

ALL OF LOTS SIXTY-EIGHT (68), SIXTY-SEVEN (67) AND THAT PART OF LOT SIXTY-SIX (66), BLOCK "H", OF HARWOOD, LISEBY AND BOYD'S ADDITION TO SPRINGFIELD, LYING SOUTH OF THE RIGHT-OF-WAY OF CHESTNUT EXPRESSWAY AS DESCRIBED IN THE GREENE COUNTY MISSOURI RECORDER'S OFFICE IN BOOK 1793 AT PAGE 936, BOOK 1839 AT PAGE 2242, BOOK 1614 AT PAGE 739 AND BOOK 2080 AT PAGE 71.
MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT SIXTY-EIGHT (68) OF BLOCK "H" OF HARWOOD, LISEBY AND BOYD'S ADDITION; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF BENTON AVENUE, NORTH 01° 30' 42" EAST 214.70 FEET TO A RIGHT-OF-WAY MARKER; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF CHESTNUT EXPRESSWAY NORTH 24° 07' 05" EAST 60.88 FEET; THENCE NORTH 37° 38' 04" EAST 56.45 FEET; THENCE SOUTH 75° 37' 49" EAST 95.66 FEET; THENCE SOUTH 66° 23' 01" EAST 67.73 FEET; THENCE SOUTH 00° 35' 18" EAST 53.07 FEET TO A POINT ON THE WESTERLY LINE OF THE ALLEY; THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF THE ALLEY, SOUTH 01° 36' 06" WEST 214.38 FEET TO THE SOUTHEAST CORNER OF LOT SIXTY-EIGHT (68); THENCE ALONG THE SOUTH LINE OF LOT SIXTY-EIGHT (68), NORTH 89° 06' 21" WEST 214.31 FEET TO THE POINT OF BEGINNING, ALL LYING IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTEEN (13), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN GREENE COUNTY, MISSOURI, SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

Exhibit B

**RECORD OF PROCEEDINGS
ZONING CASE Z-15-2020
Planning and Zoning Commission – July 16, 2020**

Z-15-2020

618 North Benton Avenue

Applicant: Advocates for a Healthy Community, Inc.

Mr. Hosmer stated that this a request to rezone approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City. The Comprehensive Plan designates the subject property as appropriate for Community-Public land uses. Jordan Valley Community Health Clinic intends to build an expansion to the existing clinic. The CC district supports a mixed-uses as envisioned in the Idea Commons Plan and the Jordan Valley Park Concept Plan and Design Guidelines. Transportation Plan classifies Benton Avenue as a Secondary Arterial roadway, Chestnut Expressway as an Expressway roadway, and Jones Avenue as a local roadway. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention will be allowed. The property is not located in a stream buffer area. The rezoning will consolidate Jordan Valley Health Clinic facilities into one zoning district. Staff recommends approval.

Mr. Coltrin asked how this helps.

Mr. Hosmer stated that they want all the same zoning and expansion will not be allowed.

Mr. Doennig opened the hearing.

Mr. Derek Lee, 1200 E. Woodhurst noted that they want to consolidate and have more control over their property.

Mr. Doennig closed the hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Z-15-2020 (618 North Benton Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.



Bob Hosmer, AICP
Planning Manager

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING: CITY COUNCIL PUBLIC HEARING:

JULY 16, 2020

August 10, 2020

CASE: Z-15-2020

ACRES: 1.08 acres

LOCATION: 618 North Benton Avenue

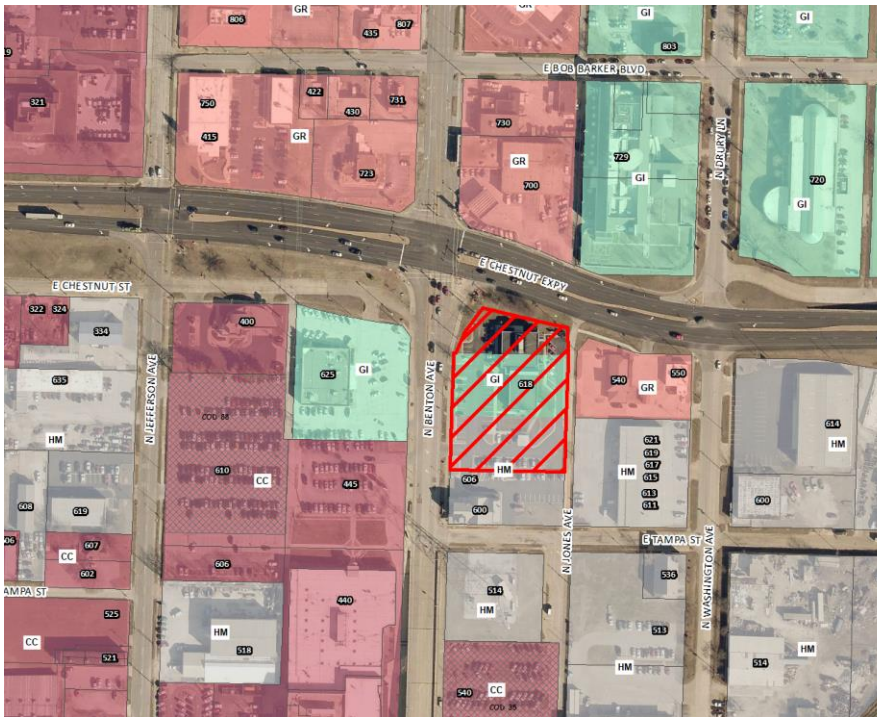
EXISTING LAND USE: Jordan Valley Community Health Center

APPLICANT: Advocates for a Health Community Inc.

STAFF: Michael Sparlin, Senior Planner
417-864-1091

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).



SUMMARY OF REQUEST:

Request to rezone approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City.

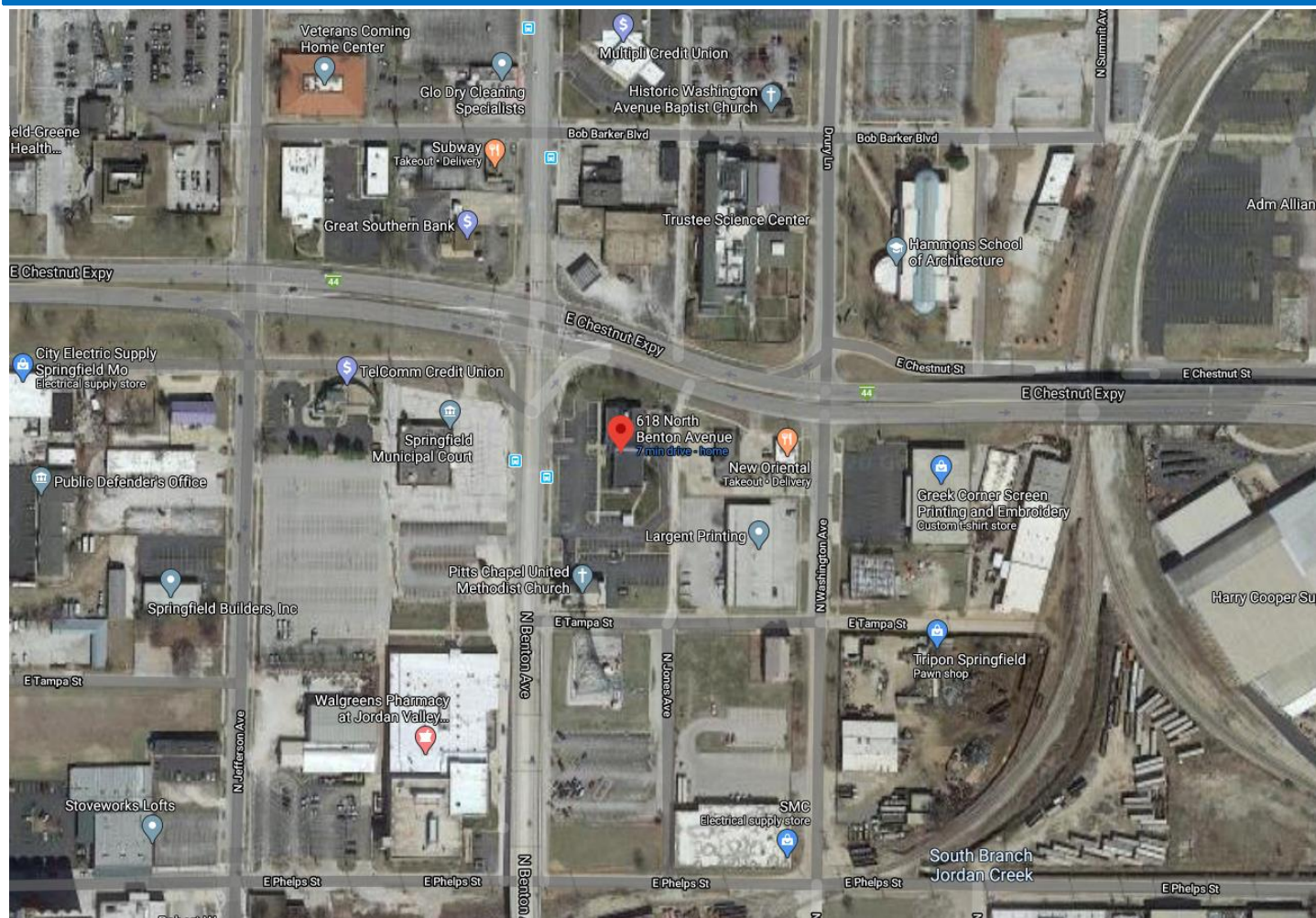
FINDINGS FOR STAFF RECOMMENDATIONS:

1. The CC district will promote the mixed-use community that is envisioned by the *Idea Commons Plan* and the *Jordan Valley Park Concept Plan and Design Guidelines*.
2. The CC district is intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for older commercial and light industrial areas, particularly the central business district and Commercial Street area that tend to accommodate a wide variety of uses. These areas generally developed early in the city's history and do not display the characteristics typical of modern suburban development.
3. The application will consolidate Jordan Valley Health Clinic facilities into one zoning district. The Clinic rezoned its other property located on the west side of Benton Avenue from HM to CC in June 2005.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	HM	GR, HM	GI, CC
LAND USE	Drury University	Church	Office, Warehouse use	Municipal Court

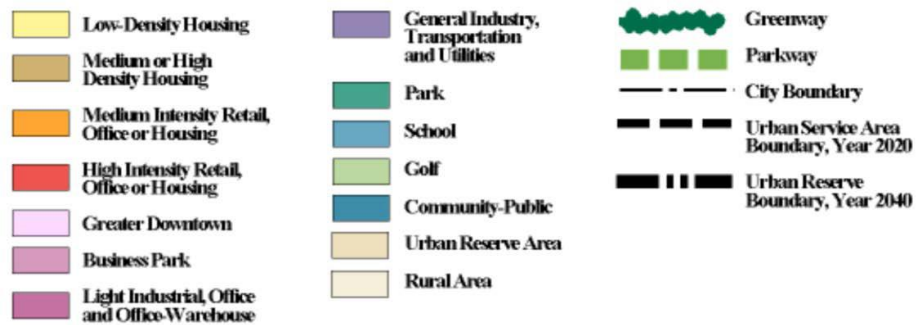
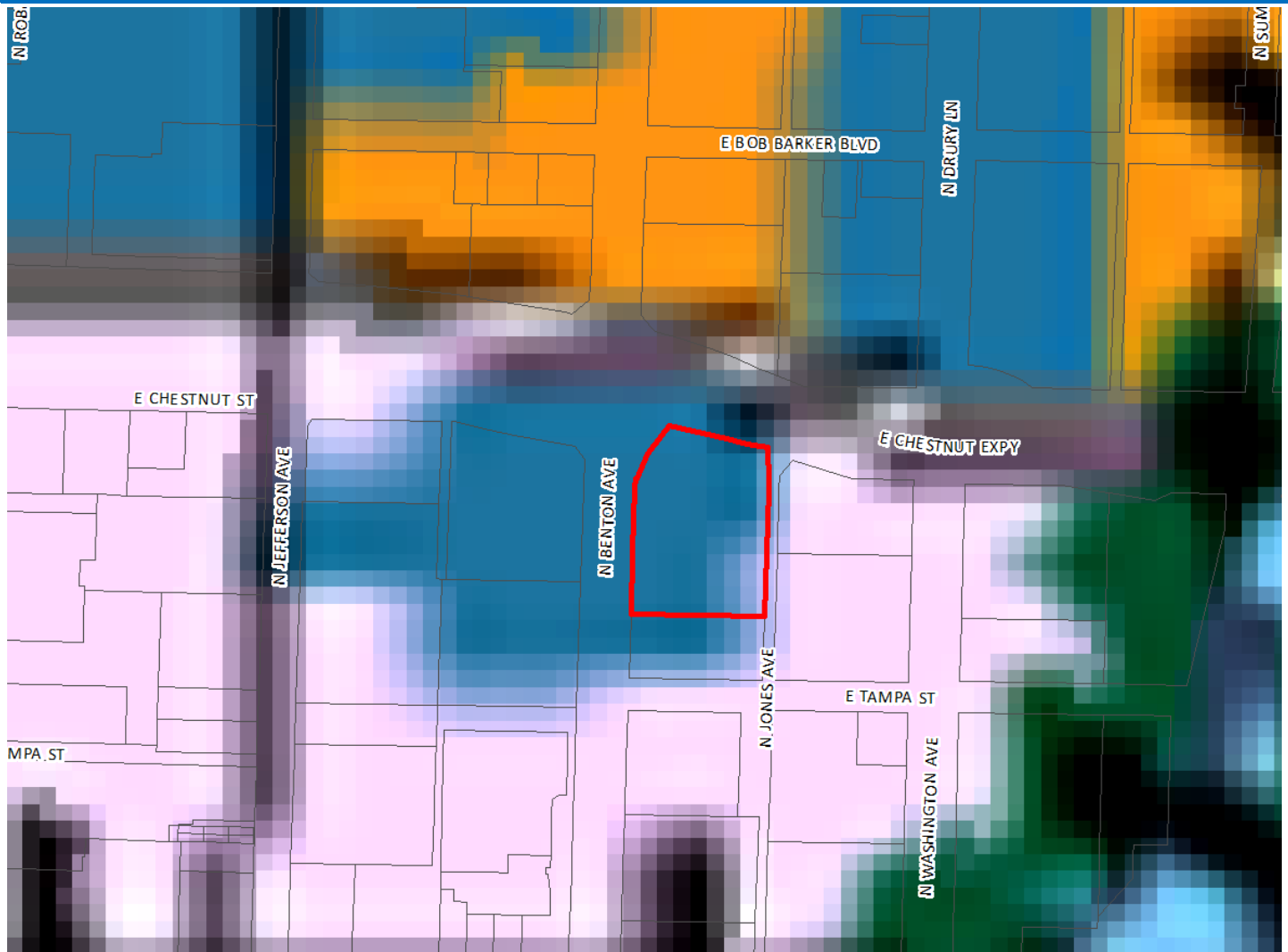
GOOGLE AERIAL OF LANDMARKS, BUSINESS, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

The subject property was originally zoned GI and HM by General Ordinance No. 4494, which was a city-wide rezoning in 1995. The site has not been the subject of a map amendment since that time.

PLANNING AND ZONING COMMISSION AUTHORITY:**Sec. 36-367. – Amendments**

(7) Findings by the commission.

- (a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:
1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
 2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
 3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
 4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
 5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
 6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
 7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
 8. Information submitted at the public hearing.

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR CC
Minimum Yard Requirements	None
Maximum Structure Height	None
Minimum Open Space	None
Use Limitations	All activities and permitted uses except the following shall be conducted entirely within a completely enclosed building. 1. Automobile servicing, but not repair. 2. Drive-in, pick-up window, or drive-thru facilities. 3. Occasional sidewalk sales. 4. Off-street parking and loading facilities. 5. Outdoor eating and drinking facilities. 6. Outdoor live or amplified music provided a permit for such activity has been obtained from the city manager pursuant to chapter 2, article I, section 2-10, permits for outdoor music and any regulations promulgated by the city manager and on file with the city clerk. 7. Playgrounds associated with a school or day care center. 8. Street vendors licensed by the City of Springfield.
BULK PLANE	BUFFERYARD AND LANDSCAPING
None	None. Whenever any development in a CC district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections <u>36-480</u>, screening and fencing, and <u>36-482</u>, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* designates the subject property as appropriate for Community-Public land uses. This category includes schools, colleges, public buildings and cemeteries. The *Plan* designates adjacent property as Greater Downtown.

The subject property is located within the *Idea Commons Plan* area. Adopted by City Council in October 2010, the plan's goal is to create a vibrant mixed-use community that is a model for innovative and sustainable development, complements Missouri State University's initiative to expand opportunities for business development and commercialization and support the vision for Jordan Valley, which is detailed in the *Jordan Valley Park Concept Plan and Design Guidelines*.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City.
2. Jordan Valley Community Health Clinic intends to build an expansion to the existing clinic. The subject property is split-zoned with HM district on the South portion of property and GI on the north. The split-zoned property makes development difficult when different zoning districts apply to the development as a whole.
3. The CC district is intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for older commercial and light industrial areas, particularly the central business district and Commercial Street area that tend to accommodate a wide variety of uses. These areas generally developed early in the city's history and do not display the characteristics typical of modern suburban development.
4. The CC district will promote the mixed-use community that is envisioned by the *Idea Commons Plan* and the *Jordan Valley Park Concept Plan and Design Guidelines*.
5. The application will consolidate Jordan Valley Health Clinic facilities into one zoning district. The Clinic rezoned its other property located on the west side of Benton Avenue from HM to CC in June 2005.
6. The proposed rezoning was reviewed by City departments, whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

All neighborhood meetings have been cancelled due to the Mayor's Proclamation of Civil Emergency. Property owners were mailed a comment card to provide their comments. Staff did not receive any comment cards.

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 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 185 feet.

Notices sent to property owners within 185 feet: Mailed: 7 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No objections to rezoning request.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Clean Water Services has no objections to the proposed rezoning. The subject property has access to public sewer.

FIRE DEPARTMENT:

Fire has no issues with the proposed rezoning.

CITY UTILITIES:

City Utilities has no issues with the proposed rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the Jordan Creek North Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention will be allowed and detention is not. Water quality is not required because this project will not add an additional acre of impervious area. The property is not located in a stream buffer area.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing 1 acre or greater, water quality will also have to be provided.
3. Drainage easements must be provided for this conveyance.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.
5. A land disturbance permit will be required if disturbing 1 acre or greater.

Public Works Stormwater Division	Response
Drainage Basin	Jordan Creek North Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is property located in a stream buffer?	No
Is stormwater fee in lieu an option?	Yes

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies N. Benton Avenue as a Secondary Arterial roadway, E. Chestnut Expressway as an Expressway roadway, and N. Jones Avenue as a local roadway. The standard right-of-way width for N. Benton Avenue is 35-feet from the centerline, E. Chestnut Expressway 75-feet from the centerline, and N. Jones Avenue 25-feet from the centerline. It appears no additional right-of-way is needed along N. Benton Avenue or E. Chestnut Expressway. ARC has

approved a right of way reduction for N. Jones Avenue, therefore, no additional right of way is needed. A survey is recommended to determine the exact amount of existing right-of-way. N. Benton Avenue and N. Jones Avenue are city-maintained streets and E. Chestnut Expressway is a state-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count for this portion of N. Benton Avenue is 6,470 vehicles per day. There are no recent traffic counts for E. Chestnut Expressway or N. Jones Avenue. On-street parking is not allowed along any of these roadways.

DRIVEWAY ACCESS

There are two driveway access points onto the property from N. Benton Avenue, two driveway access points onto the property from N. Jones Avenue and no driveway access points from E. Chestnut Expressway. Additional access to N. Benton Avenue and N. Jones Avenue will have to follow existing standards based on the roadway classifications. No access is allowed from E. Kearney Street.

SIDEWALK

There is not existing sidewalk along the property frontage of E. Chestnut Expressway or N. Jones Avenue. Sidewalks are required to be constructed along E. Chestnut Expressway and along N. Jones Avenue. The applicant may apply to the ARC for approval to pay a fee in lieu of sidewalk construction along N. Jones Avenue. Sidewalk exists along the property frontage of N. Benton Avenue.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are two bus stops along N. Benton Avenue in this location. There are no bus stops along E. Chestnut Expressway or N. Jones Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

A Traffic Impact Study was not required.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	N. Benton Avenue	Secondary Arterial	No	40	35
Street 2	E. Chestnut Expressway	Expressway	No	81	65
Street 3	N. Jones Avenue	Local	No	19	25
Street 4					
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		7	8	39	
*Proposed Trips Generated		78	70	572	
Additional Trips Generated		71	62	533	

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

MISSOURI DEPARTMENT OF TRANSPORTATION:

Sidewalk will need to be built along Chestnut Expressway from Benton to Chestnut Street

One-rdg. _____
P. Hrngs. _____
Pgs. 21
Filed: 08-04-20

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020- 184

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 445 for the purpose of authorizing a
2 warehousing and storage facility to operate within the CS,
3 Commercial Service District generally located at 2706 West Chestnut
4 Expressway as a conditional use. (Staff and Planning and Zoning
5 Commission recommend approval.)
6 _____
7

8 WHEREAS, pursuant to Section 36-363 of the Land Development Code City
9 Council may grant conditional use permits authorizing or limiting certain enumerated
10 conditional uses as provided in the various zoning districts; and
11

12 WHEREAS, the Planning and Zoning Commission held a public hearing on July
13 16, 2020, and the Commission found that the necessary conditions existed for issuance
14 of Conditional Use Permit No. 445 for the property located at 2706 West Chestnut
15 Expressway and zoned CS, Commercial Service District; and
16

17 WHEREAS, City Council finds that sufficient evidence has been presented to
18 satisfy all applicable standards of the Land Development Code for issuance of
19 Conditional Use Permit No. 445; and
20

21 WHEREAS, the granting of such permit is deemed proper and it is not found to
22 harm the community or injure the value, lawful use, and reasonable enjoyment of
23 properties in the vicinity of 2706 West Chestnut Expressway.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – Conditional Use Permit No. 445 is hereby granted in accordance with
29 and subject to the provisions of Section 36-363 of the Land Development Code.
30 Conditional Use Permit No. 445 is granted for the purpose of authorizing a warehousing
31 and storage facility to operate as a conditional use within the CS, Commercial Service
32 District located at the property described in “Exhibit B,” which is attached hereto and

incorporated herein by this reference, and which is generally located at 2706 West Chestnut Expressway (hereafter 'Property').

Section 2 – Building permits, certificates of occupancy, and any other required permits or approvals may be issued by the duly authorized officials of the City provided that such issuance is consistent with Section 36-363 of the Land Development Code, any other applicable City regulation or ordinance, and the “Requirements for Conditional Use Permit 445” described in “Exhibit A,” which is attached hereto and incorporated herein by this reference. Additionally, the provisions contained in “Exhibit A” and “Exhibit D – Attachment 2” shall govern and control the use and development of the Property described in “Exhibit B,” in a manner consistent with the attached site plan depicted on “Exhibit D – Attachment 4.” “Exhibit D” being attached hereto and incorporated herein by this reference in its entirety.

Section 3 – Any violation of the provisions of this Ordinance shall be grounds for the revocation of the Conditional Use Permit granted by the adoption of this Ordinance.

Section 4 – This Ordinance shall be in full force and effect from and after passage only so long as the Property and any improvements thereon conform to the conditions and requirements described in Section 36-363 of the Land Development Code, and other applicable City regulations or ordinances, and this Ordinance.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Kyle Teller, Assistant City Attorney

Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2020-184

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Granting Conditional Use Permit No. 445 for the purpose of authorizing a warehousing and storage facility to operate within the CS, Commercial Service District generally located at 2706 West Chestnut Expressway as a conditional use. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: CONDITIONAL USE PERMIT NUMBER 445

A Conditional Use Permit was previously approved in 2017 but has expired since it was not activated. The applicant has submitted a new request for a Conditional Use Permit to allow the reuse and conversion of existing structures on the subject property for a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway. The *Zoning Ordinance* requires a Conditional Use Permit in the CS, Commercial Service District for warehouse and storage facilities.

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high density housing may be appropriate at major intersections or along certain roadway corridors. The Major Thoroughfare Plan classifies Chestnut as an Expressway, College and Scenic as Secondary Arterial roadways and Water Street as a local roadway. Chestnut Expressway, College and Scenic are major roads that converge to make this a major intersection and an appropriate location for warehousing and storage uses.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 3" shall govern and control the use and development of the land in Use Permit Number 445 in a manner consistent with the attached site plan ("Exhibit D - Attachment 4").

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit.
2. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended approval, by a vote of 8 to 0 of the proposed conditional use permit on the tract of land described on the attached sheet (see the attached "Exhibit C," Record of Proceedings).

The Planning and Development staff recommends the application be approved with the conditions included in the attached "Exhibit A."

Submitted by:



Bob Hosmer, AICP Planning Manager

Recommended by:

Approved by:



Mary Lilly Smith, Director



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Requirements for Conditional Use Permit 445

Exhibit B, Legal Description

Exhibit C, Record of Proceedings

Exhibit D, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Requirements for Conditional Use Permit 445

Attachment 3, Standards and Responses for Conditional Use Permits

Attachment 4, Site Plan

Exhibit A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 445

1. A warehousing and storage facility are permitted in substantial conformance with Attachment 5.
2. Vehicular gates which restrict access to the site shall comply with Section 36-408 of the Zoning Ordinance and all other applicable City ordinances.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Exhibit B

**LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NUMBER 445**

LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15) AND SIXTEEN (16), IN BLOCK FOURTEEN (14), WESTPORT ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

Exhibit C

RECORD OF PROCEEDINGS CONDITIONAL USE PERMIT NUMBER 445 Planning and Zoning Commission – July 16, 2020

Conditional Use Permit 445
2706 West Chestnut Expressway
Applicant: Pearstone, LLC

Mr. Hosmer stated that this is a request to allow a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway. The Comprehensive Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. City's Transportation Plan classifies Chestnut Expressway as an Expressway. A traffic study is not required. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not applicable as the site is all built out. The property is not located in a stream buffer area. The applicant had an approved Conditional Use Permit for warehousing and storage facility but its expired November 13, 2017. Staff has reviewed the applicant's new request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits. Approval of this request will provide for the productive reuse of existing buildings on the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Billy Kimmons, representative noted that due to unforeseen issues the CUP had expired.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Conditional Use Permit 445 (2706 West Chestnut Expressway). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.



Bob Hosmer, AICP
Planning Manager

Exhibit D

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:
CITY COUNCIL PUBLIC HEARING:

JULY 16, 2020

August 10, 2020

CASE: Conditional Use Permit 445

ACRES: 1.67 acres of property

LOCATION: 2706 West Chestnut Expressway

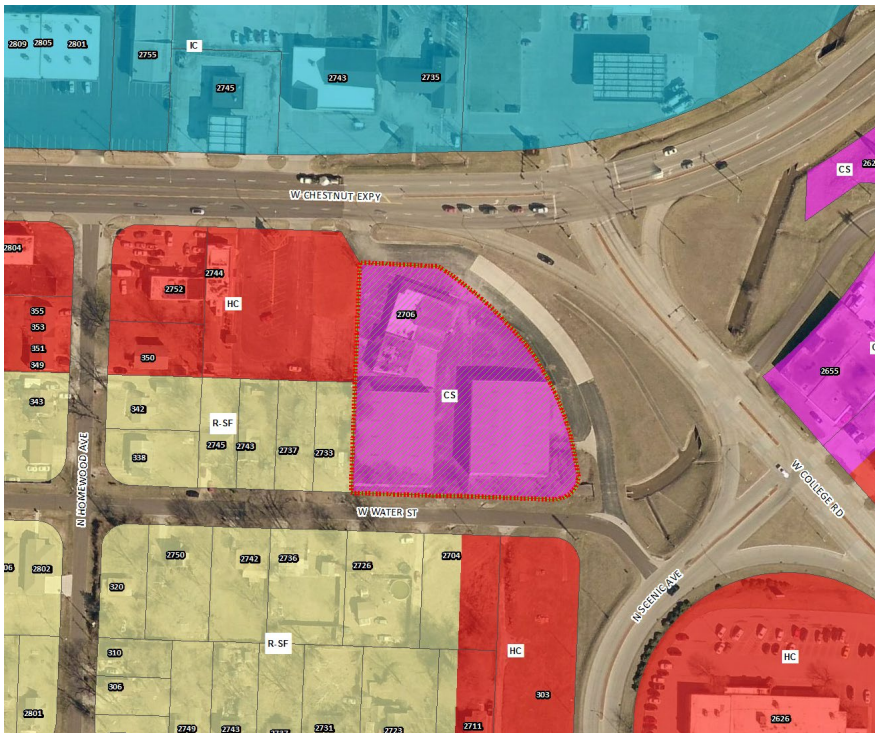
EXISTING LAND USE: Vacant/ Roofing Company

APPLICANT: MOCAL Investment Company, LLC

STAFF: Bob Hosmer, Planning Manager
 417-864-1611

STAFF RECOMMENDATIONS:
 Approve

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).



SUMMARY OF REQUEST:

This is a request to allow a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway.

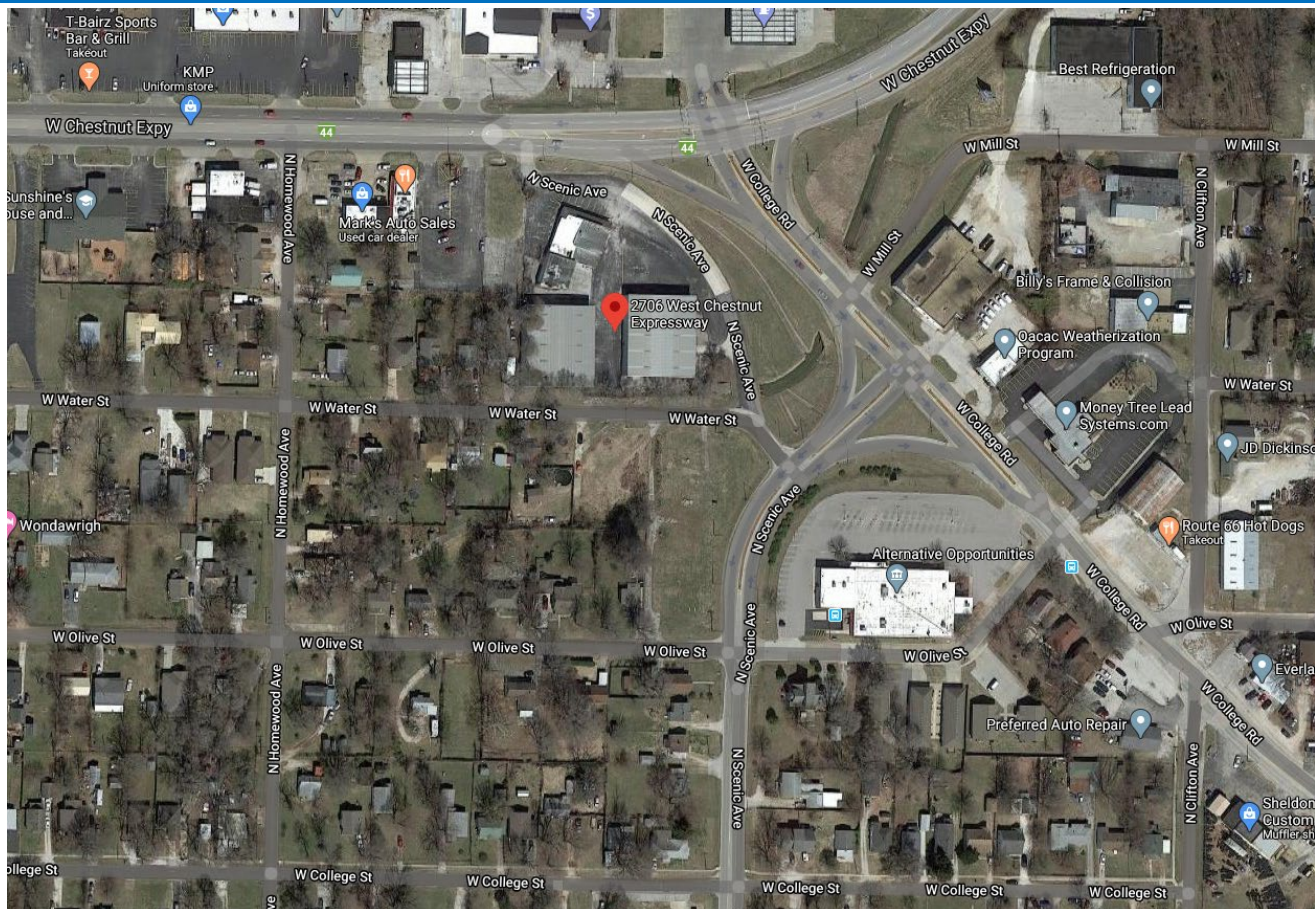
FINDINGS FOR STAFF RECOMMENDATIONS:

1. The approval of this request will provide for the expansion of a productive use of existing structures on the subject property which are already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
2. This application meets the approval standards for a Conditional Use Permit detailed in Article III, Section 36-363 (10) of the City's Land Development Code. The applicant's responses to these 21 standards are provided as Attachment 3.
3. This application is in conformance with the Comprehensive Plan, which identifies this area as a Medium-Intensity Retail, Office or Housing use category which is appropriate for a variety of commercial uses.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	IC	HC, RS-F	GR	HC, R-SF
LAND USE	Fueling Station	Vacant/undeveloped, Single-family homes	Office/warehousing	Restaurant, Single-family homes

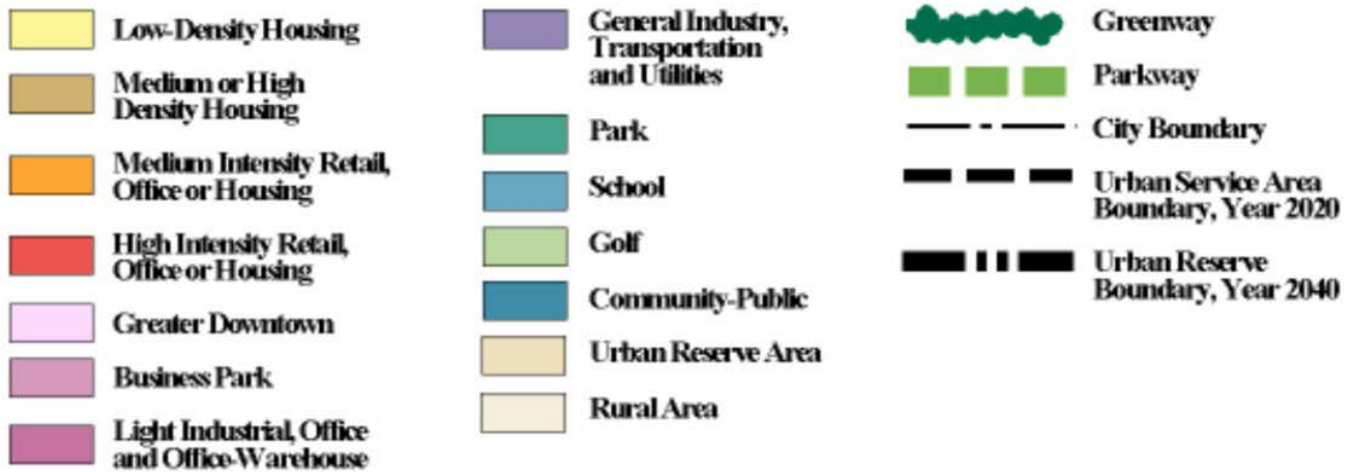
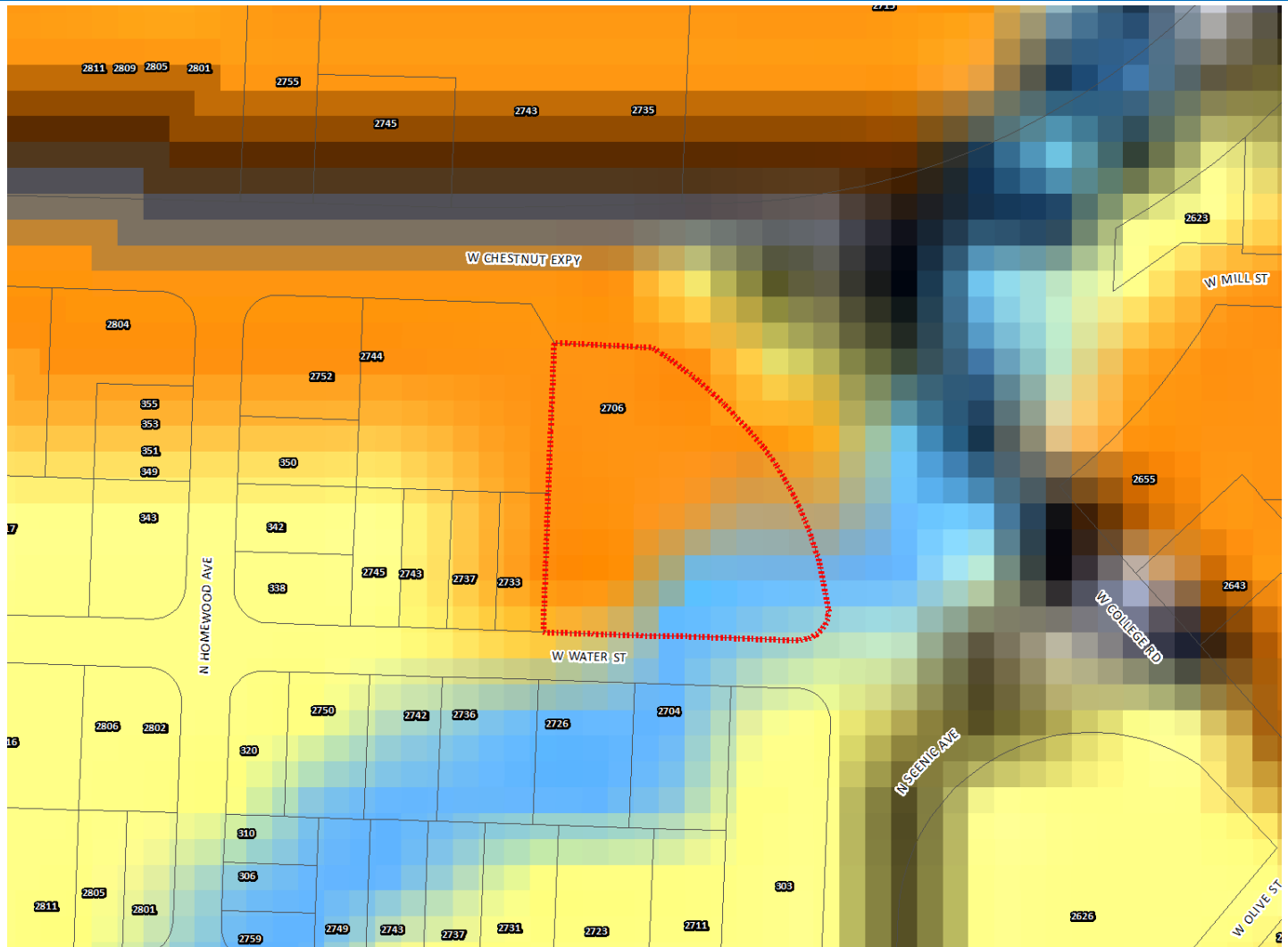
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

The subject property was zoned CS, Commercial Service District in 1995 during the citywide re-mapping via General Ordinance 4494. On November 13, 2017 the property obtained a conditional use permit, however, this has expired since it was not activated during the 18 month period of validity per city code.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. - Conditional Use Permit

- (1) Purpose. The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located so as to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.
- (2) Authorized conditional uses. The planning and zoning commission may recommend, and the city council may authorize, the establishment of those conditional uses that are expressly authorized to be permitted as a conditional use in a particular zoning district or in one or more zoning districts. No conditional use shall be authorized unless this article specifically authorizes such conditional use to be granted and unless such grant complies with all of the applicable provisions of this article.
- (3) Contents of application. An application for a conditional use permit shall be filed with the department of planning and development...
- (4) Hearing on conditional use permit application. A public hearing on an application for a conditional use permit shall be held and notice thereof given in the manner and form required by section 36-368, publication and posting of notices, of this article. No public hearing on a conditional use permit application shall be held unless the director of planning and development, or his duly designated delegate, has certified to the planning and zoning commission that the application is complete and does not contain or reveal violations of this article or other applicable regulations.
- (5) Conditions and restrictions. In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (10) of this article [section] to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.
- (6) Decisions and records. The planning and zoning commission shall, after the public hearing is concluded, transmit to the city council its recommendation containing specific findings of fact on the proposed conditional use without unreasonable delay and in all cases, within 30 days from the close of the hearing. The secretary of the planning and zoning commission shall maintain complete records of all actions of the commission and the city council with respect to applications for conditional use permits.
- (7) Effect of issuance of a permit for a conditional use. The issuance of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, structural alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the city, including, but not limited to, a building permit, a certificate of occupancy or subdivision approval.
- (8) Period of validity.
 - (a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18 months period:
 1. A building permit is obtained, and the erection or alteration of a structure is started; or
 2. An occupancy permit is obtained, and the conditional use commenced.

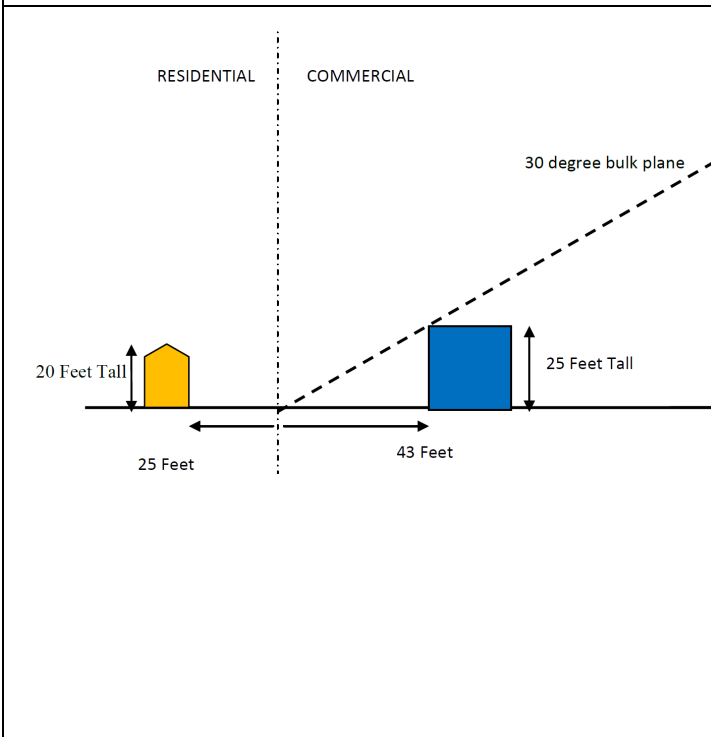
The city council may grant one additional extension not exceeding 18 months, upon written application, without notice or hearing provided such grant is approved by city council prior to the expiration of the original 18-month period. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit. This additional extension shall be considered to have begun on the date of expiration of the original conditional use permit regardless of when this additional extension is granted by city council.

- (b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.
- (9) Amendments. Amendments or changes as to the use authorized by the conditional use process must follow the same process as the original conditional use application. Expansions or additions to structures associated with conditional uses may be approved by the director of planning and development without further conditional use authorization under the following circumstances:
 - (a) Said proposed expansion is limited to a structural addition to an existing building not to exceed ten percent of the gross building floor area within the existing structure to be expanded.
 - (b) Said proposed expansion is limited to one time subsequent to the original conditional use authorization.
 - (c) Said proposed expansion is reviewed and approved by the director of planning and development with the determination that such expansion does not violate any of the conditions set forth in the original conditional use authorization, does not require further imposition of new conditions and does not adversely impact surrounding properties.
- (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following: (SEE STANDARDS BELOW)

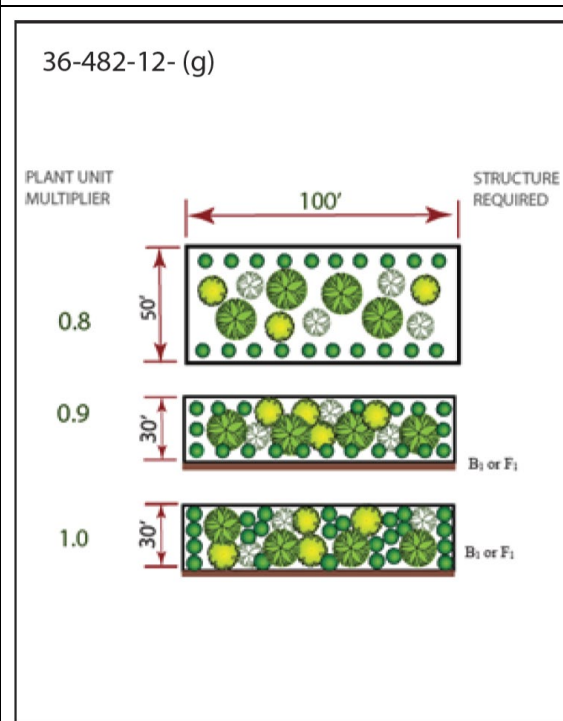
ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR: CS, Commercial Services District
Maximum structure height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Yard requirements	None, except bufferyard requirements. Whenever any development in a CS district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.
Open space requirements	Not less than 15 percent of the gross site area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.

BULK PLANE



BUFFERYARD AND LANDSCAPING



COMPATIBILITY WITH COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high density housing may be appropriate at major intersections or along certain roadway corridors. The Major Thoroughfare Plan classifies Chestnut as an Expressway, College and Scenic as Secondary Arterial roadways and Water Street as a local roadway. Chestnut Expressway, College and Scenic are major roads that converge to make this a major intersection and an appropriate location for warehousing and storage uses.

STAFF COMMENTS:

1. The applicant's request for a Conditional Use Permit for warehousing and storage facility in a CS District on November 13, 2017 has expired.
2. The applicant has submitted a new request for a Conditional Use Permit to allow the reuse and conversion of existing structures on the subject property for a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 W. Chestnut Expressway.
3. Approval of this request will provide for the productive reuse of existing buildings on the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
4. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the Zoning Ordinance. Any development of this property must also follow the CS District requirements. If the property is redeveloped a bufferyard Type G would be required adjacent to the R-SF property to the west which would require at least; 4 Canopy Trees, 3 Understory Trees, 4 Evergreen Trees, 24 Shrubs per 100 linear feet of property and a Type S2 buffer across the street along Water Street.
5. The proposed Conditional Use Permit was reviewed by City departments. Their comments are contained in Attachment 1.

NEIGHORHOOD MEETING:

At the time of this application's processing, the neighborhood meeting requirement was being waived as a result of the City's response to the COVID-19 civic emergency. As a result, the applicant did not host a neighborhood meeting regarding this Conditional Use Permit application.

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 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 185 feet.

Notices sent to property owners within 185 feet:

Mailed: 12

Returned: 0

DEPARTMENT COMMENTS:**ATTACHMENT 1****DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:**

No issues with Conditional Use Permit.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

The Department of Environmental Services Wastewater Management Division does not have any objections to the proposed conditional use. The subject property has access to public sewer.

CITY UTILITIES:

City Utilities does not have any objections to the proposed conditional use.

FIRE DEPARTMENT:

The Fire Department does not have any objections to the proposed conditional use.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the Upper Wilsons Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention is not applicable as the site is all built out. Water quality is not applicable because the site wouldn't add an additional acre of impervious area. The property is not located in a stream buffer area.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing 1 acre or greater, water quality will also have to be provided.
3. Drainage easements must be provided for this conveyance.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.
5. A land disturbance permit will be required if disturbing 1 acre or greater.

Public Works Stormwater Division	Response
Drainage Basin	Upper Wilsons Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is property located in a stream buffer?	No
Is stormwater fee in lieu an option?	NA

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

City's Transportation Plan classifies W. Chestnut Expressway as an Expressway. The standard right-of-way width for W. Chestnut Expressway is 65 feet from the centerline. It appears additional right-of-way is not needed. W. Chestnut Expressway is under MODOT jurisdiction. Defer to MODOT for any comments regarding W. Chestnut Expressway. The City's Transportation Plan classifies N. Scenic Avenue as a Secondary Arterial Roadway. The standard right-of-way width for N. Scenic Avenue is 35 feet from the centerline. It appears additional right-of-way is not needed. The City's Transportation Plan classifies W. Water Street as a Local Street. The standard right-of-way width for W. Water Street is 25 feet from the centerline. It appears additional right-of-way is not needed. A survey is recommended to determine the exact amount of existing right of way. N. Scenic Avenue and W. Water Street are city maintained streets. There are no recent traffic counts on either W. Water Street or the leg of N. Scenic Avenue adjacent to the property pertaining to this Conditional Use Permit. There is one driveway access point along W. Water Street which must be improved to meet current City Standard ST-9 upon approval of the Conditional Use Permit. There is also a continuous driveway access along the length of the N. Scenic Avenue leg adjacent to the property pertaining to this Conditional Use Permit. There is not existing sidewalk along any portion of the property frontage. It appears that no changes will be made to the site and existing structures will be utilized, therefore, sidewalk along the property frontage is not required. On-street parking is not allowed along W. Water Street but is permitted in the area between the N. Scenic Avenue leg and the abutting property. There is not a Greenway Trail in the area pertaining to this zoning. There are bus stops along W. Chestnut Expressway, W. College Avenue, and N. Scenic Avenue near the property pertaining to this Conditional Use Permit. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City of Springfield and MODOT are currently negotiating right-of-way jurisdictions in the area pertaining to this Conditional Use Permit, but there are no future improvements planned in the area.

Public Works Traffic Division	Response
Street classification	W. Chestnut Expressway – Expressway N. Scenic Avenue (Leg) – Secondary Arterial W. Water Street – Local
On-street parking along streets	W. Chestnut Expressway – No N. Scenic Avenue – Yes W. Water Street - No
Trips generated - Peak Hour	67 vehicles (CS) 67 vehicles (CS-CUP)
Additional Trips generated with CUP change - Peak Hour	0 vehicles
Existing street right of way widths	W. Chestnut Expressway - 87 ft from the centerline N. Scenic Avenue – 47 feet from the centerline W. Water Street – 25 feet from the centerline
Standard right of way widths	W. Chestnut Expressway - 65 ft from the centerline N. Scenic Avenue – 35 feet from the centerline W. Water Street – 25 feet from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study is not required. The proposed use of the property produces similar trip generations to that of the uses permitted in the existing zoning. No additional trips generated are anticipated based on the changes permitted in the Conditional Use Permit.

REQUIREMENTS :**ATTACHMENT 2****REQUIREMENTS FOR CONDITIONAL USE PERMIT 445**

1. A warehousing and storage facility are permitted in substantial conformance with Attachment 4.
2. Vehicular gates which restrict access to the site shall comply with Section 36-408 of the Zoning Ordinance and all other applicable City ordinances.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

STANDARDS FOR CONDITIONAL USE PERMIT:**ATTACHMENT 3**

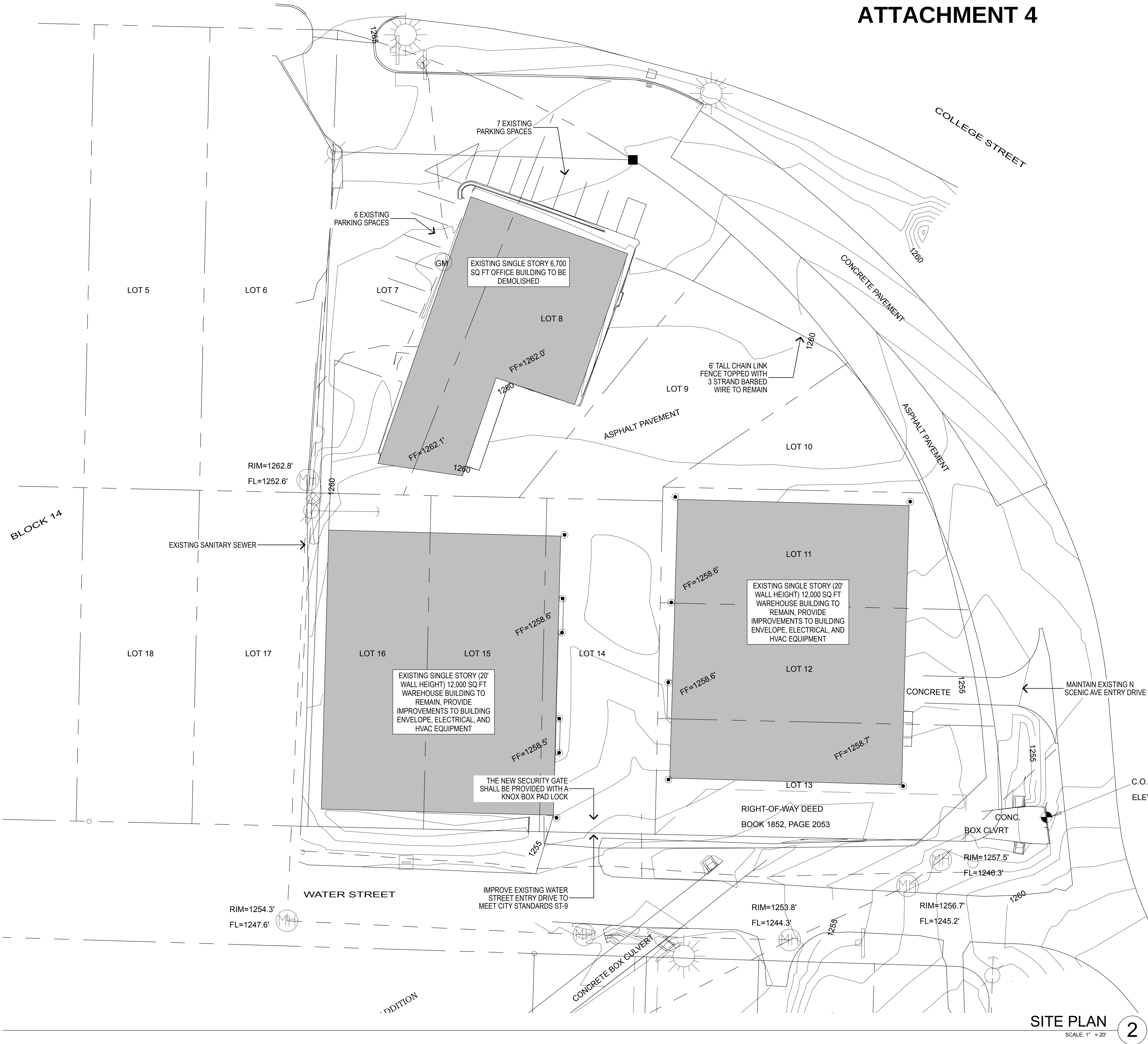
A CUP shall be granted only if evidence is presented at the public hearing which establishes the following Per Sec. 36-363 (10)		Applicant's Response	Staff Response
1.	The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan.	The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan.	The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high density housing may be appropriate at major intersections or along certain roadway corridors. Given warehousing is a conditional use in this district, the approval of the requested Conditional Use Permit would represent consistency with the adopted policies contained within the <i>Comprehensive Plan</i> .
2.	The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	There are no changes being proposed to the existing vehicular and pedestrian access and use of the property.	The proposed conditional use will not have an adverse effect on the safety of the motoring public or of pedestrians utilizing public sidewalks in the surrounding area.
3.	The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	A fire sprinkler system will be added to one, if not both, warehouse buildings in the future to satisfy the storage of materials where required by International Building Code	As described by the applicant, the structural changes proposed along with the Conditional Use Permit would improve the structure's overall fire safety due to the construction of fire separation walls and other fire protection measures.

A CUP shall be granted only if evidence is presented at the public hearing which establishes the following Per Sec. 36-363 (10)		Applicant's Response	Staff Response
4.	The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	No impervious surfaces will be added for this development.	The subject site is fully built-out, leaving little to no additional open space for new construction. As a result, the proposed conditional use is infill in nature and will not result in any additional runoff as no additional impervious area is proposed.
5.	The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	There will be no noise characteristics associated with this proposed use that exceed the sound levels that are typical.	Staff does not anticipate any issues with the sound levels anticipated as part of this development.
6.	The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	Vehicular use is not changing, and no new stationary lights are proposed.	As stated previously, the subject property is entirely built-out with an existing structure; as a result, vehicles do not circulate through this site, so vehicular glare is not of concern. The stationary lights exterior to the structure will not be altered as part of this infill project.
7.	The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	No new signs are proposed.	No new signs.
8.	Such signs will not have an adverse effect on any adjacent properties.	No new signs are proposed.	As stated above, no new signs.
9.	The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	The street right-of-way and pavement width is adequate.	Staff does not foresee any issues with the existing right-of-way width as it pertains to the traffic expected to be generated as a result of the proposed conditional use.
10.	The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare;	No new development is planned that would change the use of this property or impact adjacent properties.	As stated previously, the subject property is entirely built-out with an existing structure.

A CUP shall be granted only if evidence is presented at the public hearing which establishes the following Per Sec. 36-363 (10)		Applicant's Response	Staff Response
11.	The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a) The location, nature and height of buildings, structures, walls and fences on the site; and b) The nature and extent of landscaping and screening on the site.	No new development is planned that would change the use of this property or impact adjacent properties.	As stated previously, the subject property is entirely built-out with an existing structure.
12.	The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	No new development is planned that would change the use of this property or impact adjacent properties.	As indicated by the applicant, the proposed conditional use will not require any new construction, instead acting as an infill within an existing structure that occupies the total site area. As a result, the conditional use will not result in any changes to the site's existing topography.
13.	The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	No new development is planned that would change the use of this property or impact the adjacent natural environment.	As stated previously, the subject property is fully occupied by an existing structure and therefore does not include any natural or scenic features. As part of this project, the applicant intends on making cosmetic changes to the exterior of the structure.
14.	The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.	No new development is planned that would change the use of this property or impact historic features	The subject property and existing structures meet all applicable regulations of Article III, Zoning Regulations.
15.	The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	No new development is planned that would change the use of this property.	As indicated by the applicant, the proposed conditional use will not require any new construction, instead acting as an infill within an existing structure that occupies the total site area
16.	Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect	No new development is planned that would change the use of this property or convenience of the public.	As indicated by the applicant, the proposed conditional use will not require any new construction, instead acting as an infill within an existing structure that occupy the total site area.

A CUP shall be granted only if evidence is presented at the public hearing which establishes the following Per Sec. 36-363 (10)		Applicant's Response	Staff Response
17.	Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	The building area and occupancy is not changing. No changes to the off-street parking is expected.	As indicated by the applicant, the site contains existing drive entrances into the buildings currently. These entrances will not be altered as part of this project.
18.	The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	The existing access roads and drives are adequate, and a drive improvement will be made to the drive on Water Street. This improved drive shall meet city standards ST-9.	Approval of the conditional use requested will not alter the existing drive entrances. The circulation of vehicles and pedestrians will remain the same as they exist today should the conditional use be approved.
19.	The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	No new development is planned that will change the vehicular circulation.	As indicated by the applicant, approval of the proposed conditional use should not interfere with any of the aforementioned conditions or areas. The proposal constitutes an infill project with cosmetic changes to the building's exterior. The building will not be expanded upon as part of this project.
20.	In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	No new development is planned that will impact easements, roadways, rail lines, utilities and public or private rights-of-way.	Approval of this Conditional Use Permit does not qualify as approval of any building plans. As a result, following City Council action on this matter, the applicant would be required to proceed through the standard building permit process, where staff confirms that the proposed changes meet all applicable requirements.
21.	The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	The existing site is adequately served by essential public facilities and services.	The site is currently served by public facilities. The proposal constitutes an infill project with cosmetic changes to the building's exterior. The building will not be expanded upon as part of this project.

ATTACHMENT 4



SITE DATA	
PARCEL AREA:	1.67 ACRES +/- (72,570 S.F. +/-)
ZONING:	COMMERCIAL SERVICE
PRESENT USE:	VACANT (LAST TENANT WAS ROOFING COMPANY)
PROPOSED CONDITIONAL USE:	THIS PROPERTY WAS PURCHASED BY PEARSTONE, LLC TO BE LEASED TO MY MOVERS MOVING AND STORAGE, A COMMERCIAL MOVING COMPANY. A PORTION OF THE BUSINESS IS TO PROVIDE ON SITE STORAGE OF PERSONAL PROPERTY FOR A LIMITED PERIOD OF TIME. AS SUCH, THIS BUSINESS WILL REQUIRE WAREHOUSING AS AN APPROVED USE TO GO ALONG WITH THEIR GENERAL OFFICE USE OF THE PROPERTY.
	THE EXISTING SITE CONTAINS AN OFFICE BUILDING AND TWO WAREHOUSE BUILDINGS. AT THIS TIME, THE TWO EXISTING WAREHOUSE BUILDINGS WILL REMAIN AND THE EXISTING OFFICE BUILDING WILL BE DEMOLISHED. THE TWO EXISTING WAREHOUSE BUILDINGS WILL RECEIVE MECHANICAL, ELECTRICAL, AND PLUMBING IMPROVEMENTS SUCH AS NEW LIGHTING, NEW HEATING, AND A NEW SPRINKLER SYSTEM.
	THE EXISTING SITE CONDITIONS WILL REMAIN. THE ONLY PLANNED IMPROVEMENTS INCLUDE MAKING REPAIRS AND ASSOCIATED REGRADING TO THE EXISTING DRIVE ON WATER STREET. THIS DRIVE WILL BE BROUGHT UP TO CITY STANDARDS PER DETAIL ST-9.
TOTAL FLOOR AREA:	30,700 S.F.
APPLICANT	
NAME:	PATRICIA AND BRADLEY PEARSON, MEMBERS
COMPANY:	MY MOVERS MOVING AND STORAGE
ADDRESS:	1913 E. FLORIDA STREET SPRINGFIELD, MO 65803
INTEREST:	COMMITMENT TO LEASE SUBJECT PROPERTY
OWNER	
NAME:	PATRICIA R PEARSON, MEMBER
COMPANY:	PEARSTONE, LLC
ADDRESS:	2114 S. HOLLAND AVENUE SPRINGFIELD, MO 65807

City Approval Stamp

400 South Avenue, Suite 300
Springfield, MO 65806
P: 417.862.4483

Hood-Rich, Inc. MISSOURI
Certificate of Authority A-622-D

BILLY KIMMONS - Architect
MISSOURI A-2003027165
The Professional Architects seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments, or other documents not exhibiting this seal shall not be considered prepared by this architect, and this architect expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal.

CONDITIONAL USE PERMIT
FOR
MY MOVERS MOVING AND STORAGE
2706 W. CHESTNUT, SPRINGFIELD, GREENE COUNTY, MISSOURI 65802



Proj.No.	19-109
Date:	6/4/20
revisions:	
No.	date
sheet	
A1.0	

One-rdg. _____
P. Hmgs. _____
Pgs. 30
Filed: 08-04-20

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-185

SPECIAL ORDINANCE _____

AN ORDINANCE

VACATING the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.)

WHEREAS, a petition has been received requesting the vacation of the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and

WHEREAS, proper notice of the vacation has been given as required by the laws and ordinances of the City of Springfield; and

WHEREAS, the Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended approval of the vacation; and

WHEREAS, a copy of the Record of Proceedings from said meeting are attached hereto as "Exhibit B" and incorporated herein by this reference; and

WHEREAS, the City Clerk has received petitions from non-abutting property owners requesting City Council to review the request to vacate; and

WHEREAS, City Council finds that said vacation complies with the laws and ordinances of the City of Springfield; and

WHEREAS, City Council held a public hearing on August 10, 2020, and determined as follows:

- 1) All abutting property owners have access to another street, alley or public way;
- 2) Two-thirds of the property owners have given their consent to the vacation;

- 34 3) The retention of the right-of-way serves no useful purpose;
35
36 4) The vacation will not affect the ability to use public or private utilities, and
37 although objections by non-abutting landowners have been filed, Council
38 concludes that the public interest requires such vacation despite the
39 objections thereto.
40

41 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
42 SPRINGFIELD, MISSOURI, as follows, that:
43

44 Section 1 – The petition to vacate the public street of South Crenshaw Road
45 between South Kissick Avenue and East Ridgecrest Street, being more particularly
46 described on “Exhibit A,” which is attached hereto and incorporated herein by this
47 reference, and which is generally referenced as Vacation 819, is hereby granted and
48 the described portion of said public street shall become vacated.
49

50 Section 2 – This Ordinance shall be in full force and effect from and after
51 passage. If for any reason any section of this Ordinance is found to be null and void, the
52 whole Ordinance shall be considered null and void and the vacation ineffective.
53

54 Passed at meeting: _____
55

56 _____
57 Mayor
58

59 Attest: _____, City Clerk
60

61 Filed as Ordinance: _____
62

63 Approved as to form: Kyle T. [Signature], Assistant City Attorney
64

65
66 Approved for Council action: Jason C. [Signature], City Manager
67

EXPLANATION TO COUNCIL BILL 2020 - 185

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Vacate the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION: VACATION NUMBER 819

The applicant, City Utilities, is proposing to vacate all of Crenshaw Road between Kissick Avenue and Ridgecrest Street, since it has been deemed by the Public Works Department that the street is no longer necessary to the City's street system and the traveling public.

The Planning and Zoning Commission is typically the final authority on requests for the vacation of public right-of-way. However, if there is appeal from adjacent property owners before the vacation becomes effective, the request must then be forwarded to City Council. Council's authority per Section 98-154 (c) states that;

“..If the planning and zoning commission approves the request to vacate, any person objecting thereto may petition the city council to review the request to vacate by filing an appeal within 15 days with the city clerk from the date the resolution was passed by the planning and zoning commission. If the objector shall not have consented, the city council may approve the vacation, as provided in this section, only upon a finding that the public interest requires such vacation despite the objections thereto. Any person aggrieved by a decision of the city council shall appeal to the county circuit court within 30 days after a decision is rendered by the city council in accordance with the procedures set forth in RSMo ch. 536.”

Staff has received two requests to appeal the vacation of Crenshaw Road (see “Exhibit C - Attachment 5.”)

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended approval, by a vote of 5 to 3.

The Planning and Development staff recommends the application be approved (see the attached “Exhibit C,” Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested vacation meets the approval criteria listed on "Exhibit C - Attachment 2."

Submitted by:



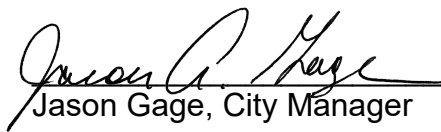
Jared Follin, Associate Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1: Department Comments

Attachment 2: Requirements for Approval

Attachment 3: Legal Description

Attachment 4: Location Sketch

Attachment 5: Public Comments

Exhibit A

**LEGAL DESCRIPTION
VACATION 819**

CRENSHAW ROAD VACATION DESCRIPTION:

A 40-FOOT-WIDE TRACT OF LAND BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 28, RANGE 21, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING 20 FEET EITHER SIDE OF CENTERLINE. SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF CRENSHAW ROAD AND THE NORTH RIGHT OF WAY LINE OF RIDGECREST AVENUE; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF CRENSHAW ROAD TO THE INTERSECTION OF THE CENTERLINE OF CRENSHAW ROAD AND THE WEST RIGHT OF WAY LINE OF KISSICK AVENUE FOR A POINT OF TERMINUS.

Exhibit B

RECORD OF PROCEEDINGS VACATION 819 Planning and Zoning Commission – July 16, 2020

Vacation 819

Crenshaw Road from Kissick Avenue to Ridgecrest Street

Applicant: City of Springfield

Mr. Hosmer stated that this is a request vacate right of way of Crenshaw Road between South Kissick Avenue and East Ridgecrest Street. The applicant, City of Springfield, is requesting the vacation. The City of Springfield owns all the property on both sides of the proposed vacated street. The City will not be required to dedicate any easements as part of the vacation. The request for vacation meets the approval criteria. Any person objecting may petition the City Council by filing an appeal with the City Clerk Office within 15 days from the date the resolution was passed by the Planning and Zoning Commission. Staff recommends approval.

Approval Criteria		Staff Response
1.	All property owners adjacent to the street, alley, or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets and alleys.
2.	The owners of two-thirds of the property adjacent of the street, alley or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of the alley.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the street is not necessary to the city street system.
4.	That the vacation will not affect the ability to use utilities, public or private.	There are no utilities within the proposed vacation area. Replacement easements will not be required.

Mr. Doennig opened the public hearing.

Mr. Steve Stodden, City Utilities gave his support and history of the area, noting vandalism at the closed James River power station and overpass.

Mr. Chris Jones, City Utilities also noted that vandalism has been occurring at the closed James River power station and believes closing the road will alleviate it.

Mr. Randall Doennig questioned why vacate Crenshaw due to lack of light and closure of the power plant.

Mr. Chris Jones noted that the facility no longer has any staff located there and the vandalism has become an issue.

Ms. Ruth Seboldt, 4410 Westwind Drive, Ozark uses Crenshaw Road has had several near close calls and noted the blind intersection and does not want to road to be vacated.

Ms. Natalie Broekhoven asked if keeping Crenshaw open will mitigate accidents.

Ms. Ruth Seboldt stated that it would eliminate the dangerous intersection.

Mr. Randall Doennig asked if there are any streetlights and if it is adequate.

Ms. Ruth Seboldt stated that there are streetlights on the east side, but not adequate.

Mr. Douglas Hays, citizen has clients traveling that route to get to his clinic and stated that it has blind corners and when they had the road closed for maintenance it cause many problems.

Mr. Doennig closed the public hearing.

Mr. King would like the City to request City Utilities to make the intersection safer.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Vacation 819 (Crenshaw Road from Kissick Avenue to Ridgecrest Street). Mr. Jobe seconded the motion. Ayes: Coltrin, Rose, Cox, Jobe, and Thomas. Nays: Doennig, Ogilvy, and Broekhoven. Abstain: None. Absent: Shuler.

A handwritten signature in black ink, appearing to read "Bob Hosmer", is written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING:
CITY COUNCIL PUBLIC HEARING:

JULY 16, 2020

N/A

CASE: Vacation 819

ACRES: Approximately 3 acres

LOCATION: Crenshaw Road between South Kissick Avenue and East Ridgecrest Street

EXISTING LAND USE: Public Street

APPLICANT: City of Springfield

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

STAFF RECOMMENDATIONS:
 Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report. Five (5) voting members to approve or deny.



SUMMARY OF REQUEST:

Request to vacate South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The requested vacation meets the approval criteria listed in Exhibit 2.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GI	GI	R-SF	GI
LAND USE	Power Plant	Storage	Single-Family Residential Homes	Vacant Land

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:





MAJOR THOROUGHFARE PLAN:



PROPERTY HISTORY:

This portion of South Crenshaw Road has been incorporated in the Springfield City Limits in its entirety since 2000.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-151. - Petition for vacation; notice of proposed vacation.

1. Any person owning any real estate within the city which has been subdivided by a duly recorded plat may petition the city to vacate the subdivision, or any part thereof, giving a distinct description of the property to be vacated and the names of the owners thereof with proof of their ownership; and any person owning property abutting upon any alley, street, common or public square, or any part thereof, may petition the city to vacate all or any part of the alley, street, common or public square, giving a distinct description of the property to be vacated and the names of the owners of the property abutting thereon. A petition to vacate such land shall be filed with the city clerk and referred to the planning and zoning commission for consideration. Thereupon, the planning and zoning commission shall cause notices of the proposed vacation to be posted in at least three prominent places in the vicinity of the area to be vacated and the petitioner shall cause a notice of the proposed vacation to be published in the daily newspaper having the greatest number of paid subscribers in the city at least 30 days prior to the public hearing, which newspaper shall meet the requirements of RSMo 493.050. No vacation shall take place until the petitioner shall have filed with the executive secretary of the planning and zoning commission proof that notice has been given of such vacation as required in this section, except in no event shall the failure of the planning and zoning commission to post the property in any way affect the validity of the vacation, it being intended by the city council that the legal notice for such vacation shall be solely by newspaper advertisement and that other advertisements shall be for informational purposes. In addition to the methods established by this section for notice, the city manager shall endeavor to cause notices of such vacations to be circulated in the area in accordance with rules to be adopted by the city manager, which rules should be filed with the executive secretary of the planning and zoning commission; provided, however, the failure to give such notice shall in no way affect the validity of the vacation.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The plan identifies this area as General Industry, Transportation, and Utilities.

STAFF COMMENTS:

1. The City is proposing to vacate all of Crenshaw Road between Kissick Avenue and Ridgecrest Street, as the City has deemed it unnecessary to the City's street system and the traveling public.
2. The City of Springfield owns all the property on both sides of the proposed vacated street.
3. The applicant will not be required to dedicate any easements as part of the vacation.
4. The proposed vacation was reviewed by City departments and comments are contained in Exhibit 1. Requirements for approval of the vacation and finding by staff are contained in Exhibit 2. The legal description and vacation exhibit are contained in Exhibit 3. Public comments submitted to the Planning and Development Department are contained in Exhibit 4

NEIGHBORHOOD MEETING:

Since the City is the applicant, the City elected not to conduct a neighborhood meeting, as the proposed vacation area only lies adjacent to property owned by the City of Springfield.

PUBLIC NOTIFICATIONS:

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: 2 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

There are no issues with the street vacation

CITY UTILITIES:

No issues with proposed vacation.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No public sewer within proposed vacation.

FIRE DEPARTMENT COMMENTS:

No issues.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

Traffic supports the vacation of Crenshaw Road.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

There is no conflict with stormwater with proposed vacation.

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets and alleys.
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.	All adjacent property owners have consented to the vacation of the alley.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the street is not necessary to the city street system.
4.	That the vacation will not affect the ability to use utilities, public or private.	There are no utilities within the proposed vacation area. Replacement easements will not be required

LEGAL DESCRIPTION:

ATTACHMENT 3

A 40-FOOT-WIDE TRACT OF LAND BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 28, RANGE 21, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING 20 FEET EITHER SIDE OF CENTERLINE. SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF CRENSHAW ROAD AND THE NORTH RIGHT OF WAY LINE OF RIDGECREST AVENUE; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF CRENSHAW ROAD TO THE INTERSECTION OF THE CENTERLINE OF CRENSHAW ROAD AND THE WEST RIGHT OF WAY LINE OF KISSICK AVENUE FOR A POINT OF TERMINUS.

CITY
UTILITIES

40'

PORTION OF CRENSHAW ROAD
TO BE VACATED

CITY
UTILITIES

S KISSICK

E FR188

POINT OF BEGINNING
NORTH RIGHT-OF-WAY LINE
RIDGECREST AVENUE

E RIDGECREST

City Utilities

DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. All data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, all contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

0 105 210 420 630 840
10 of 30 Feet

From: [Carol Smart](#)
To: [Werland, Amy](#); [Gardner, Dawne](#); Zoning@springfieldmo.gov
Subject: VACATION 819
Date: Sunday, July 12, 2020 11:24:08 AM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

HEARING FOR ROAD CLOSING

I travel along these roads quite often and began using the route going under the railroad tressel because of the DANGER of making a left turn from Ridgecrest onto Kissick.

It is literally Russian roulette to make that left turn, for the following reasons:

- (1) Visibility is VERY SHORT,
- (2) Vehicles are traveling pretty fast - TOO FAST for the visibility available.

From my own experience, I know that the Ridgecrest/Kissick intersection is a VERY DANGEROUS spot and is definitely UNSAFE as it stands now. Therefore, a safe alternate route is needed, which is now available unless it is closed!

Thank you.

Carol Smart

From: [Cdoutdoor](#)
To: [Werland, Amy](#); [Gardner, Dawne](#); Zoning@springfieldmo.gov
Subject: VACATION 819
Date: Monday, July 13, 2020 9:33:46 AM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Hearing for Road Closing

I travel along these roads quite often and began using the route going under the railroad tressel because of the DANGER of making a left turn from Ridgecrest onto Kissick.

It is literally Russian roulette to make that left turn, for the following reasons:

- (1) Visibility is VERY SHORT,
- (2) Vehicles are traveling pretty fast - TOO FAST for the visibility available.

From my own experience, I know that the Ridgecrest/Kissick intersection is a VERY DANGEROUS spot and is definitely UNSAFE as it stands now. Therefore, a safe alternate route is needed, which is now available unless it is closed!

Thank you.

Dennis Kahn

From: [Douglas Hays](#)
To: Zoning@springfieldmo.gov
Subject: VACATION 819 July16th
Date: Monday, July 6, 2020 6:41:02 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Hi Dawn,

It was nice talking to you this morning! Thanks!

I'm sure I was short with you on the subject of the closure of Crenshaw Rd near the Springfield lake power plant. I have had a home office on south Crenshaw Rd. for nearly 20 years. I have heard people griping every. since CU tore up Crenshaw Rd while doing some work back in the spring which really interfered with the safety of clients coming to my business. They then kept road closed because for some reason they didn't fix the road for months. CU should bear the expense to fix that portion of the road that was torn up. I have 3 client's that had near fatal accidents at the intersection of Ridge Crest and Kissick because people fly over the hill from the south on Kissick. It is totally a blind corner. I personally have had near missed accidents at the same corner and also when turning left from Evans Rd onto Kissick because of people coming from the south on Kissick traveling straight on Kissick do not stop even with the stop sign as the law requires. It is much safer for me to make the large safe turn from Evans Rd right on Kissick and go down the hill on Kissick and make a safe left turn on to Crenshaw Rd.. These two intersection pose major safety concerns. My neighbors have voiced similar concerns. Crenshaw Rd has been a county road for years to access Kissick Ave. If the City doesn't want it let it go back to the county as it was originally.

Please before someone gets injured or worse killed because of the blind intersection at Ridge Crest and Kissick keep the road in question open to save injury and promote safety.

Dr.Douglas Hays
Director,
Head to Toe Wellness LLC
drdoug@headtotoewellness.com@gmail.com

There are two ways to be fooled.

One is to believe what isn't true; the other is to refuse to believe what is true.

From: [Werland, Amy](#)
To: [Follin, Jared](#)
Subject: FW: South Crenshaw Road Closing
Date: Wednesday, July 15, 2020 9:43:20 AM

From: Silas Porter <srpstrain@gmail.com>
Sent: Tuesday, July 14, 2020 6:41 PM
To: Werland, Amy <awerland@springfieldmo.gov>
Subject: South Crenshaw Road Closing

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Hello Ms. Werland, I am contacting you in regards to the closing of South Crenshaw road. As someone who travels this road often I can attest to the danger and difficulty one faces when having to use a different route. Specifically at the intersection of South Kissick Ave. and East Farm Rd. 188. I ask you to please choose and continue to keep the road open and maintained for safe travel. The danger present in the blind corner and hill at the mentioned intersection outweighs the City of Sprigfield's minimal cost of maintenance and repair.

--

Regards, Silas H Porter

June 5, 2020

City of Springfield Missouri
Planning & Development Dept.
Busch Municipal Bldg.
Springfield, MO 65802

Ladies and Gentlemen of P & D Dept:

This communication is regarding the proposal to close permanently the access road at the James River Power Plant between Crenshaw Road and Fremont.

Residents living on Westwind Drive are urging you of the P & D Dept. to keep this access road open, primarily for convenience and for the following:

Weather conditions where it is safer for seniors (and others) to use this route

The access at the top of the hill to reach Fremont is not safe. The stop sign is located at the top of Fremont Hill to the south, and there is a curve going north. You must take the risk of an accident or worse by using this access going north.

We try to avoid accidents, and this access is truly unsafe going north. Please help us by keeping the present road open.

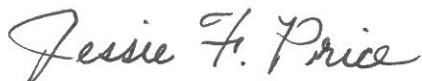
Another problem: This is a common dumping ground. There is security, but the dumping goes on and has been an ongoing problem for residents on Westwind Drive.

Please advise when the time for the meeting on July 16 is scheduled.

Thank you for your consideration.

Jessie F. Price
4106 Westwind Drive
Ozark, MO 65721

PHONE: 725-3238



From: [Jessie Price](#)
To: Zoning@springfieldmo.gov
Subject: Vacation 819 Closing of Crenshaw Road
Date: Monday, July 6, 2020 2:03:28 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

This memo is to request no closing of Crenshaw Road that goes under the railroad tracks and thru the tunnel by Lake Springfield Power Plant.

The entry onto Fremont going north is not safe due to the necessity of making a left turn at the top of the hill on Crenshaw Road and at the top of a very steep hill southward and having a curve to the north direction. It is not a safe access.

If for any reason the July 16 meeting at 6:30 p.m. is changed, please notify by Email or phone at 725-3238.

Jessie Price

From: [Gardner, Dawne](#)
To: [Follin, Jared](#); [Werland, Amy](#)
Subject: FW: Crenshaw Rd closure
Date: Monday, July 13, 2020 1:58:38 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

To whom it may concern,

I am writing to give my concern about the road closure on Crenshaw Rd. I am completely against the closure. My wife and I recently have moved to the state for my job as a power system dispatcher. We were lucky enough to find a home between both offices I work from meeting my job requirements on Crenshaw Rd. Being a government job, I'm restricted in terms of distance, and response times as I'm on call 24/7. The only issue for the home location is the dangerous intersection at Kissick and Crenshaw/Ridgecrest Ave, then again at Kissick during the bend that changes to E Farm Rd 188. They are blind turns, Often with people speeding. Being on a hill it's impossible to see cars even if they drive at speed sure to the limited visibility. Luckily for everyone Crenshaw curves and passes the power plant giving a safe, clear line of sight turn onto Kissick. I am an avid motorcycle rider as well. Crenshaw Rd is a very popular motorcycle road I've noticed. In the short few months we've lived here I've had countless times I've almost been hit having to take the Ridgecrest intersection due to the power plant road being closed from "construction" often on my motorcycle where I've had cars come very close. I will not turn left onto Kissick as then you have another stop with people speeding and another blind turn with poor angles. Crenshaw Rd next to the power plant is the only safe way to turn onto Kissick Ave. both my wife and I will go straight at Ridgecrest then make our way to Farm rd 188 since while still hard to cross the road, it yields easier then trying to turn. Closing the power plant road is putting peoples life's in danger, specially motorcyclist as they already are hard for most people to see. This also is adding additional driving time to people as their is very limited access to Crenshaw Rd. Without somehow installing another road, both intersections at Ridgecrest and the bend where Kissick turns into Farm Rd 188 would have to be completely re configured to not put the public at risk. Please take this in consider as its effects many peoples lives and will certainly lead to people having accidents and/or deaths.

Thank you
Vincent Rizzo

From: [Werland, Amy](#)
To: [Follin, Jared](#)
Subject: FW: Crenshaw Rd - Vacation 819
Date: Friday, July 10, 2020 11:32:20 AM

From: Christina Rizzo <cnrizzo@hotmail.com>
Sent: Friday, July 10, 2020 11:32 AM
To: Werland, Amy <awerland@springfieldmo.gov>; Gardner, Dawne <dgardner@springfieldmo.gov>
Subject: Crenshaw Rd - Vacation 819

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Good morning,

I am emailing to inform you of my concern regarding the proposed closure of Crenshaw Rd - Vacation 819.

I feel this road by the power plant is the only safe way to access our home at 6562 Crenshaw Rd. I have had several close calls at the blind turn on Kissick and Ridgecrest, and never use that intersection due to the blind hill top. We avoid it at all costs. Please take this into extreme consideration. I am fearful if this road closes on how to safely access our home.

v/r

Christina Rizzo
6562 Crenshaw Rd
Ozark, MO 65721
210-952-6138

From: [Werland, Amy](#)
To: [Follin, Jared](#)
Subject: FW: Hearing for Road closing
Date: Friday, July 10, 2020 2:07:41 PM
Attachments: [image003.png](#)

From: Robin Lynch <robinl@tri-l.com>
Sent: Friday, July 10, 2020 1:40 PM
To: Werland, Amy <awerland@springfieldmo.gov>; Gardner, Dawne <dgardner@springfieldmo.gov>
Subject: Hearing for Road closing

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

To whom it may concern:

I am writing in regards to the proposed road closing which runs from Kissick and Crenshaw under the railroad tressel to Ridgecrest and Crenshaw. If this happens, the alternative route is to go East. This intersection is unsafe. There is no visibility. It is overgrown as well. There will be lots of accidents there. It seems like there are many more issues to conquer than worrying about this stretch of road. If anyone has traveled it you would understand. It may look good on paper however there will be more issues further on.

Robin Lynch



Phone: 800.759.4159
3295 N State Hwy NN
Ozark, MO 65721

6-5-20

Planning^{and} Development Dept.

My name is Ruth Seboldt. I live at 4410 Westwind Dr., Ozark, MO. I live about $3/4$ of a mile from the part of Crenshaw Rd. on your docket to be closed. This closing, I believe, was also proposed years ago.

I live $1/2$ mile in Christian County and have lived here for almost 53 years. I use Crenshaw Rd. quite often. It is much safer than taking Ridgecrest and turning left onto Fremont. This is a very dangerous intersection. I know from personal experience.

I plan to be at the hearing and hope I can be on the list to speak.

Sincerely, Ruth Seboldt

725-2049

From: [Werland, Amy](#)
To: [Follin, Jared](#)
Subject: FW: Hearing for Road Closing
Date: Tuesday, July 14, 2020 9:02:29 AM

From: Lisa Slattery <icanlaff43@gmail.com>
Sent: Monday, July 13, 2020 5:07 PM
To: Werland, Amy <awerland@springfieldmo.gov>
Subject: Hearing for Road Closing

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Amy,

I am contacting you about the proposed closing of a road next to the Power Plant near Springfield Lake. It is a small road that connects Kissick to Ridgecrest/Crenshaw. The roads have multiple names as they turn N/S or E/W.

For 8 years I've travelled to and from a doctor at least monthly, so I know this area well. I use this small road to avoid the dangerous left turn onto the farm road from Ridgecrest.

It is dangerous because of these issues:

- 1- excessive speed of those travelling north on the farm road.
- 2- the intersection is at the top of the hill where sight of oncoming traffic is less than minimal.
- 3- visibility on the left and right is very poor.

I hope that the proposed closing of the small section of Crenshaw is voted down. It is a road needed for the safety of those travelling to the area. If it must be closed for some reason, I would like to see safety measures put in place at the intersection so that no one has to be injured or lose their life there.

If you haven't driven out there to check out Crenshaw and this intersection, I strongly encourage you to do just that before your meeting. I hope you would want all the information necessary to make this decision. Check it out. Keep the road open.

Lisa Slattery

From: [Kevin Terrill](#)
To: Zoning@springfieldmo.gov
Subject: Vacation 819 closing of crenshaw road
Date: Sunday, July 5, 2020 9:47:52 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

I live on crenshaw road and I would like to say that closing this road would be a big mistake. We would have to detour up the hill to a very dangerous intersection. At the ridgecrest and kissick intersection there is poor visibility and I have personally been very close to being hit trying to cross there. It is dangerous and I believe lives could be in danger.

From: [Gardner, Dawne](#)
To: [Follin, Jared](#); [Werland, Amy](#)
Subject: FW: Road Closure Vacate 819
Date: Tuesday, July 14, 2020 4:12:21 PM

From: stan@team6.us <stan@team6.us>
Sent: Tuesday, July 14, 2020 4:08 PM
To: Gardner, Dawne <dgardner@springfieldmo.gov>
Subject: Road Closure Vacate 819

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Dawne Gardner,
I am writing in regards to the public hearing 'Vacate 819' to close / vacate S Crenshaw Road. I am opposed to closing the road for safety reasons. My family and I use the road regularly to visit the Head to Toe Wellness Center. We have used this road for many years. The recent closing to remove the Railroad tracks proved to be inconvenient and hazardous when using the loop along S. Kissick Ave to the Crenshaw Road and Ridgecrest intersection. It is extremely difficult to navigate that intersection where S. Kissick Ave. curves. It is difficult to see traffic from the North heading south as we try to get back on S. Kissick Ave going North. I feel that the road should remain open and maintained as it is intended.
thank you for your time

Stanley Weaver

Team 6 Architecture, L.L.C. simplifying DESIGN
Team 6 Design, L.L.C.
p: 417.622.4837
f: 417.622.4823

From: [KEITH JOLICOEUR](#)
To: Zoning@springfieldmo.gov
Subject: Vacation 819
Date: Thursday, July 16, 2020 3:00:44 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

I am writing regarding vacating 819 and requesting that road be left open and available for public use. Both turns at Kissick & Crenshaw as well as at Ridgecrest & Evans are very precarious, even dangerous. If you have not tried to make these turns especially during busier times, I ask that you would try to do so before you make a final decision. Thank you. Sincerely, Lisa Jolicoeur

Sent from my iPhone

From: Maureen
To: Zoning@springfieldmo.gov
Subject: Vacation 819
Date: Thursday, July 16, 2020 3:35:22 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

To Whom It May Concern

I am contacting you about the proposed closing of Crenshaw Road next to the Power Plant near Springfield Lake. It is a small road that connects Kissick to Ridgecrest/Crenshaw.

For 20 years several times a week I use this road to avoid the dangerous left turn onto Kissick from Ridgecrest and then Ridgecrest to Evans. The right turn there is doable however the left turn is hazardous at best.

It is dangerous because the intersection is at the top of the hill where sight of oncoming traffic is less than minimal and the visibility on the left and right is very poor. The times I have turned left there, because the road in question was temporarily closed, I held my breath and prayed as I turned. I find it very scary.

I hope that the proposed closing of the small section of Crenshaw is voted down. It is a road needed for the safety of those traveling to the area. If it must be closed for some reason, I would like to see safety measures put in place at the intersection so that no one has to be injured or lose their life there.

If you haven't driven out there to check out Crenshaw and this intersection, I strongly encourage you to do so. Please keep the road open. If you for some reason close the road I would like to know why because so far I have not heard a reason and it would be nice to at least know why an unnecessary safety hazard is being created.

Maureen Hays

6577 S. Crenshaw Road
Ozark, MO 65721

mlhays@att.net <<mailto:mlhays@att.net>>

One-rdg. _____
P. Hrngs. _____
Pgs. 43
Filed: 08-04-20

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-186

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning
2 map and rules for interpretation,' by rezoning approximately 1.04 acres of
3 property generally located at 1738 West Sunshine Street from R-TH,
4 Residential Townhouse District to LB, Limited Business District; and
5 adopting an updated Official Zoning Map. (Staff recommends approval
6 and Planning and Zoning Commission recommends denial.)
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 1738 West Sunshine Street, and more fully described in "Exhibit A,"
11 from R-TH, Residential Townhouse District to LB, Limited Business District; and
12

13 WHEREAS, following proper notice, a public hearing was held before the
14 Planning and Zoning Commission on July 16, 2020, a copy of the Record of
15 Proceedings from said public hearing being attached hereto and incorporated herein by
16 this reference as "Exhibit B," and said Commission made its recommendation; and
17

18 WHEREAS, the City has reviewed the applicant's request and prepared a staff
19 report concerning the application which is attached hereto and incorporated herein by
20 this reference as "Exhibit C;" and
21

22 WHEREAS, proper notice was given of a public hearing before City Council and
23 said hearing was held in accordance with law.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The property described in "Exhibit A," which is attached hereto and
29 incorporated herein by this reference, is hereby rezoned from R-TH, Residential
30 Townhouse District, or such zoning district as is designated on the official zoning map
31 adopted by City Council, to LB, Limited Business District. Springfield Land Development
32 Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby
33 amended, changed and modified consistent with this Ordinance.

34
35 Section 2 – City Council hereby directs the City Manager, or designee, to update
36 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
37 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
38 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
39 rules of interpretation.'

40
41 Section 3 – The Official Zoning Map herein adopted shall be maintained and
42 archived in the same digital form in which this Council has approved its adoption.

43
44 Section 4 – This Ordinance shall be in full force and effect from and after
45 passage.

46
47 Passed at meeting: _____

48
49 _____
50 Mayor

51
52 Attest: _____, City Clerk

53
54 Filed as Ordinance: _____

55
56 Approved as to form: Kyle T. [Signature], Assistant City Attorney

57
58
59 Approved for Council action: Jason R. [Signature], City Manager
60

EXPLANATION TO COUNCIL BILL 2020 - 186

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-14-2020

The applicant is proposing to rezone approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* designates the subject property as appropriate for Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors.

The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local street.

The property has not developed with the current R-TH zoning. The proposed rezoning is consistent with the existing commercial development at this intersection while still maintaining development requirements that limit the intensity and physical impact to the neighborhood. This rezoning would serve as a transition between the commercial uses located at this intersection and residential development to the south and east

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended denial, by a vote of 2 to 4.

The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

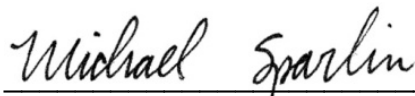
FINDINGS FOR STAFF RECOMMENDATION:

1. This application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*, which identifies the subject property as appropriate for Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be

appropriate at major intersections along certain road corridors. The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local street.

2. The property has not developed with the current R-TH zoning. The proposed rezoning is consistent with the existing commercial development at this intersection while still maintaining development requirements that limit the intensity and physical impact to the neighborhood. This rezoning would serve as a transition between the commercial uses located at this intersection and residential development to the south and east. The LB district is the least intense commercial zoning district of the *Springfield Zoning Ordinance* and limits structure height to 25 feet and requires a 30-degree bulk plane from the boundary of R-SF and R-TH districts. The LB district limits individual retail stores, personal service establishments or other permitted uses to a gross floor area no more than 5,000 square feet. Restaurants are not allowed a drive-in, pick-up window, or drive-thru facilities unless approved by a Conditional Use Permit by City Council. Similarly, financial institutions with an ATM or drive-through are not allowed unless approved by a Conditional Use Permit.
3. This request is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1: Department Comments

Attachment 2: Neighborhood Meeting Summary

Exhibit A

**LEGAL DESCRIPTION
ZONING CASE Z-14-2020**

All of Lot Six (6) in OAKWOOD PLACE, a part of the Northeast Quarter (NE1/4) of the Northeast (NE1/4) and all of Lot Seven (7) in OAKWOOD PLACE, a part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) and the East 42 1/2 feet of Lot 8, OAKWOOD PLACE, comprising the Northeast Quarter (NE1/4) of the Northeast (NE1/4) all in Section 34, Township 29, Range 22, in Greene County, Missouri and in the City of Springfield, subject to that part, if any, in streets, roadways, highways or other public right-of-ways.

Exhibit B

RECORD OF PROCEEDINGS ZONING CASE Z-14-2020 Planning and Zoning Commission – July 16, 2020

Z-14-2020

1738 West Sunshine Street

Applicant: Sunshine TP, LLC

Cameron Rose and King Coltrin recused.

Mr. Hosmer stated that this a request to rezone approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District. This application is consistent with the Comprehensive Plan, which identifies the subject property as appropriate for Medium Intensity Retail, Office or Housing. The Transportation Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local roadway. A Traffic Impact Study was not required as the change in the Trip Generation Rate did not exceed 100 trips in the am or pm peak or 1,000 trips daily. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not allowed, and detention will be required. The property is not located in a stream buffer area. The LB district serves as a transition between the commercial uses across Sunshine Street and to the residential uses to the south and east. The LB district is the least intense commercial zoning district and requires a 30-degree bulk plane from the boundary of R-SF and R-TH districts. The LB district limits individual retail stores, personal services use to 5,000 square feet per use. Restaurants with a drive-in, pick-up window, or drive-thru facilities and financial institutions with an ATM or drive-through are not allowed unless approved by a Conditional Use Permit. A 15-ft bufferyard with plantings of one canopy tree, one understory tree, two evergreen trees and ten shrubs per one-hundred linear feet are required adjacent to R-SF properties to the south and west. Staff recommends approval.

Ms. Cox if it also excludes gas stations, drive-throughs, etc.

Mr. Hosmer stated that no drive-through is allowed.

Mr. Doennig opened the public hearing.

Mr. Christopher Wynn, representative, asking to rezone to limited business and stated that this is consistent with the Comprehensive Plan, noting that Kansas Expressway and Sunshine Road is the 6th busiest intersection in the City. All utilities and stormwater will be directed towards the north and will do a light test and noted that all neighbors noted their concerns regarding traffic in and out of the neighborhood.

Mr. Erick Henry, 1839 S. Lakeshore voiced his concerns and opposition to the rezoning noting the dangerous intersection and that it does not benefit the community.

Ms. Rebecca Welsh, 1806 W. Washita noted that this is a 90 year old subdivision with very old and mature trees, narrow lanes (streets) and voices her concern regarding the busy intersection and that traffic would be directed in and out of the neighborhood and would like it to remain Residential Townhouse District.

Mr. Stephen Allen, citizen stated that he lives in a 73-year old home and that the neighborhood is beautiful is opposed to the proposal and asked about having an impact study completed.

Mr. Biff Hansen, 1860 S. Lakeshore said that this is small neighborhood with no sidewalks or curbs and that Residential Townhouse District is appropriate for families and stated that there will be no east bound access.

Mr. Garry Warren, citizen went over neighborhood specifics and voiced his concern for the traffic problems.

Ms. Susan Goodman, citizen gave out neighborhood history and believes the development is ill planned and is in opposition.

Mr. Doennig closed the public hearing.

Ms. Cox asked about the length from South Lexington Avenue to the intersection.

Mr. Hosmer believes it is approximately 261' and that it only a driveway requires 200'.

Mr. Thomas noted that there is no site plan provided and if limited business can put in townhomes.

Mr. Hosmer noted that they could put in townhomes or multi-family.

Bob stated that this is straight rezoning, so they do not have to have a site plan.

Mr. Randall Doennig asked about Washita to Kansas Expressway.

Mr. Derek Estell stated that it is blocked off.

Mr. Randall Doennig voiced his concern about a pathway to an older neighborhood abutting against a major street and traffic into the neighborhood without sidewalks or curbs and will not support the project.

Ms. Dee Ogilvy stated that she will not support this project due to traffic concerns within the neighborhood.

Mr. Jobe stated that he will vote in support of the project and asked if the developer could resubmit with a Conditional Over District (COD).

Mr. Hosmer noted that there are restrictions within 6 months and could not apply for same business/zoning.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** item Z-14-2020 (1738 West Sunshine Street). Ms. Broekhoven seconded the motion. Ayes: Jobe and Thomas. Nays: Doennig, Ogilvy, Broekhoven, and Cox. None. Abstain: None. Absent: Shuler. Cameron Rose and King Coltrin recused. **Motion failed.**

A handwritten signature in black ink, appearing to read 'Bob Hosmer', enclosed within a rectangular box.

Bob Hosmer, AICP
Planning Manager

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING: CITY COUNCIL PUBLIC HEARING:

JULY 16, 2020

August 10, 2020

CASE: Z-14-2020

ACRES: 1.04 acres

LOCATION: 1738 West Sunshine Street

EXISTING LAND USE: Undeveloped Land

APPLICANT: Sunshine TP LLC

STAFF: Michael Sparlin, Senior Planner
417-864-1091

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).



SUMMARY OF REQUEST:

Request to rezone approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District.

FINDINGS FOR STAFF RECOMMENDATIONS:

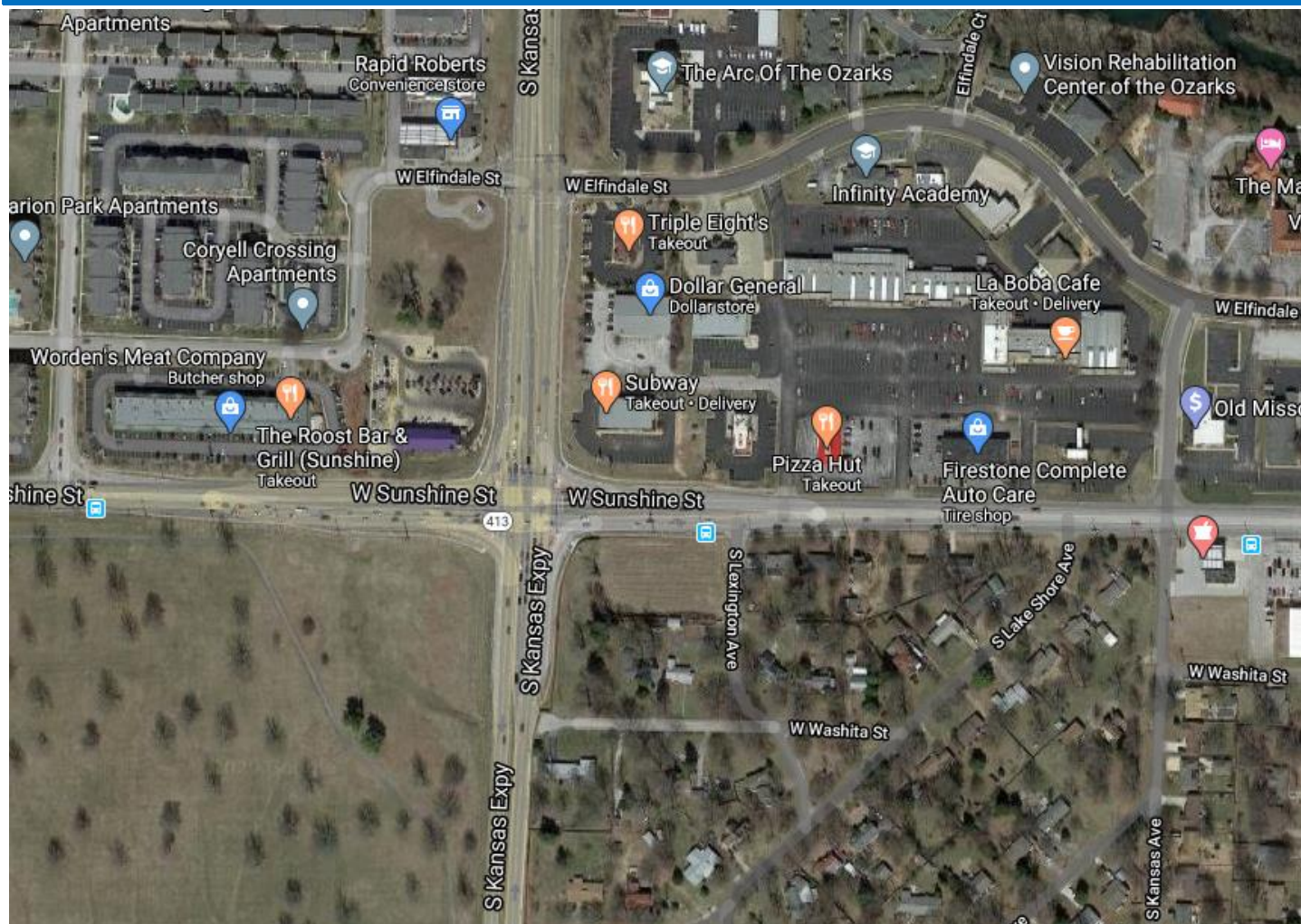
1. This application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*, which identifies the subject property as appropriate for Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local roadway.
2. The property has not developed with the current R-TH zoning. The proposed rezoning is consistent with the existing commercial development at this intersection while still maintaining development requirements that limit the intensity and physical impact to the neighborhood. This rezoning would serve as a transition between the commercial uses located at this intersection and residential development to the south and east. The LB district is the least intense commercial zoning district of the *Springfield Zoning Ordinance* and limits structure height to 25 feet and requires a 30-degree bulk plane from the boundary of R-SF and R-TH districts. The LB district limits individual retail stores, personal service establishments or other permitted uses to a gross floor area no more than 5,000 square feet. Restaurants with a drive-in, pick-up window, or drive-thru facilities are not allowed unless approved by a Conditional Use Permit. Similarly, financial institutions with an ATM or drive-through are not allowed unless approved by a Conditional Use Permit.
3. This request is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	PD 345, PD 46	R-SF	R-TH	R-TH

LAND USE	Retail and Commercial Uses	Single-family residence	Single-family residence	Undeveloped land
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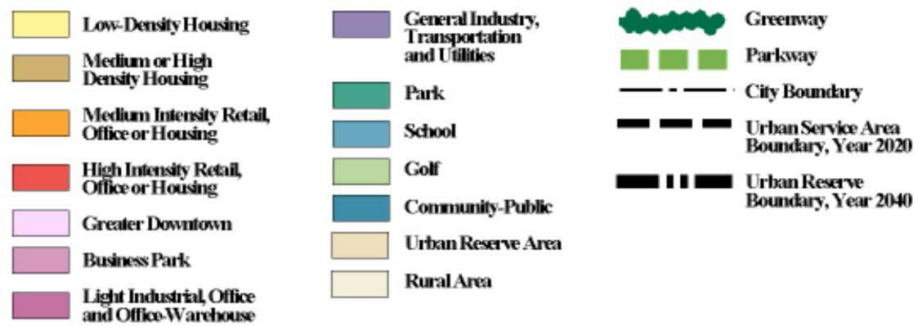
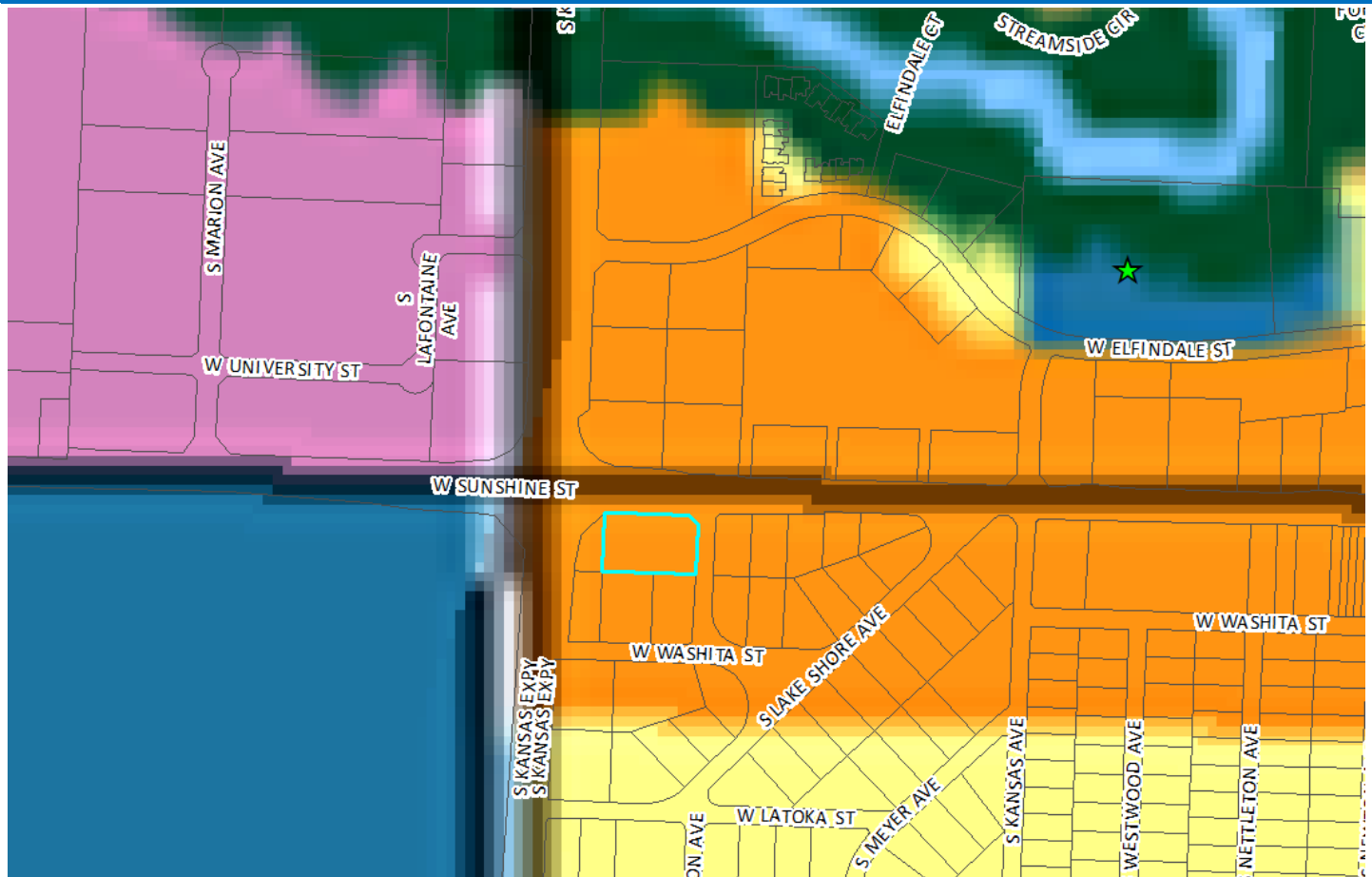
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

The subject property was originally zoned R-TH, Residential Townhouse by General Ordinance No. 4494, which was a city-wide rezoning in 1995. The site has not been the subject of a map amendment since that time.

PLANNING AND ZONING COMMISSION AUTHORITY:**Sec. 36-367. – Amendments**

(7) Findings by the commission.

- (a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:
1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
 2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
 3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
 4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
 5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
 6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
 7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
 8. Information submitted at the public hearing.

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR LB
Minimum Yard Requirements	25 feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations.
Maximum Structure Height	25 feet, except structures shall remain below a 30-degree bulk plane when adjacent to R-SF and R-TH Districts.
Minimum Open Space	20 percent
Use Limitations	All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities, and day care activities shall be conducted entirely within a completely enclosed building. No individual retail store, personal service establishment or other permitted use shall have a gross floor area greater than 5,000 square feet. Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.
BULK PLANE	BUFFERYARD AND LANDSCAPING
Structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district, along the south and property line and the east property line across the street.	The subject property qualifies for the shallow lot bufferyard exemption, per Sec. 36-482, because the depth of the lot is less than 200 feet. This would allow a bufferyard of fifteen (15) width with plantings of one canopy tree, one understory tree two evergreen trees and ten shrubs per one-hundred linear feet.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* also designates the subject property as appropriate from Medium Intensity Retail, Office or Housing. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors.

The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local roadway.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District.
2. The LB district is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts.
3. The LB district is the least intense commercial zoning district of the *Springfield Zoning Ordinance* and limits structure height to 25 feet and requires a 30-degree bulk plane from the boundary of R-SF and R-TH districts. The LB district limits individual retail stores, personal service establishments or other permitted uses to a gross floor area no more than 5,000 square feet. Restaurants with a drive-in, pick-up window, or drive-thru facilities are not allowed unless approved by a Conditional Use Permit by City Council. Similarly, financial institutions with an ATM or drive-through are not allowed unless approved by a Conditional Use Permit.
4. The property has not developed with the current R-TH zoning. The proposed rezoning is consistent with the existing commercial development at this intersection while still maintaining development requirements that limit the intensity and physical impact to the neighborhood. This rezoning would serve as a transition between the commercial uses located at this intersection and residential development to the south and east.
5. Approval of this application will allow for further development of this property and promote infill development where investments have already been made in public services and infrastructure.
6. The proposed rezoning was reviewed by City departments, whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

All neighborhood meetings have been cancelled due to the Mayor's Proclamation of Civil Emergency. However, the applicant held a voluntary neighborhood meeting on July 7, 2020. A summary of the meeting is attached (Attachment 2).

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 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 185 feet.

Notices sent to property owners within 185 feet:

Mailed: 19

Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No objection to the rezoning request.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Clean Water Services has no objections to the proposed rezoning. The subject property has access to public sewer.

FIRE DEPARTMENT:

Fire has no issues with the proposed rezoning.

CITY UTILITIES:

City Utilities has no issues with the proposed rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the Fassnight Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention is not allowed and detention will be required. Water quality is required if disturbing more than one acre. The property is not located in a stream buffer area.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing 1 acre or greater, water quality will also have to be provided.
3. Drainage easements must be provided for this conveyance.
4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.
5. A land disturbance permit will be required if disturbing 1 acre or greater.

Public Works Stormwater Division	Response
Drainage Basin	Fassnight Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is property located in a stream buffer?	No
Is stormwater fee in lieu an option?	No

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies both S. Kansas Expressway as an Expressway roadway, W. Sunshine Street as a Primary Arterial roadway and S. Lexington Avenue as a Local roadway. The standard right-of-way width for S. Kansas Expressway is 75-feet from the centerline, for W. Sunshine Street is 50-feet from the centerline and for S. Lexington Avenue

is 25-feet from the centerline. It appears no additional right-of-way is needed along any of these streets. A survey is recommended to determine the exact amount of existing right-of-way. S. Kansas Expressway and this portion of W. Sunshine Street along the property frontage are MoDOT-maintained streets. S. Lexington Avenue is a City-maintained route

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for S. Kansas Expressway, W. Sunshine Street or S. Lexington Avenue. or E. Kearney Street. On-street parking is not allowed along S. Kansas Expressway or W. Sunshine Street, but is allowed on S. Lexington Avenue.

DRIVEWAY ACCESS

There is no driveway access point onto the property from S. Kansas Expressway, W. Sunshine Street or S. Lexington Avenue. No access to this property will be allowed from S. Kansas Expressway or S. Lexington Avenue. Only one access to this property will be allowed from S. Lexington Avenue and must be located as far south as possible from W. Sunshine Avenue.

SIDEWALK

There is existing sidewalk along the property frontage of S. Kansas Avenue and W. Sunshine Street. Sidewalk will be required to be constructed along the property frontage on S. Lexington Avenue or a fee in lieu of construction approved by the ARC and paid prior to issuance of a building permit.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There is one bus stop along W. Sunshine Street along the property frontage. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS

A Traffic Impact Study was not required as the change in the Trip Generation Rate did not exceed 100 trips in the am or pm peak or 1,000 trips daily. No improvements are required.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	S. Kansas Expressway	Expressway	No	75	75
Street 2	W. Sunshine Street	Primary Arterial	No	58	50
Street 3	S. Lexington Avenue	Local	Yes	25	25
Street 4					
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		5	6	60	
*Proposed Trips Generated		11	40	470	

Additional Trips Generated	6	34	410
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*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

MISSOURI DEPARTMENT OF TRANSPORTATION:

No comments.

ATTACHMENT 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-Th to LB
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 7, 2020 from 4:30 to 6:00 PM
3. Meeting Location: On-site at 1738 W Sunshine Street
4. Number of invitations that were sent: 56
5. How the mailing list was generated: Provided by City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 20
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

See attached list and comments.

8. List or attach the written comments and how you plan to address any issues:

No written comments were provided to CJW.

I, Chris Wynn (print name), attest that the neighborhood meeting was held on 07-07-2020 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Chris Wynn
Printed name of person completing affidavit

List of verbal comments and how you plan to address any issues:

1) The neighborhood is concerned that if they allow one residential property to be rezoned it will cause a domino effect resulting in a new commercial district.

- The developer does not currently own any of the adjacent properties and has no control over this issue. However, the property and east adjacent properties are along Sunshine Street which is a major commercial corridor in Springfield. The possibility of residentially zoned properties along Sunshine becoming commercial cannot be ruled out.

2) The neighborhood is concerned that a commercial development would cause an increase in traffic through the neighborhood especially given the fact that access on and off Sunshine Street is limited to Right-In and Right-Out only.

- Since the property is being rezoned to limited business and not Highway Commercial or General Retail which is common along main corridors in the City like Sunshine St the impact to the neighborhood will be reduced. Additionally, while the access on and off Sunshine Street to Lexington Ave is limited it is believed most of the traffic generated by the development will still use this access. The developer will comply with all traffic regulations and requirements set fourth by the City of Springfield as part of the redevelopment.

- A few members of the neighborhood suggested a breakable barrier to be placed on Lexington Ave just south of the development to prevent traffic from the development from driving though the development. The developer would be open to discussing this option with the City but ultimately it is a City owned street and any decisions surrounding the street will be left to City Staff and the Fire/police department.

3) The Neighborhood is concerned about safety at the intersection of Sunshine Street and Lexington Ave because of increased traffic volume from a new development.

- Access to and from Sunshine Street is limited to Right-In Right-out access only. This traffic control measure eliminates left turn conflicts which in general reduces potential traffic accidents. The developer will also work with the City's traffic department as requested to address/improve the intersection as needed to improve safety.

4) The neighborhood is concerned about light pollution from the new development.

- A photometrics plan will be included in the site development plans. No lighting lumens will be permitted to cross the property lines, per city code.

5) If the development is approved the neighborhood requested that the privacy fence and buffer yard be constructed before general construction of the building. Additionally, they requested a taller fence than 6' if possible.

- The developer has no issue with these requests and will construct the privacy fence along the north adjacent (residential) property as soon as possible.

6) The neighborhood is concerned about possible users of the new development and if permitted would not want something loud, smelly, or visually unpleasant.

- Limited business zoning will not allow for a lot of the users the neighborhood expressed were undesirable (Gas stations, Strip Clubs, Car lots, etc.) If the property is rezoned to limited business the developer will find a user that meets all requirements set fourth within the zoning requirements.

7) The neighborhood had general questions and concerns about utility capacity such as water, electric, sewer, and gas.

- During predevelopment with the City of Springfield Staff the only concern related to utilities was with water service. The water lines that existing surrounding the site are only 2" lines. The City has requested that a new 6" water line be brought to the site from the north side of Sunshine Street. The developer is aware of this issue and will work with City Utilities to construct the new 6" water line extension.

8) The neighborhood asked about stormwater and drainage from the site.

- The current proposal is to have an underground detention basin in the parking lot of the development. The basin would drain directly into the stormwater system to the north along Sunshine Street and would not impact the surrounding properties or flow through them. The developer will meet city stormwater regulations by ensuring the flow of water off the developed site will be equal to or less than the current pre-developed condition.

SUNSHINE AND KANSAS EXPRESSWAY

SIGN-IN SHEET - July 7, 2020

	Name	Address or Company	Phone	E-mail
1	DONALD HARRIS	1711 W Whiteside	417 849-3784	dhar1531@scglobe.net
2	John & Linda Booth	1947 S. Lakeshore	417-869-0830	booth512@yahoo.com
3	Stephen Fraley	1828 W Washita	417-866-3519	dadmometal@juno.com
4	Bert Susan Hansen	1816 S Lake Shore Ave	417-864-5641	sushbitt@gmail.com
5	LARRY & MARILYN Brumley	1918 S LAKESHORE	417-864-8514	m-brumley@scglobe.net
6	Susan Goodman	1815 W. Washita	417-830-9693	scbireq6423@gmail.com
7	Hebaca Wilsh	1806 W WASHITA	417-207-5050	swelsh@WTTSPILLS.COM
8	Eric Henry	1939 S. Lakeshore	417-425-3616	erh@hink@9mail.com
9	Cynthia Farley	1906 S. Lake Shore	417-942-3700	farhink1@scglobe.net
10	Mike Hinkle	1906 S. Lake Shore	417-619-5625	michael.hinkle@outlook.com
11	Susan Kirby Clayer	1919 S. Lake Shore	417-365-9001	SKKirby66@gmail.com
12	Seth White	1703 W. Washita	417-840-3932	seth316@gmail.com
13	Stephen Allen	1718 W Washita	417-763-5349	stepallen@netmail.com
14	Edna & Lillian Rollins	1846 S. Lakeshore	417 869 2546	
15	James & Dennis McBride	1847 S. Lakeshore	417 880 4359	jarens.mcbride@gmail.com
16	Kelly Tober	1838 S Lakeshore	417 844 9496	keltchrtolc@gmail.com
17	Betty Farley (Steve's son)	1828 W Washita	417 873 4465 417 411	xxxx
18	Eve Brumley	1928 South Lakeshore Ave	417 209 5994	Brumley29@gmail.com
19	Dana Warner	1734 W. Sunshine	417-496-5088	sishhassmom@yahoo.com
20	Garry Warren	1734 W. Sunshine	417-496-5088	"

SUNSHINE AND KANSAS EXPRESSWAY

SIGN-IN SHEET - July 7, 2020

	Name	Address or Company	Phone	E-mail
21	Chris Wynn	CSW TRANSPORTATION	417-889-3400	chynn@gocjw.com
22	Sawyer Posten	CJW TRANSPORTATION	417-889-3400	sposten@gocjw.com
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Sparlin, Michael

From: Linda <lbooth51@yahoo.com>
Sent: Friday, July 10, 2020 9:52 AM
To: Zoning@springfieldmo.gov
Subject: Rezoning of lot at 1738 W. Sunshine

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

This should not be rezoned. It will cause more traffic through our neighborhood. I live on Lakeshore Ave. people who need to go W. On Sunshine will have to come up Lexington to Washita to Lakeshore go North to get a left on Sunshine. To go to Kansas Express way they would come up Lexington to Washita to Lakeshore south go up Lexington to Cherokee go right on Cherokee to go onto Kansas Expressway.

We have a very quiet neighborhood people walk their dogs and kids play outside on their bikes. More traffic would cause problems with people we don't know driving through here and would have to watch our elder who walk and the kids that play more.

Please keep this zoned for townhouse or single residential.

Sent from my iPad

Sparlin, Michael

From: diane & bert smith <bertdiane@sbcglobal.net>
Sent: Friday, July 10, 2020 5:59 AM
To: Zoning@springfieldmo.gov
Subject: Kansas Expressway and Sunshine

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Hello,

I would like to voice my concern about and opposition to rezoning the vacant lot at Kansas Expressway and Sunshine.

We are long-term residents in this calm and beautiful neighborhood. We believe that rezoning and building commercial in our neighborhood would be detrimental to the quality of life of its residents.

Thank you for your consideration.

Bert and Diane Smith

[Sent from AT&T Yahoo Mail on Android](#)

Sparlin, Michael

From: Michael Hinkle <michael.hinkle@outlook.com>
Sent: Thursday, July 9, 2020 7:31 PM
To: Zoning@springfieldmo.gov
Cc: Schilling, Mike
Subject: Zoning Case Z-14-2020

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Please do not rezone the property at 1738 West Sunshine from R-TH to LB. The current proposal is virtually identical to the proposal he made for the property at the same time last year. At that time he listened to the neighborhood concerns and dropped his plan. The current proposal does not address any of the concerns that were expressed last June.

While it would be incredibly naive to expect no development on a property that sees almost 61 thousand vehicles a day, it is irresponsible of the developer to ignore the probable impact to our neighborhood and to offer no solutions to lessen that impact.

In spite of its proximity to the 6th busiest intersection in the city, our neighborhood is quiet and has a very low level of vehicular traffic; people from nearby neighborhoods come to walk and enjoy the solitude. There are no sidewalks, so pedestrians walk along the edges of the streets, which are just wide enough for two vehicles to pass. The developer's proposal has the property being accessed only from Lexington Avenue, which continues from Sunshine into the neighborhood and along one side of the triangular common space that is at the heart of this neighborhood. In order to get to the property, traveling east on Sunshine is the only way to get to the property without driving through our neighborhood. (The intersection already has the 2nd highest number of accidents in the city, with 2/3 of them being rear-end. Traffic headed eastbound across Kansas Expressway would not be expecting to stop again immediately after crossing the intersection which would likely increase the incidence of rear-end collisions.) Traveling west on Sunshine, access would have to be through the neighborhood via Lake Shore and Washita, then to Lexington. Likewise, leaving the business there is a good likelihood that people would use the neighborhood as their thoroughway in order to go back west or south. This would contribute to a constant increase in traffic throughout the day; traffic from townhomes would be mainly morning and afternoon and would be persons acquainted with the neighborhood culture.

At last year's meeting it was repeatedly claimed that this development would be nearly identical to the insurance office project at Sunset and Glenstone. At that property, there is no reason to go through the adjoining neighborhood; there is a traffic light at the intersection that allows easy access in all directions. This is not the case with his proposal for the Sunshine and Kansas Expressway development. The light at the intersection is not accessible from the property. His new project at Sunshine and Campbell is also similar in its right-in right-out access, but it does not include any easy access through an adjoining residential neighborhood.

I'm including some photos of the neighborhood streets that I would like taken into consideration. They show the presumed routes of travel for individuals attempting to visit the proposed development on Sunshine.

I would not buy a Toyota expecting to have it declared a Lexus when I'm ready to make money from it. Mr. Thessing should not be expecting similar consideration from the City of Springfield.

Mike Hinkle

[1906 S Lake Shore Ave, 65807](#)



On the left is Mr. Thessing's property photographed between 10 and 11 a.m. on Thursday of this week, showing the traffic on Sunshine in the background. I was standing in Lexington Avenue facing north as I took the photo.



This photo was taken from the same vantage point in Lexington Avenue, turned 180 degrees and facing south. You'll notice an absence of traffic. During the entire time spent taking the attached photos and many more (and stopping to chat with neighbors) only 1 vehicle passed me on any of the neighborhood streets.



Looking southeast on Lexington as it crosses Washita. Washita would be used to turn left on Lake Shore Avenue (my street) and continue northeast to Sunshine in order to access westbound Sunshine, or to avoid the congestion at Lexington and access eastbound Sunshine.



Lexington as it continues southeast to Lake Shore. Lake Shore would be used to access Cherokee, from which either Fort Avenue or Kansas Expressway would be used to proceed in a generally northerly or southerly direction.



Standing in Lake Shore looking northeast to Sunshine. This would be used to head either east or west on Sunshine. This was taken a short time after the photo looking at Sunshine from Lexington. During evening rush (starting around 3:00 when schools are in session), westbound traffic is routinely backed up to the east of this intersection.



Standing in Lake Shore from the same vantage point, rotated 180 degrees to a generally southerly direction. Note again the lack of traffic. This is the route westbound Sunshine traffic would likely take to access the proposed development.

Sparlin, Michael

From: Bethany Henry <bhenry@dake-wells.com>
Sent: Saturday, July 11, 2020 10:46 AM
To: Zoning@springfieldmo.gov
Subject: Comment Card for the Southeast Corner of Sunshine street and Kansas Expressway

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

The owner of this parcel requested a re-zoning of this piece of land last June. At that time the request was for the LB district and included a conditional overlay, but no description of the overlay was given. Although the request this time is more clear this LB district does not address any of our concerns from the last submission.

The parcel is currently zoned Residential Town Home, which is an appropriate use classification considering its proximity to both the neighborhood and the more commercial nature of land use on the opposing side of Sunshine Street. The zoning requirements for this district would allow for an increase in the intensity of use while also protecting the more private residential nature of the neighborhood surrounding the property in question, which consists primarily of single-family residences. Furthermore, this classification also provides an appropriate transitional use between the single-family homes that are located to the south and the commercial properties that are located to the north. Additionally, directly to the east of this site, there are several single-family homes, which have all been continuously occupied for the last three years or the extent of my residency in the neighborhood. Many in the neighborhood are concerned that the limited business zoning does not provide the same transitional protections as the residential townhouse designation.

The owner, Mr. Thessing purchased this land with full knowledge that the parcel is currently zoned with a Residential Town House classification. A simple visual survey of the surrounding should provide sufficient evidence of its surrounding context. It should not be this well-established neighborhood's burden to live with the effects of the infiltration of inconsistent, inappropriate commercial development because the property owner purchased a parcel zoned for a use in which he was not interested in developing.

Our tight-knit community can trace its establishment back to a time when there was a country club rather than a federal medical prison located at the southwest corner of Kansas Expressway and Sunshine Street. The commercial nature of Sunshine Street has grown around this neighborhood, and I believe that it should be a priority for the Zoning Department and the Planning and Zoning Commission to protect the integrity of prospering neighborhoods within the city limits. Further encroachment by commercial development will only erode the long-recognized boundaries of the neighborhood and could destroy its quiet, secure, intimate character. If this land is allowed to be re-zoned to a commercial use, it will set a dangerous precedence for the adjacent five properties directly to the east of this parcel along Sunshine Street, which if also developed would only further destroy the fabric of the single-family neighborhood and its protected nature. Letting commercial development pressure well established, prospering neighborhoods within the city center would only further promote suburban sprawl and neglect the inherent value and vitality present in the city's more established neighborhoods.

The increased vehicular traffic through the neighborhood is also of great concern. This has not yet been confirmed, but because of the high speed at which vehicles travel down Sunshine Street as well as the parcels general location, it is likely that the City of Springfield traffic department will not allow vehicular access directly off of Sunshine Street onto the property in question. This means access to this site would likely be off Lexington Avenue, which would certainly increase traffic through the neighborhood. It is already difficult to negotiate a right turn onto Sunshine Street from Lexington Avenue due to its proximity to the busy intersection, and left turns from Sunshine Street are prohibited due to

an existing median. Streets in the neighborhood are currently very narrow, most without a shoulder, and would not be able to support this increased traffic. Furthermore, the neighborhood is very active with a high number of individuals walking along streets every day and night without sidewalks. Increased traffic would not only be detrimental to our quality of life but also pose a real safety concern. Access from the parcel in question must be restricted so that vehicles cannot travel from the property directly through the neighborhood or onto Lexington Street.

We are adamantly opposed to the re-zoning of this parcel. Please help us protect our Lakeshore neighborhood.

Sincerely,

Bethany and Eric Henry

1839 Lakeshore
Springfield MO, 65807
314-960-8390

BETHANY HENRY, aia, leed ap
project manager
office 833.518.4545
DAKE | WELLS architecture
www.dake-wells.com

Sparlin, Michael

From: dadmometal@juno.com
Sent: Saturday, July 11, 2020 8:01 PM
To: Zoning@springfieldmo.gov
Cc: janicejohnson01@gmail.com; mamdfraley@embarqmail.com
Subject: Rezoning of 1738 West Sunshine Street (Case Z-14-2020)

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Date: July 11, 2020
Name: Stephen Fraley (for Betty Fraley)
Address: 1828 West Washita Street
Project Address: 1738 West Sunshine Street (Case Z-14-2020)

Regarding the rezoning of 1738 West Sunshine Street ---

1. There is an overhead power line along the south side of the development that is incompatible with the proposed fence. Recommend the proposed 15 foot green space be in addition to the setback that will be required to keep the fence out of the utility easement.
2. The limited access to Lexington needs to be seriously addressed. The turn from eastbound Sunshine onto Lexington is dangerous because it is close to the intersection of Kansas Expressway and West Sunshine. Northbound and southbound Kansas Expressway traffic, as well as eastbound Sunshine through-traffic, have to be alert to those making a slow speed right turn onto Lexington even as many drivers switch lanes as they pass the intersection onto Sunshine. It can be a mess, which will become worse with any additional traffic practically stopping to turn onto Lexington. Traffic snarls may be the result if it happens more often. Recommend a traffic study be conducted and coordinated with MODOT.
3. Congestion on Lexington is inevitable, especially during construction activities. Recommend emergency services (fire and ambulance) be considered regarding access to the neighborhood, especially if construction extends to West Washita Street.
4. The development is creating the potential for through traffic in the neighborhood which is not being acknowledged in the development plan. Not sure how to address it without affecting somebody but the streets in the neighborhood were not built to accommodate it.
5. Recommend the sewer connection, as well as the water connection, be made to the north rather than into the neighborhood line so as to minimize construction activity that would obstruct neighborhood traffic flow.

Stephen Fraley
Betty Fraley

Sparlin, Michael

From: Werland, Amy
Sent: Monday, July 13, 2020 10:36 AM
To: Sparlin, Michael
Subject: FW: Rezoning for Z14-2020 at 1738 W Sunshine St - Mary forwarded this to us. It has pictures included.

From: Smith, Mary Lilly <mlsmith@springfieldmo.gov>
Sent: Monday, July 13, 2020 10:21 AM
To: Werland, Amy <awerland@springfieldmo.gov>
Subject: Fwd: Rezoning for Z14-2020 at 1738 W Sunshine St

Mary Lilly Smith
Planning and Development Director
City of Springfield, Missouri
417/864-1094

From: Mary Brumley <brumley321@icloud.com>
Sent: Sunday, July 12, 2020 1:50 PM
To: Smith, Mary Lilly
Subject: Rezoning for Z14-2020 at 1738 W Sunshine St

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

This is an article written by Mr Crabtree from his historical website on Facebook. He is describing our neighborhood on Lakeshore Ave and how unique & serene it is. I have lived in the neighborhood since 1983 at 1918 S Lakeshore Ave & own a second home at 1928 S Lakeshore Ave that my son lives in. When people move to our area they like it and stay. It has very little turnover.

We have a park in our area that has been maintained by our community and we have neighborhood picnics, concerts & a lot of foot traffic around. Mothers with their strollers, seniors walking their pets and bicycles. We want to preserve our unique & quaint little neighborhood & request the current zoning be upheld and not changed. We are apposed to any further commercial development for our safety.

We want to discourage any additional traffic on our residential streets and request you vote " No" for any new rezoning change.

See below comments from the article on the Facebook Historic site..

Here is a great house that is a little hidden gem. The house is located at 1806 West Washita in Lakeshore.

Well I have talked about Lakeshore before. It is just off Sunshine past Elfindale. The road "Lake Shore" jogs to the left at a diagonal.

This neighborhood was originally called Oakwood as it was part of Louis S Meyers estate called "Oakwood" also previously discussed here. It was laid out in 1926. So why else would you build out here. Well there was the Fin & Feather Club established by William H. Johnson. And there was a golf course. By 1930 the name was changed to Lake Shore

In 1936 attorney Harold Thomas Lincoln and his 2nd wife Leonora C. Weirauch-Lincoln moved into their new tudor house. Incidentally Mr. Lincoln was related to President Abraham Lincoln (fifth cousin). The address at the time was called ~ Lakeshore south side Red Bud Lane (latter called Washita).

In 1952 Lenora would pass away at 52. That would be the time that Edmund Conger Forehand and his wife Judy Duke Lincoln-Forehand would move in with her father Harold. Harold & Edmond were partners in the law firm ~Lincoln Lincoln Haseltine Forehand & Springer.

Edmund & Judy would live there with their two children Randy & Karen. On November 3rd 1960 Harold would pass away the age of 72. The Forehands would live here till November of 1962 when they moved to 1137 S Fairway.

In 1962 Robert H Sweet and his wife Pauline F Sweet would move in. Robert was a Senior Officer at the US Medical Center across the road. They would stay till 1981. There have been several families since.

Today Oakwood-Lakeshore is still a little hidden gem of 1920-30's homes in SW Springfield.

Photo 1) 1806 W Washita ~ aka Red Bud Lane

Photo 2) Oakwood Place (1926) Greene County Archives

Sparlin, Michael

From: Mary Brumley <brumley321@icloud.com>
Sent: Sunday, July 12, 2020 11:49 AM
To: Zoning@springfieldmo.gov
Subject: Z-14-2020 rezoning meeting on 7-16-2020 @ 1738 W Sunshine St

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

This is a letter pertaining to the rezoning proposal of property at 1738 w Sunshine St (SE Corner of Sunshine and Kansas Expressway). I am a resident of the neighborhood and have lived here since 1983. I own two properties at 1918 & 1928 S Lakeshore Ave and have a vested interest in the future of my neighborhood. This is an historic location and some homes that date back to 1928 in their construction. The neighborhood has a park in it that is directly across the street from me that has been maintained by this community.. We have planted trees & mowed the grass, & had neighborhood picnics & concerts there. We have mothers walking with their strollers down our streets plus bicyclist, & seniors walking their pets. To rezone this property would increase traffic and put all of us at risk from a safety standpoint. The access to this corner is within 200 feet approximately from a major intersection and according to a 2019 traffic study is in the top 10 intersections for accidents. I recommend the property remain in its current zoning status. I urge you to vote "No" on this rezoning proposal and help maintain our neighborhood

Best regards,
Mary L Hutchison-Brumley
1918 S Lakeshore Ave

Sent from my iPad

Lake Shore Neighborhood

Friday, July 10, 2020



My home on Lake Shore, which faces the park. The park is maintained by members of the neighborhood.



View of park from Lake Shore & Washita intersection. Park was restored by residents after being used as staging area for sewer construction. Washita & Lexington intersection at far end to the right.



View toward Lexington and Washita, park is on the right.



Neighborhood resident in Lexington (misabeled Lake Shore on page 1 of development review) with animal companions. Park is to the left. Resident released photo for use.



Home at Lake Shore & Lexington, just south of park.



Front lawn of residence at Latoka and Lake Shore

This neighborhood is low density and generally unaccustomed to traffic. It came as a surprise to discover that the area is slated long-term by planning to be Medium Intensity Retail, Office or Housing. I believe Townhomes falls under that category and the current zoning of 1738 West Sunshine is consistent with the long range vision.

1738 W. Sunshine

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	July 2020	Telephone No.	417 862-7852
YOUR NAME:	Dennis & Janet McBride		
YOUR ADDRESS:	1847 S. Lakeshore Ave		
PROJECT ADDRESS:	1738 W. Sunshine		
COMMENTS:	We are concerned that any business on this corner lot, will draw traffic through our neighborhood in order to access that location. There is only one access to that (eastbound on Sunshine) lot that does not affect traffic in our neighborhood. To access a business at this location from any other direction would require traffic through our side streets. The developer could or would not tell the neighborhood what kind of business he was hoping to develop. Please do not rezone.		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	7-9-2020	Telephone No.	417-862-8115
YOUR NAME:	WEBB, SUE TRUST		
YOUR ADDRESS:	1725 W. WASHITA Springfield, MO 65807		
PROJECT ADDRESS:	1738 W. SUNSHINE ST. (S.E. CORNER OF SUNSHINE AND KANSAS Expressway)		
COMMENTS:	Letter ATTACHED to form.		

Project NAME: 2-14-2020
Address: 1738 W. Sunshine St - Springfield, MO 65807
Southeast Corner of Sunshine and
Kansas Expressway.

Comments: I Protest and object to
Rezoning of Planning and zoning. I have
property at 1725 W. Washita St. and Lexington Ave
I have lived at this address for 51 years - I'm
80 years old and I don't think we need a
business across the street from me. We have
a great neighborhood where people get out and
walk - we don't have any sidewalks. So this
means we walk in the street. We would hate
to see it interrupted by traffic going through it.

Sunshine & Kansas Exp. is a very busy corner
with only traffic going in and out to the
east on Sunshine. This means cars would
need to go through our neighborhood to enter
on Lakeshore Ave and Sunshine St. and circle
from Sunshine to Lakeshore to Washita to Lexington
to enter the property at Lexington and Sunshine.

I pray you will take this into
consideration of my protest and objection.

Thank you
Sue Webb (Trust)
1725 W. Washita St
Springfield, MO 65807

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	July 8 2020	Telephone No.	869 2546
YOUR NAME:	Phyllis Rollins		
YOUR ADDRESS:	1846 S. Lakeshore Ave 65807		
PROJECT ADDRESS:	1738 W. Sunshine St (SE corner of Sunshine + Kansas Expressway)		
COMMENTS:			

Attention Bob Hosmer, AICP Planning Manager
Once again our Lakeshore Community is alert to the 'rumblings' of business moving into our unique residential community. I have lived here since 1951 and am now 97 years of age. The City has been good to us - and we are still a beautiful community of Springfield. We are proud of our neighborhood. Please do not let business move into our area. We do not need that

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

unnecessary traffic in the neighborhood.

Sincerely
Phyllis Rollins

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If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

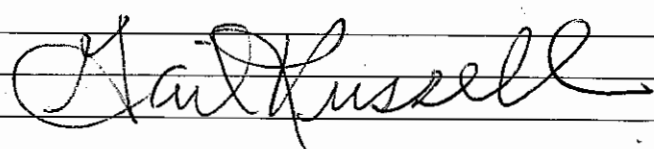
1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	July	Telephone No.	214-908-0667
YOUR NAME:	Margaret "Gail" Russell		
YOUR ADDRESS:	1807 W Washita		
PROJECT ADDRESS:	1738 W Sunshine St		
COMMENTS:			
I do not approve of rezoning.			
Will deprecate residential property.			
			

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

One-rdg. X
P. Hmgs.
Pgs. 3
Filed: 08-04-20

Sponsored by: Hosmer

First Reading:

Second Reading:

COUNCIL BILL 2020- 189

GENERAL ORDINANCE

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I,
2 'In General,' by repealing Section 106-24, 'Protective Headgear for
3 Persons Riding Motorcycles and Motortricycles,' due to preemption by
4 state law.
5
6

7 WHEREAS, the Missouri Legislature passed and the Governor signed House Bill
8 1963 ("H.B. 1963") , a bill containing provisions relating to transportation, as a part of
9 legislation enacted in its 2020 Regular Session; and
10

11 WHEREAS, said H.B.1963 in part amends the existing Revised Missouri Statute,
12 Section 302.020.2, by adding a provision expressly prohibiting any political subdivision
13 of the state from imposing a protective headgear requirement on the operator or
14 passenger of a motorcycle or motortricycle; and
15

16 WHEREAS, this legislation preempts the existing Springfield City Code Section
17 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' which
18 requires such operators and passengers to wear protective headgear at all times when
19 the motorcycle or motortricycle is in motion.
20

21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows:
23

24 (Note - Language to be added is underlined. Language to be deleted is ~~stricken~~.)
25

26 Section 1 – That Chapter 106 of the Springfield City Code, 'Traffic and Vehicles,'
27 is hereby amended by repealing of Section 106-24, 'Protective Headgear for Persons
28 Riding Motorcycles and Motortricycles', in its entirety, as set out below:
29

30 Sec. 106-24. - Protective Headgear for Persons Riding Motorcycles and Motortricycles.
31 ~~Every person operating or riding on any motorcycle or motortricycle upon the streets of~~
32 ~~the city shall wear protective headgear at all times the vehicle is in motion. The~~
33 ~~protective headgear shall meet the standards and specifications established by the~~

34 ~~state director of revenue.~~ Repealed.

35
36 Section 2 -This Ordinance shall be in full force and effect from and after
37 passage.

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46 Filed as Ordinance: _____

47
48 Approved as to form: Carl S. Yender, Assistant City Attorney

49
50
51 Approved for Council action: Jason P. Hage, City Manager
52

EXPLANATION TO COUNCIL BILL 2020-189

FILED: 08-04-20

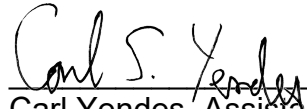
ORIGINATING DEPARTMENT: Law

PURPOSE: Amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' by repealing Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' due to preemption by state law; and declaring an emergency.

BACKGROUND INFORMATION: The Missouri legislature passed and the Governor signed in the 2020 regular legislative session House Bill 1963, a large bill containing a number of items relating to transportation. Among these items is an amendment to Section 302.020.2, RSMo, adding language prohibiting any political subdivision from imposing a protective headgear requirement on operators or passengers of motorcycles and motortricycles. This amendment by its terms preempts the existing City Code Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles.'

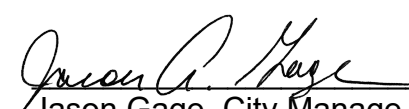
REMARKS: The state preemption legislation applies only to motorcycles and motortricycles and does not appear to affect the enforceability of City Code Section 106-514(c), which requires the wearing of protective headgear by persons operating or riding motorized bicycles.

Submitted by:



Carl Yendes, Assistant City Attorney

Approved by:



Jason Gage, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 08-04-20

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-190

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the General Fund budget for the City of Springfield, Missouri, for
2 Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year
3 2018-2019 carryover funds and increasing expenses in the amount of
4 \$175,000.00, for special election costs related to the fee for a Short-
5 Term Loan Establishment permit.
6 _____
7

8 WHEREAS, on May 4, 2020, City Council passed General Ordinance 6588,
9 establishing regulations for short-term loan establishments, including a permit
10 requirement and a registration fee; and
11

12 WHEREAS, General Ordinance 6588 provided that no fees will be effective until
13 approved by a simple majority of the City's electors; and
14

15 WHEREAS, on May 4, 2020, City Council also passed Special Ordinance 27308
16 calling an election on August 4, 2020, in the City of Springfield, Missouri, to submit to
17 the qualified voters a question as to whether the City shall be authorized to impose a
18 fee for Short-Term Loan Establishment permits; and
19

20 WHEREAS, the Fiscal Year 2020-2021 Budget does not currently provide funds
21 for the special election costs related to the August 4, 2020, election called for by Special
22 Ordinance 27308; and
23

24 WHEREAS, costs associated with the August 4, 2020, election are expected to
25 be \$175,000.00.
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:
29

30 Section 1 – The budget of the City Clerk for Fiscal Year 2020-2021 is hereby
31 amended in the accounts and in the amounts shows on Budget Adjustment No. 011,
32 which is attached hereto and incorporated herein by this reference as "Exhibit A."
33

34 Section 2 – This Ordinance shall be in full force and effect from and after
35 passage.

36
37 Passed at meeting: _____

38
39 _____
40 Mayor

41
42 Attest: _____, City Clerk

43
44 Filed as Ordinance: _____

45
46
47 Approved as to form: C. H. _____, Assistant City Attorney

48
49
50 Approved for Council action: Jason A. Hays _____, City Manager

EXPLANATION TO COUNCIL BILL 2020-190

FILED: 08-04-20

ORIGINATING DEPARTMENT: Finance

PURPOSE: Amending the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year 2018-2019 carryover funds and increasing expenses in the amount of \$175,000.00, for special election costs related to the fee for a Short-Term Loan Establishment permit.

BACKGROUND INFORMATION: The Fiscal Year 2020-2021 Budget does not provide funds for the special election costs related to the August 2020 fee for a Short-Term Loan Establishment permit. To cover the cost of the special election, the City wishes to amend the budget of the City Clerk's operating budget to provide funds incurred for this special election. The special election costs are a one-time expense and is not part of the normal budget provided to the City Clerk's budget. The City will appropriate \$175,000.00, of carryover funds to cover these costs.

Submitted by:

Approved by:



David Holtmann, Director of Finance



Jason Gage, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
011

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

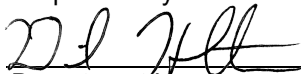
Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	05	12010	502190	000000	00000	\$ 175,000	Election Expense
Net Expenditure Adjustment						\$ 175,000	

Fund Balance Appropriation:

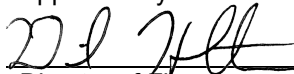
Fund	Title	Amount
10110	General Fund - Fund Balance	(175,000)

Explanation: To amend the FY2020-2021 budget and appropriating General Fund carryover for the special election to establish the fee for a Short-Term Loan Establishment permit.

Requested By:


Department Head 8/4/20
Date

Approved By:


Director of Finance 8/4/20
Date

City Manager Date

Authorization:

Council Bill No. 2020-190
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 08-04-20

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-191

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development and the City Clerk to
2 sign the Plat of the Administrative Subdivision of Kansas at Grand
3 Phase 2 with a Subdivision Variance, generally located at 1720
4 West Grand Street, upon compliance with all the terms of this
5 Ordinance. (Staff and Planning and Zoning Commission
6 recommend approval.)
7 _____
8

9 WHEREAS, an application has been filed for a subdivision variance for the
10 property, described in "Exhibit C – Attachment 2" of this Ordinance, generally located at
11 1720 West Grand Street; and
12

13 WHEREAS, by Special Ordinance 27237, City Council had authorized the
14 Director of Planning and Development to accept the dedication of public streets and
15 easements upon the recording of the Final Plat of Kansas at Grand Subdivision that
16 conformed to several conditions, including compliance with Subdivision Regulations;
17 and
18

19 WHEREAS, the applicant is requesting a variance from Section 36-251(4) of the
20 Subdivision Regulations, which requires a minimum distance of 200 feet from the
21 nearest right-of-way line of any intersection street to the edge of the driveway, and from
22 edge of driveway to edge of driveway, on the Primary Arterial; and
23

24 WHEREAS, the applicant wishes to maintain an existing access point that is
25 approximately 166 feet from the nearest right-of-way line of the intersection of Kansas
26 Expressway and Grand Street; and
27

28 WHEREAS, an original Plat of Kansas at Grand Phase 2 dated January 20,
29 2020, is on file in the Department of Planning and Development; and
30

31 WHEREAS, the Planning and Zoning Commission held a public hearing on July
32 16, 2020, and approved the variance submitted with a minor subdivision by a vote of 7
33 to 0, subject to certain conditions attached hereto as "Exhibit A"; and

34
35 WHEREAS, a copy of the Record of Proceedings from said meeting are attached
36 hereto as "Exhibit B" and incorporated herein by this reference.
37

38 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
39 SPRINGFIELD, MISSOURI, as follows, that:
40

41 Section 1 – City Council hereby authorizes the Director of Planning and
42 Development, on behalf of the City of Springfield, to affix her signature to the Plat of
43 Kansas at Grant Phase 2 (hereinafter referred to as "Phase 2 Plat") upon the filing and
44 recording of the Phase 2 Plat in accordance with this Ordinance, the Subdivision
45 Regulations of the City, those conditions described in "Exhibit A," attached hereto and
46 incorporated herein by this reference, and upon the Director of Public Works certifying
47 to the Director of Planning and Development and the City Clerk that the public
48 improvements have been made in accordance with City standards and specifications.
49 Said public improvements shall not be acceptance until the occurrence of the above
50 written conditions.
51

52 Section 2 – The Phase 2 Plat shall not be recorded until: (1) the public
53 improvements relating to the Phase 2 Plat have been constructed according to the
54 specifications of the City of Springfield, Missouri, and are approved by the Director of
55 Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned
56 by or in connection with the construction of said improvements have been paid to the
57 City; or (2) in lieu of the construction of the improvements, that the Applicant has filed
58 with the City Manager, according to the terms of the Subdivision Regulations of the City,
59 the prescribed financial assurances in a form acceptable to the City to ensure the
60 construction of the improvements and the payment to the City of all engineering fees,
61 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
62 construction of the improvements.
63

64 Section 3 – Upon compliance with all the requirements of this Ordinance,
65 including the conditions described in "Exhibit A," the City Clerk is hereby authorized to
66 endorse City Council's approval upon the Phase 2 Plat pursuant to Section 445.030,
67 RSMo., and such endorsement shall constitute the acceptance of the Public
68 Improvements contained therein.
69

70 Section 4 – This Ordinance shall be in full force and effect from and after its
71 passage and is subject to Section 36-206 and Section 36-225 of the Land Development
72 Code.
73

74 Passed at meeting: _____
75

76 _____
77 Mayor
78

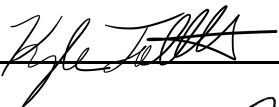
79 Attest: _____, City Clerk

80

81 Filed as Ordinance: _____

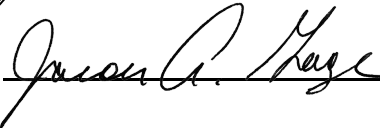
82

83

84 Approved as to form: , Assistant City Attorney

85

86

87 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020 - 192

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Authorizing the Director of Planning and Development and the City Clerk to sign the Final Plat of the Administrative Subdivision of Kansas at Grand Phase 2 with a Subdivision Variance, generally located at 1720 West Grand Street, upon compliance with all the terms of this Ordinance. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

- A. The applicant is requesting a variance from Section 36-251(4) of the Subdivision Regulations, which requires a minimum distance of 200 feet from the nearest right-of-way line of any intersection street to the edge of driveway, and from edge of driveway to edge of driveway, on Primary Arterials. The applicant wishes to maintain the access point that is approximately 166 feet from the nearest right-of-way line of the intersection.
- B. An original Minor Subdivision of Kansas at Grand Phase 2 dated January 20, 2020, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in "Exhibit C - Attachment 3."

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

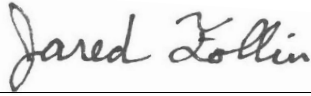
REMARKS:

- C. The Planning and Zoning Commission held a public hearing on July 16, 2020, and approved the variance submitted with a minor subdivision by a vote of 7 to 0, subject to the following conditions:
 - 1. The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
 - 2. The access point will be temporarily closed until the right-in/right-out access point is constructed.
 - 3. The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.

4. All required improvements must be constructed or escrowed before the recording of this plat.

Staff recommends approval.

Submitted by:



Jared Follin, Associate Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Conditions of the Variance

Exhibit B, Record of Proceedings

Exhibit C, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Variance Approval Criteria

Attachment 3, Plat of Minor Subdivision

Exhibit A

Conditions of the Variance

Staff recommends the following conditions of the variance;

- a. The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
- b. The access point will be temporarily closed until the right-in/right-out access point is constructed.
- c. The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.
- d. All required improvements will be built or escrowed before the recording of this plat.

Exhibit B

RECORD OF PROCEEDINGS
Final Plat of the Administrative Subdivision with a Subdivision Variance –
KANSAS AT GRAND PHASE 2
Planning and Zoning Commission – July 16, 2020

Kansas at Grand Subdivision Variance
1720 West Grand Street

Applicant: College of the Ozarks

King Coltrin recused.

Mr. Hosmer stated that this is a request to approve a variance from the subdivision regulations section 36-0251(4) located at 1720 West Grand Street. The applicant is proposing to replat approximately 11.53 acres into a four-lot commercial subdivision.

The applicant is requesting a variance from Section 36-251(4) of the Subdivision Regulations, which requires a minimum distance of 200 feet from the nearest right-of-way line of any intersection street to the edge of driveway, and from edge of driveway to edge of driveway, on Primary Arterials (Grand). The applicant wants to maintain the access point that is approximately 166 feet from the nearest right-of-way line of the intersection of Kansas and Grand. If approved; Staff recommends the following conditions of the variance:

- The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
- The access point will be temporarily closed until the right-in/right-out access point is constructed.
- The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.
- All required improvements will be built or escrowed before the recording of this plat.

The conditions of the variance, if approved, must be satisfied within one year of its approval. Staff recommends approval.

Mr. Randall Doennig opened the public hearing.

Mr. Dane Seiler, representative noted that this was part of the plat one year ago and wants to close the entrance for full access.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Kansas at Grand Subdivision Variance (1720 West Grand Street).

Mr. Jobe seconded the motion. Ayes: Doennig, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler. King Coltrin recused.

A handwritten signature in black ink, appearing to read "Bob Hosmer", enclosed within a rectangular box.

Bob Hosmer, AICP
Planning Manager

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING: CITY COUNCIL PUBLIC HEARING:

July 16, 2020

August 10, 2020

CASE: Kansas at Grand Subdivision Phase 2 Replat, submitted with a variance

ACRES: 11.53 acres

LOCATION: 1720 West Grand Street

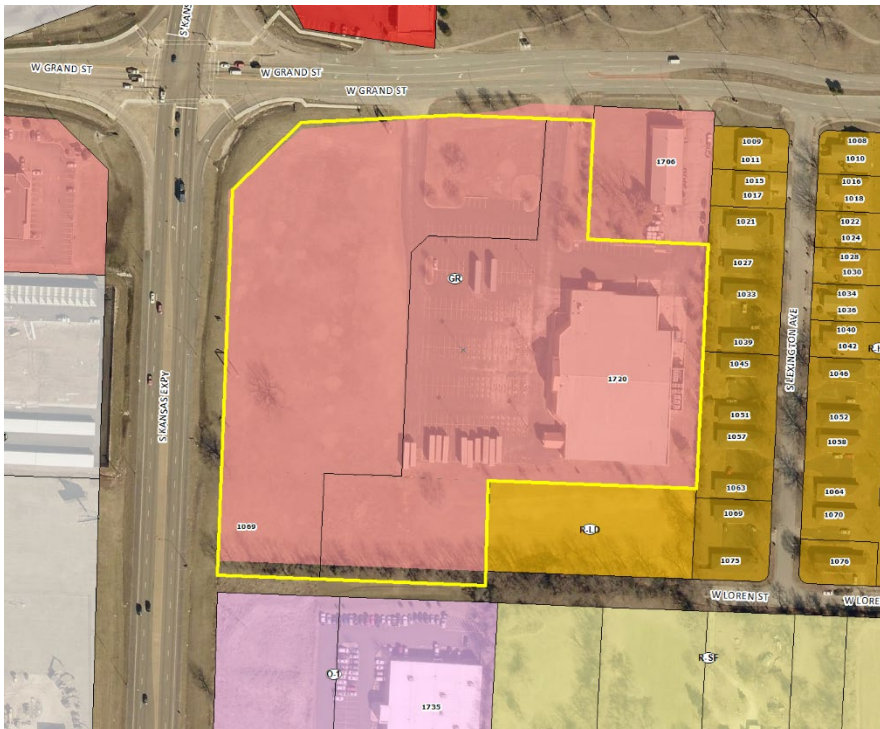
EXISTING LAND USE: Vacant
Property/Commercial Space

APPLICANT: McKeen Trust

STAFF: Jared Follin, Associate Planner
417-864-1615

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).



SUMMARY OF REQUEST:

1. Applicant is proposing a minor subdivision with a variance in order to replat the property into a four-lot subdivision named "Kansas at Grand Subdivision Phase 2."
2. The applicant is requesting a variance from Section 36-251(4) of the Subdivision Regulations, which requires a minimum distance of 200 feet from the nearest right-of-way line of any intersection street to the edge of driveway, and from edge of driveway to edge of driveway, on Primary Arterials. The applicant wishes to maintain the access point that is approximately 166 feet from the nearest right-of-way line of the intersection.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The requested subdivision variance has submitted responses to the variance approval criteria as outlined in Section 36-206(3) of the Subdivision Regulations (see Attachment 2).
2. If the variance is approved Staff recommends it be approved with the following conditions;
 - a. The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
 - b. The access point will be temporarily closed until the right-in/right-out access point is constructed.
 - c. The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.
 - d. All required improvements must be constructed or escrowed before the recording of this plat.
3. These conditions of this variance, if approved, must be satisfied within one year of its approval.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC	O-1	R-LD	GR/GM
LAND USE	Retail	Office Space	Two-Family Residential Homes	Retail/Self-Service Storage

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



PROPERTY HISTORY:

The subject property was annexed into the City in 1910 and was first platted as part of the Price Cutter Center Phase I Subdivision in 1997. In 2019, it was again platted under the "Kansas at Grand" subdivision and the southern portion of the property was rezoned to GR and R-LD.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-226. - Major subdivision review procedure.

- (1) *General.* Deviations from and exceptions to the standards and procedures of this article may be granted by the city council, the planning commission or the director of planning and development, as set forth herein only if such deviations and exceptions conform to the following conditions and procedures. Such deviations and exceptions are referred to, for purposes of this article, as variances relative to zoning and other ordinances and codes effective in the City of Springfield. No application for preliminary plat which would create conditions requiring a variance or exception from zoning standards or other ordinances or codes by the board of adjustment, shall be submitted to the planning and zoning commission unless and until the applicant's request for variance or exception shall have been first submitted to and approved by the board of adjustment.
- (2) *Purpose and intent.* It is the purpose and intent of this variance procedure to provide relief from unusual hardship, inequitable construction procedures, design requirements which may be impractical and other conditions which occur with a specific parcel of land but do not occur in the normal subdivision process.
- (3) *Conditions of variance approval.* No variance shall be granted unless it is found that:
 - (a) There are special and unusual circumstances affecting said property such that the strict application of the provisions of this article would deprive the owner of the reasonable use of his land and is not the mere grant of a privilege; and
 - (b) The variance is necessary for the preservation and enjoyment of a substantial property right of the owner; and
 - (c) The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.
- (4) *Recording required.* When a variance from these regulations has been approved, the details of such variance shall be recorded in the office of the Recorder of Deeds of Greene County. No such variance shall be recorded, however, until a 30-day period shall have passed during which time said variance may be challenged in a court of competent jurisdiction.
- (5) *Authority to grant variances.*
 - (a) The planning commission shall be empowered to grant variances with respect to the improvements and the design standards relative to lot dimensions and arrangements, street location, alignment, the location and alignment of easements, building lines and similar standards.
 - (b) City council shall review requests for variances only upon an appeal by an applicant from a denial of a request by the commission and only upon the written record made before the commission.
- (6) *Procedure.*
 - (a) Variances shall be reviewed in accordance with one of the two following procedures:
 1. Requests for variances may be submitted concurrently with the preliminary plat or final plat if it is a minor subdivision. The applications for variance shall be made on forms provided by the director and shall state precisely the provisions from which variance is requested along with the reasons therefor. Such variance application shall be reviewed and acted upon concurrently with the preliminary plat or final plat if a minor subdivision.
 2. Requests for variances independent of plat review shall be permitted if the applicant can show good cause why such request was not made at the time of the preliminary plat and shall be submitted on forms provided by the director along with a fee for administrative processing in the amount prescribed by ordinance. Such application shall be submitted to the commission.
 3. Within 30 days after commission has acted on a variance, the city council may, by vote of council, elect to conduct independent review of any variances considered by the commission and may grant, reverse, modify or affirm the decision of the commission based on the provisions of this article and procedures for granting variances.

STAFF COMMENTS:

1. The applicant is proposing to replat approximately 11.53 acres into a four-lot subdivision named "Kansas at Grand Subdivision Phase 2" to facilitate development of the site.
2. Applicant is requesting a variance with a minor subdivision in order to maintain the access point closest to the intersection. If approved; Staff recommends the following conditions of the variance;
 - a. The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
 - b. The access point will be temporarily closed until the right-in/right-out access point is constructed.
 - c. The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.
 - d. All required improvements will be built or escrowed before the recording of this plat.
3. These conditions of the variance, if approved, must be satisfied within one year of its approval. Plat will not be recorded until these conditions have been met.
4. All proposed lots will meet the requirements of the City's Subdivision Regulations.
5. If Planning and Zoning Commission approves the minor subdivision with a variance, then the plat will be forwarded to City Council for approval of the conditions. The approved conditions will have one year to be satisfied.
6. The proposed minor subdivision and variance was reviewed by City departments and comments are contained in Attachment 1. Variance approval criteria is provided in Attachment 2.

DEPARTMENT COMMENTS:

Attachment 1

PUBLIC WORKS DEPARTMENT TRAFFIC DIVISION:

Staff recommends that the variance to remove the access restriction be approved, however, the plat will need to state that a right in/right out is required to be constructed at the westernmost entrance that does not restrict access to the northern property and the design must be approved by the Public Works Director or designee.

CLEAN WATER SERVICES:

According to planning, the plat will not be recorded until public improvement plans have been submitted and constructed or escrowed. Environmental Services is willing to approve this case based on that. See below for required changes to the plat;

1. Need to add a note that says that for access to gravity sewer, public sewer will have to be extended 15 feet past the north property line of lot 2. Public sewer is available to the south in Loren St. however it would require private pumping.
2. Need to add a note to the plat that the southernmost 175 feet of lot 2 is not in a sewer district. The existing sewer district will need to be modified to include that portion.
3. A sewer easement is shown for the proposed sewer however it should be enlarged to at least 15 feet and may need to overlap the existing 10-foot utility easement.
4. An application for the public improvements has been made however the plans have not yet been uploaded. The public improvement plans will need to be constructed or escrowed prior to approval of the plat.

VARIANCE APPROVAL CRITERIA:

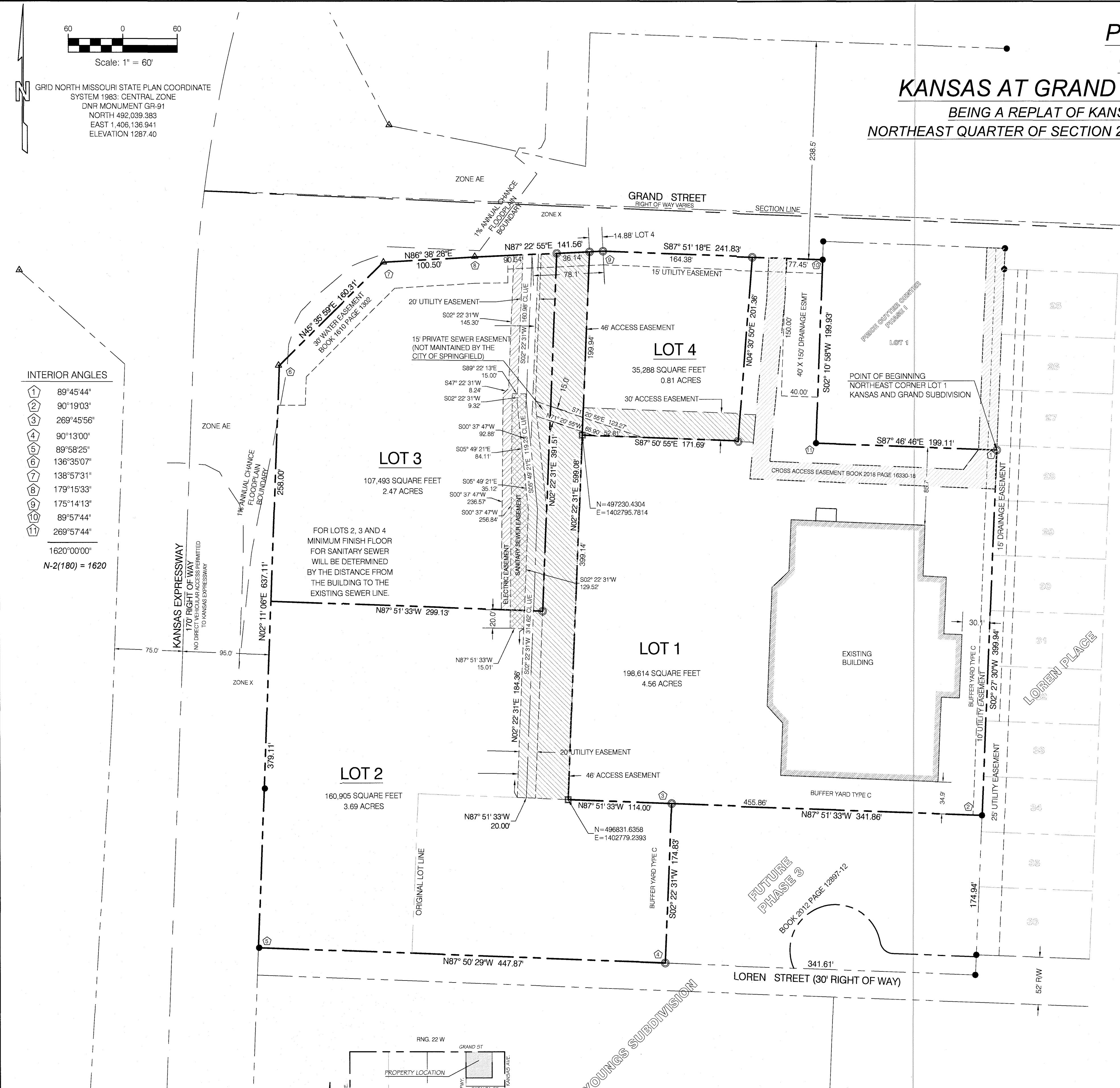
Attachment 2

Section 36-206(3) of the Subdivision regulations states in part: No variance shall be granted unless it is found that;	Applicant's Response
There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere granting of a privilege;	This access is an existing access point that will be restricted to right in right out. It is the only direct access to the lot. There is an indirect access via an access easement, but no direct access from Grand to this lot. The distance measured from the sight triangle is 166 feet. However, if the distance is measured from the Kansas Expressway right of way line extended north, the distance is 277 feet.
The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and;	Access to the property is vital to the preservation and enjoyment of this lot. Therefore, the variance is being requested in order to keep the existing access in place and restrict it to right in right out.
The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.	It is an existing access and therefore would not be detrimental to public safety, convenience, or welfare or be injurious to other property. In addition, the existing access has a right turn lane installed that further improves the public safety, and convenience for the those within the public right of way.

LEGAL:

PROPERTY DESCRIPTION: ALL OF LOT 1 AND LOT 2 OF KANSAS AND GRAND SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, MISSOURI BEING RECORDED IN PLAT BOOK AAA PAGE 633, GREENE COUNTY, RECORDER'S OFFICE, BEING A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 22 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE FURTHEST EAST, NORTHEAST CORNER OF LOT 1 OF SAID KANSAS AND GRAND SUBDIVISION; THENCE SOUTH $02^{\circ}27'30''$ WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 399.94 FEET TO THE FURTHEST EAST, SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH $87^{\circ}51'33''$ WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 341.86 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH $02^{\circ}22'31''$ WEST, A DISTANCE OF 174.83 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF LOREN STREET, BEING THE FURTHEST WEST, SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH $87^{\circ}50'29''$ WEST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 447.87 FEET TO A POINT ON THE EAST RIGHT OF WAY OF KANSAS EXPRESSWAY; THENCE NORTH $02^{\circ}11'06''$ EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 637.11 FEET; THENCE NORTH $45^{\circ}35'59''$ EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 160.31 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF GRAND STREET; THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH $86^{\circ}38'28''$ EAST, A DISTANCE OF 100.50 FEET; (2) NORTH $87^{\circ}22'55''$ EAST, A DISTANCE OF 141.56 FEET; (3) SOUTH $87^{\circ}51'18''$ EAST, A DISTANCE OF 241.83 FEET TO FURTHEST NORTH, NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH $02^{\circ}10'58''$ WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 199.93 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH $87^{\circ}46'46''$ EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 199.11 FEET TO THE POINT OF BEGINNING. CONTAINING 11.53 ACRES.



LEGEND

- EXISTING IRON PIN
- 5/8" IRON PIN
- SEMI PERMANENT 5/8"x18" REBAR PLASTIC CAPPED "LC-2007008003" (SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED)
- PERMANENT MONUMENT SET, 5/8"x24" REBAR WITH 1" AND 3/4" INCH PLASTIC CAP STAMPED "LC 2007008003"
- △ RIGHT-OF-WAY MARKER

VICINITY MAP

NOT TO SCALE

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT I, JAMES A. VAUGHAN, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED AND PREPARED BY C.J.W. TRANSPORTATION CONSULTANTS, L.L.C. DATED JULY 3, 2019 AND SIGNED BY JAMES A. VAUGHAN, PLS 2555 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE PERSONAL SUPERVISION OF JAMES A. VAUGHAN, PLS 2555 IN ACCORDANCE WITH SECTION 36-250(5) OF THE SUBDIVISION REGULATIONS, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DATE PREPARED - JULY 7, 2020

James A. Vaughan 07-14-2020
JAMES A. VAUGHAN, PLS 2555
C.J.W. LLC LC 2007008003

PLAT OF
KANSAS AT GRAND SUBDIVISION PHASE 2
BEING A REPLAT OF KANSAS AND GRAND SUBDIVISION
NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 22 WEST

PROPERTY DESCRIPTION: ALL OF LOT 1 AND LOT 2 OF KANSAS AND GRAND SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, MISSOURI BEING RECORDED IN PLAT BOOK AAA PAGE 633, GREENE COUNTY, RECORDER'S OFFICE, BEING A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 NORTH, RANGE 22 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE FURTHEST EAST, NORTHEAST CORNER OF LOT 1 OF SAID KANSAS AND GRAND SUBDIVISION; THENCE SOUTH 02°27'30" WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 399.94 FEET TO THE FURTHEST EAST, SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 87°51'33" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 341.86 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 02°22'31" WEST, A DISTANCE OF 174.83 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF LOREN STREET, BEING THE FURTHEST WEST, SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 87°50'29" WEST, ALONG SAID NORTH RIGHT OF WAY, A DISTANCE OF 447.87 FEET TO A POINT ON THE EAST RIGHT OF WAY OF KANSAS EXPRESSWAY; THENCE NORTH 02°11'08" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 637.11 FEET; THENCE NORTH 45°35'59" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 160.31 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF GRAND STREET; THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 86°38'28" EAST, A DISTANCE OF 100.50 FEET; (2) NORTH 87°22'55" EAST, A DISTANCE OF 141.56 FEET; (3) SOUTH 87°51'18" EAST, A DISTANCE OF 241.83 FEET TO FURTHEST NORTH, NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 02°10'58" WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 199.93 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 87°46'46" EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 199.11 FEET TO THE POINT OF BEGINNING. CONTAINING 11.53 ACRES.

CERTIFICATE OF OWNERSHIP & DEDICATION:

COLLEGE OF THE OZARKS, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE CITY OF SPRINGFIELD, MISSOURI, THAT WE FREELY ADOPT THIS PLAN OF SUBDIVISION AND HEREBY CONVEY AND DEDICATE ALL EASEMENTS AND RIGHTS OF WAY SHOWN ON THIS PLAT TO THE PUBLIC IN ACCORDANCE WITH THOSE DEDICATIONS, SUBJECT TO ALL RESTRICTIONS STATED THEREON.

BY: _____ DATE: _____
(NAME & TITLE)

SEAL: _____

ATTEST: _____ DATE: _____
(NAME & TITLE)

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

STATE OF MISSOURI)
COUNTY OF GREENE) SS

ON THIS _____ DAY OF _____, 2020, BEFORE ME PERSONALLY APPEARED _____, TO ME KNOWN, WHO, DULY SWORN, DID SAY THAT HE IS THE _____ OF COLLEGE OF THE OZARKS, A MISSOURI NONPROFIT CORPORATION, AND THAT HE EXECUTED THE FOREGOING INSTRUMENT IN THE NAME OF THE CORPORATION, AND THAT HE HAD THE AUTHORITY TO SIGN THE SAME AND ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF THE CORPORATION, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN MY OFFICE IN _____, _____ COUNTY, MISSOURI.

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL BY THE PLANNING DIRECTOR:

APPROVED THE _____ DAY OF _____, 2020, BY THE PLANNING DIRECTOR OF SPRINGFIELD, MISSOURI:

PLANNING DIRECTOR OF SPRINGFIELD, MISSOURI - BOB HOSMER, AICP

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING COMMISSION:

APPROVED THE _____ DAY OF _____, 2020, BY THE PLANNING AND ZONING COMMISSION OF SPRINGFIELD, MISSOURI:

DIRECTOR OF PLANNING AND DEVELOPMENT - MARY LILLY SMITH

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL:

I, ANITA COTTER, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF KANSAS AT GRAND SUBDIVISION PHASE 2 WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF SPRINGFIELD, AND APPROVED BY SPECIAL ORDINANCE NO. _____ ON THE _____ DAY OF _____, 2020.

ANITA COTTER - CITY CLERK

OWNER:
COLLEGE OF THE OZARKS
P.O. BOX 17
POINT LOOKOUT, MO 65726

DEVELOPER:
ERIK TAYLOR
1878 S. HIGHWAY 125
ROGERSVILLE, MO 65742

- GENERAL NOTES:**
- DATE OF SUBMITTAL - _____, 2020
 - PROPOSED WASTEWATER DISPOSAL FACILITIES - MUNICIPAL SEWER SYSTEM (CITY OF SPRINGFIELD)
 - PROPOSED WATER SUPPLY - MUNICIPAL WATER SUPPLY (CITY UTILITIES)
 - NATURAL GAS TO BE PROVIDED BY CITY UTILITIES
 - CURRENT ZONING - 'GR' GENERAL RETAIL DISTRICT (COD #177)
 - TOTAL ACREAGE = 502,300 SQ. FT. (11.53 ACRES)
 - TOTAL NUMBER OF LOTS - 4 (LOT 4 - 35,288 SQ. FT. - SMALLEST LOT)
 - EASEMENTS SHOWN HEREON ARE FROM FIELD INSPECTION OR RECORD AND MAY NOT BE ALL INCLUSIVE.
 - ACCORDING TO FEMA COMMUNITY-PANEL NUMBER 29077C0342E DATED DECEMBER 17, 2010 A VERY SMALL PORTION OF THIS PROPERTY IS IN ZONE AE (1% CHANCE OF ANNUAL FLOODING), THE MAJORITY OF THE PROPERTY IS LOCATED IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN).
 - NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO FIND OR VERIFY BURIED UTILITIES LOCATIONS.
 - VEHICULAR ACCESS TO KANSAS EXPRESSWAY PROHIBITED.
 - SETBACK LINES ARE DETERMINED BY ZONING CLASSIFICATION AT THE TIME OF DEVELOPMENT AND CAN VARY BY OBTAINING A CONDITIONAL USE PERMIT.
 - MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
 - ALL COMMON AREAS SHALL BE CONSIDERED DRAINAGE EASEMENTS. ALL COMMON AREAS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATED. ALL DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.
 - THE SURVEY SHOWN HEREON WAS PERFORMED TO MEET OR EXCEED THE ACCURACY REQUIREMENTS FOR URBAN CLASS PROPERTY
 - THIS SURVEY IS IN COMPLIANCE WITH THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS
 - SOURCE OF TITLE DEED BOOK 2012 PAGE 12897-12 GREENE COUNTY RECORDER'S OFFICE
 - PLAT OF PRICE CUTTER CENTER PHASE I SUBDIVISION RECORDED IN PLAT BOOK RR PAGE 61 GREENE COUNTY RECORDER'S OFFICE
 - PLAT OF KANSAS AND GRAND SUBDIVISION RECORDED IN PLAT BOOK AAA PAGE 633 GREENE COUNTY RECORDER'S OFFICE
 - THE AREA SHOWN IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE WATER RUN-OFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUN-OFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.
 - DATE PREPARED - JULY 7, 2020
 - IF LOT 1 WISHES TO UTILIZE THE EXISTING OFF-PREMISE SIGN, A MASTER SIGN PLAN WOULD BE REQUIRED.
 - THE WESTERNMOST ENTRANCE WILL SHALL BE DESIGNED AS A RIGHT IN / RIGHT OUT. IT SHALL NOT LIMIT THE ACCESS TO THE PROPERTY TO THE NORTH. DESIGN OF RIGHT IN / RIGHT OUT MUST BE APPROVED BY PUBLIC WORKS.
 - FOR ACCESS TO GRAVITY SEWER, PUBLIC SEWER WILL HAVE TO BE EXTENDED 15 FEET PAST THE NORTH PROPERTY LINE OF LOT 2. PUBLIC SEWER IS AVAILABLE TO THE SOUTH IN LOREN STREET, HOWEVER IT WILL REQUIRE PRIVATE PUMPING.
 - THE SOUTHERN MOST 175 FEET OF LOT 2 IS NOT IN A SEWER DISTRICT. THE EXISTING SEWER DISTRICT WILL NEED TO BE MODIFIED TO INCLUDE THAT PORTION.

No.:		Revision:		Date:	
Prepared by: CJW CJW Transportation Consultants, L.L.C. Missouri Cert of Authority #2007008003 5051 S. National Suite 7A Springfield, MO 65810 Tel: 417.889.3400 Fax: 417.889.3402 www.GoCJW.com					
PLAT OF KANSAS AT GRAND SUBDIVISION PHASE 2					
KANSAS & GRAND SPRINGFIELD, GREENE COUNTY, MO					
SURVEY BY CJW		DESIGN CJW		SCALES HOR. 1"=60' VERT. N/A	
DATE 07-14-2020		DRAWN CJW		SHEET 1 OF 1 SHEETS	
DWG 20048 REPLAT		CHECKED JTS		FILE NO. 20048	

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 08-13-20

Sponsored by: Council

COUNCIL BILL 2020- 196 RESOLUTION

A RESOLUTION

1 DECLARING the results of a Special Municipal Election held on August 4, 2020,
2 under the Home Rule Charter of the City of Springfield, Missouri, on
3 the question of whether the City shall be authorized to impose a fee for
4 a Short-Term Loan Establishment permit.
5 _____
6

7 WHEREAS, on the 4th day of August 2020, a Special Municipal Election was
8 held in the City of Springfield, Missouri; and
9

10 WHEREAS, the official returns of said election have been certified to City Council
11 by the Greene County Verification Board, said certification being attached hereto as
12 "Exhibit A;" and
13

14 WHEREAS, the City Council desires to declare the results of said election.
15

16 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
17 SPRINGFIELD, MISSOURI, as follows, that:
18

19 Section 1 – The election heretofore referred to has been found to have been held
20 in all respects as required by the laws of the State of Missouri and the City of
21 Springfield, at designated voting places, that all qualified electors of the City of
22 Springfield and no others were permitted to vote, and that the results of the elections
23 are found and declared to be as follows:
24

25 City of Springfield
26 Question 1
27

28 Shall the City of Springfield, Missouri, be authorized to impose a fee for a Short-
29 Term Loan Establishment permit in the amount of \$5,000 annually, new or
30 renewal, or \$2,500 for a permit issued with less than 6 months remaining in the
31 calendar year?
32

33 YES 14,793 NO 11,273
34

35 Section 2 – It is accordingly found and declared that the City of Springfield shall
36 be authorized to impose a fee for a Short-Term Loan Establishment permit in the
37 amount of \$5,000 annually, new or renewal, or \$2,500 for a permit issued with less than
38 6 months remaining in the calendar year.

39
40 Section 3 – This Resolution shall be in effect immediately upon adoption.

41
42 Passed at meeting: _____

43
44 _____
45 Mayor

46
47 Attest: _____, City Clerk

48
49 Filed as Resolution: _____

50
51 Approved as to form: Rhonda Lewsader, City Attorney

52
53 Approved for Council action: Jason C. Hage, City Manager

EXPLANATION TO COUNCIL BILL 2020-196

FILED: 08-13-20

ORIGINATING DEPARTMENT: City Clerk's Office

PURPOSE: To declare the results of a Special Municipal Election held on August 4, 2020, under the Home Rule Charter of the City of Springfield, Missouri, on the question of whether the City shall be authorized to impose a fee for a Short-Term Loan Establishment permit.

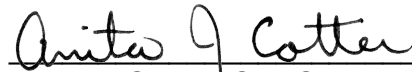
BACKGROUND INFORMATION: The City of Springfield held an election on Tuesday, August 4, 2020, on the question of whether the City shall be authorized to impose a fee for a Short-Term Loan Establishment permit in the amount of \$5,000 annually, new or renewal, or \$2,500 for a permit issued with less than 6 months remaining in the calendar year.

A majority vote was received, and the authorization to impose a fee for a Short-Term Loan Establishment permit passed with the results as follows:

YES	14,793 to authorize imposing a fee
NO	11,273 not to authorize imposing a fee

Submitted by:

Approved by:


Anita J. Cotter, City Clerk

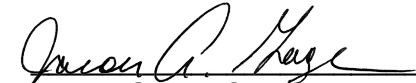

Jason Gage, City Manager

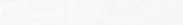
EXHIBIT A

City of Springfield
Question 1

Shall the City of Springfield, Missouri, be authorized to impose a fee for a Short-Term Loan Establishment permit in the amount of \$5,000 annually, new or renewal, or \$2,500 for a permit issued with less than 6 months remaining in the calendar year?

Yes	14,793
No	11,273


Democratic Supervisory Judge


Republican Supervisory Judge

[illegible]

IN TESTIMONY WHEREOF, I, Shane Schoeller, County Clerk, hereunto set my hand and affix the Seal of the County of Greene, at my office in Springfield, Missouri, this 11th day of August, 2020.


SHANE SCHOELLER, COUNTY CLERK

One-rdg. X
P. Hmgs.
Pgs. 25
Filed: 08-18-20

Sponsored by: Fisk

First Reading:

Second Reading:

COUNCIL BILL 2020- 197

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to accept grant funding from the
2 Missouri Department of Higher Education and Workforce
3 Development in the amount of \$40,000.00, to fund job and skills
4 training for ten apprentices; amending the budget of the
5 Department of Workforce Development for Fiscal Year 2020-2021
6 in the amount of \$40,000.00 to appropriate the funds; and declaring
7 that this bill qualifies for approval in one reading.
8
9

10 WHEREAS, the City has the opportunity, through its Department of Workforce
11 Development, to accept \$40,000.00 in grant funds from the Missouri Department of
12 Higher Education and Workforce Development to fund partnership and training
13 opportunities with Abilities First Employment Services to provide pre-employment skills
14 training and related technical instruction, including job discovery and exploration, job
15 development, job placement and coaching, and long-term follow along; and
16

17 WHEREAS, these grant funds will fund training opportunities for ten apprentices.
18

19 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
20 SPRINGFIELD, MISSOURI, as follows, that:
21

22 Section 1 – The City Manager, or his designee, is hereby authorized to accept
23 grant funding in the amount of \$40,000.00 from the Missouri Department of Higher
24 Education and Workforce Development, pursuant to “Exhibit A” attached hereto and
25 incorporated herein by reference, for job and skills training in partnership with Abilities
26 First Employment Services, for receipt and use by the City’s Department of Workforce
27 Development, and to do all things necessary to accept and to carry out the grant,
28 including the execution of contracts, provided the form of any such contract is approved
29 by the City Attorney, or designee.
30

31 Section 2 – The budget of the City’s Department of Workforce Development for
32 Fiscal Year 2020-2021 is hereby amended in the accounts and in the amounts as
33 shown on Budget Adjustment No. 008 in the amount of \$40,000.00, a copy of which is

34 attached hereto and incorporated herein by reference as "Exhibit B."
35

36 Section 3 – City Council finds that the budget adjustment made above has been
37 recommended by the City Manager.
38

39 Section 4 – The City Manager is directed to cause the appropriate accounting
40 entries to be made in the books and records of the City. In the event additional funding
41 is provided under this grant by the grantor, the Director of Finance is hereby authorized
42 to adjust this appropriation by an amount not to exceed 20 percent.
43

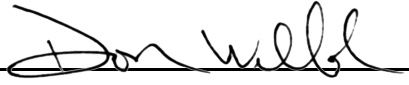
44 Section 5 – City Council hereby finds and declares this Ordinance relates to the
45 acceptance of a grant from a state or federal agency and pursuant to Section 2.16(25)
46 of the City Charter, this Ordinance requires one reading. Therefore, this Ordinance shall
47 be in full force and effect from and after passage
48

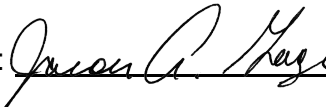
49 Passed at meeting: _____
50

51 _____
52 Mayor
53

54 Attest: _____, City Clerk
55

56 Filed as Ordinance: _____
57

58 Approved as to form: , Assistant City Attorney
59
60

61 Approved for Council action: , City Manager
62

EXPLANATION TO COUNCIL BILL 2020- 197

FILED: 08-18-20

ORIGINATING DEPARTMENT: Workforce Development.

PURPOSE: Authorizing the City Manager, or his designee, to accept grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$40,000.00, to fund job and skills training for ten apprentices; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$40,000.00 to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

BACKGROUND INFORMATION:

Abilities First Employment Services, a division of Abilities First, works with many local employers to offer registered apprenticeships to individuals with disabilities in the following career paths: materials handling, culinary, clerical support, internet technology, and environmental services.

Abilities First Employment Services provides the pre-employment skills training and related technical instruction ("RTI"), which includes job discovery and exploration, job development, job placement and coaching, and long-term follow along. Apprentices work independently under the direct supervision of their employer for a pre-determined length of time, learning skills necessary for the position. At the end of the apprenticeship, apprentices earn Certificates of Completion from the US Department of Labor documenting their accomplishment.

Abilities First Employment Services and the City of Springfield Department of Workforce Development, on behalf of the Ozark Region Workforce Development Board, are partnering to refer apprentices and to co-enroll the eligible apprentices into the Workforce Innovation and Opportunity Act ("WIOA") Youth Program.

This request is to accept the funding from Missouri Department of Higher Education and Workforce Development ("DHEWD") in the amount of \$40,000.00. This funding will provide Related Technical Instruction training for ten apprentices.

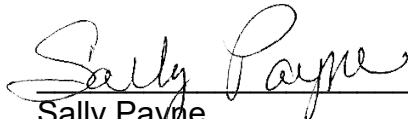
REMARKS:

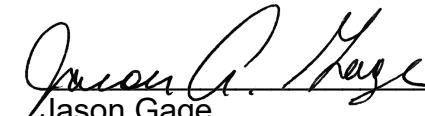
Two (2) classes will be held between July 1, 2020, and December 31, 2020, resulting in ten (10) candidates ready to pursue their respective field of interest by October 31, 2020.

After approval by City Council, this request will be sent through the approval process of the Ozark Region Workforce Development Board.

Submitted by:

Approved by:


Sally Payne,
Interim Director of Workforce Development


Jason Gage,
City Manager

Notice Of Obligation

Exhibit ASUB AWARD
NUMBER: 10-08-08-19SUB AWARD
MODIFICATION
NO. 0FEDERAL
AWARDING U.S. DEPARTMENT OF LABORAGENCY:
GRANT NUMBER: AP-30081-16-60-A-29FEDERAL AWARD
DATE: 04/30/2019TOTAL AWARD
AMOUNT: \$28,300.00PROJECT:
ABILITIES FIRST (APPUSA)

PERIOD OF PERFORMANCE

Start Date
07/01/2020End Date
10/31/2020

Page 1

R & D

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SUBRECIPIENT ID: 006852255

SUBRECIPIENT:

CITY OF SPRINGFIELD DEPARTMENT OF FINANCE
2900 EAST SUNSHINE
SPRINGFIELD, MO 65804

ISSUED BY:

MISSOURI DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT
301 WEST HIGH STREET, SUITE 870
P.O. BOX 1087
JEFFERSON CITY, MISSOURI 65102-1087

DESCRIPTION

Must comply with the PY19 Workforce Innovation and Opportunity Act (WIOA) Annual Agreement.
 Must comply with WIOA rules and regulations and all applicable state and federal rules and regulations.
 Must comply with the project scope of work.
 Must comply with 2 CFR Part 200 and 2 CFR Part 2900.

ACTION

To award funds for the period of July 1, 2020 through October 31, 2020.

YEAR	CFDA	PROGRAM ACCOUNT ID	AVAILABLE DATE	CURRENT LEVEL	MODIFICATION LEVEL	NEW LEVEL
PY17	17.285	APPRENTICESHIP STATE FUNDS	07/01/2020	\$0.00	\$28,300.00	\$28,300.00

TOTAL FUND AVAILABILITY

	CURRENT LEVEL TOTAL	MODIFICATION LEVEL TOTAL	NEW LEVEL TOTAL
Project Code: 535	\$0.00	\$28,300.00	\$28,300.00

Except as modified, all terms and conditions of said sub award/agreement remain unchanged and in full effect.



Mardy Leathers

Date Signed
07/23/2020

Missouri Department of Higher Education and Workforce Development

Notice Of Obligation

SUB AWARD
NUMBER: 10-08-08-19SUB AWARD
MODIFICATION
NO. 0FEDERAL
AWARDING U.S. DEPARTMENT OF LABORAGENCY: AP-33496-19-60-A-29
GRANT NUMBER:FEDERAL AWARD
DATE: 07/01/2019TOTAL AWARD
AMOUNT: \$11,700.00PROJECT:
ABILITIES FIRST (ASE)

PERIOD OF PERFORMANCE

Start Date 07/01/2020 End Date 10/31/2020

Page 1

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SUBRECIPIENT ID: 006852255

SUBRECIPIENT:
CITY OF SPRINGFIELD DEPARTMENT OF FINANCE
2900 EAST SUNSHINE
SPRINGFIELD, MO 65804ISSUED BY:
MISSOURI DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT
301 WEST HIGH STREET, SUITE 870
P.O. BOX 1087
JEFFERSON CITY, MISSOURI 65102-1087

DESCRIPTION

Must comply with the PY19 Workforce Innovation and Opportunity Act (WIOA) Annual Agreement.
Must comply with WIOA rules and regulations and all applicable state and federal rules and regulations.
Must comply with the project scope of work.
Must comply with 2 CFR Part 200 and 2 CFR Part 2900.

ACTION

To award funds for the period of July 1, 2020 through October 31, 2020.

YEAR	CFDA	PROGRAM ACCOUNT ID	AVAILABLE DATE	CURRENT LEVEL	MODIFICATION LEVEL	NEW LEVEL
PY19	17.285	APPRENTICESHIPUSA	07/01/2020	\$0.00	\$11,700.00	\$11,700.00

TOTAL FUND AVAILABILITY

	CURRENT LEVEL TOTAL	MODIFICATION LEVEL TOTAL	NEW LEVEL TOTAL
Project Code: 546	\$0.00	\$11,700.00	\$11,700.00

Except as modified, all terms and conditions of said sub award/agreement remain unchanged and in full effect.



Mardy Leathers

Date Signed
07/23/2020

SCOPE OF WORK
CITY OF SPRINGFIELD DEPARTMENT OF WORKFORCE DEVELOPMENT ON BEHALF OF THE OZARK
WORKFORCE DEVELOPMENT BOARD OF SPRINGFIELD
ABILITIES FIRST
JULY 1, 2020 THROUGH OCTOBER 31, 2020

The Office of Workforce Development (OWD) of the Department of Higher Education and Workforce Development (DHEWD) is making forty thousand dollars and zero cents (\$40,000.00) of ApprenticeshipUSA and Apprenticeship State Expansion funds available to the City of Springfield Department of Workforce Development on behalf of the Ozark Workforce Development Board of Springfield.

For the purposes of this Scope of Work, the City of Springfield Department of Workforce Development on behalf of the Ozark Workforce Development Board of Springfield shall be the Subrecipient and Abilities First shall be the Project. The Scope of Work serves to identify the responsibilities of the Subrecipient to receive funds through OWD.

1. No funds from this Project shall be expended before July 1, 2020 or after October 31, 2020 without prior written approval from OWD.
2. The Subrecipient must adhere to the Project process outline (Attachment 2) approved by OWD.
3. The Subrecipient must not change or modify the Project proposal, Scope of Work, or budget (Attachment 1) without the prior written approval from OWD. Any budget or program adjustment modification must be submitted to and approved by OWD in writing.
4. Expenditures reported must not exceed the budget line items by greater than ten percent (10%) of the total budget. Line item transfers shall require advanced approval from OWD. Failure to comply may result in disallowances.
5. Training reimbursements for Related Technical Instruction (RTI) will be limited to three thousand six-hundred dollars and zero cents (\$3,600.00) per participant.
6. Subrecipient staff shall maintain the appropriate documentation to verify participant funding eligibility and provide to OWD upon request. This documentation must be maintained for a period of no less than three (3) years after the participant exits the program or three (3) years after the final expenditure report, whichever is later. Please refer to the current OWD records retention policy.
7. These funds are exclusively for the participants who will be enrolled in the Project. Standard rules and policies regarding Wagner-Peyser and WIOA General eligibility, registration and documentation apply for the use of these funds.
8. The Subrecipient shall utilize these funds for ten (10) eligible individuals enrolled in the Project. Project participants will encompass individuals referenced in WIOA regulations with barriers to employment. These funds will serve individuals with disabilities between the ages of eighteen (18) and twenty-five (25) with a Vocational Rehabilitation referral.

9. If the project allows for supportive services, the Subrecipient must develop and administer a policy on supportive services for eligible individuals and must follow OWD policy. OWD will provide technical assistance to Subrecipient staff where needed.
10. The Subrecipient must establish a process that allows for reimbursement for budgetary expenses and directs payment upon that agreed process.
11. Project participants will receive related technical instruction and/or supportive services as it relates to pre-apprenticeship and registered apprenticeship. These services must be documented in the case management system at the time they were provided.
12. The Subrecipient must follow the process for pre-apprenticeship to apprenticeship as outlined in Attachment 2. Pre-apprenticeship activity and Registered Apprenticeship activity must be recorded in the apprenticeship module inside of the case management system. All related technical instruction must be delivered and costs incurred prior to October 30, 2020.
13. Participants who are determined unable to complete the program or have not located employment once the program is completed will be referred to the closest Job Center for access to and evaluation for other workforce system services.
14. The Subrecipient is required to receive access and training to enter required documentation into OWD's electronic case management system. This will include:
 - a. Participant eligibility (on or before training begins);
 - b. Individual services received;
 - c. Credentials, as applicable;
 - d. Service Outcomes;
 - e. Entered Employment Information; and
 - f. Case Notes.
15. The Subrecipient must follow up with Project participants, at minimum, on a monthly basis and in accordance with the OWD Statewide Case Note Policy to ensure they are following through with their program activities.
16. The Subrecipient must follow up with the participant for up to one year after the participant exits the program, regardless of the Project end date, in order to report retention requirements for performance.
17. The Subrecipient must be prepared for and comply with compliance monitoring initiated at the local, state or Federal level to ensure the project objectives outlined in this Scope of Work are met.
18. The Subrecipient must submit a monthly report to OWD by the fifteenth (15th) of the month following the end of each reporting period.
 - I. In the event program participants have not been served or enrolled at the time of the reporting, the Subrecipient must provide an explanation and a current Project progress. Failure to meet obligations of a project could result in de-obligation of funds.

II. Each report must include, but not limited to, the following data:

- a. Number of applicants;
- b. Number eligible for the program;
- c. Number of participants served;
- d. Total number of participants who received services;
- e. Total number of participants who were referred to a transitional job (On-the-job training, work experience, etc.), if applicable;
- f. Total number of participants who received supportive services;
- g. Total number of participants who entered unsubsidized employment;
- h. Total number of participants who were referred to Job Center services;
- i. Total number of participants who received an assessment and soft skills training, if applicable;
- j. Total number of participants enrolled in training services;
- k. Program completion and outcome (successful or did not complete) standing for each participant;
- l. Received a credential or measurable skill gains for each participant;
- m. New program enrollments and drops must be reported immediately; and
- n. Participant tracking sheet.

19. Reports must be submitted electronically via email to Jeanna Caldwell, OWD Central Office, at jeanna.caldwell@dhewd.mo.gov or by mail to:

Office of Workforce Development
Jeanna Caldwell
P.O. Box 1087
Jefferson City, MO 65102-1087

20. For current OWD policies go to: <https://jobs.mo.gov/dwdissuances>.

21. The Subrecipient must comply with the Annual Agreement in regard to payment and reporting requirements. Contact the [DHEWD Financial Help Desk](#) to request access to the DHEWD's Financial Reporting System (FRS). **All expenditures must be reported on an accrual basis.**

22. City of Springfield Department of Workforce Development
on behalf of the Ozark Workforce Development Board of Springfield
2900 East Sunshine
Springfield, MO 65804
Sally Payne
(417) 887-4343
spayne@springfieldmo.gov

23. Attachment(s):

- 1 - Budget
- 2 – Pre-Apprenticeship to Apprenticeship Process
- 3 - Participant Tracking Sheet

Region: Ozark**Budget****Narrative**

Attachment 1

Administrative Costs:

ApprenticeshipUSA gra

Admin	\$	4,000	Costs associated with the administration of the program.
Administrative Costs Subtotal:	\$	4,000	
Program Costs:			
Salary/Fringe	\$	-	Related Technical Instruction Classroom and Virtual Training (\$2,430 per person maximum)
Training	\$	24,300	
Travel	\$	-	
Affirmative Outreach	\$	-	
Printing	\$	-	
Other	\$	-	
Contractual	\$	-	
Office Supplies	\$	-	
Program Costs Subtotal:	\$	24,300	
Total Budget:	\$	28,300	



ABILITIES FIRST EMPLOYMENT SERVICES

Pre–Apprenticeship to Apprenticeship

PROCESS - START TO FINISH

Pre-Apprenticeship Step (A)

CANDIDATE SELECTION PROCESS FROM NEXT STEP CLIENT PORTFOLIO (EDS)

- Review previous lists of candidates to see if any are appropriate currently.
- Contact Support Coordinators (SC) who have referred any consumer in the past as they tend to be more knowledgeable.
- Collect names and contact numbers of individuals who are potential candidates. (There are cases when the SC may want to contact the individual first.)
- If any individual is actively involved with other employment providers, they should be removed from the list. If the SC reports the individual is not happy with the other employment providers, leave it up to the SC to talk to the consumer about provider choice.
- Once the initial SC has been contacted via email to review their caseloads for potential candidates, start calling all the SC's according to their teams.
- The SC will provide names of viable individuals along with current contact information. Consider the status of the individual with their relationship to Vocational Rehabilitation (VR) and other employment providers.
- Contact the individual or their respective guardian(s) to discuss the program and their current status. If the consumer is interested and appears to meet the qualifications, they will be put on the list and advised that they will be contacted in advance of the pre-apprenticeship/vocational classes. The SC will be notified also that their consumer has been put on the list so they can reinforce the program with the consumer.
- Important things to consider:
 - Age: 18-25
 - VR status. Some individuals must be encouraged to apply or reapply because of past incidents. The SC can be asked to help the individual apply.
 - Behavioral concerns. Unfortunately, individuals with behavioral issues may not be a good fit for the pre-apprenticeship program.
 - Always consider motivation as a high priority.
 - Abilities should be considered to an extent. Reading skills will provide the individual with more career options.
- The SC, CSS, or VR may contact EDS to discuss the specific consumer in relation to the pre-apprenticeship phase. This is considered the pre-assessment phase.
- The candidate/guardian will be asked to sign the “*Authorization to Exchange Information with Abilities First Employment Services*” form so that the EDS can exchange information between Next Step and Abilities First Employment Services.

Pre-Apprenticeship Step (B)

REFERRAL TO AFES: (EDS, SC, CSS, VR)

- If it is determined the consumer is a potential candidate for pre-apprenticeship, then the SC, CSS, or VR will make the official referral to Frank Pike, EDS, and Judy VanBibber, Administrative Assistant, via email. The SC will send a copy of the consumer's current ISP (see below) with LifeCourse/STAR and the "Authorization for Disclosure of Consumer Medical/Health Information" form to release DMH information to AFES. VR will send contact information and the Eligibility Determination.
- **If the candidate does not already have an open case with Vocational Rehabilitation (VR), the SC-CSS will assist their consumer in making a referral to VR to determine eligibility and open a case for any services provided by AFES – see Step C on VR referrals.**
- For any individual receiving services from AFES, a copy of all updated annual ISP's will be forwarded to the AFES Administrative Assistant.
- All pre-apprenticeship candidates will meet with the AFES Administrative Assistant to complete required paperwork: Mo Job Center (MJC) Reg Form, Acknowledgement of Rights /Grievances, I-9 documentation, Selective Service registration card

CARF requires the Individual Support Plan to include (SC/CSS responsibility):

- a. Relevant medical history
- b. Psychological and social information
- c. Previous services/supports
- d. Assessment information to include strengths, abilities, preferences, desired outcomes, and other issues identified by the individual
- e. Self-reported interests/skills
- f. Work/volunteer history
- g. Previous training and education
- h. Benefits received
- i. Availability to work (hours)
- j. Transportation availability and consistency
- k. Support needs / self-reported barriers to employment
- l. Legal history
- m. Specific and measurable objectives regarding employment

Pre-Apprenticeship Step (C)

VOCATIONAL REHABILITATION (VR) REFERRAL: (SC-CSS)

For any referral to VR, the SC-CSS will be responsible for making a referral to VR for their consumer using the following guidelines:

___ Do they have a case open with VR? YES _____ NO _____

___ If **YES**, please assist client/guardian in notifying the current VR Counselor that the individual has applied for an apprenticeship position with Abilities First Employment Services.

___ If **NO**, please assist client/guardian in making a referral to VR by emailing the “VR Referral” form, release of information, employment star and ISP to: dovi.armstrong@vr.dese.mo.gov and let Dovi know that your client has applied for an apprenticeship position with AFES so she will refer to the appropriate VR Counselor (Kyle Reed). Ask individual/guardian if they would like assistance in setting up meeting, if they do you may schedule appoint for them.

___ Inform the individual/guardian that if they have any documentation signed by a physician or psychologist specifically stating the individual’s diagnosis as well as any benefit information (i.e., SSA, SSI), this is also helpful in determining eligibility and should be presented by the individual/guardian at the first intake meeting with the VR Counselor. The Support Coordinator cannot release this information due to it being third party and not authored by Abilities First, but the individual/guardian can, and they should be informed that this may speed up the process in opening their case.

Pre-Apprenticeship Step (D)

MO JOBS CENTER REFERRAL: (AFES)

Approved candidates will be referred to Mo Job Center for intake into their database by sending secure email to: Erica Combs at ecombs@springfieldmo.gov for intake and further evaluation if candidate qualifies for other non-AFES programming.

Pre-Apprenticeship Step (E)

RELATED TECHNICAL INSTRUCTION (RTI) CLASSROOM/VIRTUAL TRAINING (AFES)

- Once approved, the candidate is ready to start RTI classes according to the Class Schedule.
- If virtual, class material will be mailed or e-mailed to the candidate several days prior to the start of class and include a stamped, self-addressed envelope for returning the completed material to AFES.
- The instructor will complete the “Daily Attendance and Training Log for RTI Classes” and submit with all testing and backup documentation to the AFES Adm Assistant for tracking in the AFES Database and filing.
- As the schedule permits, EDS may teach some classes to learn more about candidates so the RA Packet, Assessments, and AFES Employment Plan may be completed concurrently while classes are in process.

Pre-Apprenticeship Step (F)

DHEWD BILLING & REPORTING: (AFES ADM ASSISTANT)

- Billing for RTI classes will be sent to **Toby Stevenson, Department of Finance City of Springfield, tstevenson@springfieldmo.gov** via **SECURED** e-mail on the 5th of each month noting each candidate who has completed four weeks of RTI. A copy of the invoice will be sent to AF Finance, who will notify AFES when payment is received.
- A copy of the DHEWD “Student Tracking Form” will be attached as back-up documentation.
- Monthly reporting narrative will be sent via e-mail to **Tammy Casey tcasey@springfieldmo.gov** and is due by the 10th of each month for the preceding month’s information.
- All these forms/spreadsheets can be found filed under:
AFES >>DHEWD-Div of Higher Ed & Workforce Dev

Pre-Apprenticeship Step (G)

ASSESSMENT / RA PACKET / AFES EMPLOYMENT PLAN: (EDS, ES)

- EDS will schedule a time to meet with the candidate and guardian (if applicable) to complete the RA Packet to include, but not limited to, the AFES Employment Application, the Employment Questionnaire/Planning Report, and the *Authorization for Disclosure of Information from Abilities First Employment Services* form(s) so the above information can be shared with a prospective employer in preparation for interviews, as well as any family, friends, or others the candidate/guardian wishes to be involved in this process. The SC may also attend this meeting to complete an addendum or meeting note to update the ISP with current employment information. The VR Counselor may also be invited to attend this meeting.
- If EDS feels additional information is needed from previous employers, previous providers, etc., the candidate will be asked to sign the “*Authorization to Release Information to Abilities First Employment Services*” form.
- EDS will provide the candidate with the “Apprentice Candidate Handbook” and AF Privacy Practices explaining our processes and have them sign receipts acknowledging such.
- If the candidate does not receive services via Next Step or VR, EDS will provide the candidate/guardian with an eligibility letter that the candidate must present to their physician for information regarding eligibility for the apprenticeship program. This must be returned to AFES before the candidate will be considered for interview.
- EDS will then complete the EDITS/COPS Competency Test to look at each candidate’s interests, skills, and aptitudes.
- If the EDITS/COPS score shows the person needs additional support/education/training prior to being considered for an apprenticeship position, he/she will be referred for more pre-vocational classes or to another external employment or education service and be given a copy of the *Abilities First Resource Guide*.

- Reason for ineligibility will be discussed with the candidate in person and then a copy of documented reason will be sent via letter to the candidate/guardian and referral source (per CARF). The initial application, questionnaire, test results, and all RA paperwork with documented reason for ineligibility and outcome recommendations are forwarded to the AFES Administrative Assistant for entry into the internal database for tracking purposes and filing.
- All EDS testing will be kept in the AFES office and will be good for 12 months should the candidate be referred for an apprenticeship position in the future. However, the candidate will need to reapply for each position with a new application and may need to meet with EDS for interview.
- If the EDITS/COPS score shows the person has skills, interest, and abilities to succeed in the apprenticeship program, EDS will contact the AFES team regarding eligible candidate(s) for any open position(s) and the next step to the interview process.
- AFES Adm Assistant will provide a summary of test results, abilities, strengths, reading level & comprehension, etc., for prospective employer(s) to review prior to the interview.
- Any candidates seeking credit for previous experience must furnish records, letters, or other documentation to substantiate that claim (i.e., application, resume, references).
- EDS will notify the SC or VRC of the date and time of scheduled assessment, as well as once the assessment has been completed with the results.
- EDS and/or ES will complete the AFES Employment Plan for each candidate:

CARF requires a coordinated Individual Employment Plan that includes:

- a. Overall goals of pre-apprenticeship and apprenticeship
- b. Specific and measurable objectives
- c. Methods/techniques used to achieve objectives
- d. Those responsible for implementation
- e. Support needs / barriers to employment
- f. How/when progress reviewed
- g. Reflects timely transition planning when person served is moved from one level of supports to another within AFES, or if they move externally to another provider.

Apprenticeship Step One

EMPLOYER CONTACT: (AFES)

- Sales Call by JW Gibbs and/or Job Developer with negotiations regarding participation, positions, locations, wages, etc., backed by MO JOBS CENTER Business Services Representative.
- If employer agrees to participate in apprenticeship, they will sign the Employer Acceptance Agreement (Appendix E), the Business Associate Agreement (BAA) to protect the candidate's private information within the organization, as well as complete and sign the Apprenticeship Commitment Letter explaining how many positions, FT or PT, opportunity for advancement, hours, wages, dress code, location/address of opening(s), and if criminal background check and drug screen are required (included in Marketing Packets).
- Employer will be entered into RAPIDS and AFES database will be changed to reflect a signed employer.

Apprenticeship Step Two

JOB DESCRIPTION / APPENDIX A: (AFES)

- A Job Description (DOL Appendix A) for agreed upon position will be developed for the specific position and once approved by employer will be submitted to Dept of Labor (DOL) for approval.
- The Appendix A will include type of occupation, term of apprenticeship in hours, wage schedule, work schedule/hours, related technical instruction (RTI), and on-the-job (OTJ) schedule.
- Approved occupation will be entered into the Eligible Training Provider System (ETPS) for the State of Missouri and the internal AFES database.

Apprenticeship Step Three

NOTIFICATION/POSTING: (AFES Adm Asst)

May not be necessary if we already have five candidates who are interested in the position.

- AFES will notify Support Coordinators (SC) and/or Vocational Rehabilitation (VR) of apprenticeship openings as they occur and provide Job Description/Appendix A and the "Notification and Tracking Sheet," as well as the "AFES Checklist for SC's or CSS."
- **Notifications will be sent via e-mail to the "All Users" address at Abilities First, Vocational Rehabilitation, and Tammy Casey at tcasey@springfieldmo.gov**
- A two-week window will be provided to SC's for each notification posted with a one-week reminder sent via e-mail.

➤ **MUST HAVE OPEN VR CASE BY THIS POINT....**

Apprenticeship Step Four (If not done during pre-apprenticeship phase)

ASSESSMENT / RA PACKET / AFES EMPLOYMENT PLAN: (EDS &/or ES)

EDS will schedule a time to meet with the candidate and guardian (if applicable) to complete the RA Packet to include, but not limited to, the AFES Employment Application, the Employment Questionnaire/Planning Report, and the *Authorization for Disclosure of Information from Abilities First Employment Services* form(s) so the above information can be shared with a prospective employer in preparation for interviews, as well as any family, friends, or others the candidate/guardian wishes to be involved in this process. The SC may also attend this meeting to complete an addendum or meeting note to update the ISP with current employment information. The VR Counselor may also be invited to attend this meeting.

- If EDS feels additional information is needed from previous employers, previous providers, etc., the candidate will be asked to sign the “*Authorization to Release Information to Abilities First Employment Services*” form.
- EDS will provide the candidate with the “Apprentice Candidate Handbook” and AF Privacy Practices explaining our processes and have them sign receipts acknowledging such.
- If the candidate does not receive services via Next Step or VR, EDS will provide the candidate/guardian with an eligibility letter that the candidate must present to their physician for information regarding eligibility for the apprenticeship program. This must be returned to AFES before the candidate will be considered for interview.
- EDS will then complete the EDITS/COPS Competency Test to look at each candidate’s interests, skills, and aptitudes.
- If the EDITS/COPS score shows the person needs additional support/education/training prior to being considered for an apprenticeship position, he/she will be referred for more pre-vocational classes or to another external employment or education service and be given a copy of the *Abilities First Resource Guide*.

Apprenticeship Step Five

INTERVIEW with EMPLOYER: (EDS &/or ES)

- AFES will schedule interview dates, times, and location with the employer. EDS/ES will then confirm interview dates with all parties (including candidates, guardians, referral source, AFES Team) and make recommendations for any needed accommodations.
- If invited by the employer, AFES team member(s) will participate in the interview. If there is no invitation, someone from the employment team will meet the consumer at the interview site for support. EDS/ES will notify the referral source that the consumer has completed the interview.
- If employer does not have their own interview documentation, an “Interview Record” form will be provided to the employer. All interview records will be filed in the candidate’s file in the AFES office (per DOL Standards).
- Once the employer notifies AFES of the results of the interview (position offered or not), the EDS/ES will notify both the consumer (if the employer has not already done so) and the referral source of the decision in writing.

- Those candidates not selected by the employer will be notified in writing by the AFES Adm Assistant that they were not selected.
- AFES staff will complete and date the tracking sheet that all the above has been completed and forward to Administrative Assistant for data entry.

Apprenticeship Step Six

APPRENTICESHIP AGREEMENT & GRANT FORMS: (AFES ADM ASSISTANT)

- Once candidate is selected by employer and referred to the apprenticeship program, a meeting will be scheduled with the AFES Adm Assistant for completion of the Apprenticeship Agreement-Part A (Appendix B) and required registration forms. This meeting should include apprentice, guardian (if applicable), and AFES staff if additional information is necessary. Someone knowledgeable of the candidate's personal information (address, phone, SS#, DOB, ethnicity/race, level of education, benefits) should be present to assist the candidate in completing these forms if needed.
- If not received in the pre-apprenticeship stage, all apprentices will be given the *"Equal Opportunity Is the Law Notice/WIOA Grievance Procedure Notice"* for review and then will sign a receipt acknowledging they have received this notice.
- Adult apprentices over age 18 will complete and sign the required registration forms.
- The apprentice and/or guardian will be provided with a copy of the DOL Apprenticeship Standards and the AFES Apprenticeship Participant Handbook to review. The apprentice and/or guardian will then sign a receipt acknowledging they have received this information.
- Part B of the Appendix B will be completed and signed by AFES to include the number of hours determined for the apprenticeship, credit for previous experience, term remaining in hours, date apprenticeship to begin, and wages.
- Appendix B will then be entered into the DOL-RAPIDS system by AFES within 45 days of execution of apprenticeship agreement. Once approved by DOL (via electronic signature), a printed copy will be filed in the AFES records.
- DOL will be notified within 45 days of any suspensions for any reason, reinstatements, extensions, cancellations, or completions with explanation of cause.
- All information from Appendix B will be entered into the AFES internal database for tracking purposes.
- Apprentice information will also be added to the Student Tracking Form for DHEWD reporting and billing.
- Grant registration forms and other paperwork will be sent to the appropriate parties if not already done in the pre-apprenticeship stage.
- AFES will complete and date the tracking sheet that all above has been completed and it will be filed in the apprentice's electronic folder, along with the Appendix B, copy of ISP, and all assessment paperwork.

Apprenticeship Step Seven

APPRENTICESHIP JOB SHADOWING/LAB into OJT: (AFES JD or JC and Adm Asst)

- Once lab/job shadowing begins at the employer's worksite, the AFES Adm Assist will bill Voc Rehab for the "PREAPPRNT" milestone, which will include a completed & signed AFES Employment Plan as backup documentation.
- Once lab/job shadowing begins at the employer's worksite without a job coach, the "Daily Attendance and Training Log for Lab/Job Shadowing" will be completed on a monthly basis and submitted to the AFES Adm Assistant for entry into the database. RTI Job Shadowing at the employer's worksite is paid at the discretion of the employer.
- Once lab/job shadowing begins at the employer's worksite with a job coach, the "Apprenticeship Daily Job Supports Log" will be completed on a monthly basis and submitted to the Job Developer for use in preparing the "Apprenticeship Monthly Job Supports Report." Both the Daily and the Monthly will be submitted to the AFES Adm Assistant for use as backup documentation in billing for services to VR.
- Once the apprentice has completed all required RTI training (minimum 144 hours), they will then transition to on-the-job training (OJT) at the participating employer's location to receive an hourly wage (if not already being paid by the employer).
- After 30 days on the job without job supports, the AFES JD will create a *Monthly Progress Report* and submit to the Adm Assistant for invoicing the 30-Day retention milestone. JD will notify the VRC when job coaching is complete.
- After 90 days on the job without job supports, the AFES JD will create the *Employment Verification* form and submit to the Adm Assistant for invoicing the 90-Day retention milestone. Once all parties agree this was a successful placement, the VR case can be closed.
- AFES will continue to track hours and wages until graduation and/or termination via the "Quarterly Apprentice Performance Review" which will be sent to the employer by the AFES Adm Assistant every 90 days through graduation, as well as 90 days beyond graduation for additional follow up.

Apprenticeship Step Eight

GRADUATION:

- Upon satisfactory completion of the requirements of the apprenticeship program, each apprentice's file will undergo an internal audit to ensure proper documentation, which can be requested by DOL at any time and must be kept for five (5) years from the date of last action.
- AFES will certify that all requirements have been met via the RAPIDS system. RAPIDS will be updated to change status to "completion" and a request will be made for the "Certificate of Completion of Apprenticeship" which will then be awarded to the apprentice.
- A copy of this certificate will be provided to the employer, as well as filed in the apprentice's electronic folder in the AFES office.

Apprenticeship Step Nine

SATISFACTION SURVEYS: (AFES ADM ASSISTANT)

- Satisfaction surveys will be sent out when someone leaves a program or at least annually to apprentices and/or guardians, employers, internal staff, and partners (i.e., DHEWD, DOL) for feedback on how AFES staff and processes are performing.
- Data from these surveys will be filed internally for tracking purposes.

Created: 08/2018

Revised: 10/2018, 11/2018, 01/2019, 04/2019, 04/2020, 6/2020

Grant Name: AppUSA, ASE Ozark AFES Project Period of Performance: July 1, 2020-December 31, 2020 Report Due: Within 15 days of each month end *Information provided in this report is used to report RA activity for the various apprenticeship expansion grant efforts	
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Participant Name		Age of Apprentice	Gender	Disability Status	Veteran Status	Ethnicity: Hispanic or Latino	Race Record Applicable # per Participant	Education Level Record Applicable # per Participant	Program Type	Employment Status for RA Apprentices		
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[illegible]

	Record the different services being provided below. Success Coaching will be recorded under 'Other'.					If an apprentice is receiving services funded through: -Grant, mark Other -Trade, mark Other -WIOA Dislocated Worker, indicate respective service below All Apprentices should be enrolled in Title III/Wagner-Peyser															
Occupational ONET Code	Program Details What Service(s) is Being Directly Funded for the Participant					Leveraged Resources Record if any other partners are being leveraged to fund and/or provide services							Apprentice's Employer of Record	Apprentice's Starting Wage	Apprentice RAPIDS Registration Date	Apprentice Training Start Date	Projected End Date	Actual End Date	Completed Program?	Employed at Program End?	Occupation at Program End
www.onetonline.org	Pre-Apprenticeship	OJT	RTI	Supportive Services	Other Describe in Notes	WIOA OJT	WIOA RTI	WIOA Supportive Services	Title II ABE	Title III WP	Title IV (VR)	Other Describe in Notes			Enter the date the apprentice was registered in RAPIDS	mm/dd/yyyy	mm/dd/yyyy	mm/dd/yyyy	mm/dd/yyyy	Y/N	
49-3023.00		X	X									X	General Motors	\$ 23.00	3/1/2019	3/1/2019	3/1/2020				

[illegible]

Enter credential information and the date earned. All credentials meeting WIOA criteria is to be entered on the WIOA Application in MoJobs.

Enter any other RA milestones and dates earned.

[illegible]

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
008

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
24110	21	28110	416020	000000	00000	\$ 40,000	Missouri Department of Higher Education and Workforce Development
Net Revenue Adjustment						\$ 40,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
24110	21	28110	500110	000000	00000	\$ 4,000	Administrative costs
24110	21	28210	502645	000000	00000	36,000	Tuition
Net Expenditure Adjustment						\$ 40,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2020-21 budget by appropriating grant funding from the Missouri Department of Higher Education and Workforce Development for Abilities First Employment Services to fund job and skills training for ten apprentices.

Requested By:

Sally Payne 8/18/20
Department Head Date

Approved By:

D. J. Hill 8/18/20
Director of Finance Date

Authorization:

Council Bill No. 2020-197
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

34 Section 3 – City Council finds that the budget adjustment made above has been
35 recommended by the City Manager.
36

37 Section 4 – The City Manager is directed to cause the appropriate accounting
38 entries to be made in the books and records of the City. In the event additional funding
39 is provided under this grant by the grantor, the Director of Finance is hereby authorized
40 to adjust this appropriation by an amount not to exceed 20 percent.
41

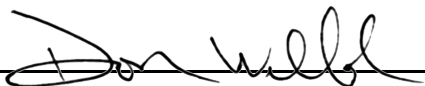
42 Section 5 – City Council hereby finds and declares this Ordinance relates to the
43 acceptance of a grant from a state or federal agency and pursuant to Section 2.16(25)
44 of the City Charter, this Ordinance requires one reading. Therefore, this Ordinance shall
45 be in full force and effect from and after passage.
46

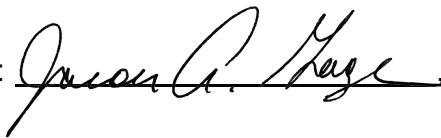
47 Passed at meeting: _____
48

49 _____
50 Mayor
51

52 Attest: _____, City Clerk
53

54 Filed as Ordinance: _____
55

56
57 Approved as to form:  _____, Assistant City Attorney
58

59
60 Approved for Council action:  _____, City Manager

EXPLANATION TO COUNCIL BILL 2020- 198

FILED: 08-18-20

ORIGINATING DEPARTMENT: Workforce Development.

PURPOSE: Authorizing the City Manager, or his designee, to accept National Dislocated Worker Grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$240,163.00 to fund job and skills training; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$240,163.00 to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

BACKGROUND INFORMATION:

In connection with Governor Mike Parson's "Show Me Strong" recovery plan, the Missouri Department of Higher Education and Workforce Development launched its Return Strong campaign to help assist with economic recovery efforts from COVID-19. The campaign's focus is to help Missourians skill up and get back to work, and to safely and responsibly reopen Missouri's public workforce system.

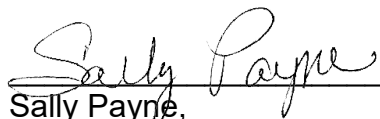
As part of the Return Strong Initiative, the Department of Higher Education and Workforce Development received a National Dislocated Worker Grant and allocated \$1,200,815.00 to the State of Missouri for COVID-19 related employment and training funding. This allocation was then split between each specific region based on their actual Fiscal Year 19/20 spending of WIOA Dislocated Worker Formula Funds.

The Ozark Region was awarded \$240,163.00 with the period of performance beginning April 1, 2020, to be expended by June 30, 2022, that will provide training for jobs in COVID-19 related and/or humanitarian disaster-relief fields that are considered essential during the pandemic such as positions in transportation, delivery, and information technology.

REMARKS:

After approval by City Council, this request will be sent through the approval process of the Ozark Region Workforce Development Board.

Submitted by:



Sally Payne,
Interim Director of Workforce Development

Approved by:



Jason Gage,
City Manager

SUB AWARD NUMBER: 10-08-08-20 PROJECT: COVID NATIONAL DISLOCATED WORKER

SUB AWARD MODIFICATION NO. 0 PERIOD OF PERFORMANCE

FEDERAL AWARDDING AGENCY: U.S. DEPARTMENT OF LABOR **Start Date** 04/01/2020 **End Date** 06/30/2022 Page 1

GRANT NUMBER: DW-34827-20-60-A-29 R & D CAP ICR% De Minimis

FEDERAL AWARD DATE: 04/01/2020 ☐ ☐ 11.070000 ☐

TOTAL AWARD AMOUNT: \$240,163.00

SUBRECIPIENT ID: 006852255

SUBRECIPIENT:

CITY OF SPRINGFIELD DEPARTMENT OF FINANCE
2900 EAST SUNSHINE
SPRINGFIELD, MO 65804

ISSUED BY:

MISSOURI DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE
DEVELOPMENT
301 WEST HIGH STREET, SUITE 870
P.O. BOX 1087
JEFFERSON CITY, MISSOURI 65102-1087

DESCRIPTION

Must comply with the PY20 Workforce Innovation and Opportunity Act (WIOA) Annual Agreement.
Must comply with WIOA rules and regulations and all applicable state and federal rules and regulations.
Must comply with the project scope of work.
Must comply with 2 CFR Part 200 and 2 CFR Part 2900.

ACTION

To award funds for the period of April 1, 2020 through June 30, 2022.

YEAR	CFDA	PROGRAM ACCOUNT ID	AVAILABLE DATE	CURRENT LEVEL	MODIFICATION LEVEL	NEW LEVEL
PY20	17.277	WIOA NATIONAL DISLOCATED WORKER GRANTS/WIA NATIONAL EMERGENCY GRANTS	04/01/2020	\$0.00	\$240,163.00	\$240,163.00

TOTAL FUND AVAILABILITY

CURRENT LEVEL TOTAL	MODIFICATION LEVEL TOTAL	NEW LEVEL TOTAL
\$0.00	\$240,163.00	\$240,163.00
PROJECT CODE: 435		

Except as modified, all terms and conditions of said sub award/agreement remain unchanged and in full effect.



Mardy Leathers

Date Signed
07/28/2020

SCOPE OF WORK
CITY OF SPRINGFIELD DEPARTMENT OF WORKFORCE DEVELOPMENT ON BEHALF OF THE OZARK
WORKFORCE DEVELOPMENT BOARD OF SPRINGFIELD
COVID NATIONAL DISLOCATED WORKER GRANT
APRIL 1, 2020 THROUGH JUNE 30, 2022

The Office of Workforce Development (OWD) of the Department of Higher Education and Workforce Development (DHEWD) is making two hundred forty thousand, one hundred sixty-three dollars and zero cents (\$240,163.00) of Workforce Innovation and Opportunity Act (WIOA) National Dislocated Worker Grant (NDWG) funds available to the City of Springfield Department of Workforce Development on behalf of the Ozark Workforce Development Board of Springfield.

For the purposes of this Scope of Work, the City of Springfield Department of Workforce Development on behalf of the Ozark Workforce Development Board of Springfield shall be the Subrecipient and COVID NDWG shall be the Project. This Scope of Work serves to identify the responsibilities of the Subrecipient to receive funds through OWD.

1. No funds from this Project shall be expended before April 1, 2020 or after June 30, 2022 without prior written approval from OWD.
2. The Subrecipient must not change or modify the Project Scope of Work or budget (Attachment 1) without the prior written approval from OWD. Any budget or program adjustment modification must be provided to OWD and approved by OWD in writing. The following limitations must be adhered to when requesting a budget modification:
 - a. The total administration charges must not exceed ten percent (10%) of the total budget.
 - b. Planned and final budgets must not exceed an overall average of twenty thousand dollars and zero cents (\$20,000.00) per participant.
3. Expenditures reported may not exceed the budget line items by greater than ten percent (10%) of the total budget. Line item transfers require advanced approval from OWD. Failure to comply may result in disallowances.
4. The Subrecipient is required to establish a process that allows for reimbursement for budgetary expenses and directs payment upon that agreed process.
5. The Subrecipient shall maintain the appropriate documentation to verify participant funding eligibility and provide to OWD upon request. This documentation must be maintained for a period of no less than five (5) years after the participant exits the program or five (5) years after the final expenditure report. Please refer to the current OWD records retention policy.
6. These funds are exclusively for the COVID NDWG Project. Standard rules and policies regarding Wagner-Peyser, Dislocated Worker Grant, and WIOA Dislocated Worker (if applicable) eligibility, registration and documentation apply to the use of these funds.
7. The Subrecipient must follow the requirements outlined in the COVID NDWG Policy and Procedures manual available at: <https://jobs.mo.gov/dwdprograms#COVID19NDWG>.

8. Individuals eligible to receive services through this Project must be one of the following:
 - a. temporarily or permanently laid off as a consequence of the COVID-19 pandemic;
 - b. a dislocated worker as defined in WIOA Section 3(15), see OWD Issuance 8-2018;
 - c. a long-term unemployed individual; as defined in the COVID NDWG policy and procedures manual; or
 - d. a self-employed individual who became unemployed or significantly underemployed as a result of the pandemic.
9. The Subrecipient shall utilize these funds to serve at least seventeen (17) eligible individuals in the Project overall. Subrecipient is expected to minimally serve:
 - a. five (5) eligible individuals in disaster-relief employment only;
 - b. two (2) eligible individuals in disaster-relief employment and career and training services;
 - c. ten (10) eligible individuals in career and training services only.
10. The Subrecipient shall utilize these funds for the purpose of paying costs associated with participants in temporary employment, to include wages, fringe benefits, and employment screenings, and other employment-related costs as required. These individuals must have e-verify completed within three (3) calendar days of date of hire. It is allowable for the Subrecipient to procure a staffing agency or use a subrecipient to serve as the employer of record.
11. Project requires co-enrollment into WIOA Dislocated Worker on all eligible participants. Subrecipient may utilize its WIOA Dislocated Worker formula funds to pay for classroom training or work-based learning, but it cannot use its formula funds for the disaster-relief temporary employment participant costs per 20 CFR §682.350(2).
12. This Project will provide career services; training services, including work-based learning training services; supportive services; and clean-up/recovery and humanitarian disaster-relief temporary employment. Supportive services must follow the policy provided in the COVID NDWG Policy and Procedures manual.
 - a. temporary employment positions cannot exceed twelve (12) months, or two thousand, eighty (2,080) hours in length, whichever comes first. The Subrecipient shall be held responsible if any participant works past these duration limits.
 - b. temporary employment participants shall be paid the same wages for employees at the worksite, as stated on the worksite agreement.
 - c. individuals enrolled in classroom training, work-based learning, or career services, must follow all state and local policies established.
13. Project participants can receive disaster-relief employment only, disaster-relief employment and career and training services both, or only career and training services, as outlined in the COVID NDWG Policy and Procedures manual. These services must be documented in the case management system at the time they were provided.

14. The Subrecipient shall ensure all participants are properly enrolled in the State's electronic case management system. Enrollments shall include:
 - a. Wagner-Peyser (WP);
 - b. WIOA Dislocated Worker, if eligible;
 - c. COVID NDWG;
 - d. Assessment and Employment Plan as required for WIOA participation; and
 - e. Supporting case notes per OWD Issuance 02-2017.
15. The Subrecipient must:
 - a. adhere to all guidelines identified in the COVID NDWG Policy and Procedures manual;
 - b. identify worksites;
 - c. provide on-going enrollment of additional participants;
 - d. ensure individuals are registered in MoJobs;
 - e. conduct one hundred percent (100%) monitoring of all participant files; and
 - f. perform monthly worksite monitoring during the course of the Project, utilizing the Worksite On-Site Monitoring form available at: <https://jobs.mo.gov/dwdprograms>.
16. Participants who are determined unable to complete the program or have not located employment once the program is completed will be referred to the closest Job Center for access to and evaluation for other workforce system services.
17. The Subrecipient is required to receive access and training to enter required documentation into OWD's electronic case management system. This will include:
 - a. Participant eligibility (on or before training begins);
 - b. Individual services received;
 - c. Credentials, as applicable;
 - d. Measurable Skill Gains, as applicable;
 - e. Service Outcomes;
 - f. Entered Employment Information; and
 - g. Case Notes.
18. The Subrecipient must follow up with Project participants, at minimum, on a monthly basis and in accordance with the OWD Statewide Case Note Policy to ensure they are following through with their program activities.
19. The Subrecipient must follow up with the participant for up to one year after the participant exits the program, regardless of the Project end date, in order to report retention requirements for performance.
20. The Subrecipient must be prepared for and comply with compliance monitoring initiated at the local, state or Federal level to ensure the project objectives outlined in this Scope of Work are met.

21. The Subrecipient must submit a quarterly narrative report to OWD within fifteen (15) days of the quarter end. The quarterly narrative report template is available online at <https://jobs.mo.gov/dwdprograms>.
22. The Subrecipient must submit a monthly report to OWD by the fifteenth (15th) of the month following the end of each calendar month (i.e. August report would be due September 15th).
 - I. In the event program participants have not been served or enrolled at the time of the reporting, the Subrecipient must provide an explanation and provide Project progress to date. Failure to meet obligations of the Project may result in de-obligation of funds.
 - II. Each report must include, at minimum, the total number of participants who:
 - a. Number enrolled;
 - b. Number enrolled in disaster-relief employment only;
 - c. Number enrolled in career and training services only;
 - d. Number enrolled in both disaster-relief employment and career and training services;
 - e. Number enrolled in training, per category (Classroom Occupation Skills Training, On-the-Job-Training, and/or Registered Apprenticeship);
 - f. Received supportive services;
 - g. Completed grant services;
 - h. Entered unsubsidized employment; and
 - i. Received a credential or measurable skill gains.
 - III. Reports must be submitted electronically via email to Karla Houchins, OWD Central Office, at Karla.Houchins@dhewd.mo.gov or by mail to:

Office of Workforce Development
Karla Houchins, Grant Coordinator
P.O. Box 1087
Jefferson City, MO 65102-1087
23. Current OWD policies are available at <https://jobs.mo.gov/dwdissuances>.
24. Subrecipient must comply with the Annual Agreement in regards to payment and reporting requirements. Contact the [DHEWD Financial Help Desk](#) to request access to the DHEWD's Financial Reporting System (FRS). **All expenditures must be reported on an accrual basis.**
25. Attachment(s):

1 – Budget

Project: COVID-19 Humanitarian National Dislocated Worker Grant

	Budget	Narrative
Administrative Costs:		
Admin	\$ 16,619	Salaries
Admin Indirect	\$ 2,562	Office supplies, equipment, communications, repairs and maintenance
Administrative Costs Subtotal:	\$ 19,181	
Program Costs:		
Personnel (LWBD personnel)	\$ 30,951	Salaries and wages for program staff; 3 employees for 24 months, at part-time
Fringe Benefits (LWDB fringe)	\$ 10,952	<i>Fringe rates vary. Approx totals: 15.7% for retirement, 7.65% for FICA/Medicare, health insurance is ~11.5%, and work comp is ~.5%</i>
Travel	\$ -	
Equipment	\$ -	
Supplies		
Contractual	\$ -	
Construction	\$ -	N/A
Other		
Training Expenditures	\$ 50,000.00	<i>ITA expenditures for eligible COT training in logistics, healthcare, IT, and manufacturing.</i>
Participant Wages, Taxes, & Insurance	\$ 117,780	<i>Participant wages and fringe, paid through Penmac, staffing agency.</i>
Supportive Services	\$ 4,621	<i>Available participant supportive services, as allowable under the grant manual.</i>
Pre-employment	\$ 70	Pre-employment screenings
Facilities, Communication & Other expenses	\$ -	
Indirect Charges	\$ 6,608	Office supplies, equipment, communications, repairs and maintenance
Program Costs Subtotal:	\$ 220,981	
Total Budget:	\$ 240,163	

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
009

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
24100	21	28110	416010	000000	00000	\$ 240,163	Missouri Department of Higher Education and Workforce Development
Net Revenue Adjustment						\$ 240,163	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
24100	21	28110	500110	000000	00000	\$ 19,081	Administrative costs
24100	21	28210	500110	000000	00000	30,951	Payroll
24100	21	28210	500280	000000	00000	10,952	Fringe
24100	21	28210	501220	000000	00000	3,423	Computers and Printers
24100	21	28210	501240	000000	00000	1,356	Office Supplies
24100	21	28210	502550	000000	00000	174,399	Other Professional Services
Net Expenditure Adjustment						\$ 240,163	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2020-21 budget by appropriating grant funding from the Missouri Department of Higher Education and Workforce Development for the Return Strong Initiative for COVID-19 related employment training.

Requested By:

Sally Payne 8/18/20
Department Head Date

Approved By:

DD Hill 8/18/20
Director of Finance Date

Authorization:

Council Bill No. 2020-198
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 177
Filed: 08-04-20

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020- 187

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning
2 map and rules for interpretation,' by rezoning 4.2 acres of property,
3 generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue
4 from R-SF, Single-family Residential, GR, General Retail, and LB, Limited
5 Business District to Planned Development No. 374; and adopting an
6 updated Official Zoning Map. (Planning and Zoning Commission and Staff
7 recommend approval.)
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue, which is
12 more fully described on "Exhibit A," from R-SF, Single-family Residential, GR, General
13 Retail, and LB, Limited Business District to Planned Development No. 374; and
14

15 WHEREAS, following proper notice, a public hearing was held before the
16 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
17 hearing being attached hereto as "Exhibit B" and incorporated herein by this reference,
18 and said Commission made its recommendation; and
19

20 WHEREAS, the City has reviewed the applicant's request and prepared a staff
21 report concerning the application which is attached hereto as "Exhibit C;" and
22

23 WHEREAS, proper notice was given of a public hearing before City Council, and
24 said hearing was held in accordance with law.
25

26 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
27 SPRINGFIELD, MISSOURI, as follows, that:
28

29 Section 1 – The property described in "Exhibit A" of this Ordinance, which is
30 attached hereto and incorporated herein by this reference, is hereby rezoned from R-
31 SF, Single-family Residential, GR, General Retail, and LB, Limited Business District, or
32 such zoning districts as are designated on the official zoning map adopted by City
33 Council, to Planned Development No. 374; and the Springfield Land Development

Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed and modified accordingly.

Section 2 – The property described in “Exhibit A” of this Ordinance shall be subject to the requirements and standards described in “Exhibit C – Exhibit 1,” which is attached hereto and incorporated herein by this reference, and these requirements, standards, and design shall govern and control the use and development of the land hereby rezoned to Planned Development No. 374.

Section 3 – City Council hereby directs the City Manager, or his designee, to update the City's digital zoning map to reflect this rezoning, and City Council adopts the map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in the Springfield Land Development Code, Section 36-306, 'Official zoning maps and rules of interpretation.'

Section 4 – The Official Zoning Map herein adopted shall be maintained and archived in the same digital form in which this Council has approved its adoption.

Section 5 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Kyle T. [Signature], Assistant City Attorney

Approved for Council action: Jason A. [Signature], City Manager

EXPLANATION TO COUNCIL BILL 2020 –187

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Amending the Springfield Land Development Code Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail and LB, Limited Business District to Planned Development No. 374. (Planning and Zoning Commission and Staff recommend approval.)

BACKGROUND INFORMATION: PLANNED DEVELOPMENT DISTRICT NO. 374

The applicant is proposing to rezone approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-Family Residential, GR, General Retail and LB, Limited Business District to Planned Development No. 374. If approved, the applicant plans a mixed-use development with two new multi-family residential buildings and four existing buildings for continued commercial use as shown on their site plan.

The applicant is proposing a planned development district in response to concerns from the community during their rezoning request in 2018. The intent of the planned development (PD) district is to encourage more creative and imaginative design than generally is possible under conventional zoning regulations. The applicant/developer is proposing a unique mixed-use development that will include preserving 4 existing commercial structures.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 16, 2020, and recommended to approve the proposed Planned Development No. 374, by a vote of 7 to 1.

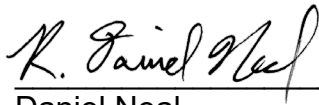
The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed Planned Development 374 is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies the south portion of the property as appropriate for Medium intensity retail, office or housing and the north portion of property as appropriate for low-density housing. The Major Thoroughfare Plan classifies Lone Pine Ave as a Secondary Arterial roadway.

2. The subject property is within the Galloway Redevelopment Policy Area Recommendations for the South Lone Pine Avenue corridor between Battlefield and Republic Roads. These recommendations serve as the policy for development in the area and are to be used in reviewing applications for zoning changes. Staff has reviewed the applicant's submittal with the Galloway Recommendations and believes that the applicable recommendations have been addressed (Attachment 3).
3. The Revised Multi-Family Development Location and Design Guidelines assessment resulted in a density of 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre.
4. The proposed Planned Development is proposing to preserve the existing structures (Treadway Building, Purple Shamrock and Sequiota Bike Shop) located at 3521, 3527 and 3535 S. Lone Pine Avenue to preserve and rehabilitate following the Secretary of Interior's Standards for Rehabilitation and minimum maintenance requirements.
5. Approval of this application will facilitate redevelopment of this property and promote infill development where investments have already been made in public services and infrastructure.

Submitted by:



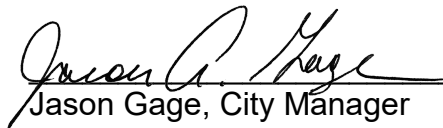
Daniel Neal
Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Jason Gage, City Manager

Exhibit A, Legal Description
Exhibit B, Record of Proceedings
Exhibit C, Development Review Staff Report

Attachment 1, Department Comments
Attachment 2, Multi-Family Development Location and Design Guideline Assessment
Planned Development 374
Attachment 3, Galloway Recommendations Planned Development 374
Attachment 4, Neighborhood Notification and Meeting Summary
Attachment 5, Neighborhood Comments

PLANNED DEVELOPMENT 374 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text
Exhibit 2, Preliminary Development Site Plan
Exhibit 3, Preliminary Architectural Site Plan
Exhibit 4, Preliminary Architectural Elevations
Exhibit 5, Preliminary Grading Plan
Exhibit 6, Preliminary Landscape Plan
Exhibit 7, Landscaping Notes and Specifications
Exhibit 8, Stream Buffer Plan
Exhibit 9, Recreational Area Plan
Exhibit 10, Site and Landscape Design Narrative
Exhibit 11, Engineering Report
Exhibit 12, Boundary & Topographic Survey
Exhibit 13, Concept Design

Exhibit A

**LEGAL DESCRIPTION
PLANNED DEVELOPMENT 374**

Deed Book 2018, Page 44946-18

Tract I: Beginning 316 feet North and 330 feet East of the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21), which is the Northeast corner of J.H. Ellison Tract; thence West 100 feet; thence North 50 feet; thence East 100 feet; thence South to the Point of Beginning, in Greene County, Missouri.

Tract II: Commencing at the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21); thence North 316 feet, more or less, to the Northwest corner of the Ellison Tract for a second Beginning Point; thence East along the North line of the Ellison Tract, 236.7 feet; thence North 136 feet; thence East 100 feet to the West Right-of-Way line of Highway 65; thence North along the West Right-of-Way line of said Highway 65, a distance of 259 feet; thence West 353.5 feet to the West line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9); thence South to the second Point of Beginning, all in the City of Springfield, Greene County, Missouri.

Tract III: Beginning 366 feet North and 330 feet East of the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21); thence West 100 feet; thence North 86 feet; thence East 100 feet; thence South 86 feet to the Point of Beginning, in Springfield, Greene County, Missouri.

Deed Book 2018, Page 44951-18

Commencing at the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Twenty-Eight (28) North, Range Twenty-One (21) West; thence N00°36'45"E along the West line of the said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), a distance of 175.15 feet to an iron pin set for a Point of Beginning; thence continuing N00°36'45"E along the said West line, a distance of 141.23 feet to an existing iron pin; thence S87°41'55"E, a distance of 337.60 feet to an iron pin set on the West Right-of-Way line of Lone Pine Avenue, as it now exists; thence S02°51'18"W along the said West Right-of-Way line, a distance of 149.11 feet to a PK Nail set; thence N86°79'47"W, a distance of 332.09 feet to the Point of Beginning; all in the City of Springfield, Greene County, Missouri. Bearings are based on the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) as being N00°36'45"E.

Subject to Easement:

Commencing at the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Nine (9), Township Twenty-Eight (28) North, Range Twenty-One (21) West; thence N00°36'45"E along the West line of the said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), a distance of 175.15 feet; thence S86°19'47"E, a distance of 178.98 feet for a Point of Beginning; thence N03°40'13"W, a distance of 7.5 feet; thence S86°19'47"E, a distance of 153.00 feet to a point on the West Right-of-Way line of Lone Pine Avenue, as it now exists; thence S02°52'18"W along the said

West Right-of-Way line, a distance of 7.5 feet; thence N86°19'47"W, a distance of 153.11 feet to the Point of Beginning, all in the City of Springfield, Greene County, Missouri.

Exhibit B

RECORD OF PROCEEDINGS PLANNED DEVELOPMENT 374 Planning and Zoning Commission – July 16, 2020

Planned Development 374
3503, 3521, 3527, & 3535 South Lone Pine Avenue
Applicant: Elevation Enterprises, LLC

Mr. Hosmer stated that this is a request rezone approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from a R-SF, Single-family Residential and LB, Limited Business District and GR, General Retail District to Planned Development 374. The proposed Planned Development 374 is consistent with the Comprehensive Plan which identifies the south portion of the property as appropriate for medium intensity retail, office or housing and the north portion of property as appropriate for low-density housing. The property to the north has been zoned to a Planned Development for office/medical uses. The Transportation Plan classifies Lone Pine as a Secondary Arterial roadway. The Galloway Creek Greenway Trail and Sequiota Park entrance are across Lone Pine to the east of the property. The property is not in a FEMA floodplain. A fee in lieu of on-site stormwater detention will not be allowed. The property is located in a stream buffer area and a stream buffer easement is being granted by the owner (21,000 sf). The subject property is within the Galloway Redevelopment Policy Area (accepted by City Council October 21, 2019). Galloway Redevelopment Policy Area Recommendations Vision Statement, states that... "The Lone Pine corridor will be welcoming for living and commerce. It will emphasize use of human-scale design components typically embodied in a village environment. This includes high-quality development with distinctive architectural features that respect the area's historic context, sensitive to the surrounding developments, in harmony with nature, built into the topography, beautifully landscaped, colorful and offering many common areas for recreation and socializing. The corridor will continue to be a pedestrian-friendly environment where people can easily walk, bicycle, and drive. Private development will emphasize diverse small retail and service businesses, while employing best practices to protect the area's natural resources and amenities, particularly Galloway Creek, Sequiota Park, and the tree canopy." The surrounding uses to the north (PD 264) allow up to 10,000 sf for medical and general office uses, to the south allows for general retail uses (multi-family) and to the west allows for single family/church uses. The proposed Planned Development is for a mixed-use development of multi-family and commercial uses (max 12,000 sf.). The Multi-Family Guidelines assessment resulted in a density of 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre (proposed development is only for 23 du/ac or 100 units). The PD will preserve the existing Treadway Store, Purple Shamrock and Sequiota Bike Shop historic buildings and the applicant has agreed to follow the U.S. Secretary of Interior's Standards for rehabilitation and maintenance. The PD will restrict building heights to 45 feet within 60 feet of Lone Pine and a 60-foot max for other areas or a 45-degree bulk plane adjacent to R-SF (GR has no height restriction but does have 45-degree bulk plane from R-SF). A "Type C" bufferyard adjacent to R-SF to west (minimum of 15 feet wide with plantings). The PD is required to preserve all existing trees of 6" caliper or greater per site plan or replace with 2-inch caliper trees for at least 7 trees per acre. The PD is proposing similar uses per the GR, General Retail District and densities similar to the R-LD/R-MD Multi-Family Districts. GR has no density requirements. Amenities – The development will have a swimming pool, exercise room and resident clubhouse as shown on the site plan. The PD will require sidewalks to be built along Lone Pine per the site plan. The PD requires that Lone Pine Avenue be widened (5') for a northbound left-turn lane to the southern-most entrance to the development and a northbound left-turn lane of a minimum of 150-feet, no further than the

railroad right-of-way OR a Traffic Impact Study is approved by the Public Works Department. Staff recommends approval.

Joel Thomas questioned about the Planned Development 264 to the north and asked what the bulk plain requirements were.

Mr. Hosmer was not sure at this time but believes it refers back to the code.

Mr. Doennig opened the public hearing.

Mr. Brent Stevens, representative of the owner and has a passion to develop Galloway and the enhancement of the area and is adopting the Galloway policy and is working with City staff and gave a brief overview.

Mr. Ryan Phillips, representative of the owner and states that they believe they are keeping within the feel of the area and will reuse the existing current buildings for a village feel of the area and enhanced streetscaping.

Ms. Jane Earnhart, representative of the owner, worked on the site design for a natural environment and will protect and preserve the stream buffer, terrain and maintain a majority of trees. The focus of the site design is public safety and the environment (tree canopy) and will have traffic calming on Lone Pine with open space with pervious areas.

Mr. Mitchell Jenkins, owner have used the Galloway policy to make any decisions and believes that it is a vision of a diverse community and creates additional tax revenue for the city.

Mr. Steven Bowen, 3811 S. Weller Avenue (Sam Coryell), has a vested interest in Galloway and questions if this fits the fabric of the community and the buildings along Lone Pine need to adhere to part of community.

Mr. King Coltrin what would they need to meet the fabric of the land.

Mr. Bowen does believe it may meet that fabric of the community but want whatever goes forward to meet those requirements.

Mr. Bryan Bevel, citizen has different view and believes this is a positive for the area and that the developers have listened to the concerns of the neighborhood.

Mr. Matt O'Reilly citizen stated that 24 du/ac is above the design guidelines requirements and is 25% higher than the Township 28 and more than double the 12 du/ac at Quarry Town. He went through information on dwelling units per acre and went over the height/evaluations of the buildings as well as removing a majority of the trees.

Ms. Cristina Bustamante, citizen went over dwelling units per acre and height of the proposed building and believes it exceeds the requirements of the design guidelines and went over the possible financial problems these building may have fiscally.

Mr. Joel Thomas asked for clarification on the rate of square foot.

Ms. Bustamante noted that market rates are 1.25 per square foot on multi-family.

Ms. Marcie Kirkup, citizen and president of the Galloway Neighborhood and believes it does not meet the Galloway policy of incompatible land uses, safety and traffic. She also noted that unknown damage to the park and waterways and needs more investigation on the waterway/neighborhood and traffic and is not opposed to future development.

Mr. Greg Horton, citizen wants the Galloway project and believes it will bring construction jobs and future amenities to the area.

Ms. Melanie Bach, citizen voiced her concerns for traffic issues and noted that the buildings that he wants to reuse/renovate were active businesses before they were sold to Mr. Jenkins.

Mr. Chad Cook, citizen believes the demand for more development and stated that Mr. Jenkins made numerous concessions to accommodate the neighbors and believes the project will continue the village feel and bring businesses.

Ms. Wendy Huscher, citizen expressed her concern for the development and went over all the obstacles they had in order to develop their photograph studio and is not opposed to development, just this development project.

Ms. Anne Baker, citizen 2240 South Lone Pine and owner of the Sequiota Bike Shop and believes Mr. Jenkins has worked with the neighbors and the design team to get a unique development.

Ms. Amy Haymes, citizen voice her concerns on the possible increase in traffic and that people would use the easement across her property to get to the proposed new development and that raises safety concerns.

Mr. Brandon Biskup, developer believes this is an appropriate scale of development along Lone Pine and went over the retaining wall height and believes this increases neighborhood walkability and an asset to the community.

Mr. Doennig closed the public hearing.

Ms. Melissa Cox asked about the monolith appearance and the 4th story buildings in the Galloway Policy.

Mr. Hosmer stated that the developers worked with City staff to meet the guidelines/policies of the Comp Plan and the Galloway Policy including the preservation of the trees and historic structures.

Mr. Joel Thomas noted that the buildings are very close to Lone Pine Avenue and if there are any future plans to widen Lone Pine.

Mr. Hosmer noted that there will be 5' of right-of-way for left turn lanes.

Mr. Derek Estell, Public Works there are dedicating additional ROW along Lone Pine for a total of 70' width

Mr. King asked when the improvements are scheduled.

Mr. Estell the ROW acquisition may be 6 to 12 months and noted the round-about to decrease traffic speed.

Ms. Cox confirmed about the round-about at Lone Pine and Galloway and voiced her concern on traffic (turn lanes) and for the 4-story buildings and that it is hard to vision but will vote in favor of the development.

Mr. Coltrin noted that the developer has made big improvements and advancement in the designs from 2018.

Ms. Broekhoven voiced her concerns about the development not sharing the same low density along the corridor and will be voting no.

Mr. Jobe noted that he is sensitive to the concerns of the neighbors, but believes the development is in line with the guidelines and will be in support.

COMMISSION ACTION:

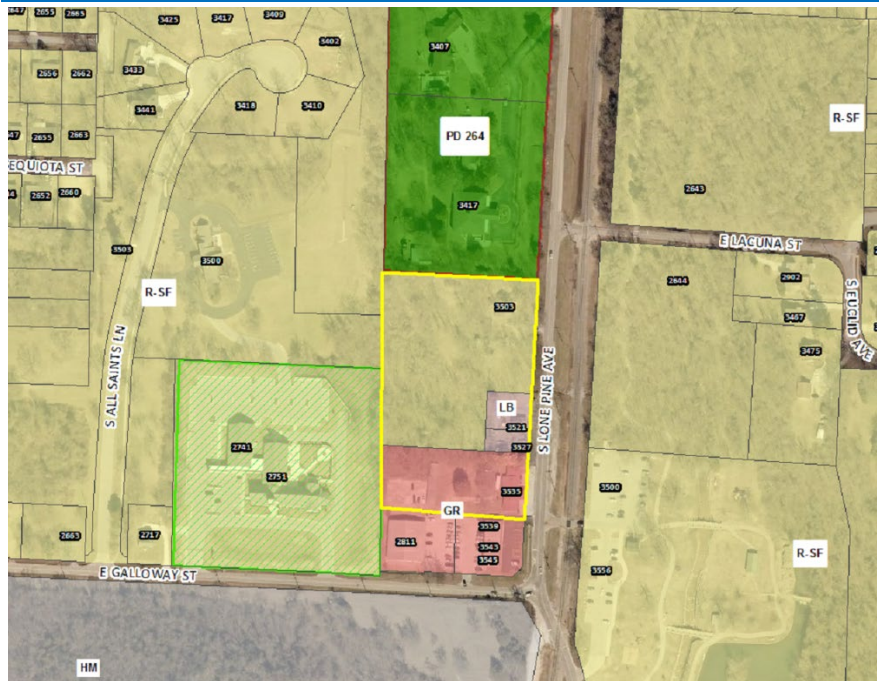
Ms. Cox motioned to **approve** item Planned Development 374 (3503, 3521, 3527, & 3535 South Lone Pine Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Jobe, Thomas, and Rose. Nays: Broekhoven. Abstain: None. Absent: Shuler.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', is written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

Exhibit C

PLANNING AND ZONING COMMISSION PUBLIC HEARING: CITY COUNCIL PUBLIC HEARING:



July 16, 2020

August 10, 2020

CASE: Planned Development 374

ACRES: Approximately 4.2 acres

LOCATION: 3503, 3521, 3527, and 3535 South Lone Pine Avenue

EXISTING LAND USE: Single-family and commercial uses

APPLICANT: Elevation Enterprises, LLC

STAFF: Daniel Neal, Senior Planner
417-864-1036

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail and LB, Limited Business District to Planned Development No. 374.

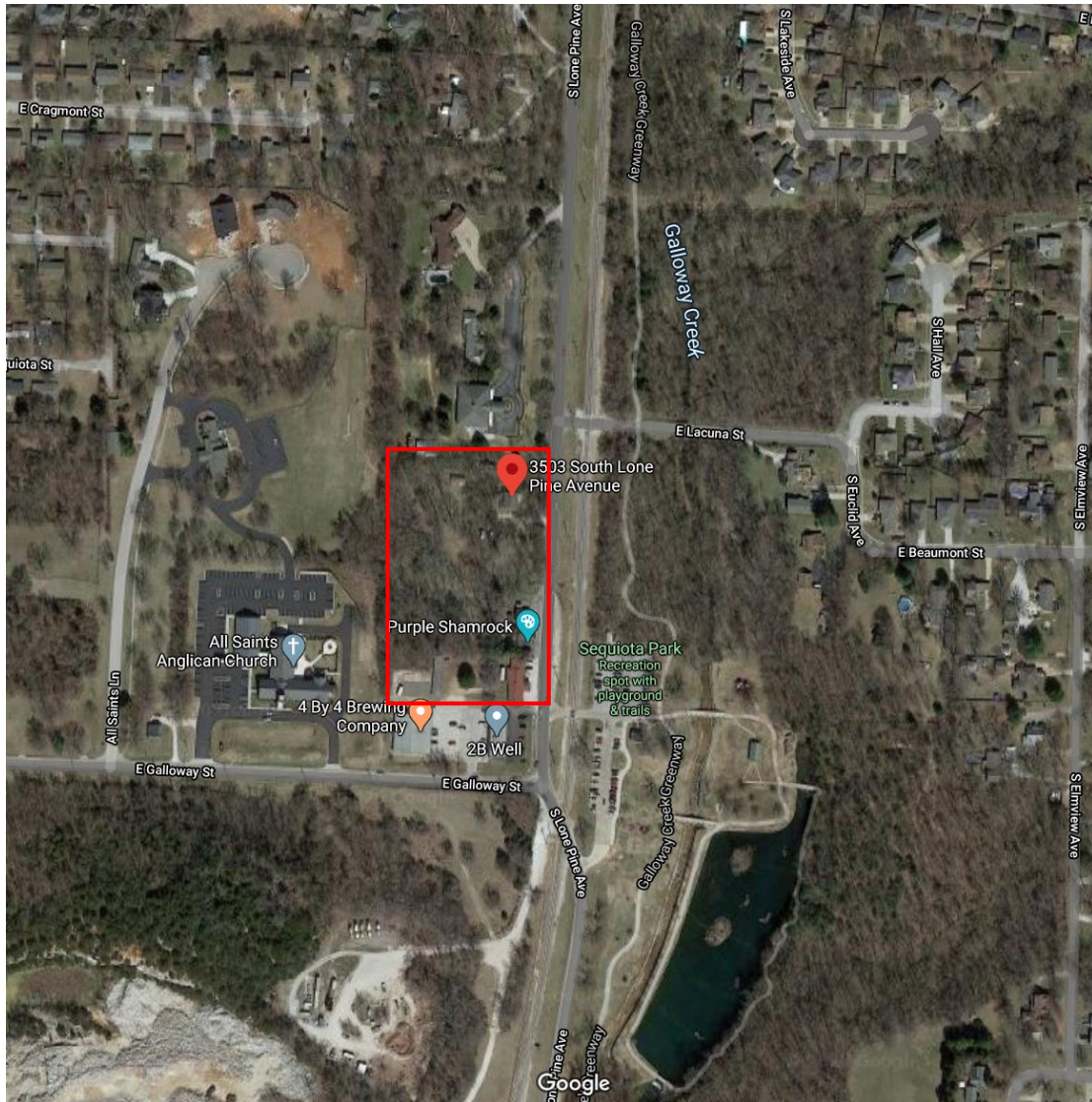
FINDINGS FOR STAFF RECOMMENDATIONS:

1. The proposed Planned Development 374 is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies the south portion of the property as appropriate for Medium intensity retail, office or housing and the north portion of property as appropriate for low-density housing. The Major Thoroughfare Plan classifies Lone Pine Ave as a Secondary Arterial roadway.
2. The subject property is within the Galloway Redevelopment Policy Area Recommendations for the South Lone Pine Avenue corridor between Battlefield and Republic Roads. These recommendations serve as the policy for development in the area and are to be used in reviewing applications for zoning changes. Staff has reviewed the applicant's submittal with the Galloway Recommendations and believes that the applicable recommendations have been addressed (Attachment 3).
3. The Revised Multi-Family Development Location and Design Guidelines assessment resulted in a density of 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre.
4. The proposed Planned Development is proposing to preserve the existing structures (Treadway Building, Purple Shamrock and Sequoia Bike Shop) located at 3521, 3527 and 3535 S. Lone Pine Avenue to preserve and rehabilitate following the Secretary of Interior's Standards for Rehabilitation and minimum maintenance requirements.
5. Approval of this application will facilitate redevelopment of this property and promote infill development where investments have already been made in public services and infrastructure.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	PD 264	GR	R-SF	R-SF
LAND USE	Photographic studio and office use	Commercial Uses	Undeveloped area with greenway trail & Sequoia Park	Church & stormwater detention for residential subdivision.

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

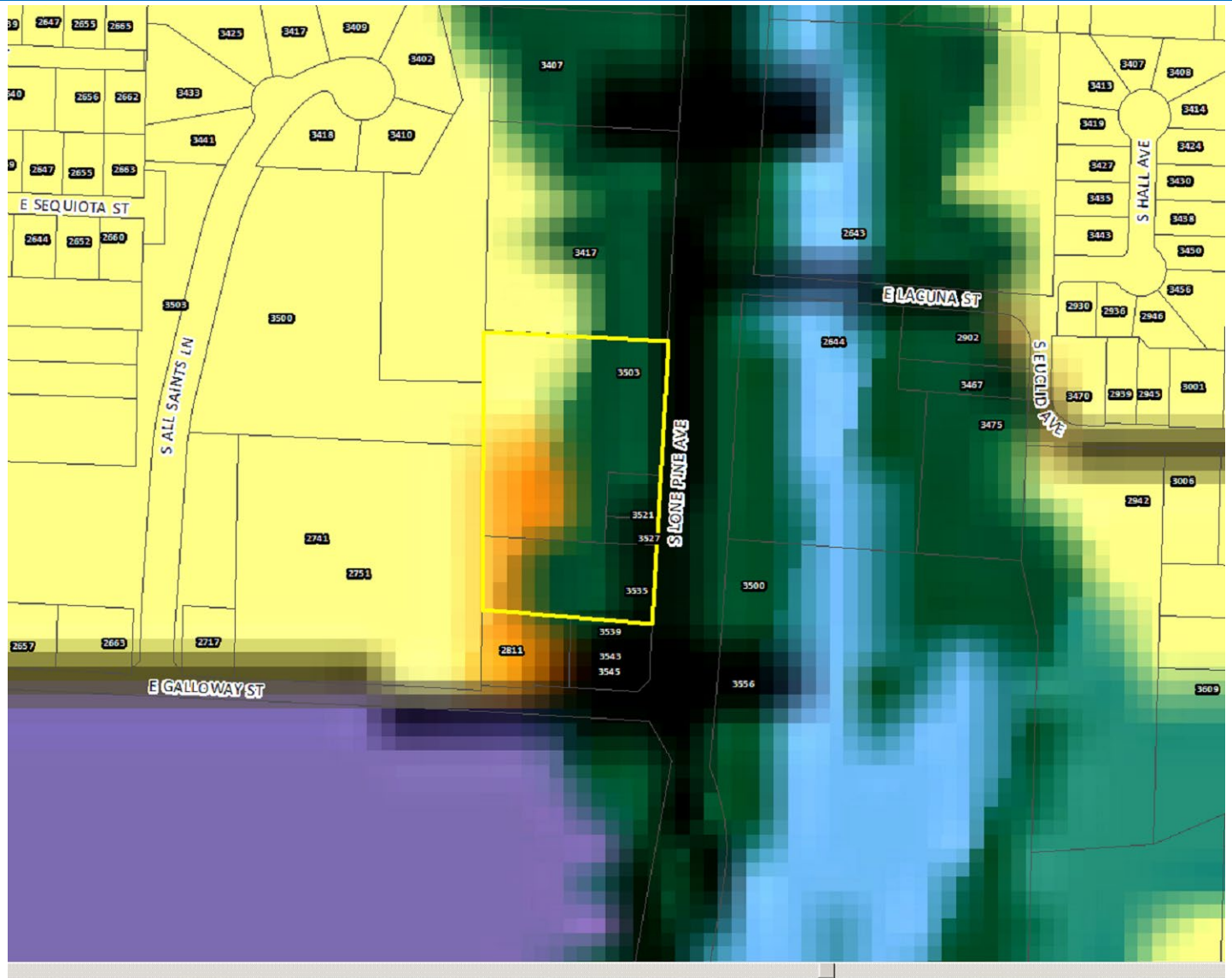


GOOGLE MAPS STREET VIEW:



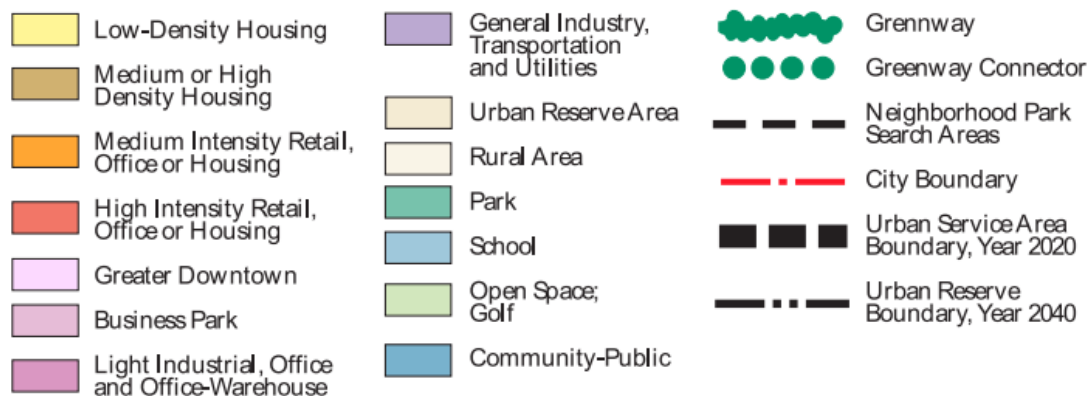
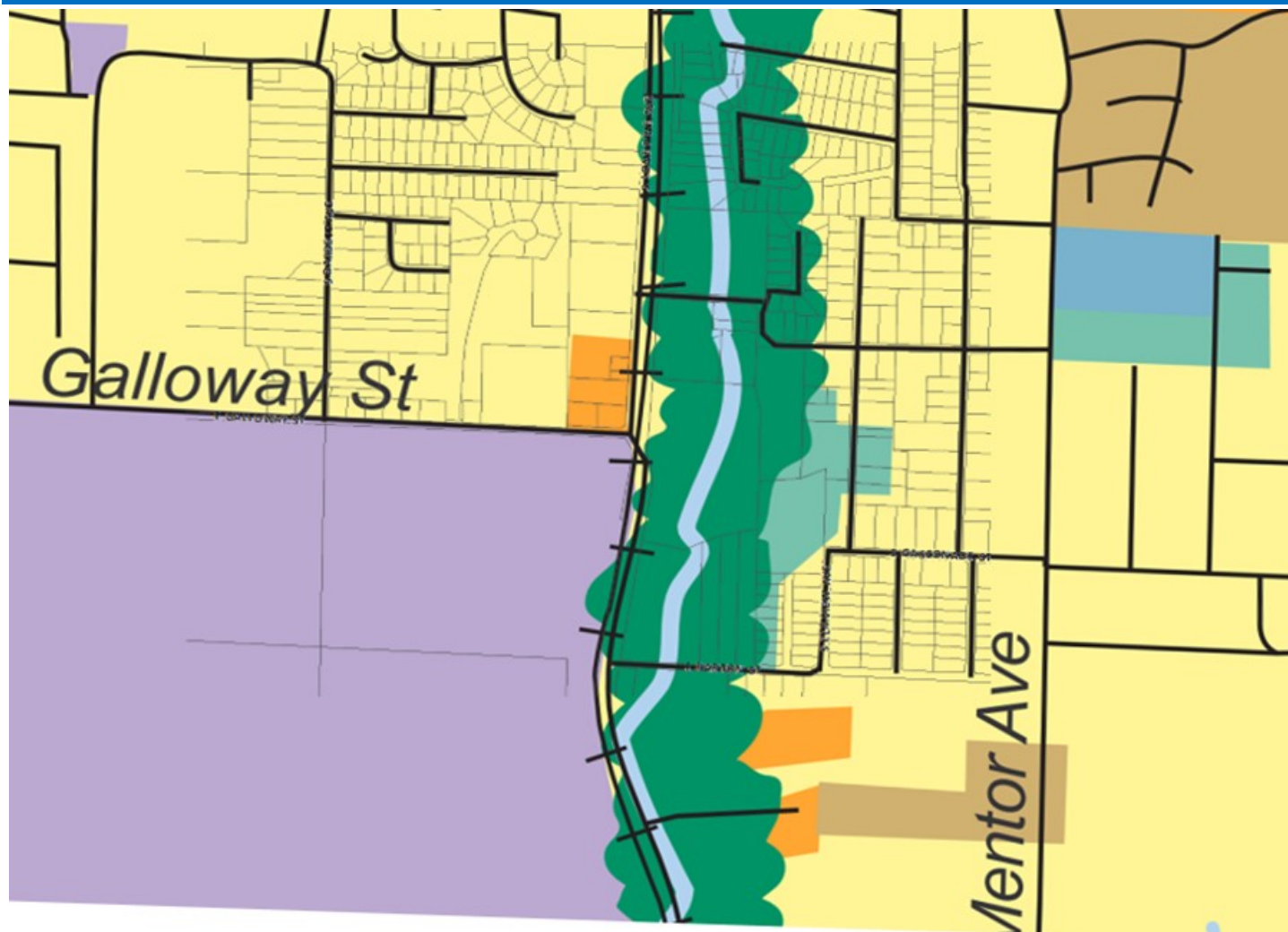


GROWTH MANAGEMENT AND LAND USE PLAN:



- | | | |
|---|--|--|
| Low-Density Housing | General Industry, Transportation and Utilities | Greenway |
| Medium or High Density Housing | Park | Parkway |
| Medium Intensity Retail, Office or Housing | School | City Boundary |
| High Intensity Retail, Office or Housing | Golf | Urban Service Area Boundary, Year 2020 |
| Greater Downtown | Community-Public | Urban Reserve Boundary, Year 2040 |
| Business Park | Urban Reserve Area | |
| Light Industrial, Office and Office-Warehouse | Rural Area | |

GROWTH MANAGEMENT AND LAND USE PLAN FROM THE SOUTHEAST DEVELOPMENT STUDY:



PROPERTY HISTORY:

The property is currently on four separate properties that are zoned R-SF, LB and GR. The property at 3503 and 3521 S. Lone Pine have been zoned R-SF and LB since the City-wide remapping in 1995. The Treadway building property was rezoned from LB to GR in 2009. In 2018 the R-SF and LB properties were part of a rezoning request to rezone to a GR, General Retail District with a Conditional Overlay District which was tabled and then administratively delayed by Resolution No. 10408. In June of 2019, the Sequiota Store, Treadway General Store & Gas Station were submitted to City Council for nomination as historic sites, but that resolution failed.

PLANNING AND ZONING COMMISSION AUTHORITY:

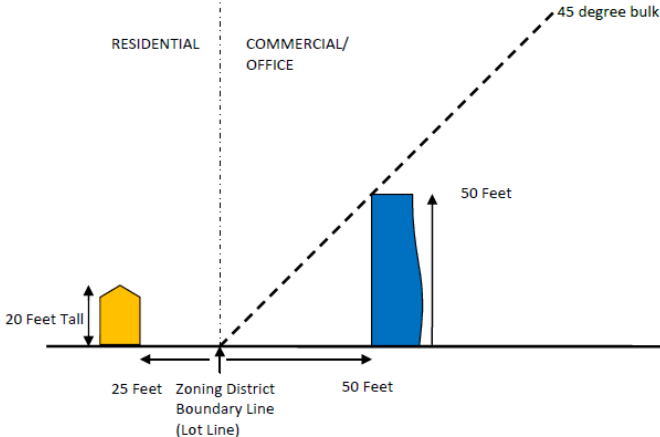
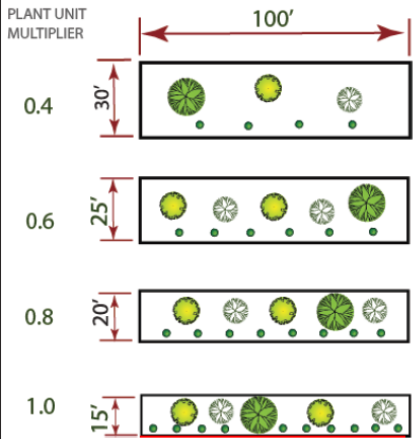
Sec. 36-367. – Amendments

(7) Findings by the commission.

- (a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:
 - 1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
 - 2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
 - 3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
 - 4. Whether adequate utility and sewer and water facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned;
 - 5. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity;
 - 6. Whether the proposed rezoning would correct an error in the application of this article as applied to the subject property;
 - 7. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied; and
 - 8. Information submitted at the public hearing.

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR PD 374
Use Limitations	1. All uses shall operate in accordance with the noise standards contained in Section 36-485 of the Springfield Zoning Ordinance. 2. No use shall emit an odor that creates a nuisance as determined by Chapter 2A, Article X, Springfield City Code. 3. Mobile food vendors must comply with all requirements of 36-452. (3)(b)2. And 36-452(4), Temporary Uses. The hours of operation for mobile food vendors will be limited to 8:00 a.m. to 9:00 p.m. 4. Self-service storage facilities are not allowed except for storage facilities for tenants of multifamily buildings. 5. All activities and permitted uses except for the following shall be conducted entirely within a completely enclosed building. a. Sidewalk sales b. Outdoor eating and drinking facilities c. Outdoor live or amplified music provided a permit for such activity has been obtained from the city manager pursuant to chapter 2, article I, section 2-10, permits for outdoor music and any regulations promulgated by the city manager and on file with the city clerk d. Street vendors licensed by the City of Springfield e. Farmers market f. Mobile food vendor
Intensity of Development	1. Maximum residential density permitted is 25 dwelling units per acre. 2. A total of 7,995 sq. ft. of existing space to be renovated to non-residential uses distributed among 4 existing buildings and shall be a maximum of 12,000 sq. ft. of total nonresidential use.
Maximum Structure Height	1. Structures that are located within 60 feet of the property/right-of-way line, fronting along Lone Pine Avenue shall have a maximum building height of 45 feet. 2. All other structures shall have a maximum building height of 60 feet and shall remain below a forty-five (45) degree bulk plane where the property adjoins an R-SF or R-TH District. 3. Building height: The vertical distance measured from the average ground level at the base of the structure's perimeter to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.
Minimum open space	Not less than 25 percent

Maximum impervious area	Shall not exceed 75 percent of total lot area
BULK PLANE 45-degree from R-SF or R-TH districts 	BUFFERYARD AND LANDSCAPING A bufferyard Type C will be required along the west property line adjacent to R-SF zoning. 36-482-12- (c) 

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the south portion of the property as appropriate for Medium-intensity retail, office or housing and the north portion of property as appropriate for low-density housing. The Medium-intensity retail, office or housing land use mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain road corridors. Since these land uses may have differing impacts on adjacent low-density housing and on traffic generation, the site planning guidelines of this plan and the regulations of the zoning ordinance must be observed during the site planning process. Consistent with the plan policy of generally increasing the compactness of urban development, housing may be combined in the same building or closely integrated on the same site with retail or office space.

The *Plan* identifies Medium Density Multi-Family Residential and General Retail districts as an appropriate zoning districts for the medium-intensity retail, office or housing land use category. The Planned Development has similar uses allowed in each of these districts.

The medium-intensity retail, office or housing land use category promotes a policy of generally increasing the compactness of urban development by combining housing in the same building or closely integrated on the same site with retail or office space. Further, the *Plan* promotes the development of well-designed moderate-density housing adjacent to amenities such as shopping, recreational or cultural facilities and employment centers.

The Major Thoroughfare Plan classifies Lone Pine Avenue as a Secondary Arterial roadway and Galloway Street (south of the subject property) is also classified as a Secondary Arterial roadway.

The subject property is within the *Southeast Springfield Development Study*, area which was accepted by City Council in 2002. The Study looked at a variety of development scenarios, public improvements and site constraints for a broad area bounded by Battlefield Road on the north, the Christian County line on the south, National Avenue on the west and Route J on the east. The *Study* recommended this property as appropriate for medium-intensity retail, office or housing and low-density housing. However, since that time both the properties north and south of the subject property have been rezoned. The north tract was rezoned in 2003 to PD 264 which permits medical and general offices and the tract to the south which is incorporated in the proposed PD was rezoned to General Retail in 2009.

Galloway Redevelopment Policy Area Recommendations Vision Statement, accepted by City Council October 21, 2019 states that..."*The Lone Pine corridor will be welcoming for living and commerce. It will emphasize use of human-scale design components typically embodied in a village environment. This includes high-quality development with distinctive architectural features that respect the area's historic context, sensitive to the surrounding developments, in harmony with nature, built into the topography, beautifully landscaped, colorful and offering many common areas for recreation and socializing. The corridor will continue to be a pedestrian-friendly environment where people can easily walk, bicycle, and drive. Private development will emphasize diverse small retail and service businesses, while employing best practices to protect the area's natural resources and amenities, particularly Galloway Creek, Sequiota Park, and the tree canopy*".

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-Family Residential, GR, General Retail and LB, Limited Business District to Planned Development No. 374. If approved, the applicant plans a mixed-use development with two new multi-family residential buildings and four existing buildings for continued commercial use as shown on their Exhibit 2 site plan.
2. The applicant is proposing a planned development district in response to concerns from the community during their rezoning request in 2018. The intent of the planned development (PD) district is to encourage more creative and imaginative design than generally is possible under conventional zoning regulations. The applicant/developer is proposing a unique mixed-use development that will include retaining 4 existing commercial structures.
3. In 2019, City Council adopted Resolution 10481 which accepted the Galloway Redevelopment Policy Area including recommendations for development along the South Lone Pine Avenue corridor between Battlefield and Republic Roads. These recommendations serve as the policy for development in the area and were used to review the Planned Development. Staff has reviewed the applicant's submittal along with the Galloway Recommendations and believe that all applicable recommendations have been addressed (Attachment 3).
4. The Revised Multi-Family Development Location and Design Guidelines assessment resulted in a density of 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre. Further analysis of the proposed development under the Revised Multi-Family Development Location and Design Guidelines is attached (Attachment 2).
5. The proposed Planned Development consists of 4 acres of property of which one acre is currently zoned GR and LB which would allow for all of the proposed uses. The proposed PD 374 will have the following notable requirements:
 - a. The proposed Planned Development will continue to have similar Use Limitation requirements on commercial outdoor activities and storage; however, it also has limitations on Mobile Food Vendors that are permitted in this district:
 - b. The proposed PD 374 is mixed-use, with restrictions on both residential and non-residential uses. The maximum residential density calculated by Multi-Family Location and Design Guidelines (Matrix) is 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre. Their current site plan shows approximately 100 units at 23 dwelling units per acre. The applicant is also proposing dwelling units within the existing commercial structure (Treadway's Building). A total of 7,995 sq. ft. of existing space to be renovated to non-residential uses is distributed among 4 existing buildings and shall be a maximum of 12,000 sq. ft. of total nonresidential use.
 - c. The bulk, area and height requirements in the proposed PD 374 will be more restrictive than a typical commercial or multi-family district. The applicant has placed a height restriction on new construction within 60 feet of Lone Pine Avenue. Structures that are located within 60 feet of the property/right-of-way line, fronting along Lone Pine Avenue shall have a maximum building height of 45 feet. All other structures shall have a maximum building height of 60 feet and shall remain below a forty-five (45) degree bulk plane where the property adjoins an R-SF or R-TH District (Exhibit 4).

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- d. The open space and maximum impervious surface requirements are more restrictive in the proposed PD 374 in comparison to the existing GR and LB which require only 20% open space. It's less restrictive compared to the R-SF which has an open space requirement of 30%; however, a portion of the R-SF area is within the medium intensity retail, office and housing category of the Comprehensive Plan so it is expected to be developed more densely than R-SF standards (Exhibit 2).
 - e. The proposed PD 374 will require a Bufferyard Type C between the property to the west which is zoned R-SF. This is comparable to the bufferyard requirements in the Zoning Ordinance between the R-MD, Medium Density Multi-Family Residential District and the R-SF District. A 10-foot set back along the north property line shall be established to help preserve the existing tree canopy.
 - f. Access to the public street system shown on Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification. The existing shared access easement from Lone Pine Ave. at the southern property line shall be used for access to the development. Improvements to shared access from Lone Pine Ave. will be implemented as shown on Exhibit 2 – Preliminary Site Layout and in coordination of required public improvements described in Section N.
 - g. A final development plan shall only be approved if it is in substantial conformance with Exhibits 1, 2 and 4. The final development plan shall be submitted to the Planning and Development Department for the Administrative Review Committee review and final action.
6. The proposed PD has an exception to the Multi-Family Location and Design Guidelines regarding the 15% minimum useable recreational area that is required. The applicant is proposing more open space within the development in part because of the preservation of the stream buffer; however, in preserving the natural topography of the stream buffer area and minimizing the amount of grading and retaining walls in following the Galloway Recommendations, there is a reduction in usable open space down to 8%. Staff supports this reduction due to the preservation of the stream buffer area and believes the other amenities including the boardwalk that provide ample recreational area as intended by the guidelines (Exhibit 9). In addition, the development is across the street from Sequiota Park.
7. The proposed PD also includes public improvements to Lone Pine Avenue as identified by a traffic study that was conducted and approved by City staff. The improvements include a northbound left-turn lane along S. Lone Pine Avenue needed to access the development at its southern-most entrance, aligning with the Sequiota Park driveway entrance. The site will be required to dedicate five (5) feet of additional right-of-way. The Purple Shamrock building at 3527 S. Lone Pine Avenue encroaches into the proposed right-of-way and so the new right-of-way dedication will need to jog around the existing building or an agreement with Public Works will need to be provided prior to dedication of the new right-of-way. The developer is required to provide a crosswalk aligned to the northside of the Sequiota Park driveway and to the northside of the shared access drive south of 3535 S. Lone Pine Ave. (Treadway building). The developer shall be required to construct a sidewalk along the property fronting South Lone Pine Ave. In an effort to preserve existing trees and enhance the pedestrian experience; the required sidewalk shall be allowed to shift onto private property per the site plan (along 3503 S Lone Pine Ave.). A sidewalk easement will be negotiated between the city and developer.
8. Public improvements are planned along Galloway Street by the City between Lone Pine and Luster Avenue including the addition of sidewalks. Funding for the design and partial right-of-way acquisition of this project was approved by voters in 2016 as part of the ¼-cent Capital Improvement Sales Tax and the 1/8-cent Transportation Sales Tax. The project is currently in the design phase. The proposed design includes a wider three-lane roadway. There will be one lane in each direction with a center turn lane. This turn lane will improve safety by allowing vehicles to safely make left turns. The proposed design also includes a sidewalk on one side of the road and a multi-use path for bicyclists and pedestrians on the other. Intersection improvements are proposed at the intersection of Galloway and Lone Pine. These improvements will result in a roadway alignment that is shifted to the south. In addition, the vertical alignment will be improved which will help the rideability and sight distance. The widening will include a new center turn lane, traffic calming roundabout intersections at Luster Avenue and at Lone Pine Avenue, sidewalks on the south side of Galloway Street, multi-use path on the north side of Galloway Street, improved connection to Sequiota Park and Greenway Trail, upgraded stormwater infrastructure and improved drainage along Luster Avenue and an improved railroad crossing.

9. The applicant is proposing restrictions to address the preservation and maintenance of the existing commercial buildings. The existing structures at 3521, 3527 and 3535 S. Lone Pine Avenue and as designated on site plan shall be preserved and appropriately rehabilitated following the Secretary of Interior's Standards for Rehabilitation and minimum maintenance requirements. Residential uses may be located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level. Uses shall encourage public activity along Lone Pine Avenue. Structures shall not be demolished or removed without an Economic Hardship being proven as prescribed in Section 36-404. The Administrative Review Committee (ARC) shall be responsible for any approvals or interpretations of this subsection. If the existing structures, as described above, are designated on the *Springfield Historic Register* in the future, the Landmarks Board will have authority and ARC's authority as described above will be null and void.
10. The proposed Planned Development is consistent with the adjacent commercial zoning and has residential that will support the mixed-use development. The *Growth Management and Land Use Plan* element promotes the development of well-designed moderate-density housing adjacent to amenities such as shopping, recreational or cultural facilities and employment centers. The property to the south is zoned GR, General Retail. The property to the north is zoned Planned Development 264 which allows medical offices and finance, insurance and real estate offices in addition to the existing photographic studio and office. The property to the west is zoned R-SF, Residential Single-family and is currently used as a Church and stormwater detention area for the adjacent residential subdivision.
11. The City Council adopted a Blight Study and Redevelopment Plan in 2014 for this area. Projects consistent with the Galloway Area Redevelopment Plan may apply for real property tax abatement for new improvements (100% on the new improvements for 10 years). The Galloway Redevelopment Area extends from approximately Lacuna Street to Republic Street. There are similar mixed-use developments further south along Lone Pine Avenue that have been recently completed or are being constructed now.
12. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

Due to the Mayor's Proclamation of Civil Emergency (COVID-19), the applicant held a virtual neighborhood meeting on May 13, 2020 from 4-6:30 p.m. A summary of the meeting and questions/comments from the meeting are attached (Attachment 4).

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 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 185 feet.

Notices sent to property owners within 185 feet: Mailed: 5 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

No issues with development plan or rezoning, however proposed storm culverts may be in conflict with 12" water main on East side of Lone Pine. Relocation or Lowering may be required.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning. Not enough spot elevations or wall detail south of building 1 to evaluate the wall adjacent to the sanitary sewer. It does not appear as though the wall would encroach into the sewer easement. If there is a footing associated with this wall, we would prefer it remains outside the sewer easement

FIRE DEPARTMENT COMMENTS:

Pending approval of fire apparatus turn around on south side with all property buildings fire sprinklered OR a second Fire access entrance per 2018 IFC Appendix D.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Lone Pine as a Secondary Arterial roadway. The standard right-of-way width for S. Lone Pine is 35-feet from the centerline. It appears additional right-of-way is needed along S. Lone Pine Avenue. S. Lone Pine Avenue is a city-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count on S. Lone Pine Avenue is 6,785 vehicles per day. On-street parking is not allowed along this portion of S. Lone Pine Avenue.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from S. Lone Pine Avenue. The two driveway approaches shown in the Preliminary Development Plan will be allowed.

SIDEWALK

There is not existing sidewalk along the property frontage of S. Lone Pine Avenue. Sidewalk is required to be constructed along the property frontage as shown on the Preliminary Development Plan.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

The Galloway Creek Greenway Trail is located just east of this development across S. Lone Pine Avenue. There are no bus stops along S. Lone Pine Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. A crosswalk aligned to the northside of the Sequiota Park driveway and the northside of the shared access drive south of 3535 S. Lone Pine Ave. (Treadway's Building) is proposed as shown on the Preliminary Development Plan.

IMPROVEMENTS

At a minimum, Lone Pine Avenue is required to be widened to accommodate a northbound left-turn lane into the southernmost entrance to the development. Northbound left-turn lane is to be a minimum of 150 feet, plus taper. Taper should extend no further than the railroad right-of-way, **OR** a Traffic Impact Study (TIS) must be submitted according to Public Works Design Standards - Chapter 9. Any improvements required as a part of the TIS must be constructed and approved,

or funds escrowed, prior to issuance of a building permit. Public Works has plans to make improvements to the intersections of Galloway and Lone Pine. Public improvement plans should be coordinated with the planned Public Works improvements.

TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	S. Lone Pine Avenue	Secondary Arterial	No	30	35
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		14	26	284	N/A
*Proposed Trips Generated		124	141	1196	N/A
Additional Trips Generated		110	115	912	N/A

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Planned Development, or Conditional Use Permit

STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. Water quality will be required if disturbing more than one acre. The property is located in a stream buffer area. The stream buffer width for this area is 30 ft on each side as measured from the top of bank, as shown on the stream buffer map (<http://maps.springfieldmo.gov/mapgallery/>). The widths are an estimation for planning purposes only. The actual width will be based on a survey and plan by the applicant. A stream buffer easement will be required prior to construction.

Stormwater has no issues with re-zoning but has the following requirements at the time of development:

1. This site has a natural stream that requires a 30-foot stream buffer on each side per Chapter 8 of the Stormwater Design Criteria Manual. This must be shown in a stream buffer easement. Any proposed encroachment and mitigation for the stream buffer will require a no feasible alternatives analysis and stream buffer plan that is subject to review and approval in accordance with Chapter 8. Once the stream buffer is approved, a stream buffer easement form must be submitted for recording using the form at <https://www.springfieldmo.gov/2120/Resources>.
2. The proposed drawing shows some construction within the stream, a pedestrian bridge and parking lot. Use the stream mitigation measures shown in our manual such as buffer width averaging to account for this.
3. Downstream improvements in lieu of constructing detention on site. The downstream improvements would be to construct a culvert under Lone Pine.
4. Since this project will be disturbing more than one acre, water quality is required and must be built, inspected, and approved prior to release of the building permit. If this is not possible, submit a temporary stormwater plan with your plan submittal.
5. As-builts will be required. The as-builts must be submitted and approved prior to release of the certificate of occupancy.

6. An operation & maintenance plan and agreement are required for water quality and must be submitted in the Reports folder for review prior to signatures. Please see the instructions and templates at <https://www.springfieldmo.gov/2120/Resources>.
7. Low impact development site planning and design approaches should be used where feasible per Chapter 10, including minimizing disturbance of steep slopes, preserving trees, working with natural drainage patterns, and a treatment train approach of open conveyance and small distributed stormwater control measures.
8. Need to show the existing and proposed amount of impervious surfacing. For any increase in impervious surfacing, current detention and water quality requirements must be met. Structures and impervious surface onsite and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
9. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10, and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
10. If disturbing 1 acre or greater, water quality will also have to be provided.
11. Drainage easements must be provided for this conveyance.
12. A land disturbance permit will be required if disturbing 1 acre or greater.
13. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Galloway Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is property located in a stream buffer?	Yes
Is stormwater fee in lieu an option?	NA

REQUIREMENTS:

ATTACHMENT 2 MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINE ASSESSMENT PLANNED DEVELOPMENT 374

The applicant is requesting approval of multi-family apartments on 4.2 acres of property. According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 12 points which includes opportunity and constraint points and a density bonus for a mixed-use development, thus permitting a residential density of 27 dwelling units/acre. The applicant is currently proposing (13) micro efficiency, (26) studio, (37) 1-bedroom, (24) 2-bedroom & (8) 3-bedroom units for a total of 100 units which equates to approximately 23 dwelling units per acre. As mentioned, the applicant has shown that they meet one of the density bonus increases with proposal for a mixed use development. This would add an additional 3 du/ac to the overall development. Staff has factored these bonus densities along with the opportunities and constraints for this site with our recommendation to support the request for 27 du/ac. Below is an analysis of the five categories used to calculate the Matrix score.

- A. Land Use Accessibility (1/3 points)
One point was given for land use accessibility. There is neighborhood retail mixture and recreational parks/greenways uses within a ¼ mile.
- B. Connectivity Analysis (1/5 points)
One out of a maximum of five points were given for connectivity.
- C. Road Network Evaluation (1/2 points)
One point was given for the road network evaluation.
- D. Design Guidelines (6/6 points)
A maximum of six points were given for design guideline criteria. Below are the design considerations that have been incorporated into the proposed development.
 - 1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Pedestrian-scale lighting shall be provided within the development lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 15 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted with building permits conforming to these requirements.
 - 2. Building Scale and Articulation - Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan.
 - 3. Building Orientation and Interior Landscaping – All building orientations will address public streets to receive design points for this element. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted with building permits conforming to these requirements.
 - 4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features: windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and PD language.
 - 5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system.

6. Useable Recreational Area/Facility – A minimum of 15% usable open space is required. An exception in the Planned Development to the minimum 15% recreational space established by the Revised Multi-Family Design Guidelines shall be given to minimize the amount of grading that would be required to achieve the minimum recreational space maintaining the intent of the Galloway Neighborhood guidelines of minimizing retaining walls and grading.
7. Amenities – The development will have a swimming pool, exercise room and resident clubhouse as shown on the site plan. The mobile food vendor use is not a formal amenity but provides convenient food services for residents.
8. Preservation of Trees –All existing trees of 6" caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the attached site plan and the city ordinance with at least 7 trees per acre.

Density Bonus

A density bonus is allowed if a development has met the minimum matrix points for a specified density, at least half the design guidelines are met, and will not exceed 40 dwelling units per acre (du/ac). The total additional bonus dwelling units are as follows:

1. Mixed Use Developments: Mixed Use developments that contain an equal amount or greater total square footage of residential to non-residential are allowed an increase of 3 dwelling units per acre.

Staff has determined that one density bonus category is met by the proposed development. This would add an additional 3 du/ac to the overall development. These density bonuses will factor into the opportunities and constraints and overall staff recommendation, though.

Opportunities and Constraints

1. How much higher density exists or is planned/approved for area?

Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the area is planned for higher densities or higher densities exist. A portion of the site is currently zoned GR, General Retail and LB, Limited Business which allow for higher density mixed use residential development. Majority of this site has been designated as appropriate for Medium Intensity Retail, Office and Housing.

2. Does the proposal support redevelopment/revitalization goals?

Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the site is located within a redevelopment or revitalization area. This area is located within the Galloway Area Redevelopment Plan which was adopted in 2014 and within the Southeast Development Study Area as Medium Intensity Retail, Office or Housing adopted in 2002.

3. Are there physical or other natural barriers within ½ mile of the site?

Staff may consider recommendation of a higher density than that determined by the matrix calculation when the site is within a ½ mile of physical or other natural barriers. The railroad to the east of this site and extreme slope of the terrain creates physical or natural barriers in developing higher density residential uses within this area.

DENSITY: The assessment criteria resulted in a total of a maximum residential density of 27 dwelling units per acre. The applicant is requesting a total residential density of up to 25 dwelling units per acre.

ATTACHMENT 3
GALLOWAY RECOMMENDATIONS
PLANNED DEVELOPMENT 374

The Galloway Area Recommendations, passed October 21, 2019, provides staff recommendations that apply to developers, city staff, and residents when pursuing future developments within the specified area. This checklist refers to the recommendations that apply specifically to the applicant/developer for a project. This is to be used only as a reference for those recommendations. The original Galloway Recommendations document must still be reviewed as this is only a supplemental visual to what is outlined in that document. This checklist also references The Galloway Community Improvement District, which was approved by City Council on August 12, 2019.

Staff has reviewed the applicant's attached exhibits (1-12) for compliance to the Galloway Recommendations as outlined below.

A. Public Safety (1/1)

1 out of 1 recommendation was addressed. Recommendation #1 is not applicable to the proposed development since it is not adjacent to Galloway Trail.

- 1) Clearly delineate parking areas along the street edge from the street surface.
- 2) Install physical barrier or fencing between trail and roadway where feasible.

B. Environmental Protection (3/3)

3 out of 3 recommendations were addressed.

- 1) Water quality protection and stormwater management for new developments. Innovative techniques are welcomed and encouraged. (Examples include: Maximizing open space, green roofs, rain water collection systems, rain gardens, and berms.)
- 2) Establish stream buffer easements for all new developments.
- 3) Protect the tree canopy through preservation of healthy trees and installing high quality landscaping where possible.

C. Image Enhancement (5/5)

5 out of 5 recommendations were addressed. Recommendations #1 & 2 were not applicable to the proposed development since it is not adjacent to Galloway Trail.

- 1) Plant trees along the Galloway Trail.
- 2) Develop pocket parks along the Galloway Trail.
- 3) Preserve village feel through:
 - a. Mixed-use of small businesses
 - b. Reuse of existing structures
 - c. Complimentary architectural styles
- 4) Promote a high-quality streetscape experience that is supported by the Galloway CID and Multi-Family Development Guidelines; Examples include:
 - a. Planters and window boxes
 - b. Brightly colored doors or building accents
 - c. Attractive landscaping and plantings
 - d. Public art
 - e. Fountains
 - f. Dog watering stations
 - g. Outdoor seating
 - h. Street trees
 - i. Decorative lighting
- 5) Mixed-Use development
- 6) Use Conditional Overlay Districts; Examples include:
 - a. Limit uses (e.g. storage units, gas stations, drive-thru businesses, car washes, cell towers, etc.
 - b. Limit signage types (e.g. size, illumination, placement, number, prohibition of

digital)

- c. Restrict glazing ratios to no more than 40% of exterior surface
- d. Limit building height through bulk plan regulations (exceptions to this are discouraged)
- e. Require parking lots be located behind buildings where feasible
- f. Require tree canopy preservation
- g. Limit excessive grading or rock blasting
- h. Restrictions on retaining walls (limit height and require minimum distance between tiers)

- 7) Increase landscaping requirements. Encourage canopy trees and high-quality plantings in landscaping.

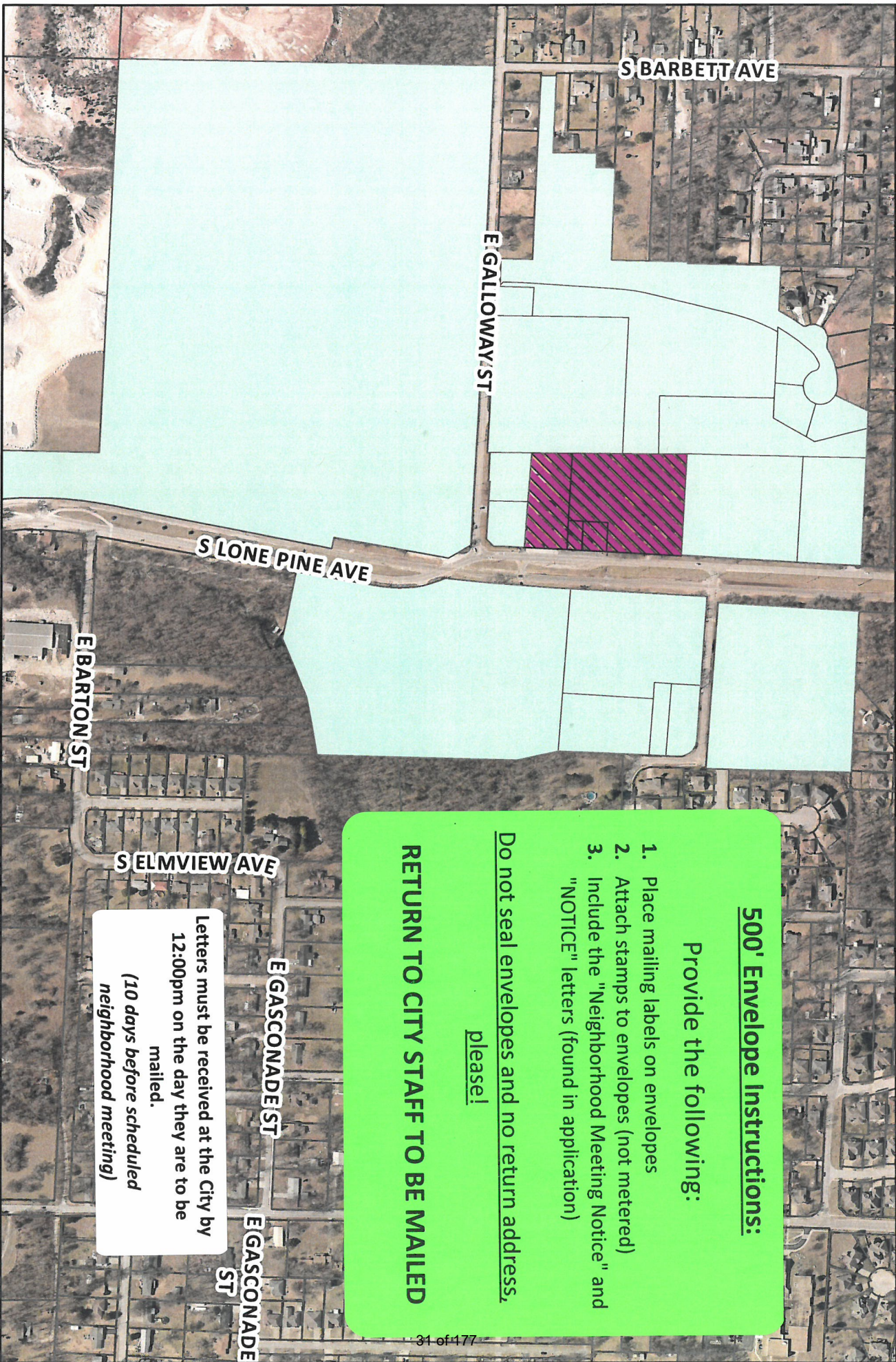
D. General Recommendations (2/2)

2 out of 2 recommendations were addressed.

- 1) Proactively communicate with area stakeholders and the City.
- 2) Emphasize the history of the area/site through artwork, signage, place-naming, and historic designations and preservation.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

500'



500' Envelope Instructions:

Provide the following:

1. Place mailing labels on envelopes
2. Attach stamps to envelopes (not metered)
3. Include the "Neighborhood Meeting Notice" and "NOTICE" letters (found in application)

Do not seal envelopes and no return address, please!

RETURN TO CITY STAFF TO BE MAILED

Letters must be received at the City by
12:00pm on the day they are to be
mailed.
(10 days before scheduled
neighborhood meeting)



CURRENT RESIDENT/BUSINESS OWNER
3500 S LONE PINE AVE
SPRINGFIELD, MO 65804

HUSCHER, BART A
3417 S LONE PINE AVE
SPRINGFIELD, MO 65804

ALL SAINTS ANGLICAN CHURCH
PO BOX 10892
SPRINGFIELD, MO 65808

OCONNELL, THOMAS P JR
3467 S EUCLID AVE
SPRINGFIELD, MO 65804

KIRKUP, MARCIE
4236 S WINDERMERE AVE
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3539 S LONE PINE AVE
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3500 S ALL SAINTS LN
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3418 S ALL SAINTS LN
SPRINGFIELD, MO 65804

MOORE, LANA
2717 E GALLOWAY ST
SPRINGFIELD, MO 65804

ALL SAINTS ANGLICAN CHURCH
2751 E GALLOWAY ST
SPRINGFIELD, MO 65804

ASH GROVE CEMENT CO
PO BOX 25900
OVERLAND PARK, KS 66225

SGF-GREENE COUNTY PARK BOARD
1923 N WELLER AVE
SPRINGFIELD, MO 65803

LAMB, CARRIE
2902 E LACUNA ST
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
2811 E GALLOWAY ST
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3402 S ALL SAINTS LN
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3800 S LONE PINE AVE
SPRINGFIELD, MO 65804

HAYMES, JEFFREY
236 CLEARSPRING RD
SPARTA, MO 65753

NN LAND DEV LLC
2340 E COTTAGE BLVD
OZARK, MO 65721

WISE, PERRY
173 REDWOOD RD
LOUDON, NH 3307

JOHNSON, BETSY
3728 S ELMVIEW AVE
SPRINGFIELD, MO 65804

HUSCHER, WENDY
3417 S LONE PINE AVE
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3407 S LONE PINE AVE
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3410 S ALL SAINTS LN
SPRINGFIELD, MO 65804

CURRENT RESIDENT/BUSINESS OWNER
3475 S EUCLID AVE
SPRINGFIELD, MO 65804

This is a listing of all those that registered on line for the virtual meeting. The column on the left indicates whether or not they signed in during the duration of the meeting.

Attendee Report: Lone Pine Planned Development Neighborhood Meeting

Report Generated:

05/14/2020 01:38 PM PDT

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
836-421-923	05/13/2020 03:48 PM CDT	2 hours 45 minutes	115	82

Attendee Details

Attended	Last Name	First Name	Email Address
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Yes	Berkwitz	Stephen	sberkwitz@gmail.com
Yes	Boles	Ron	julienron64@mchsi.com
Yes	Bottoms	Carrie	carrieb2u@yahoo.com
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Yes	Brittain	Julie	Jewels532555@yahoo.com
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Yes		Sickmyre	Clif	clifsickmyre@yahoo.com
Yes		Simpson	Matt	msimpson585@gmail.com
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Yes		Stainback	Judy	jstainba@mchsi.com
Yes		Stine	Carl	CBSTINE@YMAIL.COM
Yes		Thummel	Jacque	jsisco.thummel@gmail.com
Yes		Treadway	Ronald	treadrp@aol.com
Yes		Treece	Brenda	treece.brenda@yahoo.com
Yes		Trout	Sara	scoleman134@gmail.com
Yes		VanBenthussen	Carol	hashearts@aol.com
Yes		Vandeberg	Marcy	marcyvandeberg@yahoo.com
Yes		Vaughn	Theda	giggles126211@yahoo.com
Yes		Venable	Stuart	stu_v59@yahoo.com
Yes		Williams	Ricky	r.williams6023@sbcglobal.net
Yes		Wise	Janelle	jela8f@hotmail.com
Yes		Wise	Tanya	twise40@mchsi.com
Yes		Wroolie	Tess	tswroolie@gmail.com
Yes		Yarham	Kim	tksyarham@suddenlink.net
Yes		dvorscaia	zinaida	toplinesiding@gmail.com
Yes		hernandez	helen	nennyira44@yahoo.com
No	The names with "No" (to the left) registered, but did not sign into the virtual meeting.	ADAMSON	Lauren	green.lauren1@icloud.com
No		Aust	Dayna	dayna.aust@att.net
No		Badgett	Amanda	aem23520@hotmail.com
No		Barstead	Jeff	jkb3220@gmail.com
No		Bryant	Julie	jberg55@yahoo.com
No		Bryant	Christopher	cbryantappraiser@gmail.com
No		Elijah	Rich	raelijah@gmail.com
No		Ensminger	Michael	mensminger15@gmail.com
No		Fisk	Candace	CandaceFisk@MissouriState.edu
No		Gentle	Julia	thegentlefamily@yahoo.com
No		Harrison	Gregory	surfingdogs@sbcglobal.net
No		Hubbell	Trish	trishhubbell@outlook.com
No		Hunton	Layne	laynehunton@gmail.com
No		Johnson	Betsy	betsy92slp@yahoo.com
No		Lohmuller	Jennifer	Jloh2005@gmail.com
No		Loos	Cynthia	4cloos@gmail.com
No		Marshall	Sam	sam1228.sm@gmail.com
No		Massoth	Jessica	jessismsu@yahoo.com
No		Olson	Terri	btolson2946@sbcglobal.net

No	Patterson	Elizabeth	eannpatterson97@gmail.com
No	Randolph	Nicole	nicolerandolph83@gmail.com
No	Riddle-Nunn	Molly	molly@mostlyserious.io
No	Schuhart	Alicia	aliciaschuhart@yahoo.com
No	Short	John	jmsshort@sbcglobal.net
No	Skidmore	Sue	earthpax@gmail.com
No	Staffer	Alma	sasaki33@att.net
No	Thompson	Scott	setgas@gmail.com
No	Trout	Timothy	trout8783@yahoo.com
No	Vaughn	Theda	tjvaughn9@gmail.com
No	Voyles Williams	Cathy	ozarkflower@mail.com
No	Whittington	David	dawhittington@gmail.com
No	Womack	Cathy	cathy@eozark.com
No	Woolsey	Chris	cow@cwoolsey.com

Lone Pine Neighborhood Meeting

May 13, 2020 4:00-6:30 p.m.

±ΛΝÚÚdz I-f T2NУ I-ú dzúλfλ Iλy D2ϕ2 a ŠŠúλy RđzŠ ú2 / h±L5πmϕ

Verbal Questions: óšłúK NŠšLJ2yāŠā λy ōfđzŠú

/ I-y ē2dz Y I-ŷ ūKŠ yŠš ōdzłfRλyā K I-ŃŠ I- ōšłff I-ŠŠē fŠŠfk
! ā šŠ ŠŠú λyú2 RŠú I-łfŠR RŠšāλy I-yR āšfŠŌúλ2y 2f ŠēúŠNā2N Y I-úŠNā I-fāš Ō2f2Nā šŠ šłff Y I-ŷ ŠŌŠNē
ŠTf2Nú ú2 Ō2Yλfλ YŠy ūKŠ Ō2Y Y dzyλūē ŌK I-N I-ŌúŠNϕ

² K I-ú I-Rđzāú YŠyūā šłff ōŠ Y I-RŠ T2N ūKŠ N2dzyR I-ō2dzúK
² Š I-NŠ Ō22N Rλy I-úλy šłúK ūKŠ / λūē ā2 ūKŠ ūš2 LjN2ēŠŌúā šłff ūλŠ λyú2 2yŠ I-y2úKŠNϕ

I 2š Y dzŌK λYλJŠNŌλ2dzā ādzNf I-ŌŠ λā 2y ūKŠ āłúŠK
ϕKŠ LjN2Lj2āŠR Lj I-y K I-ā I-LjLjN2ēλY I-úŠfē cēfz 2f ūKŠ āłúŠ I-ā λYλJŠNŌλ2dzā ōN22f I-yR Lj I-ŃŠ YŠyūŌ
! RŠλúλ2y I-f RŠšāλy ā2fđzūλ2yā ú2 Y λyλY λ IŠ ūKŠ λYλJŠNŌλ2dzā I-NŠ I- šłff ōŠ Ō2yā RŠNŠR RđzNλy RŠšāλy
RŠŃŠf2Lj YŠyūϕ

I I-ŃŠ ē2dz Ō2yā RŠNŠR āú I-N πāúŠLjLjλy ūKŠ ōdzłfRλy yŠ I-N ūKŠ āúNŠŠú ā2 ūKŠ KŠāKú λā Y2NŠ ŠN I-Rđz I-fk
ϕKŠNŠ λā I- āú I-N āúŠLj TjN2Y ūKŠ T2dzNúK Tē22N ú2 ūKŠ ūKλNŠR Tē22N I-f2y [2yŠ tλyŠ ² ŠŌff ŠλŃŠ
Ō2yā RŠN I-ú2y ú2 2úKŠN āú I-N πāúŠLjLjλy RđzNλy RŠú I-łfŠR RŠšāλyϕ

t Š2LjēŠ R NāŃŠ f I-āú Ō2Yλy TjN2Y ūKŠ y2NúK ² λff ūKŠNŠ ōŠ I- fē I-āKλy fēKú 2N I-yēúKλy I-ú ūKŠ
ŌN2āāš I-f IjK
² Š šłff Ō22N Rλy I-úŠ šłúK ūKŠ Ōλūē NŠŠ I-N Rλy ūKŠ ū I-ŃŠR ŌN2āāš I-f Ijϕ

/ I-y ē2dz ŷŠŠLj LjŠ2LjēŠ TjN2Y Lj I-N λy I-f2y ūKŠ āK2dzfRŠN 2f [2yŠ tλyŠK
ϕKŠ y2NúKŠN Y Lj2Núλ2y 2f NāKúπ2fπ š I-ē K I-ā I- āúŠŠLj āK2dzfRŠN I-yR LjŠ2LjēŠ R2yū ūēLjŌ I-fē Lj I-N ūKŠNŠ
hyŌŠ ūKŠ Šēāúλy ōdzłfRλyā I-NŠ NŠy2Ń I-úŠR ūKŠ yŠš āúNŠŠúāŌ I-LjŠ š2yū λyŌfđzRŠ I-yē N22Y ú2 Lj I-N ϕ

² K I-ú λā ūKŠ LjK I-āλy 2f Ō2yā ūNdzŌúλ2y 2f yŠš ōdzłfRλyā I-yR ūKŠ NŠy2Ń I-úλ2y 2f Šēāúλy ōdzłfRλyāK
ϕKŠ yŠš Ō2yā ūNdzŌúλ2y I-yR RŠŃŠf2Lj YŠy 2f ūKŠ āłúŠ šłff ōŠ TλNāú ú2 ŠyādzNŠ I-RŠ Ijdz I-úŠ f I-ŌλfūλŠā š
Lj I-N λy T2N ūKŠ yŠš Ō2yā ūNdzŌúλ2y I-ā šŠf I-ā Šēāúλy ōdzłfRλyāϕ

ϕKŠ ydzY ōŠN 2f ūKŠ Ń I-Nā2dzā ūēLjŠā 2f K2dzāλy dzyλūāK ōāúdzRλ2Σ mπōŠR N22YΣ HπōŠR N22YΣ oπōŠR N22Yú
ϕKŠ ŌdzNŠyū RŠšāλy λyŌfđzRŠā ōnū Y ŌN2 ŠTfλŌλŠyŌēš ōyHú mπōŠR N22YΣ ōmHú HπōŠR N22YΣ ōHú mπ
ōŠR N22Y LjŠyūK2dzāŠ ōnū HπōŠR N22Y LjŠyūK2dzāŠ š ōmHú oπōŠR N22Y dzyλūāϕ ϕKŠāŠ ydzY ōŠNā I-NŠ
Ō2yŌŠLjúdz I-f I-yR I-NŠ ādzōēŠŌú ú2 ŌK I-yŠ I-ā ūKŠ RŠšāλy RŠŃŠf2Ljāϕ

ϕKŠ āIjdz I-NŠ T22ú I-Š 2f ūKŠ Ń I-Nā2dzā ūēLjŠā 2f K2dzāλy dzyλūāK
ϕKŠē šłff ōŠ Ō2Y Lj I-N I-ŃŠ ú2 ūKŠ 2úKŠN I-Lj I-Nú YŠyūā λy ūKŠ D I-fē2š I-ē I-NŠ I-ϕ

² λff ūKŠ dzyλūā ōŠ ā2fR 2N NŠyūŠR K
ϕKŠē šłff ōŠ NŠyūŠRϕ

² KI-ú I-ŊŖ ūKŖ LŊŊZLŊžăŖŖ ŊŖŷúI-ŧ ŊŊI-úŖăK
ϕKŖē ∅Iŧŧ ōŖ ŶI-ŊŧŖŖ ŊŊI-úŖăϕ

[illegible][illegible]

I 2θ R2 θS 1y2θ úKŠ ŠĚlău1y3 ödztŘ1y3ă θ2y1ú oŠ RŠY2flăKŠŘ fl-úŠ1Wk
 4KŠ tfl-yysŘ 5Š0Š2LJYŠyú ot5ú fl-ydzl-3Š 1yÖfdzŘŠă 1uŠú1-1y1y3 úKŠ ödztŘ1y3ă0 42 1uŠY20Š úKŠY
 02dzlŘ ŠĚ1ljdz1uŠ 1-y1-YŠyŘYŠyú ú2 úKŠ t5 0K10K 1yÖfdzŘŠă 321y3 01-01 úK1u2dz3K úK1ă Ljdz0fl0 L1u20Šăă0

² lff úKŠNš ōſ ōfl-áũlyƳ lʔ N20Ĵ ĩă ŠĖŌl-Ųl-úŠRK
² Š Ržyú ōſſſŰŶ ūKŠ Őũè ōlff l-ffzŲ ōfl-áũlyƳ

I Ħă úKŜŊŖ oŜŖy Ĩ-ËŜZúŜÖkYłŎĤ łYŲŜăũŁŁİ-űłZYK ŁF yZűŖ ØKŜYk
b2ϕ ϕKĬ-ű Øłff ZŲŲdzŊ ĩ-řúŜŊ ūKŜ ŊŖÎZyłYϕ

² KŠŲŠ RŽŠā ūKŠ āūŲŠŲū ØāRŠyŲy ȡŠŲyŲ I-yŲ ŠyŲK
LŲ ŲŠŲyā 2y ūKŠ ā2dzŲK ālRŠ 2Ų ūKŠ ȡŲŠŲ-RØŲŲē ŲdzŲŲŲyŲ I-yŲ ŠĖŲŠyŲā I-ȡ2dzŲ mŲŲ ā2dzŲKŲ

52Šā ūKŠ āūNŠI-Y I-ŌŪ I-ā NŠŪŠyūZyK
b2φ Wl-yŠ LJN20RŠR I-āY LūāŪ SĒLJfI-yI-ūZy2T RŠŪŠyūZy2 NŠŪŠyūZyI-yR Ø I-ŪŠN IjzI-fūēφ

! NŠ ūKŠ I-LJ I-NŪ YŠyŭă ū22 ōf2ăŠ ū2 ūKŠ LJ I-NŪ K
 ƆKŠ NŠ lăyŭ I- Rlăŭ I-yŌŠ NŠ Ijdz NŠ YŠyŭ ǫ lăK l y ūKŠ Ōlŭē Ō2RŠ t l y lăŭ y ǫ ūKŠ Rlăŭ I-yŌŠ 2f yŠǫ Ō2yăŭ Ndz Ōŭ lăy
 ū2 LJdz ōf l Ō LJ I-NŪ ăŭ

2 ʌff èðdz dzaš úí È I-òl-úšYŠyú Y2ySèK I2ò Ř2Ša úKl-ú 02WlK
 ,Ša0 a ʌú0K ŠÈŁłf-lyŠŘ úKl-ú úKŠ úÍ È I-òl-úšYŠyú 0ʌff lŠŚŁJ úKŠ ŁJN2ŁJŠNúè úÍ-ÈŠa I-ú úKŠ 0dzŁNÚŠyú 0l-fdzŠ
 T2N mł èŠl-łšà úKŠyúKŠè 0ʌff 0Š I-Ř2dzáúŠŘ ú2 úKŠ yŠ0 0l-fdzŠ I-áášáŠŘ 2yúKŠ ŁJN2ŁJŠNúè0

Lă úKŚNŚ {ú!-úŚ 2N ĆŚŘŚNŚ!f Y2yŚē Ƨ2N úKŚ LjdzoflŎ 1Y LjN2ŎŚYŚŷúăK
b2q ĆKŚ NŚ!jdzANŚŘ 1Y LjN2ŎŚYŚŷúă 1-NŚ 1-ú úKŚ Ő2ă2 2Ƨ úKŚ ŘŚŐŚf2LjŚNq

1/1yè2dz 1y7fdzŠyŌŠ ūKŠ Ōnúè ú2 1Y LJN2ŌŠ 2dzN t2Ō1f áúnŠŠúá älyŌŠ ūKŠè Ø1ft K1-ŌŠ Y2NŠ ūN1-1T1Ō ōú2 ūKŠ
 äŌK22T ŠŪŌØK
 2 Š Ō1yYŠyū12yè2dzN Ō2yŌŠN yŌ

I I ØŠ ē2dz ō22NŕlYI-ÚŠR ØłúK úKS {ØK22f 5läúNlØú I-ō2dzú úKS lYØNŠI-āS lYřáúdzŘŠyüā Tn2Y úKlā
ŘŠØŠf2LJYŠyüK
b2Σ úKI-úŋä ōŠē2VŘ úKS tLYłüā 2T 2dzN Ø2Nŕq

Emailed Questions following neighborhood virtual meeting:

L Šy2èŠŘ úKŠ YŠŠúŷ 0ŠNè YdzÖK Lú 0 I-ă 0Šff Ř2yŠ I-yŘ 0ŠNè ŷyF2Nŷ I-úŷ0Š L Ř2 K2LJŠ è2dz 0ŠNŠ
ăŠNŷ2dză I-02dzú úKŠ I-NÖKŷúŠÖúdzNŠ F2NŠ úKŠ ú02 fI-NŠS I-LJ I-NŷYŠŷú 0dzŷŘŷyă y2ú 0Šŷy 0ŠS Fŷŷf ŘŠăŷy L
ŷy20 y2yŠ 2F dză 0 I-yú I-y2úKŠN 0N20yKdzfŷ ădzÖK I-ă úKŠ 2yŠ úK I-ú ăŷă 2yúKŠ Kŷff I-020Š vdz I-Nŷè
020y 0K I-ú I-LJ I-NŷYŠŷú 02YŷŷÈ ŷă y2ú ŷyŷŠLŷy 0ŷŷK úKŠ I-úY2ăLJ KŠNŠ 2F úKŠ 0 I-ffŠ0 {2Š 0Š I-NŠ
ŷyK2LJŠă è2dzNŠ 0dzŷŘŷyă 0ŷff 0Š Y2NŠ ŷyŷŠLŷy 0ŷŷK úKŠ 0ŷff I-0Š FŠŠ0 0K I-yŷ è2dz F2NŠ è2dzNŠ úŷYŠ
{I-yŘè wŠŠăŠ

0K I-yŷ è2dz F2NŠ è2dzNŠ ŷyLJdzúŠ {I-yŘèH Lŷff ăK I-NŠ úKŷă 0ŷŷK úKŠ ŘŠăŷyúŠI-Y 2 Š ŘŷŘ K I-0Š 02y0ŠNă I-úŷ2yă
èŠăúŠNŷŷ I-02dzú 0 I-0ă ú2 Y I-ŷŠ úKŠ yŠ0 0dzŷŘŷyă fŠăă ŷyLJ2ăŷy 0 I I-0Š I-0NŠ I-ú Ř I-0Š W I-yŠ 9 I-NŷK I-Nŷ

Q&A Report: Lone Pine Planned Development Neighborhood Meeting

Report Generated:

05/14/2020 05:07 AM PDT

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended	Questions Asked (#)
836-421-923	05/13/2020 03:48 PM CDT	2 hours 45 minutes	115	82	86

Q&A

Last Name	First Name	Email Address	Question # (Per Person)	Question Asked Date/Time	Question Asked
Bach	Melanie	mcclamlaw01@gmail.com	1	04:53:37 PM CDT	Please point out both accesses on the site plan.
Bach	Melanie	mcclamlaw01@gmail.com	2	05:00:15 PM CDT	Can you make all participants questions visible?
Bach	Melanie	mcclamlaw01@gmail.com	3	05:26:34 PM CDT	How are emergency vehicles supposed to exit the "grandfathered" steep hill?
Bach	Melanie	mcclamlaw01@gmail.com	4	05:30:34 PM CDT	Are the local schools prepared to handle the additional influx of students this development will bring?
Bach	Melanie	mcclamlaw01@gmail.com	5	05:45:29 PM CDT	What are the square footage of the apartment s?
Bach	Melanie	mcclamlaw01@gmail.com	6	05:46:55 PM CDT	400 square foot micro units? Can you please be specific about the square footage? Not bedrooms or type.
Bach	Melanie	mcclamlaw01@gmail.com	7	05:49:46 PM CDT	What about the 1 bedroom? Square footage?
Bach	Melanie	mcclamlaw01@gmail.com	8	05:50:08 PM CDT	That is the majority of the units.
Bach	Melanie	mcclamlaw01@gmail.com	9	06:00:08 PM CDT	Can you explain how the bulk plane applies to the north building? It seems very close to the road.. 1. What is the height of the tallest building?
Bennett	Mark	mbennett0556@sbcglobal.net	1	04:51:35 PM CDT	2. What percentage of the total development site is hard surface?
Bennett	Mark	mbennett0556@sbcglobal.net	2	05:27:37 PM CDT	What is the height of the tallest building in feet?
Bennett	Mark	mbennett0556@sbcglobal.net	3	05:39:16 PM CDT	What is the price range expected for the various sized apartments? Maybe a question that has already been asked but has any study been done on how this will effect traffic flow on Lone Pine and Galloway? Also have you had any geographical survey as to what the underground has ? Possibly caves and underground water ways?
Boles	Ron	julienron64@mchsi.com	1	04:58:23 PM CDT	
Boles	Ron	julienron64@mchsi.com	2	06:06:09 PM CDT	By the pictures, I really don't see the village feel
Boles	Ron	julienron64@mchsi.com	3	06:10:37 PM CDT	Not the existing buildings but the proposed apartments
Boles	Ron	julienron64@mchsi.com	4	06:14:39 PM CDT	What is the footage between your first apartment buildings and the historical land site of Sequiota park and does that follow the city recommendations?
Boles	Ron	julienron64@mchsi.com	5	06:17:29 PM CDT	I didn't say existing buildings but your proposed new buildings
Boles	Ron	julienron64@mchsi.com	6	06:18:14 PM CDT	Across from lone pine
Brittain	Julie	Jewels532555@yahoo.com	1	04:37:32 PM CDT	How many parking spaces will be available for the 116 apartments and all of this retail?

Brittain	Julie	Jewels532555@yahoo.com	2	04:39:04 PM CDT	I counted 132 for the apartments, and 31 for the commercial use.
Brittain	Julie	Jewels532555@yahoo.com	3	04:41:08 PM CDT	Let me rephrase the parking question. How many spaces are allowed for each apartment? And for each retail space? Hi Mitch, Amanda, and Galloway! Can you describe the different shading of the trees. The smaller circles being smaller trees for the front of development, are the larger circles more canopy trees? And the lighter shading in the center green space existing trees?
Bryant	Laurel	laurelrbryant@gmail.com	1	05:46:14 PM CDT	I'm sorry if I am asking a redundant question. Will you planning to restore the historic structures so that later (If possible) a historic district or designation could be achievable?
Bryant	Laurel	laurelrbryant@gmail.com	2	06:01:14 PM CDT	Is it a total of 116 apartments total, or 116 units per building?
Bustamante	Cristina	cbustamante22@gmail.com	1	04:44:57 PM CDT	Just making sure I got it right.
Christensen	Anna	minkona@gmail.com	1	05:46:03 PM CDT	Will the minimum parking requirements be enough to prevent tenants from parking at Sequiota?
Cinkosky	Zach	zcinkosky@gmail.com	1	04:38:47 PM CDT	Do you know approximate fill rate of other lone pine business locations and apartments? How many of each are included in this proposal?
Cook	Chad	chad.cook@pro16properties.com	1	05:37:07 PM CDT	I appreciate Mr. Jenkins and his team keep the existing buildings. It clearly shows you've been listening to the neighborhood and are committed to our input.
Cross	Becky	beckyc6202@att.net	1	04:39:25 PM CDT	what adjustments will be made for the round about.
Diamond	Jevne	jevnediamond@gmail.com	1	04:39:17 PM CDT	What are the business capacities compared to what you have planned for parking for those businesses?
Friesen	Sarah	Sarah.b.friesen@gmail.com	1	04:59:37 PM CDT	Are there any units being offered as affordable housing that would enable lower income households to have access to this area of Springfield and school?
Friesen	Sarah	Sarah.b.friesen@gmail.com	2	05:25:11 PM CDT	Why does there have to be a certain density, can you explain that requirement? Is it possible for it to be two stories, aside from the fact that going up to four allows for more units which generate more income? What is in those buildings aside from housing? Thank you!
Friesen	Sarah	Sarah.b.friesen@gmail.com	3	05:47:12 PM CDT	I'm sorry, I think my question was erased. Can you explain the density requirement that means it must be 4 stories rather than 2? Is there a requirement for that, or is it desired to increase income, but not required for density?
Grigsby	Clayton	clayton.j.grigsby@gmail.com	1	05:03:47 PM CDT	Thanks Elevation Team for implementing the historical value of our neighborhood. I think it's a reason more people in the neighborhood is on board. Is there a guarantee that the historical buildings will always be safe or is there a chance a phase II at some point that will see the buildings removed?
Grigsby	Clayton	clayton.j.grigsby@gmail.com	2	05:43:59 PM CDT	Great job Mitch and Elevation Team! Thanks for your hard work!
Huscher	Wendy	aboutfacesphoto@hotmail.com	1	04:58:47 PM CDT	Can you go over the entrance and exits again
Huscher	Wendy	aboutfacesphoto@hotmail.com	2	05:02:33 PM CDT	Will blasting be required to make the underground parking garage
Huscher	Wendy	aboutfacesphoto@hotmail.com	3	05:47:40 PM CDT	Can you explain the stream buffer

Huscher	Wendy	aboutfacesphoto@hotmail.com	4	05:48:51 PM CDT	Can you show the diagram that shows the existing trees that are in gray below the plans...to show how many will be removed ?
Huscher	Wendy	aboutfacesphoto@hotmail.com	5	05:50:39 PM CDT	Can you give people more time to unmute please ..several have been passed
Huscher	Wendy	aboutfacesphoto@hotmail.com	6	06:04:57 PM CDT	I'm sorry but i don't see a Village feel at all as I look at this rendering.
Huscher	Wendy	aboutfacesphoto@hotmail.com	7	06:17:43 PM CDT	This is Melanie, my phone is dropping off. Will you put in the PD that the historical building will never be demolished?
Johnson	Duane	dj.spfmo@yahoo.com	1	04:46:58 PM CDT	Why are we proposing 4story when neighborhood has been opposed
Johnson	Duane	dj.spfmo@yahoo.com	2	05:58:59 PM CDT	I understand why you want 4 story but as it is out of character there will be no support
Kirkup	Marcie	kirkups@att.net	1	03:57:18 PM CDT	can we do a sound check for those who are already on?
Kirkup	Marcie	kirkups@att.net	2	04:38:26 PM CDT	Maybe announce that we'll get started in 3 minutes?
Kirkup	Marcie	kirkups@att.net	3	04:46:35 PM CDT	Has there been a study of the impact of water runoff for the park?
Kirkup	Marcie	kirkups@att.net	4	05:24:15 PM CDT	Do you know if the city is planning to re-do the entrance to the park to accomodate the new center turn lane?
Kirkup	Marcie	kirkups@att.net	5	05:30:30 PM CDT	is there a barrier separating the sidewalk from the street on the southern end of the development in front of purple shamrock and treadways?
Marquart	Shawn	kmarquart4@gmail.com	1	04:47:13 PM CDT	Has there been any collaboration with the school district to understand the impact of another high density development on Field/Pershing/Glendale?
O'Connell	Tom	tompococonnell@gmail.com	1	04:13:52 PM CDT	What is so attractive about Galloway for your development?
O'Connell	Tom	tompococonnell@gmail.com	2	04:27:09 PM CDT	I have no audio. "Test sound" plays fine for me
O'Connell	Tom	tompococonnell@gmail.com	3	04:29:16 PM CDT	yes, figured it out, thanks
O'Connell	Tom	tompococonnell@gmail.com	4	04:38:28 PM CDT	so will Lone Pine be widened 10ft in front of treadway's? how will it be widened 10ft and have trees added?
O'Connell	Tom	tompococonnell@gmail.com	5	04:51:20 PM CDT	Do you know of another development this tall on a 2-lane street like Lone Pine
O'Connell	Tom	tompococonnell@gmail.com	6	05:29:52 PM CDT	will there be additional retail sq ft will be added in the new buildings?
Patterson	Jane	jsp91@sbcglobal.net	1	04:39:30 PM CDT	will there be any apartments for sale or only for rent
Patterson	Jane	jsp91@sbcglobal.net	2	05:08:24 PM CDT	How many apartment units?
Patterson	Jane	jsp91@sbcglobal.net	3	05:27:35 PM CDT	Is this development anticipating a tax abatement from the city?
Patterson	Jane	jsp91@sbcglobal.net	4	05:32:44 PM CDT	Are you required to keep the existing buildings? I would hate to see this approved and then have you come back and say the property renovation is too costly, not feasible, etc.
Patterson	Jane	jsp91@sbcglobal.net	5	05:36:42 PM CDT	Can you explain the tax abatement? In dollars?
					What is the setback from the street? It seems very close to the street based on the location of the bike shop.

Patterson	Jane	jsp91@sbcglobal.net	6	05:41:40 PM CDT	What improvements, such as to Lone Pine, etc., will the city be required to pay for as a result of this development. Do you have any idea what those costs would be?
Patterson	Jane	jsp91@sbcglobal.net	7	05:49:55 PM CDT	Are any of these going to be furnished? Will you be allowing people to rent for short term rental relent?
Patterson	Jane	jsp91@sbcglobal.net	8	06:00:47 PM CDT	I am bothered by the appearance and proximity to the street as well. Have you considered stair-stepping the building at the street so the height is more gradual?
Patterson	Jane	jsp91@sbcglobal.net	9	06:07:34 PM CDT	Did you address my question about short term rentals? I am sorry...I had a call and missed a couple of minutes.
Patterson	Jane	jsp91@sbcglobal.net	10	06:16:05 PM CDT	Can you put the overall development drawing up again?
Patterson	Jane	jsp91@sbcglobal.net	11	06:18:06 PM CDT	Thanks! Can you show the other elevation again...from across the street?
Patterson	Jane	jsp91@sbcglobal.net	12	06:20:56 PM CDT	Yes, thank you. The two main buildings still look pretty big box - modern even given the wood and stone. Not sure I think this is a village look
Reese	Sandy	sandyreese@me.com	1	04:45:11 PM CDT	
Reese	Sandy	sandyreese@me.com	2	05:13:09 PM CDT	Thank you Most households have 2 cars. With 240 more cars in the neighborhood and in front of the park. With there be a flashing light or anything on the crosswalk?
Saeger	Jade	jadesaeger@gmail.com	1	04:39:35 PM CDT	Will the water connectivity increase the water bill and fees of existing bills?
Saeger	Jade	jadesaeger@gmail.com	2	04:41:32 PM CDT	
Saeger	Jade	jadesaeger@gmail.com	3	05:04:28 PM CDT	I do live here.
Shelley	Jennifer	jnnfrshelley@yahoo.com	1	04:56:10 PM CDT	where would the turn lane be located on Lone Pine?
Sickmyre	Clif	clifsickmyre@yahoo.com	1	04:32:51 PM CDT	no sound?
Sickmyre	Clif	clifsickmyre@yahoo.com	2	04:36:31 PM CDT	where is audio??
Stainback	Judy	jstainba@mchsi.com	1	04:31:15 PM CDT	image didn't change!
Stainback	Judy	jstainba@mchsi.com	2	04:32:28 PM CDT	Is that the color scheme you plan to use?
Stainback	Judy	jstainba@mchsi.com	3	04:39:13 PM CDT	are these one or two or three bedroom units?
Stainback	Judy	jstainba@mchsi.com	4	04:42:56 PM CDT	have you tested the south end of the development for the amount of blasting needed?
Stainback	Judy	jstainba@mchsi.com	5	05:26:48 PM CDT	Have you considered using impervious materials for all that parking/patio space?
Stainback	Judy	jstainba@mchsi.com	6	05:35:36 PM CDT	what are your intentions for future updates with the Neighborhood?
Stainback	Judy	jstainba@mchsi.com	7	05:41:10 PM CDT	will there be other meetings like this as you get more specifics decided?
Treece	Brenda	treece.brenda@yahoo.com	1	04:39:25 PM CDT	Are there any plans to improve the egress to the south onto Galloway Street?
Treece	Brenda	treece.brenda@yahoo.com	2	04:53:25 PM CDT	How will you prevent people from using it?
Wise	Janelle	jela8f@hotmail.com	1	04:39:21 PM CDT	How will the new roundabout affect the plans for your project?

Wise Janelle jela8f@hotmail.com 2 04:52:30 PM CDT What is the timeline of your project?

! ÚÚ!ÖKYŠyú p
COMMENT CARD

! ábŠĀKō2NĀK22Ř a ŠŠŰĀyĀÉ Āă KŠř Š!-NŰĒ Šy2dzĀK Ű2 LJN2ŰĀŘŠ I-ŘŠ!jdzI-ŰŠ ŰĀYŠ T2NŰ ŰKŠ ŘŠŰŠř2LJŠNŰ Ű2 yŠĒ2ŰĀI-ŰŠ ŰĀŰK ŰKŠ yŠĀKō2NĀK22Ř Āy2NŰŘŠNŰ Ű2 NŠă2řŰŠ I-yĒ ĀăădzŠă I-yŘ LJN2ŰĀŘŠ I-yĒ LJN2LJ2ăŠŘ ŰK!-yĀŠă Ű2 /ĀŰĒă ŰŰI-řř Ű2 ŠŰI-fdzI-ŰŠ I-yŘ ĀyŰřdzŘŠ Āy /ĀŰĒă ŰŰI-řř NŠLJ2NŰŰăŰ

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Lř ŰKŠ ŘŠŰŠř2LJŠNŰădzŰYĀăă I-yI-LJLJĀŰI-ŰĀ2yřT2NŰ I-ŰK!-yĀŠ ĀyřI-yŘ dzăŠ 2NŰ Ī2yĀyĀŠ ŰKŠ LJN2LJŠNŰŰĒă ŰĀřř ōŠ LJ2ăŰŠŘ I-yŘ ŰKŠNŰŠ ŰĀřř ōŠ LJdzŰĀŰŰ y2ŰĀřĀŰI-ŰĀ2yă ĀyŰKŠ yŠŰăLJ!-LJŠNŰ I-yŘ y2ŰĀřĀŰI-ŰĀ2yřōĒ YI-Āř Ű2 ŰKŠ LJN2LJŠNŰŰĒă 2ŰyŠNăă ŰĀŰKĀymyp řŠŠŰ 2ř ŰKŠ LJN2řŠŰŰăŰ

The Land Use or Zoning Change Process:

- mŰ ! LJLJĀŰI-ŰĀ2yř
- nŰ bŠĀKō2NĀK22Ř a ŠŠŰĀyĀ ōpřł řŠŠŰ y2ŰĀřĀŰI-ŰĀ2yřřN2Yă dzŰŰŠŰŰ LJN2LJŠNŰŰĒăŰ
- oŰ řřI-yŰyĀyĀ I-yŘ ½2yĀyĀ / 2YŰĀăă2yřř t dzŰĀŰŰ I ŠI-ŰĀyĀ ōmyp řŠŠŰ y2ŰĀřĀŰI-ŰĀ2yřřN2Yă dzŰŰŠŰŰ LJN2LJŠNŰŰĒăŰ
- pŰ măŰ /ĀŰĒă / 2dzYŰĀř t dzŰĀŰŰ I ŠI-ŰĀyĀ ōmyp řŠŠŰ y2ŰĀřĀŰI-ŰĀ2yřřN2Yă dzŰŰŠŰŰ LJN2LJŠNŰŰĒăŰ
- pŰ nYř /ĀŰĒă / 2dzYŰĀř a ŠŠŰĀyĀ Ű2 ŘŠŰĀŘŠ ŠĀŰKŠNŰ Ű2 I-LJLJN2ŰŠ 2NŰ Ű2 ŘŠyĒ ŰKŠ ŰK!-yĀŠ ĀyřI-yŘ dzăŠ 2NŰ Ī2yĀyĀ

/ĀŰĒă ŰŰI-řř Āă I-ŰI-ĀřI-ŰřŠ Ű2 YŠŠŰ ŰĀŰK Ēdz 2NŰ ĒdzNŰ yŠĀKō2NĀK22Ř I-ăă2ŰĀI-ŰĀ2yřNŠLJNŠăŠyŰI-ŰĀŰŠŰăŰ Ű2 ŘĀăŰdzăă ŰKŠ LJN2LJ2ăŠŘ ŰK!-yĀŠ ĀyřI-yŘ dzăŠ 2NŰ Ī2yĀyĀ I-yŘ I-yăŰŠNŰ ĪjdzŠăŰĀ2yă I-Ű pmtřycpřmčmmŰ

{ŰI-řřădzŰYĀăă I- NŠLJ2NŰŰ ŰĀŰK I- NŠŰ2YŰŠyřI-ŰĀ2yřyŠř ŰŠŠř LJNĀ2NŰ Ű2 ŰKŠ ŘI-ŰŠ 2ř ŰKŠ LJdzŰĀŰŰ KŠI-ŰĀyĀ I-Ű ŰKŠ řřI-yŰyĀyĀ I-yŘ ½2yĀyĀ / 2YŰĀăă2yřř , dz ŰI-y LJN2ŰĀŘŠ Ű2YŰŠyŰă 2yŰKŠ I-ŰŰI-ŰKŠř Ĥ/ 2YŰŠyŰ / I-NŰřĤ ōĒ YI-Āř 2NŰ ōĒ ŠYI-Āř I-Ű Ī2yĀyĀ XăLJNĀyĀřĀřřY2ŰĒŰŰ t řŠI-ăŠ ĀyŰřdzŘŠ ĒdzNŰ yI-YŠř I-ŘŘNŠăă I-yŘ ŰŠřLJK2yŠ ydzYŰŠNŰ I-ă ŰŠřř I-ă ŰKŠ I-ŘŘNŠăă 2ř ŰKŠ LJN2řŠŰŰăŰ Āy ĒdzNŰ Ű2NŰNŠăLJ2yřřyŰŠŰŰ

. 2Ű Ī2ăYŠNŰ !L/t řřI-yŰyĀyĀ a I-yI-ĒŠNŰ
/ĀŰĒă 2ř {LJNĀyĀřĀřř 5ŠŰŠř2LJYŠyŰ wŠŰĀŠŰ ĤřřĀŰŠ
yřł . 22yŰĀřř !ŰŠyŰăŠ
{LJNĀyĀřĀřř a ĀăădzNŰ cpyřł

Comment Card: a I-Āř Ű2YŰŠyŰă Ű2 ŰKŠ I-ŘŘNŠăă I-Ű2ŰŠ 2NŰ ŠYI-Āř Ű2YŰŠyŰă Ű2 Ī2yĀyĀ XăLJNĀyĀřĀřřY2ŰĒŰŰ

DATE:	May 14, 2020	Telephone No.	417-823-9433
YOUR NAME:	Stephen C. Berkwitz		
YOUR ADDRESS:	2468 E. Raynell Street.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I have serious concerns about the rezoning request and the multifamily project proposal for S. Lone Pine across from Sequiota Park. While I appreciate some of the efforts made by the developer to preserve the historic buildings and to move the parking lots back from the street, the size and scale of this project is too grandiose and does not fit the residential and natural area of the location. Sequoiota Park is one of Springfield's most unique and attractive areas. Its popularity was what originally motivated the development further south. By allowing large apartment buildings to spread northwards, we risk destroying the beauty and charm of the park area. People built and bought homes around this area, believing it was primarily a residential area with natural beauty and a relaxed pace of life. This rezoning request threatens everything that we in the neighborhood love about Sequiota Park and Galloway Village. A more modest rezoning request that would not put such big apartment buildings in this lot would be more appropriate and would gain greater support from those of us who live in this neighborhood. Thank you for your consideration of my concerns. Sincerely, Steve Berkwitz		

COMMENT CARD

! ábŠĀKō2NĀK22Ř a ŠŠŰĀYĚ Ā KŠř ŠĪNĒ ŠY2dzĒK Ű2 LĀN2ŰĀŘŠ ĪŘŠĪdzĪŰŠ ŰĀYŠ T2N ŰKŠ ŘŠŰŠřLĪŠN Ű2 YŠĒ2ŰĀĪŰŠ ŰĀŰK ŰKŠ YŠĀKō2NĀK22Ř ĀY2NĪŘŠN Ű2 NŠĀ2ŰŠ ĪYĒ ĀĀĀdzŠ ĪYŘ LĀN2ŰĀŘŠ ĪYĒ LĀN2LĪ2ĀŠŘ ŰKĪYĒŠĀ Ű2 /ĀŰĒ ĀŰĪTĒ Ű2 ŠŰĪtdzĪŰŠ ĪYŘ ĀYŰtdzŘŠ ĀY /ĀŰĒ ĀŰĪTĒ NŠLĪ2NŰĀŰ

*Due to the **COVID-19 Civil Emergency** the meeting requirement will be waived at this time. However the applicant has chosen to conduct a teleconference meeting. You can also respond via mail or e-mail.*

ĪT ŰKŠ ŘŠŰŠřLĪŠN ĀdzŰYĀĀ ĪYĪLĪLĪŰĪŰĀ2Y T2N Ī ŰKĪYĒŠ ĀYĪĪYŘ dzŠ 2N Ī2YĀYĒ ŰKŠ LĀN2LĪŠNŰĒ ŰĀĪT ŰŠ Ī2ĀŰŠŘ ĪYŘ ŰKŠNŠ ŰĀĪT ŰŠ Ī2dzŰĪŰ Y2ŰĀĪŰĪŰĀ2YĀ ĀYŰKŠ YŠŰĀĪĪLĪLĪŠN ĪYŘ Y2ŰĀĪŰĪŰĀ2YŰĒ YĪĪT Ű2 ŰKŠ LĀN2LĪŠNŰĒ 2ŰYŠNĀ ŰĀŰKĀYmYp TŠŠŰ 2T ŰKŠ LĀN2ŠŰŰŰ

The Land Use or Zoning Change Process:

- мф ! LĪLĪŰĪŰĪŰĀ2Y
- нф бŠĀKō2NĀK22Ř a ŠŠŰĀYĒ ŰĪĪĪ TŠŠŰ Y2ŰĀĪŰĪŰĀ2Y T2N2Y ĀdzŰŠŰŰ LĀN2LĪŠNŰĒŰ
- оф тĪĪYĪYĒ ĪYŘ ½2YĀY / 2YĀĀĀ2Y TdzŰĪŰ Ī ŠĪNĀYĒ ŰmYp TŠŠŰ Y2ŰĀĪŰĪŰĀ2Y T2N2Y ĀdzŰŠŰŰ LĀN2LĪŠNŰĒŰ
- пф мĀŰ /ĀŰĒ / 2dzYŰĪT TdzŰĪŰ Ī ŠĪNĀYĒ ŰmYp TŠŠŰ Y2ŰĀĪŰĪŰĀ2Y T2N2Y ĀdzŰŠŰŰ LĀN2LĪŠNŰĒŰ
- рф нYŘ /ĀŰĒ / 2dzYŰĪT a ŠŠŰĀYĒ Ű2 ŘŠŰĀŘŠ ŠĪŰKŠN Ű2 ĪLĪLĪN2ŰŠ 2N Ű2 ŘŠYĒ ŰKŠ ŰKĪYĒŠ ĀYĪĪYŘ dzŠ 2N Ī2YĀY

/ĀŰĒ ĀŰĪTĒ Ā ĪŰĪĪĪŰŠ Ű2 YŠŠŰ ŰĀŰK Ēdz 2N Ē2dzN YŠĀKō2NĀK22Ř ĪĀĀ2ŰĀĪŰĀ2Y NŠLĪNŠĀŠYŰĪŰĀŰŠĀŰ Ű2 ŘĀŰdzĀĀ ŰKŠ LĀN2LĪ2ĀŠŘ ŰKĪYĒŠ ĀYĪĪYŘ dzŠ 2N Ī2YĀY ĪYŘ ĪYĀŰŠN ĪdzŠĀŰĀ2YĀ ĪŰ NMTTycnTMCMMŰ

{ŰĪTĒ ĀdzŰYĀĀ Ī NŠLĪ2NŰŰ ŰĀŰK Ī NŠŰ2YŰŠYŘĪŰĀ2Y2YŠ ŰŠŠĪ LĀN2N Ű2 ŰKŠ ŘĪŰŠ 2T ŰKŠ ĪdzŰĪŰ KŠĪNĀYĒ ĪŰ ŰKŠ тĪĪYĪYĒ ĪYŘ ½2YĀY / 2YĀĀĀ2Y , dz ŰĪY LĀN2ŰĀŘŠ Ű2YŰŠYŰĀ 2YŰKŠ ĪŰŰĪŰKŠŘ ħ/ 2YĀYŠYŰ / ĪNĪŘĪ ŰĒ YĪĪT 2N ŰĒ ŠYĪĪT ĪŰ Ī2YĀY X ĀĪLĪNĀYĒTŠřY2ŰĒ2Ű tŠĪĪŠ ĀYŰtdzŘŠ Ē2dzN YĪYŠ ĪŘŘNŠĀĀ ĪYŘ ŰŠřLĪK2YŠ YdzYŰŠN ĪĀ ŰŠřĪ ĪĀ ŰKŠ ĪŘŘNŠĀĀ 2T ŰKŠ LĀN2ŠŰŰŰ ĀYĒdzN Ű2NŰNŠĀĪ2YŘŠYŰŠŰ

.2Ű Ī2ĀYŠNŠ !L/t тĪĪYĪYĒ a ĪYĪĒŠN
/ĀŰĒ 2T {LĀNĀYĒTŠř 5ŠŰŠřLĪYŠYŰ WŠŰĀŠŰ ħTĪĪŰŠ
ynл .22YŰĪTŠ !ŰŠYdzŠ
{LĀNĀYĒTŠř a ĀĀĀdzNĀ cpyлM

Comment Card: a ĪĪT Ű2YŰŠYŰĀ Ű2 ŰKŠ ĪŘŘNŠĀĀ ĪŰ2ŰŠ 2N ŠYĪĪT Ű2YŰŠYŰĀ Ű2 Ī2YĀY X ĀĪLĪNĀYĒTŠřY2ŰĒ2Ű

DATE:	May 13, 2020	Telephone No.	417-839-6389
YOUR NAME:	Brenda Treece		
YOUR ADDRESS:	2623 E Inman Street, Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Please leave this property zoned as is. After seeing the pictures they used to give us an idea of what it would look like, it is clear that this developer has no desire to maintain the village feel of Galloway. This design belongs in the middle of the city, not in our quiet corner and certainly not across from Sequiota Park! This plan looks nothing like what they were telling us they could do when they were trying to change our minds about re-zoning.		

COMMENT CARD

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

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If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative (s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-26-20	Telephone No.	417-830-3749
YOUR NAME:	Deborah Lawson		
YOUR ADDRESS:	3331 S. Lonepine + 3323 S. Lonepine		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	It is a shame that the City would allow another apartment complex to go up in this small community. Lonepine is already in poor shape for the growing traffic from the other apartments. On top of that		

is the continued traffic from people using it as a shortcut through town. The Galloway Rd. improvement has not even been started yet. This is too many apartments!

City of Springfield, Missouri • Development Review Office • 840 Boonville, Springfield, MO 65802 • 417.864.1611
Application for Zoning Map Amendment & Planned Developments
Fees are non-refundable

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	6/03/2020	Telephone No.	417-693-6394
YOUR NAME:	Vivian Short		
YOUR ADDRESS:	3612 S. Elmview, Spfd, 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		

COMMENTS:

The environmental impact that this development will create is unthinkable. Sequoia Park the lake, Dalloway Creek, and local wildlife will suffer from yet more pollution & habitat destruction. Flood control has been an issue since before the current development further south on Lone Pine - this will only worsen.

The Dalloway area cannot grow and never will be able to safely handle increased traffic. Much of the history and value of Dalloway has already been forever destroyed. The citizens are rapidly losing confidence in our elected leaders.

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	6/10/20	Telephone No.	417 300 1416
YOUR NAME:	ED & MARY DELFIN		
YOUR ADDRESS:	2037 E CHERRYVALE ST, (65804)		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	RESPONDING LATE ; HOPE I'VE NOT MISSED ANY MEETINGS OR FURTHER DEVELOPMENTS, I'D LIKE TO RECEIVE ANY PERTINENT INFO. WIFE & I ARE STRONGLY AGAINST THE PLANS FOR THE APARTMENT BUILDING AT THE SELECTED AREA THANK YOU, Ed Delfin		

DATE:	May 25, 2020	Telephone	417 8407587
YOUR NAME:	Joyce Tolliver		
YOUR ADDRESS:	3231 E. Manitowish		65804
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	PLEASE consider NOT developing the land across from Sequoia park. I have a Memorial bench there honoring my parents and I certainly would appreciate the tranquility of the park to remain "as is"! Thank you. Joyce Tolliver		

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City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable

I have lived in the Sequiota area for 10+ years. There is something special about this area. My family has enjoyed this area because of the mature trees, trails, and Sequiota Park. Activities in the outdoors have been almost a daily occurrence for us. I think we all agree that this area is very unique to the Springfield area. But I feel the over development of tall buildings would do this city an injustices. We as a community have an opportunity to make something great. I believe this area should contribute to why people love it. The development should support nature, families, the schools, bicyclist, runners, musicians, artists, ect. ... I feel we should use this spaces as an opportunity to expand the use of outdoor recreation. →

Springfield is an area where the community is designed for physical activity. Adding more Large apartment buildings in a small residential area is going to cause major traffic/safety issue for people trying to enjoy this area. I am also concerned that Large apartment building are going to over crowd our schools. I am disgusted that a builder can come into a residential area and build large apartment (make major profit) and not pay taxes to our schools or parks ^{for years} while simultaneously challenging their very existence.

To all those who have a vote in the end, I, please, encourage you to take a short drive from Battlefield Road down Lone Pine to the entrance of our beloved Galloway area and feel why it is so special to us. All of the beautiful trees have stood long before us & can not be replaced. All the wildlife that make this area their home needs to be protected. The creeks and water ways that need to be kept clean. Apartment buildings can be built anywhere but nature can not be rebuilt.

Thank you
Your concerned Neighbor

SARA TRAUT

3625 S. Oak Ave

Springfield, MO 65804

417.988.1298

Scoteman134@gmail.com

Community over Corporate
profit

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:		Telephone No.	
YOUR NAME:	SANDRA REESE		
YOUR ADDRESS:	2740 E. REPUBLIC Rd, Springfield, Mo 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	① The current design of the (2) Apartment buildings is the "big box" STERILE appearance. We were told they would be "in keeping with the village look". Another MISTAKE like Quarry town is too garish to repeat. ② Storm water drainage is being directed across Lone Pine to the park. Doesn't this lead to more flooding?? ③ Traffic flow will be a NIGHTMARE - more congested in an already over-taxed area.		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable

Sandy Reese
2740 E Republic Road
Springfield, Missouri 65804-4603
417 860-0930
sandyreese@me.com

From: lyndi@bbsalesco.com
To: Zoning@springfieldmo.gov
Cc: gallowayvillage@gmail.com
Subject: 3503, 3521, 3527, 3535 S Lone Pine Ave Comment Cards
Date: Friday, May 29, 2020 11:34:52 AM
Importance: High

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Please see attached two comment cards for the P&Z Meeting on June 4th for the proposed development of 3503, 3521, 3527, 3535 S Lone Pine Avenue.

Cheers,
Lyndi Miller-Tiggemann
B&B Sales Company
209 East Pine
Strafford, MO 65757
417.736.3100

From: [Linda & Darrel](#)
To: Zoning@springfieldmo.gov
Subject: Galloway concerns
Date: Monday, May 18, 2020 3:07:24 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Date - 5/18/20 Telephone - 417-890-7334
Name - Darrel Barnes and Linda Taylor
Address - 3422 South Valley View Ave, 65804
Project Address - 3503, 3521, 3527, 3535 So. Lone Pine Avenue

Comment:

We are against rezoning and any additional apartments in the Galloway area. We live in Mission Hills - just to the west off of Galloway Street. There has been a significant increase in traffic with the current apartment increase and Galloway is not sufficient for even more. The area changes to the roads have not occurred yet, so it doesn't make any sense that new apartments would be put in prior to that restructuring which is significant. Lone Pine is a narrow road with significant traffic disruption as people enter the park and the recycle center. New apartments will increase the car traffic and increase safety concerns, especially with walking traffic at the park. Please consider the traffic concerns of the entire area - not just the Galloway area. Thank you.

COMMENT CARD

! ábŠĀKō2NĀK22Ř a ŠŠŮĀYĚ Ľă KŠĤŘ ŠĬNĤĚ ŠY2dzĤK ů2 LĀNĀ2ŌĀŘŠ ĬŘŠĬjdzĬŮŠ ůĀYŠ Ĥ2NĬ ůKŠ ŘŠŌŠĤ2LĬŠNĬ ů2 YŠĚ2ŮĀĬŮŠ ōĀŮK ůKŠ YŠĬĀKō2NĀK22Ř ĤY2NĬŘŠNĬ ů2 NŠĀ2ĤŌŠ ĬYĚ ĽăădzŠă ĬYŘ LĀNĀ2ŌĀŘŠ ĬYĚ LĀNĀ2LĬ2ăŠŘ ŌKĬYĤŠă ů2 /ĀŮĚ ĀŮĬĤĤ ů2 ŠŌĬĤdzĬŮŠ ĬYŘ ĀYŌĤdzŘŠ ĀY /ĀŮĚ ĀŮĬĤĤ NŠĬLĬ2NŮŮăŋ

Due to the COVID-19 Civil Emergency the meeting requirement will be waived at this time. However the applicant has chosen to conduct a teleconference meeting. You can also respond via mail or e-mail.

ĤĤ ůKŠ ŘŠŌŠĤ2LĬŠNĬ ĀdzŌYĀă ĬYĬĬLĬJĤŌĬŮĀ2YĤ2NĬ Ĭ ŌKĬYĤŠ ĀYĤĬYŘ dzăŠ 2NĬ Ĭ2YĀYĤ ůKŠ LĀNĀ2LĬŠNŮĚ ōĀĤ ōŠ Ĭ2ăŮŠŘ ĬYŘ ůKŠNŮŠ ōĀĤ ōŠ ĬJdzŌĤŌ Y2ŮĀĤŌĬŮĀ2Yă ĀYŮKŠ YŠŌăĬĬĬLĬŠNĬ ĬYŘ Y2ŮĀĤŌĬŮĀ2YŌĚ YĬĤ ů2 ůKŠ LĀNĀ2LĬŠNŮĚ 2ŌYŠNă ōĀŮKĀYmYp ĤŠŠŮ 2Ĥ ůKŠ LĀNĀ2ŌŠŌŮŋ

The Land Use or Zoning Change Process:

- mŋ !ĬĬĬJĤŌĬŮĀ2YĤ
- hŋ bŠĬĀKō2NĀK22Ř a ŠŠŮĀYĚ ōpĤĤ ĤŠŠŮ Y2ŮĀĤŌĬŮĀ2YĤNĬ2Y ĀdzŌŌŠŌŮ LĀNĀ2LĬŠNŮĚŮ
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- ŋŋ măŮ /ĀŮĚ /2dzYŌĤ ĤdzŌĤŌ Ĭ ŠĬĬNĀYĤ ōmYp ĤŠŠŮ Y2ŮĀĤŌĬŮĀ2YĤNĬ2Y ĀdzŌŌŠŌŮ LĀNĀ2LĬŠNŮĚŮ
- pŋ hYŘ /ĀŮĚ /2dzYŌĤ a ŠŠŮĀYĚ ů2 ŘŠŌĀŘŠ ŠĬŮKŠNĬ ů2 ĬĬĬLĬJĬ2ŌŠ 2NĬ ů2 ŘŠYĚ ůKŠ ŌKĬYĤŠ ĀYĤĬYŘ dzăŠ 2NĬ Ĭ2YĀYĤ

/ĀŮĚ ĀŮĬĤĤ Ľă ĬŌĬĤĤĬŌĤ ů2 YŠŠŮ ōĀŮK Ě2dz 2NĬ Ě2dzNĬ YŠĬĀKō2NĀK22Ř Ĭăă2ŌĀĬŮĀ2YĤ NŠĬLĬJNŠăŠYŮĬŮĀŌŠăŮ ů2 ŘĀăŌdzăă ůKŠ LĀNĀ2LĬ2ăŠŘ ŌKĬYĤŠ ĀYĤĬYŘ dzăŠ 2NĬ Ĭ2YĀYĤ ĬYŘ ĬYăŌŠNĬ ĬJdzŠăŮĀ2Yă ĬŮ ĤĤĤYĤŋĤĤMĤMŋ

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Comment Card: a ĬĤ Ō2YĤŠYŮă ů2 ůKŠ ĬŘŘNŠăă ĬŌ2ŌŠ 2NĬ ŠYĬĤ Ō2YĤŠYŮă ů2 Ĭ2YĀYĤ XăĬLĬNĀYĤĤĤŘY2ŋ2Ōŋ

DATE:	May 13, 2020	Telephone No.	417-839-6389
YOUR NAME:	Brenda Treece		
YOUR ADDRESS:	2623 E Inman Street, Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Please leave this property zoned as is. After seeing the pictures they used to give us an idea of what it would look like, it is clear that this developer has no desire to maintain the village feel of Galloway. This design belongs in the middle of the city, not in our quiet corner and certainly not across from Sequiota Park! This plan looks nothing like what they were telling us they could do when they were trying to change our minds about re-zoning.		

From: [JR Raphael](#)
To: Zoning@springfieldmo.gov
Subject: Comments re: Galloway rezoning/development
Date: Sunday, May 24, 2020 1:12:06 PM

Hello,

I am writing to express our comments regarding the proposed Galloway rezoning and development at 3503, 3521, 3527, and 3535 S. Lone Pine Avenue. We and every neighbor in our area with whom we have spoken over the months are vehemently opposed to this development, as we expressed via petition the last time it was brought forward.

The Galloway area, particularly right across from Sequiota Park, is a quaint and nature-centric area of Springfield where children play, adults walk and bike, and everyone enjoys the relative peace and serenity. Having a large apartment complex would bring excessive added activity, noise, and traffic into the area and completely ruin its quiet, nature feel. There are plenty of places in Springfield for commercial development and residential construction. Please don't allow a greedy developer to ruin one of the few remaining areas like this in the city. Our families and future generations will thank you for preserving what's left of the quiet, nature-centric community.

Thank you,

Jason and Shellie Raphael
3243 Shady Glen St., Springfield, MO 65804
417-501-6555

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	May 25, 2020
	TELEPHONE: 417.882.6981
YOUR NAME:	Catherine Carr
YOUR ADDRESS:	3838 S. Crystal Place, Springfield, MO 65807
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue
COMMENTS:	PLEASE do not approve this project! Please do not allow the village of Galloway to be decimated any further than it already has been! Springfield, sadly, has systematically given no consideration to preservation. Their mantra seems to be, "If it's old, tear it down" to put money into the pockets of investors. My husband and I enjoy visiting St. Louis. WHY? Because they have preserved neighborhoods and architecture. NOT Springfield. I am not a resident of the Galloway area, but have wonderful memories of how it used to be. As a child, I was enchanted by the stories my mother, born 1919, told me about riding the train from Aurora, MO for Sunday afternoon picnics in the park. I shopped the quaint shops that used to be there. There are SO many other areas to build apartments. Please don't continue to ruin Galloway just so someone can become fat from the profits. Keep what is left of Galloway as the treasure it is.

From: jand@thetravelgroup.net
To: Zoning@springfieldmo.gov
Subject: Galloway Village Re-zoning
Date: Wednesday, May 27, 2020 4:49:46 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

I would like to submit my opposition to the proposed development in Galloway Village. There is enough development there at the present time and to further develop the area would be detrimental to the greenspace and natural beauty of the area.

Jan Davis

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	6/9/2020
	Telephone No. 417-766-2718
YOUR NAME:	Deborah Meek
YOUR ADDRESS:	2922 E Lark St, Springfield, MO 65804
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue
COMMENTS:	I strongly object to any additional zoning changes to this area. It has already outgrown the road system. The prior zoning changes on Lone Pine to build apartments and businesses improved the road, but did not allow for more traffic by widening the road. At Republic Rd and Luster, there is presently a stop sign where you must wait for the main traffic. Galloway Rd is narrow, hilly, and has manholes in the middle of the road. Lone Pine has some low areas that makes it prone to flooding. During heavy rainfall, I must use Ingram Mill Rd to leave the neighborhood. It is also a hilly, narrow road. We have beautiful walking/biking trails in the area so that during good weather, the traffic is heavy as is the park and sidewalks. Before you approve this change in zoning, make sure each member of the Planning and Zoning Commission drives through this area to see the potential problems. Growth is inevitable, but we bought our single-family residences in good faith expecting the zoning laws to protect our property values.

Date: May 26, 2020

Name: Sue Skidmore

Address: 3209 East Lark Street, Springfield, Missouri, 65804

Project Address: 3503, 3521, 3527, 3535 S. Lone Pine Avenue

Comments:

Problems and Concerns that need to be addressed -- opposed to rezoning

The proposed development by the Elevation Development Co. would severely impact the Galloway community, the Sequiota Park, the land, the traffic, the beauty, the peace, the safety and the quality of life here.

The apartment buildings are not in keeping with the style or size of a small quaint town atmosphere. The proposed development is disrespectful of the residents of Galloway who have worked so hard to make reasonable and considerate recommendations with the city. Why should Galloway be hijacked as a result of a developer who knew the residents were opposed to development and that we were working to preserve the essence of quaint historic Galloway but the developer went ahead and bought the property and then expects everyone to bow down so the developer can make a profit at the expense of everyone including the harm to Galloway and Sequiota Park.

The proposed development is outlandish and would irreparably mar the beauty, quiet, peace and quaint historic character of Galloway which is captured so well in the historic beauty of Sequiota Park and the historic buildings across the street from Sequiota Park. The quality of life would be adversely affected for those who live in Galloway area and including those who hike, bike and walk the trails and use the park. The proposed buildings are imposing structures in the Galloway Valley landscape. The Galloway Village is just that a village and NOT a big city landscape. That means that Galloway Village is a small quaint town surrounded with nature --trees and trails and park. The proposed development would flatten the landscape and place imposing ugly buildings surrounding the historic small town quaint structures turning it into a massive plot of cement. This development would additionally increase the traffic flow in the area to make it a big city style street and pose more problems associated with safety when crossing the street to and fro the park. The park is already at maximum capacity many days the parking lot is nearly full.

We must do a population study to determine the effects of the density associated with the development. And we must do an environmental impact study to determine the environmental effects of the run off pollution, the drilling, the tree removal and all aspects associated with the impacts of building huge structures across the street from Sequiota Park. Therefore, I am opposed to rezoning of the land across from Sequiota Park.

COMMENT CARD

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City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	May 13, 2020	Telephone No.	417-839-6389
YOUR NAME:	Brenda Treece		
YOUR ADDRESS:	2623 E Inman Street, Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Looking at the plan. They are planning to add at least 200 cars to the corner of Lone Pine and Galloway Street. I asked if they were planning to improve the egress to the south onto Galloway Street. That is already a dangerous spot. I was told that is not part of their property so they are not concerned about it. They can't stop people from using it. It will be a straight shot for people leaving the apartments to get to Galloway.		

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YOUR NAME:	Brenda Treece		
YOUR ADDRESS:	2623 E Inman Street, Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Please leave this property zoned as is. After seeing the pictures they used to give us an idea of what it would look like, it is clear that this developer has no desire to maintain the village feel of Galloway. This design belongs in the middle of the city, not in our quiet corner and certainly not across from Sequiota Park! This plan looks nothing like what they were telling us they could do when they were trying to change our minds about re-zoning.		

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-20-2020	Telephone No.	417-830-2580
YOUR NAME:	JOHN FICHELBERGER		
YOUR ADDRESS:	2646 E. CRAWMONT ST. SPRINGFIELD, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	MAIN CONCERNS: 1. SAFETY - THE HILL AT BARBET & GALLAWAY IS A BLIND INTERSECTION 2. TRAFFIC - EVEN WITH A ROAD ABOUT THERE WILL BE A BACKUP ON GALLAWAY RD. DURING RUSH HOUR, AND PEOPLE WILL TAKE CHANCES TO GET ONTO LONE PINE		

COMMENT CARD

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DATE:	May 19, 2020	Telephone No.	417 883-9878
YOUR NAME:	Mark A Paul		
YOUR ADDRESS:	2661 E Cragmont St, Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I don't think they should more Apartments on Lone Pine the area can't support more traffic so I don't want the Apartment Built.		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	May 19, 2020	Telephone No.	417-849-3887
YOUR NAME:	Kathy Walsh		
YOUR ADDRESS:	2703 E. Cragmont		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I have lived in this area for 33 years. In the past 3 or 4 years traffic has increased on Lone Pine and Galloway Streets, Along with Speeding. These streets are not designed to handle this traffic. With additional Appts. comes more traffic. 4 or 5 story Apartment Buildings are a blight on this Area they stick out like a sore thumb - like the Quarry Town Apartment Complex - Why would the City want to Destroy the look and feel of Galloway?		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-29-20	Telephone No.	417 888-5262
YOUR NAME:	Phillip & Norma Palmer		
YOUR ADDRESS:	2631 E. Crumpton, Springfield, Mo 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	would our streets, schools, and sewer system be able to handle such an instant increase in use?		

COMMENT CARD

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DATE:	05-19-2020	Telephone No.	(417) 881-5262
YOUR NAME:	Ramona Palmer		
YOUR ADDRESS:	2631 E Cragmont St Springfield, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	The traffic on galloway st is terrible already. I worry this will put an extra burden on our local schools, and put a strain on the sewage system in this area. Plus the extra run off into Sequiota park.		

Ramona G. Palmer

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-26-20	Telephone No.	417-877-8465
YOUR NAME:	Kay Wanshler		
YOUR ADDRESS:	3161 S. Lone Pine Avenue		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:			

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-26-20	Telephone No.	573-228-2172
YOUR NAME:	Amy Aubuchon		
YOUR ADDRESS:	3111 S. Lockland Dr Spf. MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:			

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DATE:	5-26-2020	Telephone No.	417 889-5896
YOUR NAME:	Jill Pentecoff		
YOUR ADDRESS:	3141 S. Lochlomond		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:			

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5/26/20	Telephone No.	417-883-7082
YOUR NAME:	Gladys Jennings		
YOUR ADDRESS:	3200 Lombard		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:			

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DATE:	05-30-20	Telephone No.	417-849-1724
YOUR NAME:	Margaret + Rudy Peterson		
YOUR ADDRESS:	3741 S. Montel Ave		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	We are speaking out against any further development along Lone Pine in the Gallows district. Additional development will jeopardize one of the more beautiful areas of our city. Sequoia Park should remain as it is without the build up apartment complexes and additional people taking away from the beauty of this park area. Over development may add to or cause pollution of the pond and its groundwater in this area. We do not want our precious green spaces damaged.		

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DATE:	5/30/20	Telephone No.	785-817-2387
YOUR NAME:	Kathryn Scott		
YOUR ADDRESS:	3221 E. Gasconade		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Please do not ruin our "little piece of Heaven" by putting up apartments that no one wants, & will only congest & trash the area now & in the future. Traffic, trash & speeding are terrible now with apartments down the street! I have just lived in Springfield for 11 yrs., but many people in this neighborhood have been here many years and love it and do not want the apartments, the wild life to go away (which they will), uncaring people & trees cut down! Please, Please Springfield show that you care about your people, beauty, history & wild life & not just money, money, & more money!!		

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DATE:	6/2/2020	Telephone No.	417 693 7899
YOUR NAME:	JILL KNIGHT		
YOUR ADDRESS:	3240 E GASCONADE 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I OPPOSE THE DEVELOPMENT OF THIS AREA, PARTICULARLY W/ THE PLANS IN MIND. GALLOWAY & SEQUOIA PARK ARE RICH IN HISTORY, BEAUTY, & ECOSYSTEMS. THIS AREA IS A CREDIT & JEWEL OF THE TOWN & SHOULD BE PROTECTED & CAREFULLY DEVELOPED W/ RESTORATION TOP PRIORITY. I FEEL THE CITY WOULD GREATLY REGRET THE LOSS OF THIS AREA. FUNDS WOULD BE BETTER SPENT ON MORE "EYESORE" AREAS TO INCREASE THE OVERALL APPEAL OF OUR CITY.		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-28-20	Telephone No.	417-830-8489
YOUR NAME:	Sandy Seitz		
YOUR ADDRESS:	3525 S. Linden Ave		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I will be surprised if this is read! I'm very disappointed in our City and our Council with it's so called zoning. There has been enough apartments built on Lone Pine already. You are destroying history, wild life and a very small but beautiful park.		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5/28/20	Telephone No.	(417) 830-8489
YOUR NAME:	Michael P. Coradi Sr		
YOUR ADDRESS:	3525 S. Linden Ave.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	I have a tendency to compare an object to another object and in doing so I would like you to consider a wagon being pulled by a horse (1) then there becomes the desire to have more wagons and we want to bring them along, eventually G over		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	May 19, 2020	Telephone No.	417-848-9372
YOUR NAME:	Donald W McNeill		
YOUR ADDRESS:	2645 E Cragmont St.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	There are too many apartments all ready built in Galloway. The traffic in the area is really scary and not good. I take my life on the line turning on to Galloway Rd. from Barrbett. Don't even think about riding a bike or walking on Galloway Rd. The many dump trucks alone could easily kill you.		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

COMMENT CARD

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	May 26 th	Telephone No.	860-7571
YOUR NAME:	Mary Johnson		
YOUR ADDRESS:	3055 S. Lochlmond		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Hope to see Galleria remain the same as it is now. We've enjoyed it & hope for <u>no</u> changes.		

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DATE:	5-26-2020	Telephone No.	417-848-7558
YOUR NAME:	SHAWN HURD		
YOUR ADDRESS:	3169 S. Litchfield Dr		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	PLEASE DON'T RUIN OUR PARKS		

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DATE:	5/26/20	Telephone No.	417 880-9518
YOUR NAME:	Jacquie Scripps		
YOUR ADDRESS:	3101 Lochlorn Rd Spfld 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	traffic can not increase any more; water drainage is also at its limit		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	MAY 27 2020	Telephone No.	417 8869832
YOUR NAME:	SHIRLEY TEMPLETON		
YOUR ADDRESS:	3063 S. LOCHLOMOND DR. SPRINGFIELD, MO 65804		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	SEQUIOTA PARK IS ONE OF, IF NOT THE MOST, UNIQUE AREAS WITHIN OUR CITY. ADDING MULTI UNIT APARTMENTS TO THE AREA WILL DIMINISH THE NATURAL BEAUTY AND WILDLIFE WE ENJOY.		

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	07/13/2020	Telephone No.	417-425-6410
YOUR NAME:	Wendy Kuscher		
YOUR ADDRESS:	3417 S. Lone Pine Ave.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	See attached		

Comment Card for Wendy Hucker 3417 S. Lone Pine.

There are many reasons that we oppose the rezoning of this property to this type of Planned Development. Below is a list of some of our reasons.

- 1) Safety/Traffic. Lone Pine is a unique road that will not be easily expanded to handle more traffic. It is a 2 lane curvy road that has an abundant amount of cars, bikes and gravel/dump trucks trying to maneuver through the valley. There are very few sidewalks in the area and the walking trail that crosses over and runs parallel in a very close proximity to Lone Pine.

Pulling out of our driveway has become a challenge in the past few years...I can't imagine what it would be like with 100-200 people living next door.

This proposed development is directly across the street from Sequiota Park which is one of the busiest parks in the Springfield area. By adding two hundred more vehicles coming and going at this location daily creates a very unsafe intersection for people going to the park.

One of the access roads that this development is proposing to use is already very unsafe but they have said that is "grandfathered" in. An unsafe situation should not be "grandfathered" in a development should fix problems, not create more.

- 2) Flooding/Water Run Off. This property is known to flood, it has a stream that runs through it. The same stream runs through the back side of our property. I am very concerned that the required stream buffer is not being recognized and by removing so many trees and green space will increase the water run off to the park. The park and areas "downstream" already flood. This development should be required to have a water detention basin to retain the water rather than move it across the street.

In a development down the street, they have signs that say "Warning This Area Floods Up to 3 FT In Extreme Weather Conditions". New development should not be allowed in areas with flooding problems.

- 3) Schools. I would imagine that being across from the park would attract people with children and these children would be going to Field Elementary.....and this school is already full which would create over crowding for existing residents kids.
- 4) Density. Galloway has always been known for its unique character....nature, wild life and greenspace...are words that come to mind when describing Galloway. It has always had a very quaint village feel....this is what people love about Galloway. If you pile more and more apartments into this area, the very thing that people are drawn to about Galloway will be gone....and this is not something that you can get back.

From: [gene wampler](#)
To: Zoning@springfieldmo.gov
Subject: apartment across from Sequoita park
Date: Monday, July 13, 2020 2:51:28 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

1] The road will not handle the traffic 2]It's an eyesore to my property. I live at 3409 S All Saints Ln 3] Water retention.

From: [Mark Bennett](#)
To: Zoning@springfieldmo.gov
Subject: Lone Pine Zoning Hearing
Date: Tuesday, July 14, 2020 2:58:08 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Commission:

I live one block west and two blocks north of the property in this proposal. I have attended the video conference held with the neighborhood a few weeks ago as well as the meetings last year with city staff for the larger redevelopment of the Sequiota/Lone Pine area.

I have several concerns:

1. The height of the apartment buildings is completely ill-suited for this area and does not fit the park setting. The renderings show apartment buildings more appropriate to downtown Springfield. This was an issue discussed in much detail during our community meetings with area homeowners and P & Z staff. P & Z staff at the meetings said buildings would not exceed two stories. The "village" concept of Galloway will be destroyed by buildings this large.
2. The amount of traffic will overwhelm Lone Pine and Galloway Road, even after the reconstruction/redevelopment of those roads (I have seen the drawings for the changes to those roads).
3. The water runoff from the hard surface in this proposal will overwhelm the creek which barely handles its current load.

Sent from my iPhone

[+ Join Group](#)[... More](#)[Join this group to post and comment.](#)**Wendy Baker Huscher**

7 hrs



I've spent some time today reviewing the documents regarding the Planned Development proposal that goes to P&Z on Thursday requesting to rezone the 4.2 acres to the south of me. I found this photo of the plan....this would be the view from the park....what do you all think of it?



40

35 Comments 3 Shares



Like

87 of 177 share

**Robin McDermott** Too much footprint burden on the environment

Like · 7h



11

DESCRIPTION

This group was originally platform for discussi... See

GROUP TYPE

General

LOCATION



Springfield, M

RECENT GROUP PHOTOS



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Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	7/14/2020 Telephone No. (417) 861-5711
YOUR NAME:	PHILLIP RETANA
YOUR ADDRESS:	2902 E LACUNA ST SPRINGFIELD, MO 65804
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue
COMMENTS:	The height and overall scale of this proposed development does not meet the intent of the blight redevelopment plan or the Galloway recommendations for development in keeping with the scale of immediately surrounding buildings and the village character. Also, I believe the number of apartment density is too high. With Sequiota Park directly across the street and parking already being an issue, the added traffic would also be a potential hazard for those walking/biking to and from the park. Local residents have already noticed an increase in car break-ins, and crime is becoming a concern, too. I advise the scale of the project be limited in size, especially in terms of its height. It does not conform to the charm and feel of the Galloway Village Neighborhood and will deteriorate the overall quality of life for the residents of the neighborhood that seek something unique and special. Preservation of the historic buildings is a positive and appreciated element of the proposal.

13 July 2020

RE: Planned Development 374

To whom it may concern:

I am writing to you in support of Planned Development 374 that is proposed in the Galloway area across from Sequiota Park. My wife and I own 2 properties in Galloway and I have been active in the real estate business for almost 25 years as a broker salesperson and an investor.

I have known Mitch Jenkins for several years through the real estate brokerage side of the business initially and later through our mutual appreciation of the Galloway area in looking for opportunities in the area. I've come to know him to be reputable and caring and genuinely interested in the people and area of Galloway. I believe that is evidenced by his actions and his amended plan. Mitch listened to what the neighbors and city suggested and has implemented these suggestions into his design.

Just a few examples of the developers willingness to compromise and in response to changes requested by the neighborhood and city are as follows-

1. The original plan called for a blank slate and the demolition of all of the buildings and foliage on site. This new plan includes keeping four of the existing structures and the preservation of the larger more mature trees on the property.
2. The original plan called for the construction of a 4 story building. The amended plan has been scaled down along Lone Pine to two stories.
3. Planned Development 374 has several improvements that were not specifically requested and are not required by code/zoning such as significantly more green space than required and also voluntarily reducing the residential density of the project lower than what the city would require.

I am a firm believer that actions speak louder than words. Mitch has acted. This is a responsible developer and this is a responsible development and every effort has been taken to make this a win for both the developer and the neighborhood. As a neighbor and property owner, I believe this is good for the neighborhood and everyone's property value.


Sincerely,
Rhett Smillie

Summary of Revisions Made to PD 374 Since Neighborhood Meeting

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ĆKS yŠIÆKō2NUK22Ř KI-ā ŠĖLJNUŠāāŠŘ I- ŌzyŭlyyŧI-ŧ ŘSāłNUŠ ŠŌSNU ālyŌS 2dzNU ɤANŭŭ YSŠŭlyy ōłúK YŠYŏSNUā 2F úKS yŠIÆKō2NUK22Ř I-āā2ŌłI-ŭā2y ŁY Hłmŧ I-ŏ2dzŭ ŭKS ŁY LJ2NUŭI-yŌS 2F úKS I-ŠāúKSŭŌ I-yŘ LJŠŘSāŭNUłI-y ŠĖLJNUŠyŌS I-ŧ2y [2yŠ tlyŠ I-yŘ ōłSŌā ɤNU2Y úKS LJ I-NUŷ 2 I-yŭlyy ú2 ŠY LJKI-āłIŠ ŭKS ŁY LJ2NUŭI-yŌS 2F ŭKłā I-yŘ ŠyādzNUŠ ŭKI-ŭ ōS ŌzyŭlyyŧS ō2NUŷlyy ú2 ŌNUŠI-ŭS I-yŠyŌłNU2YŠyŭ ŭKI-ŭ ōłŧ ōS I-y I-āāŠŭ ú2 ŭKS yŠIÆKō2NUK22Ř ɤ2NU ēS I-NUā ú2 ŌZYyŠ ōS KI-ŌS I-ŘŘŠŘ āSŌSNU I-ŧ ŠŧŠYŠyŭā ú2 ŠYKI-yŌS ŭKS āŭNUŠSŭāŌI-LJŠ I-yŘ I-ŠāúKSŭŌ ɤNU2Y [2yŠ tlyŠ I-yŘ ŭKS LJ I-NUŷ 2 S KI-ŌS ō2NUŷŘ ōłúK tdzŏŌ 2 2NUŷā I-yŘ tfl-yŷlyy {úI-ŧ ŭ2 łyŌŧdzŘS ŠŧŠYŠyŭā ādzŌK I-ā ŭKS I-ŘŘŠŘ fl-yŘāŌI-LJlyy I-ŧ2y ŭKS yŠŌ NUŠāłŘŠyŭłI-ŧ ōdzłŧŘlyy ɤI-Ōlyy [2yŠ tlyŠ I-ŘŘłŭā2yI-ŧ ŧÆKłŭy ɤ2NU LJŠŘSāŭNUłI-yāš ŌSŠŭŭI-ŭłŌS LJ I-NUŷlyy ɤ2ŭ āŌNUŠŠylyy āŭNUŠSŭ ɤdzNUłŭdzNUŠ I-yŘ I-y I-ŘŘłŭā2yI-ŧ fl-yŘāŌI-LJlyy ōdzłŧŠNU ōSŭŏSŠy ŭKS āłŘSŌI-ŧ I-yŘ [2yŠ tlyŠ ú2 ōS I-ŘŘŠŘ I-ā NUŠljdzNUŠYŠyŭā 2F ŭKS LJfI-yŷŘ ŘSŌŠt2LJYŠyŭŧ

COMMENT CARD

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

Due to the COVID-19 Civil Emergency the meeting requirement will be waived at this time. However the applicant has chosen to conduct a teleconference meeting. You can also respond via mail or e-mail.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	7/14/20	Telephone No.	883-0478
YOUR NAME:	Jack & Sue Sisco		
YOUR ADDRESS:	3635 S. Oak Ave.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	Two years ago neighbors from our community gathered at Sequiota Park to listen to Mitchell Jenkins present his vision for future Apartments across the street from the park. The response was immediate and hasn't changed. <u>NO MORE APARTMENTS!!!</u> Is there anyone that hears us?		

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City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	7/14/2020	Telephone No.	417-459-0729
YOUR NAME:	Jaqueline Thumma		
YOUR ADDRESS:	2907 E. Clark Ave.		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	It's no secret that Galloway is dealing with crumbling and out of date infrastructure. To acknowledge the problem you must also acknowledge the risk and high potential for failure. To ensure the safety of all residents and visitors a thorough evaluation of all infrastructure should be the highest priority before any new or additional construction begins.		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	July 13, 2020	Telephone No.	840 2007
YOUR NAME:	Tim and Kim Yarham		
YOUR ADDRESS:	212 W. Oak Nixa Mo		
PROJECT ADDRESS:	3503, 3521, 3527, 3535 S. Lone Pine Avenue		
COMMENTS:	The rapid over development of primarily multi family residents has overwhelmed our neighborhood and affected the livability of the community that we all love.		

From: [Deb Lumos](#)
To: Zoning@springfieldmo.gov
Subject: Galloway Apartment complex on Lone Pine
Date: Tuesday, July 14, 2020 8:53:51 PM

****CAUTION**** This email originated from outside the organization. Do not open attachments or click links from sources you do not know and trust.

Good evening,

I hope I haven't missed the deadline for expressing my opinion of the proposed apartment complex to go in across the street from Sequoita Park. As someone who lives in the Galloway area, my hope is that this project doesn't get built. This area is known for its nature, wildlife, single family residences, and park. The traffic is already worse due to the current apartment complexes in the Galloway area. This complex would make it worse, as well as to run off any existing wildlife in the area. This would be horrible for our neighborhood.

Thank you,
Deb Lumos
dlumos@mac.com
417-849-3009

**Requirements and Standards
Applicable to Planned Development
District No. 374**

A. APPLICATION

. dzlfrlyz 2nu 2úKŠnu LJŠnuYlúā Yl-ē y2ú oŠ lāādzšř řšššřf2LJYŠyú LJŠnuYlúúšř oē úKlā LJfI-yŷšř řšššřf2LJYŠyú y2nu ōI-yI-yē ōKI-yāšā oŠ Yl-řš ūz úKlā LJN2LJŠnuūē dzyúāē úKŠ řlyI-f řšššřf2LJYŠyú LJfI-yKI-ā oššy I-LJLJN2ššř řy úKŠ Yl-yŷšnu řšāōnuāōšř I-ú úKŠ šyř 2f úKlā šēKlāōlūφ

! ff nušljdznušyšyúā 2f úKŠ {LJNlyžřlšřř ½zylyž hnuřlyI-yōš āKI-ff I-LJLJfē dzyřšāā Y2řlřlšř oē úKŠ nušljdznušyšyúā I-yř āúI-yřřI-nūřā úKI-ú ř2ff2šφ

B. INTENT

φKŠ řlyúšyú 2f úKlā LJfI-yŷšř řšššřf2LJYŠyú lā ūz nušl2yš úKŠ ādzōššōú ř2úā ūz ādzLJLJ2nuú I- Ylēšřřmdžāš řšššřf2LJYŠyúφ φKŠ ādzōššōú LJN2LJŠnuūāšā I-nuš ōdznušyúfē řzyšřř wπ{Cš [. I-yř Dwφ φKŠ ř2úā šlff oš ōzyŷšēšřř dzyřšnu zyš 2šyšnuš I-yř I- ř2ú ōZYōlyI-úāzy šlff oš nušljdznušř LJšyřlyž úKŠ I-LJLJN2ššř 2f úKŠ LJfI-yŷšř řšššřf2LJYŠyúφ φKŠ Yl-ēlydzY nušāāřšyúāI-f řšyāūē ōI-ftōdzřI-úšř oē a dzřlūπCI-Ylēē [2ŌI-úāzyI-yř 5šālyYDdzlřšřlyšā ō a I-únuēū lā ht řššřflyž dzylūā LJŠnu I-ōnušt K2šššnuš úKŠ I-LJLJfēōI-yú KI-ā šřšššř ūz nušāūnuāōú úKŠ řšyāūē ūz hp řššřflyž dzylūā LJŠnu I-ōnušφ

C. DEFINITIONS

φKŠ řšřlylūāzyā ōzyúI-lyšř řy úKŠ ½zylyž hnuřlyI-yōš āKI-ff I-LJLJfē ūz úKlā 2nuřlyI-yōšφ C2nu LJdznuLJ2āšā 2f úKlā 2nuřlyI-yōšš úKŠ ř2ff2šlyž řšřlylūāzyā āKI-ff I-fā2 I-LJLJfēφ

D. USES PERMITTED

- mφ a dzřlūπřI-Ylēē řššřflyžā
- hφ ! ōššāā2nuē dzāšāš I-ā LJŠnuYlúšř oē āšōūāzyocπnplš I-ōššāā2nuē āúnuđzōúdznušā I-yř dzāšāφ
- oφ bzyŌZYŠnuŌlI-ē y2úπř2nuπLJN2řlū nušāāřšyúāI-f yšlēKō2nuK22ř řI-ōlēlūāšāš řyŌřdzřlyž řyř22nu I-yř dzūřř22nu nušōnušI-ūāzyI-f řI-ōlēlūāšāš 2řřlōšā 2ř LJN2LJŠnuūē 2šyšnuš I-āā2ŌlI-ūāzyā I-yř Yl-lyúšyI-yōš řI-ōlēlūāšā 2LJŠnuI-úšř oē I- yšlēKō2nuK22ř 2nu ōZYydzylūē 2nužI-yłlI-ūāzy2nu I- LJN2LJŠnuūē 2šyšnuš I-āā2ŌlI-ūāzyly I-ōš2nuřI-yōš šlūk úKŠ LJN2ššālyžā 2ř āšōūāzyocπncř yzyŌZYŠnuŌlI-f y2úπř2nuπLJN2řlū yšlēKō2nuK22ř řI-ōlēlūāšāφ
- nφ tnušōI-úš LJl-nūlā I-yř LJfI-ēžnu2dzyřā
- pφ /řdzōK2dzāšā I-āā2ŌlI-úšř šlūk I-yē LJŠnuYlúšř dzāšφ
- cφ 9I-ūlyž I-yř 5nuyllyž 9āúI-ōlāKYšyūā ! šš Dnu2dzLJē šēŌřdzřlyž řnuāšπlyž 2nu řnuāšπúKnuđ řI-ōlēlūāšāφ
- tφ {lřššřI-fř ōI-fš
- yφ hdzūř22nu šI-ūlyž I-yř řnuyllyž řI-ōlēlūāšāφ
- φφ hdzūř22nu řlōš 2nu I-YLJfēřlšř Ydzāō LJN2ššāřšř I- LJŠnuYlú ř2nu ādzōK I-ōūāōlūē KI-ā oššy2ōúI-lyšř řnu2Y úKŠ ōlūē Yl-yI-ēšnu LJdznuādzI-yú ūz ōKI-LJúšnu hš I-nuūāōfš Lē āšōūāzyhπmmlš LJŠnuYlúā ř2nu dzūř22nu Ydzāō I-yř I-yē nušdzřřI-ūāzyā LJN2YdzřI-úšř oē úKŠ ōlūē Yl-yI-ēšnu I-yř zyřlēš šlūk úKŠ ōlūē ōřšnuřφ

млф DŠyŠNl-f hтfλŌŠ ; āš Dn2dzLJф
 ммф tŠNāzyI-f {ŠNŌλŌŠā ; āš Dn2dzLJ
 мнф wŠŪI-λf {I-fŠā ; āš Dn2dzLJē ō ōlúK RŠāλyI-ŪŠR I-NŠI-ā т2N āλRŠŌI-fλ āI-fŠāф
 моф фSYLJ2Nl-Nē dzāŠāš I-ā LJŠNŸλŪŪŠR ōē {SŌŪλ2yocπnпн фSYLJ2Nl-Nē ; āšāф
 мпф a 2ōλtŠ C22R ±ŠyR2NŸ ! т22R āšNŌλŌŠ 2LJŠNl-I-Ūλ2yŪKI-Ū 2LJŠNl-I-ŪŠā тN2Y I-Y2Ū2NλIŠR ŌŠKλŌtŠф
 мрф !NŪ ōI-ftŠNλŠā
 мсф /2YŸdzyλŪē ŌŠyŪŠNāš y2yLJN2тλŪ
 мтф !ŪKtŠŪλŌ Ōtdzōāš тλŪyŠāā ŌŠyŪŠNāš I-yR λyR22N āLJ2NŪā тI-ŌλtλŪŠāф
 мыф Cl-NŸŠNā a I-NŸŠŪ

E. USE LIMITATIONS

мф !ft dzāŠā āKI-ft 2LJŠNl-I-ŪŠ λyI-ŌŌ2NŪRl-yŌŠ ōlúK ūKŠ y2λāš āŪI-yRl-NŪRā Ō2yŪI-λyŠR λy {SŌŪλ2yocπnпн 2т ūKŠ
 {LJNλyтfλŠtR ½2yλy hNŪRλyI-yŌŠф
 нф b2 dzāŠ āKI-ft ŠYλŪ I-y2R2N ūKI-Ū ŌNŠI-ŪŠā I-yŌzλāI-yŌŠ I-ā RŠŪŠNŸλyŠR ōē {LJNλyтfλŠtR /λŪē
 /2RŠф
 оф a 2ōλtŠ т22R ŌŠyR2Nā YdzāŪ Ō2YLJfē ōlúK I-ft NŠljdZλNŠYŠyŪā 2т ocπnпнф ōōŪŌŪHф !yR ocπ
 пнф ōnŪš фSYLJ2Nl-Nē ; āšāф
 I-ф tN2LJ2āŠR ŌŠyR2N t2ŌI-Ūλ2yā т LJl-NŸλyŪ NŠljdZλNŠYŠyŪā ōλft ōŠ āK2ŲY2yтλyI-f
 RŠŌŠt2LJYŠyŪ LJfI-yт2N I-LJLJN2ŌI-fф
 оф 9I-ŌK Y2ōλtŠ т22R ŌŠyR2N NŠljdZλNŠā o LJl-NŸλyŪ āLJl-ŌŠā I-yR YI-ē y2Ū dzŪλtλIŠ LJl-NŸλyŪ
 āLJl-ŌŠā NŠljdZλNŠR ōē RŠŌŠt2LJYŠyŪ dzāŠāф
 пф {ŠтfπāšNŌλŌŠ āŪ2Nl-тŠ тI-ŌλtλŪŠā I-NŠ y2Ū I-ft2ŲŠR ŠēŌŠLŪ т2N āŪ2Nl-тŠ тI-ŌλtλŪŠā т2N ŪŠyl-yŪā
 2т YdzfŪλтI-Yλfē ōdzλtRλyāф
 рф !ft I-ŌŪλŌλŪŠā I-yR LJŠNŸλŪŪŠR dzāŠā ŠēŌŠLŪ т2N ūKŠ т2ft2Ųλy āKI-ft ōŠ Ō2yRdzŌŪŠR ŠyŪNŠfē
 ōlúKλy I-Ō2YLJfŠŪŠfē ŠyŌt2āŠR ōdzλtRλyф

 I-ф {λRŠŌI-fλ āI-fŠā
 оф hdzŪR22N ŠI-ŪλyŪ I-yR RŪλyλyŪ тI-ŌλtλŪŠā
 Ōф hdzŪR22N tλŌŠ 2N I-YLJfλfλŠR YdzāλŌ LJN2ŲλRŠR I- LJŠNŸλŪ т2N ādzŌK I-ŌŪλŌλŪē KI-ā ōŠŠy2ōŪI-λyŠR
 тN2Y ūKŠ ŌλŪē YI-yI-тŠN LJdzNādzI-yŪ Ū2 ŌKI-LJŪŠN Hт I-NŪλŌtŠ Lē āSŌŪλ2y нтмлт LJŠNŸλŪā т2N 2dzŪR22N
 YdzāλŌ I-yR I-yē NŠтdzfI-Ūλ2yā LJN2YdzfI-ŪŠR ōē ūKŠ ŌλŪē YI-yI-тŠN I-yR 2yтλtŠ ōlúK ūKŠ ŌλŪē ŌtŠNŸф
 Rф {ŪNŠŠŪ ŌŠyR2Nā tλŌŠyāŠR ōē ūKŠ /λŪē 2т {LJNλyтfλŠtR
 Šф Cl-NŸŠNā Y I-NŸŠŪ
 тф a 2ōλtŠ т22R ŌŠyR2N

F. INTENSITY OF DEVELOPMENT

мф a I-ĒλYdzY NŠāλRŠyŪλI-f RŠyāλŪē LJŠNŸλŪŪŠR λā hp RŌŠftλyŪ dzyλŪā LJŠN I-ŌNŠф
 нф ! Ū2ŪI-f 2т ттффп āljф тŪф 2т ŠēλāŪλy āLJl-ŌŠ Ū2 ōŠ NŠy2ŲŌI-ŪŠR Ū2 y2yтNŠāλRŠyŪλI-f dzāŠā RλāŪNλŌdzŪŠR
 I-Y2yŪ n ŠēλāŪλy ōdzλtRλyā I-yR āKI-ft ōŠ I-YI-ĒλYdzY 2т мнллл āljф тŪф 2т Ū2ŪI-f y2yтNŠāλRŠyŪλI-f dzāŠф

G. BULK, AREA AND HEIGHT REQUIREMENTS

мф {ŪNdzŌŪdzNŠā ūKI-Ū I-NŠ t2ŌI-ŪŠR ōlúKλy cl тŠŠŪ 2т ūKŠ LJN2LJŠNŪēKλλEKŪπ2тπŌI-ē tlyŠт тN2yŪλyŪ
 I-f2yŪ [2yŠ тλyŠ !ŌŠyŲzŠ āKI-ft KI-ŌŠ I-YI-ĒλYdzY ōdzλtRλyŪ KŠλEKŪ 2т пп тŠŠŪф
 нф !ft 2ŪKŠN āŪNdzŌŪdzNŠā āKI-ft KI-ŌŠ I-YI-ĒλYdzY ōdzλtRλyŪ KŠλEKŪ 2т cl тŠŠŪ I-yR āKI-ft NŠYI-λy

00 . dʒlɛɾɿɣɜ KʂɿɛKʊY ɕKʂ ʈʂʂNɿʌŌɿ f Rɿʌuɿ-yŌʂ Yʂɿ-ʌdʒNɿʂ ɾNɿZɿ ʊKʂ ɿ-ŌʂNɿ-ɛʂ ɛNɿdʒɿɾ ɾʂŌʂ ɿ-ʊ ʊKʂ
 Ōɿ-ʌʂ 2ɾ ʊKʂ ʌuɿndʒŌʊdʒNɿʂ ɿJʂNɿɿYʂʂNɿ ʊ2 ʊKʂ KɿɛKʂʌu ɿJ2ɿɿɿ 2ɾ ʊKʂ Nɿ22ɾɿʌ ʌdʒNɿɿ-Ōʂ ɿɾ ɿ ɾɾɿ-ʊ
 ʌdʒNɿɿ-Ōʂ ʊ2 ʊKʂ RʂŌɿ ɿɿɿ 2ɾ Yɿ-ɿʌɿɿNɿ Nɿ22ɾʌɿ ɿ-ɿɿ ʊ2 ʊKʂ Yʂɿ-ɿ KʂɿɛKʊ ɾʂŌʂ ŌʂʊŌʂʂY
 ʂɿ-Ōʂ ɿ-ɿɿ NɿRʂʂ ɾ2Nɿ KɿɿJ 2Nɿ ɛɿ-Ōʂ Nɿ22ɾʌ ɿYʂɿ-ʌdʒNɿɿɿ ʊKʂ KʂɿɛKʊ 2ɾ ɿ-Ōdʒɿɾɿɿɿ ʊKʂ
 ɾ2ɾɿ2Ōɿɿɿ ʌuɿndʒŌʊdʒNɿʂ ʌKɿɿ ɾ ɾʂ ʂŌʂɿdRʂRɿ ŌKɿɿYʂʂʌ Ō22ɿɿɿ ʊ2ŌʂNɿʌ ʊʂɿŌʂ2YɿdʒɿŌɿ-ʊɿ2ɿ
 ʊ2ŌʂNɿʌ 2Nɿɿ-ɿYʂɿɿɿ ɿŌdʒɿ2ɿɿ-ʌɿ R2Yʂʌ 2Nɿ ʌJɿNɿʂ ʂɿŌɿ-ʊ2Nɿ Ōdɿɿ Kʂɿ-ɿʌ ɿJʂɿK2dʒʌʂ ʊɿ-ɿɿʌ
 Ōɿ-ʂNɿ ʊ2ŌʂNɿʌ ɿ-ɿɿ ɿJɿ-ɿJɿ-ɿJʂ ʌɿɿ ɿɿʌ ɿ2 ʂŌʂʂRɿɿɿ ɾ2dʒNɿ ɾʂʂ ɿY KʂɿɛKʊ

[illegible]

Multi-family and attached single-family design guidelines. These guidelines for multi-family and attached single-family developments are intended to ensure that new development and redevelopment is designed to enhance the overall community. Thus, designs should create a comfortable walking environment, provide for good circulation system and respect the natural environment.

I-ϕ ϕKŠ RŠŌŠf2LJYŠyú āKl-ft f2ft2ø úKŠ wŠŌlāŠŘ a dzfúλπC-l-Yāfē 5ŠŌŠf2LJYŠyú [20l-úizy-l-yŘ
5ŠāāyDdzāŘŠtūyŠā l-LJLJLJN2ŌŠŘ ōē úKŠ /lūē 2f {LJNlāyƳfāŠfŘ tfl-yŷlŷy l-yŘ ½2yŷy /2Yŷlāā2y
l-yŘ /lūē /2dzvŌlf l-ā RŠāŌNlāŌŠŘ ōŠf2øϕ

MÚ t N20RŠ LŠRŠāūN1-y I-YŠyāúŠā ādzŌK I-ā LŠRŠāūN1-y āŌI-tŠ tĀKŪlY3 I-yŕ y2y tN1A3KŪm 2T t.Š I-ē
 āūNŠSŪ FdzN1yāúdzNŠ ū2 ŠyKI-yŌŠ ūKŠ LŠRŠāūN1-y ŠyŌN12yYŠyŌ [lĀKŪlY3 ā2dzNŌŠā 2N1
 fdzY lYI-N1Šā ūKI-I Ŕ2 y2ū KI-ŌŠ I- Ōdzū2Ft I-yŕ I-N1Š dāŠŔ lY LJI-N1Y lY3 t2ūā I-yŕ LŠRŠāūN1-y
 ōI-ēā āKI-ft y2ū ŠĒŌŠŠŔ I- YI-ĒlYdzY 2T mp TŠŠŪ lY KŠlĀKŪŌ [lĀKŪlY3 ā2dzNŌŠā 2N1
 fdzY lYI-N1Šā ūKI-I Ŕ2 KI-ŌŠ I- Ōdzū2Ft āKI-ft y2ū ŠĒŌŠŠŔ I- YI-ĒlYdzY on TŠŠŪ lY KŠlĀKŪŌ
 t I-N1Y lY3 t2ū tĀKŪlY3 I-yŕ LŠRŠāūN1-y tĀKŪlY3 āK2dzŔŔ ōŠ I-LJ1N2LJ1N1-ŪŠ ū2 ŌNŠI-ŪŠ
 I-ŔŠIjdzI-ŪŠ ŌlāŌtŌūē I-Ū yĀKŪ I-yŕ ŠŌŠyŕē ŔlāūN1ŌdzŪŠŔ ū2 lYŌNŠI-āŠ āŠŌdzN1ūēŌ {ŪNŠSŪ
 FdzN1yāúdzNŠ YI-ē lYŌtāŔŠ ōdzŪ lā y2ū tYlYŪŠŔ ū2 ōŠyŌKŠat āKŠtūŠN1at I-yŕ ŔŠŌ2N1-ŪlŌŠ ŪN1-āk
 ōlYāŌ ƆKŠNŠ āKI-ft ōŠ 2yŠ ōmŪ āūNŠSŪK LJI-N1Y ōŠyŌK LJ1N20RŠŔŠ ōlūKlY ŠI-ŌK YdzūlĀT I-Y lĀē
 ŔŠŌŠf2LJYŠyŪŠ ūKŠNŠI-ŦŪŠN2 2yŠ ōmŪ LJI-N1Y kāūNŠSŪ ōŠyŌK f2N1 ŠŌŠNē p1 ŔŌŠf2lY3 dzyūāŌ

HÚ ƆKŚ LJN2ZŚÓÚ ǫłff ǫłŚyŔ ūKŚ ǫdzłŔlyǫ ǎǫłłŦŚ łyŔ ǎŚÚ ǫłǫł ǫłŭK ŚĖǎǎŭlyǫ ŔŚǫŚł2LJYŚyŭǎ
 ūKłł łłŦŚ ǫ2yǎǎŭŚyŭ ǫłŭK ūKŚǎŚ ƆdzłŔŚŦlyŚǎǫ {ŭŦŚŚÚ Ŧłǫlyǫ ǫłłŦǎ ūKłł łłŦŚ ƆNŦŚłłŚłŦŚN ūKłłY
 pŦ ŦŚŚÚ łyŦŚyǫŭK Ydzǎŭ ǫŚ łłŭŭǫdzłłŦŚŔ łł ŦŚłǎŭ ŚłłǫK hp ŦŚŚÚ ǫłŭK ǫłłǎŚ LJN2ZŚÓÚǎ2yǎŚ 2N

NUŠÖŠääŠäö ! NUŠÖÖdzfI-úá2yYŠI-yä I-ŘĽFFŠNUŠyÖŠ ly'úKŠ ŐŠNUŠÖI-f LJfI-yŠ 2T úKŠ ödzĽŘĽy 2T I-ú
tŠI-áú my lyÖKŠä 2NU Y2NUŠ

óú . dzĽŘĽy ă I-ŘĽI-ÖŠy'ú ú2 úKŠ áúNUŠŠú ōĽff öŠ äĽúdzI-úŠŘ 2y'úKŠ äĽúŠ ú2 LJNU2ŐĽŘŠ LJŠŘŠäúNUĽI-y
I-ÖÖŠää ú2 úKŠ áúNUŠŠú ! ŘŘĽĽá2yI-f ly'úŠNUĽ2NU t2ú ödzĽŘĽy ă YI-è öŠ 2NUŠy'úŠŘ ú2ŐI-NUŘ
LJI-NUĽy ă t2úă 2NU LJdzöŐÖÖ2Yy2y 2LJŠy äLJI-ÖŠ . dzĽŘĽy ă I-ŘĽI-ÖŠy'ú ú2 úKŠ áúNUŠŠú äKI-ft
y2ú KI-ŐŠ LJI-NUĽy t2úă t2ŐI-úŠŘ öŠúŐŠŠy'úKŠ ödzĽŘĽy I-y'Ř úKŠ áúNUŠŠú / 2NUyŠNU t2úă YI-è
KI-ŐŠ LJI-NUĽy 2y'2yŠ áúNUŠŠú FI-ÖŠ ly'úŠNUĽ2NU I-NUŠI-ă 2T LJI-NUĽy I-y'Ř ŐŠKĽÖdzfI-NU dzäŠ I-NUŠI-ă
äKI-ft Ö2y'úI-ly LJfI-y'úly äĽI-y'Řä ŠÖŠNUè ħĽ Ö2y'úĽdz2dzä LJI-NUĽy äLJI-ÖŠä ŐKŠÚKŠNU Ř2dzöfŠ
áúI-ĽŠŘ 2NU ŐyŠI-NUŐ KŠ äĽŠ 2T úKŠ LJfI-y'úly äĽI-y'Ř äKI-ft öŠ úKŠ ŠĽjdzĽŐI-fŠy'ú I-NUŠI- 2T 2yŠ
LJI-NUĽy äLJI-ÖŠ KĽä äKI-ft öŠ dzäŠŘ ú2ŐI-NUŘ äI-úăĽĽy'úKŠ pĽ ly'úŠNUĽ2NU fI-y'ŘäŐI-LJy ă
NUŠĽjdzĽNUŠyŠy'úă

nú ! Ő2ĽŘ öfI-yĽ ŐI-ftă I-f2y LJŠŘŠäúNUĽI-y ÖNUÖdzfI-úá2y I-NUŠI-ă CI-ŐI-ŘŠä úKI-ú FI-ÖŠ áúNUŠŠúă 2NU
Ö2y'úŠÖúly LJŠŘŠäúNUĽI-y FNU2y'úI-ÖŠ úKI-ú I-NUŠ 3NUŠI-úŠNU úKI-y ħp tŠŠú ly tŠyăÜK äKI-ft öŠ
ädzöŘĽĽĽŘ I-y'Ř LJNU2LJ2NUŠ2yŠŘ dzăly I-ú tŠI-áú 2yŠ 2NU Y2NUŠ 2T úKŠ t2ff2Őly ă tŠI-údzNUŠäT
Őly'Ř2ŐăŠ Šy'úNUI-yÖŠäŠ I-NUŐI-ŘŠäŠ I-NUö2NUăŠ I-Őyly ă ö2ŐŠNU Őly'Ř2Őă 2NU Ř22NUăŠ ŘĽäúNUödzúŠŘ
I-f2y'úKŠ FI-ĽI-ŘŠ I-ú tŠI-áú 2yÖŠ ŠÖŠNUè ħp tŠŠú

tNU2ŐĽŘŠ I- D22Ř / NUÖdzfI-úá2y {ëăúŠy

mú tNU2ŐĽŘŠ Ö2y'úŠÖúĽăüè öè ly'öfödzĽy ŘĽNUŠÖú ŐŠKĽÖdzfI-NU 2NU I-ÖÖŠää ŠI-ăŠyŠy'úă LJŠŘŠäúNUĽI-y
I-y'Ř öĽöèŐŠ Ö2y'úŠÖú2yă öŠúŐŠŠy I-ödzúŐly 2NU I-ŘĽI-ÖŠy'ú ŘŠÖŠt2LJyŠy'úă ly'öfödzĽy
NUŠI-Ľf ÖŠy'úŠNUă I-y'Ř ödză áú2LJăŠ ŐKŠNUŠÖŠNU LJ2ăăĽöfŠ

Hú . dzĽŘĽy ă äKI-ft Ö2y'úŠÖú ödzĽŘĽy Šy'úNUI-yÖŠä ú2 2yŠ I-y2úKŠNU I-y'Ř ú2 äĽŘŠŐI-fĽă 2y
I-ŘĽI-ÖŠy'ú LJdzöŐÖ I-y'Řk2NU LJNUĽI-úŠ áúNUŠŠúă ŐĽI- I- YĽYĽdzY t2dzNU öpú t22ú ŐĽŘŠ äĽŘŠŐI-fĽ
ăŠLJI-NUI-úŠŘ FNU2Y ŐŠKĽÖdzfI-NU úNUI-FFĽÖ öè I- t2dzNU t22ú ŐĽŘŠ LJfI-y'úly äúNUĽJ öúKŠ n t22ú
LJfI-y'úly äúNUĽJ Ř2Šă y2ú I-LJLJfè ú2 LJI-NUĽy t2úă ŐKŠNUŠ úKŠ äĽŘŠŐI-fĽă Ľă ly'úŠy'úŠŘ ú2
LJNU2ŐĽŘŠ I-ÖÖŠää ú2 úKŠ LJI-NUĽy t2úă t2öŐÖ äĽŘŠŐI-fĽă YI-è öŠ Ö2y'úĽNUŠŘ LJI-NUŠ 2T úKŠ
ŐI-fĽŐI-è äëăúŠy Ľf úKŠë LJNU2ŐĽŘŠ Ö2y'úŠy'úŠy'ú Y2ŐŠyŠy'ú öŠúŐŠŠy'ú äúNUdzöúdzNUŠă CŠyÖŠăŠ
fI-y'ŘäŐI-LJy I-y'Ř 2úKŠNU äĽúŠ ĽY LJNU2ŐŠyŠy'úă äKI-ft öŠ t2ŐI-úŠŘ ä2 I-ă y2ú ú2 ĽY LJŠŘŠ äI-TŠ
I-y'Ř Ö2y'úŠy'úŠy'ú LJŠŘŠäúNUĽI-y ÖNUÖdzfI-úá2y ħy'üăĽúŠ äĽŘŠŐI-fĽă äKI-ft öŠ ŘŠăĽyŠŘ ú2
Ö2y'úŠÖú ú2 2TFFüăĽúŠ äĽŘŠŐI-fĽă 2y I-Ř2ălyly LJNU2LJŠNUăŠă I-y'Ř LJdzöŐÖ I-y'Řk2NU LJNUĽI-úŠ
áúNUŠŠúă {ĽŘŠŐI-fĽă äKI-ft Ö2y'úŠÖú LJI-NUĽy I-NUŠI-ă 2NU LJI-NUĽy äúNUdzöúdzNUŠă úKI-ú äŠNUŠ öKŠ
LJNUyÖĽJ-f YdzfI-ŐI-YĽfè ödzĽŘĽyT Ö2Yydzly'üè I-YŠy'úăŠă ädzÖK I-ă äŐĽYyly LJ22făZ
Ö2Yydzly'üè ÖŠy'úŠNUăŠ 2úKŠNU NUŠÖNUŠI-úá2yI-f FI-ŐĽüăŠăŠ 2NU Ö2Yy2y2LJŠy äLJI-ÖŠ

óú tNU2ŐĽŘŠ äKI-NUŠŘ ŘNUĽŐŠŐI-èăŠ ÖNU2ăă I-ÖÖŠää ŘNUĽŐŠŐI-èă I-y'Řk2NU 2úKŠNU t2NUYă 2T
Ö2y'úŠÖúĽăüè I-y'Ř äŠÖ2y'ŘI-NUè I-ÖÖŠää ú2 ŠĒĽăúly 2NU FdzúdzNUŠ I-ŘĽI-ÖŠy'ú ŘŠÖŠt2LJyŠy'úă

wŠăLJŠÖú úKŠ bI-údzNUI-f 9yŐNU2yYŠy'ú

mú KŠ ŘŠÖŠt2LJyŠy'ú äKI-ft ly'öfödzĽ I-ú tŠI-áú mpĽ 2T úKŠ ú2úI-f äĽúŠ 2NU LJNUŠy'úăŠ I-ă I- dzăI-öfŠ
NUŠÖNUŠI-úá2yI-f I-NUŠI- I-y'Řk2NU FI-ŐĽüăŠ ! äI-öfŠ NUŠÖNUŠI-úá2yI-f I-NUŠI-kFI-ŐĽüăŠă Ľă ŘŠĽyŠŘ I-ă I-y
2LJŠy'úŠÖNUŠI-úá2yI-f I-NUŠI- 2NU NUŠÖNUŠI-úá2yI-f FI-ŐĽüăŠ ŐKĽÖK I-NUŠ ŘŠăĽyŠŘ I-y'Ř ly'úŠy'úŠŘ ú2
öŠ dzäŠŘ t2NU 2dzúŘ22NU ŐŐly I-y'Řk2NU NUŠÖNUŠI-úá2y I-y'Řk2NU I-YŠy'úăŠ ! äI-öfŠ 2LJŠy
NUŠÖNUŠI-úá2yI-f I-NUŠI-ă äKI-ft y2ú ly'öfödzĽ fI-y'Ř 2ŐödzLJŠŘ öè ödzĽŘĽyăŠ äúNUdzöúdzNUŠă äúNUŠŠúăŠ

ālRŠθl-f-l-āz RŋuθŠθl-ēāz 2N LJl-Nl-l-y- I-NŠl-ā ōdzú Yl-ē lyŌfđzRŠ 2dzúR22N NŠŌNŠl-úλ2yl-f
 Fl-Ōlθlúāšā ādzŌK l-ā θl-f-l-ēā dzāŠR ā2fŠfē f2N NŠŌNŠl-úλ2yl-f LJdzNLJ2āšāKŌ2yyŠŌúλ2yāz
 āθlYyl-y LJ22fāz āLJ2Núā Ō2dzNúāz ŌfđzŌK2dzāšl Ō2Yydyl-ē ŌšyŷNŠ SēŠNŌlāš N22Y 2N
 zúKŠN l-YŠyl-úāšā l-ā RŠfl-yŠR ly-úKšāš 3dzlRŠfl-yšā φKš mḡz dzāl-ōfš NŠŌNŠl-úλ2yl-f l-NŠl- 2N
 Fl-Ōlθl-ē R2šā y2ú NŠRdzŌš úKš NŠljdznNŠR Hfz 2LJŠy āLJl-Ōš !ff Ō2Yy2y 2LJŠy
 NŠŌNŠl-úλ2yl-f l-NŠl-ā 2y úKš ālúšl lyŌfđzRl-y NŠŌNŠl-úλ2yl-f Fl-Ōlθl-ēāz āKl-ft ōš NŠl-Rl-ē
 l-Ōššāāōfš ū2 l-ft 2ŌŌdzLJl-yūā l-yR āK2dzfRš θKšNŠŌšN LJ2āālōfš ōš LJkēāŌl-ftē Ō2yyšŌúšR
 ū2 zúKšN Ō2Yy2y 2LJŠy āLJl-Ōš l-NŠl-ā 2y l-yR 2ff úKš ālúš DŠyŠNl-ftēz dzāl-ōfš 2LJŠy
 NŠŌNŠl-úλ2yl-f l-NŠl-ā āK2dzfR Kl-Ōš l-Yl-ydY Rl-yŠyāλ2y 2f úKlNúē ōoŋ fŠšú ly l-yē
 Rl-NŠŌúλ2y l-yR Yl-ydY l-NŠl- 2f ylyš KdzyRl-NŠR ōφlŋlū āljdzl-NŠ fŠšúT K2θšŌšNš lú lā
 NŠŌ23yl-lšR ūKl-ú 2LJŠyNŠŌNŠl-úλ2yl-f l-NŠl-ā Ōl-yōš 2f l-āYl-ftšN Yl-ydY Rl-yŠyāλ2y2N
 l-NŠl- LJN2θlRŠR lú Yššúā úKš RŠfl-yūλ2y !y SēŌšLJúλ2y ū2 úKš Yl-ydY mḡz
 NŠŌNŠl-úλ2yl-f āLJl-Ōš šāú-l-ōflāKšR ōē úKš wšŌlāšR a dzfŷlπCl-Yl-ē 5šāλyDdzlRŠfl-yšā āKl-ft
 ōš 3lŌšy ū2 Yl-yλl-lš úKš l-Y2dyl 2f 3Nl-Rl-y ūKl-ú θ2dzfR ōš NŠljdznNŠR ū2 l-ŌKlšŌš úKš
 Yl-ydY NŠŌNŠl-úλ2yl-f āLJl-Ōš Yl-yūl-l-yly ūKš lyŷy 2f úKš Dl-ft2θl-ē bšāKō2NlK22R
 3dzlRŠfl-yšā 2f Yl-yλl-l-yly NŠŷl-l-yly θl-ftā l-yR 3Nl-Rl-y

λφ !ySēŌšLJúλ2y ū2 úKš Yl-ydY mḡz NŠŌNŠl-úλ2yl-f āLJl-Ōš šāú-l-ōflāKšR ōē úKš
 wšŌlāšR a dzfŷlπCl-Yl-ē 5šāλyDdzlRŠfl-yšā āKl-ft ōš 3lŌšy ū2 Yl-yλl-lš úKš l-Y2dyl
 2f 3Nl-Rl-y ūKl-ú θ2dzfR ōš NŠljdznNŠR ū2 l-ŌKlšŌš úKš Yl-ydY NŠŌNŠl-úλ2yl-f āLJl-Ōš
 Yl-yūl-l-yly ūKš lyŷy 2f úKš Dl-ft2θl-ē bšāKō2NlK22R 3dzlRŠfl-yšā 2f Yl-yλl-l-yly
 NŠŷl-l-yly θl-ftā l-yR 3Nl-Rl-y

- Hú lyŌ2NLJ2Nl-úš 2yš fdyŷŌúλ2yl-f l-YŠyl-ē !ff2θl-ōfš NŠŌNŠl-úλ2yl-f l-YŠyl-úāšāy
 l-φ {θlYyl-y LJ22ff
 ōφ wšāRŠy ŌfđzŌK2dzāš
 Ōφ hyš ū2ú f2ú θlúK l-Yl-ydY āl-lš 2f ylyš KdzyRl-NŠR āljdzl-NŠ fŠšú ōφlŋlū LJšN ū2ú
 f2ú l-NŠl-T
 Rφ . l-ālšúōl-ftē Ō2ffšēōl-ftē ūšyā Ō2dzNúā Kl-yRōl-ft Ō2dzNúā 2N zúKšN āLJ2Núā Ō2dzNúā
 Šφ hyš ōmú LJlŌyŷl Ōl-NŠl-š θlúK l-Yl-ydY āl-lš 2f ylyšKdzyRl-NŠR āljdzl-NŠ fŠšú ōφlŋlū
 LJšN l-NŠl-š l-yR lyŌfđzRl-y l-Yl-ydY 2f 2yš ōmú LJlŌyŷl ūl-ōfš l-yR 2yš ōmú
 ōl-Ōšljdžš 3Nl-ftklJāšā LJšN LJlŌyŷl Ōl-NŠl-T
 fφ /2Yydyl-ē ŌšyŷNš ōYššúly N22Yš l-āāšyōfē Kl-ftē šúŌφŷ
 3φ 9ēšNŌlāš N22Y l-yRk2N NŠŌNŠl-úλ2y ōdzlRl-y

oú ! ūNšš ālē lyŌKšā 2N 3NŠl-úšN lyRl-YššúN YŠl-ādzNŠR π mkH fŠšú l-ō2Ōš 3N2dzyR Ydzāú
 ōš LJNšāšNŌšR 2N NŠLJfl-ŌšR θlúK l- ūNšš 2f l-ú fšl-āú ūθ2 lyŌKšā ōhú lyRl-YššúN τ f2N l-
 Yl-ēl-ydY ū2úl-ft 2f τ ūNššā LJšN l-ŌNšφ φNššā Yššúly ūKš fl-yRāŌl-LJš NŠljdznNŠyŠyūā ly
 úKš l2yl-y 2Nl-yŷl-yŷ Yl-ē ōš Ō2dyl ū2θ l-NR ūKlā NŠljdznNŠyŠyūā l-f ūKlā lā y2ú
 LJ2āālōfš ūKš ū2úl-ft Rl-YššúN 2f ūNššā l-ú ūKš ūl-yš ūKšē l-NŠ f2āú āKl-ft ōš NŠLJfl-ŌšR
 θlúK l-yšljdžl-ft Rl-YššúN l-Y2dyl 2f ūNššā θlúK y2 fšāā ūKl-yH lyRl-YššúN
 ūKlN2dz3K2dzú ūKš LJN2ššŌŷ l-NŠl-φ

Hφ Dl-ft2θl-ē ±lffl-ēš bšāKō2NlK22R 5šŌšf2LJYšy DdzlRŠfl-yšā

l-φ [l-yly āλyfl-ēš ūēLJšāz lffdzYl-l-ūλ2y LJl-ŌšYšy ūl-yR ydzYōšN

óμú 5ŚúÍ-ŎKŚŘ āĹyā óY2yđYŚyú āĹyāú āKÍ-ft ōŚ LJŚWYłúúŚŘ Í-ú ŚÍ-ŎK LJdzŏđĹ āúNŚŚú ŚyúNÍ-yŎŚ
2N LJdzŏđĹ āúNŚŚú FN2yúÍ-ĚŚ

- ω hyŚ ŘŚúÍ-ŎKŚŘ āĹyā āKÍ-ft ōŚ LJŚWYłúúŚŘ LJŚN LJdzŏđĹ āúNŚŚú Í-ŎŎŚāā ϕKŚ
ādzNŦÍ-ŎŚ Í-NŚÍ- 2Ŧ ŚÍ-ŎK āKÍ-ft y2ú ŚĚŎŚŚŘ yN āljdzÍ-NŚ ŦŚŚú
- ω ! YłYłYđY āŚúŏÍ-ŎĴ 2Ŧ n ŦŚŚú FN2Y Í-ŘĹÍ-ŎŚyú LJN2LJŚNúĚ đyŚ āKÍ-ft ōŚ
YÍ-lyúÍ-lyŚŘ Ŧ2N ŘŚúÍ-ŎKŚŘ āĹyā

óμú ! úúÍ-ŎKŚŘ āĹyā āKÍ-ft ōŚ LJŚWYłúúŚŘ 2yŏdzĹŦŘlyđ ŦÍ-ĉÍ-ŘŚ 2N ŚŦŚYŚyúā ōłúKlyŦKŚ
LJN2LJŚNúĚ

- ω a Í-ĚłYđY Í-úúÍ-ŎKŚŘ āĹyā ú2úÍ-ft ŚŦŚŎúłŎŚ Í-NŚÍ- āKÍ-ft y2ú ŚĚŎŚŚŘ 2yŚ
āljdzÍ-NŚ Ŧ22ú Ŧ2N ŚÍ-ŎK đyŚÍ-ft Ŧ22úÍ-ĚŚ 2Ŧ ŚÍ-ŎK ōdzĹŦŘlyđ ōÍ-ft KÍ-Ŏlyđ
FN2yúÍ-ĚŚ 2yÍ- LJdzŏđĹ 2N LJNłŎÍ-úŚ āúNŚŚú y2ú ú2 ŚĚŎŚŚŘ yN āljdzÍ-NŚ ŦŚŚú
- ω 9ĚŎŚLJúú2yāY 9Ěāúlyđ ōdzĹŦŘlyđā Í-úúÍ-ŎKŚŘ āĹyā ú2úÍ-ft ŚŦŚŎúłŎŚ Í-NŚÍ- āKÍ-ft
y2ú ŚĚŎŚŚŘ úŋ2 āljdzÍ-NŚ ŦŚŚú Ŧ2N ŚÍ-ŎK đyŚÍ-ft Ŧ22úÍ-ĚŚ 2Ŧ ŚÍ-ŎK ōdzĹŦŘlyđ
ōÍ-ft KÍ-Ŏlyđ FN2yúÍ-ĚŚ 2yÍ- LJdzŏđĹ 2N LJNłŎÍ-úŚ āúNŚŚú 2N mcl āljdzÍ-NŚ ŦŚŚú
ŋKłŎKŚŎŚN łā ŦŚāā a Í-ĚłYđY Í-úúÍ-ŎKŚŘ āĹyā ú2úÍ-ft ŚŦŚŎúłŎŚ Í-NŚÍ- āKÍ-ft y2ú
Í-LJLŦĚ ú2 Í-NúāāúłŎ YdzNÍ-Ŧā

óou 5ŚāĹyŦ ĴĹyā āKÍ-ft ōŚ ŘŚāĹyŚŘ ú2 ōŚ Ŏ2YŁJÍ-úłŏŦŚ ōłúK úKŚ ŎKÍ-NÍ-ŎúŚN 2Ŧ úKŚ ōdzĹŦŘlyđ
YÍ-úŚNłÍ-Ŧā Í-yŘ ŦÍ-yŘāŎÍ-LJlyđ ú2 LJN2Y2úŚ úKŚ 2ŎŚNÍ-ft Í-ŚāúKŚúłŎ 2Ŧ úKŚ ŘŚŎŚŦ2LYŚyú
ónú 5ĹāúÍ-ft āĹyÍ-ĚŚ łā LJN2KłŏłúŚŘ

ōŦ DŦÍ-Ĵyđ NÍ-úā2ā

óμú DŦÍ-Ĵyđ 2yŦKŚ ŚĚúŚNł2N 2Ŧ ōdzĹŦŘlyđ ŦÍ-ŎÍ-ŘŚā āKÍ-ft y2ú YÍ-ĴŚ dzLJ Y2NŚ úKÍ-yNłā 2Ŧ úKŚ
ĚN2āā Í-NŚÍ- 2Ŧ ŚÍ-ŎK ōdzĹŦŘlyđ ŚŦŚŎÍ-úā2y

- ω 9ĚŎŚLJúú2yāY 9Ěāúlyđ ōdzĹŦŘlyđā Í-yŘ Í-yĚ Í-ŘŘłú2yā 2N NŚy2ŎÍ-úā2yā ú2 úKŚ
ŚĚúŚNł2N 2Ŧ ŚĚāúlyđ ōdzĹŦŘlyđā 2yāłúŚ āKÍ-ft ōŚ ŚĚŚYŁJ FN2Y YÍ-ĚłYđY
ĚŦÍ-Ĵyđ NÍ-úā2 2Ŧ nłā 9Ěāúlyđ ōdzĹŦŘlyđā āKÍ-ft YÍ-lyúÍ-lyŦKŚ ŎdzNłNŚyú
ĚŦÍ-Ĵyđ NÍ-úā2ā Í-yŘ YŚŚú úKŚ ĴŎNłŚÍ-ŦNĚ 2Ŧ ŁyúŚNł2N āúÍ-yŘÍ-NłŘā Í-ā
ŘŚúŚWlyŚŘ ōĚ úKŚ ! ŘYłyāúNÍ-úłŎŚ wŚŎłŚŎ /2Y YłúúŚŚ

ŎŦ [2ŎÍ-úā2y2Ŧ t Í-NŦĴlyđ [2úā

óμú t Í-NŦĴlyđ Ŧ2úā āKÍ-ft ōŚ Ŧ2ŎÍ-úŚŘ ōŚKlyŘ ōdzĹŦŘlyđā 2N ōłúK ŘNłŎŚ Í-ŎŎŚāā 2NłŚyúŚŘ
LJŚNłJŚyŘłŎdzŦÍ-N FN2Y [2yŚ tlyŚ !ŎŚ ú2 đYłú ōłādzÍ-ft łYŁJÍ-Ŏú ú2 LJdzŏđĹ āLJÍ-ŎŚā

Í-Ŧ t Í-NŦĴlyđ Ŧ2úā ŦÍ-Ě2dzú ú2 ōŚ ŘŚŎŚŦ2LJŚŘ łyÍ-ŎŎ2NłÍ-yŎŚ ú2 9ĚKłŏłú n c tNŚđYłyÍ-NĚ
ĴłúŚ [Í-Ě2dzú

ŘŦ [łYłú ŚĚŎŚāāłŎŚ ĚNÍ-Řlyđ 2N N2ŎĴ ŏŦÍ-āúlyđ

óμú [łYłúlyđ ŚĚŎŚāāłŎŚ ĚNÍ-Řlyđ 2N N2ŎĴ ŏŦÍ-āúlyđ úKł2dzĚK ŎNŚÍ-úłŎŚ ŘŚāĹyā 2Ŧdzúł2yā ādzŎK
Í-ā ŚāúÍ-ŏŦāKlyđ úKŚ ŦlyłāK Ŧ22N ŚŦŚŎÍ-úā2yā Ŧ2ŎÍ-úlyđ ōdzĹŦŘlyđ ŚyúNĚKÍ-ŎŎŚāā LJ2lyúāz
ŦÍ-Ě2dzú 2Ŧ LJÍ-NŦĴlyđ Ŧ2úā Í-yŘ 2úKŚN ŘŚāĹyŚŦŚYŚyúā āKÍ-ft ōŚ ŚĚŁŦ2NŚŘ

λφ . dzlfrly3 Cl-æI-RŠāφ ! ff ālRŠā 2f ōdzlfrly3ā ōlāōtŌ ū2 ūKŠ LjdzōflōŠ ōKŠúKŠN ōlŠōŠR 7N2Y ūKŠ Ljdzōflō NlāKŭπ27π.ō I-ē 2N I- yŠI-Nŭōē LJN2LJŠNŭōē āKl-ff RlāLJfI-ē I- āYlfi-Nŭ tŠŌŠf 2f ljdzI-flūē I-yR I-NŌKlŭŠŌŭdzNŭI-f 7lylāKφ φKlā āKl-ff ōŠ I-ŌŌ2YlJflāKŠR ōē lyúŠNŭI-ŭly3 I-NŌKlŭŠŌŭdzNŭI-f ōI-NlāI-ŭl2yā I-yR ŭNŠI-ŭYŠyŭā ādzŌK I-ā ōlyR2ōā I-yR 2ŭKŠN RŠŌ2NŭI-ŭlŌŠ TŠI-ŭdzNŭSā lyŭ2 I-ff ālRŠā 2f I- ōdzlfrly3 RŠāly3 φō2 2N Y2NŭS 2f ūKŠ 72ft2ōly3 RŠāly3ŠfSYŠyŭā āKl-ff ōŠ lyŌ2NlJ2NŭI-ŭŠR 72N ŠI-ŌK ŭŌŠyŭē ōhpŭ K2NlĪ2yŭI-f TŠŠŭ 2f I- ōdzlfrly3 7I-æI-RŠ 2N ōI-ff

óμ / Kl-yŠā lyŌ2f2NŭS ūŠēŭdzNŭS I-yR YI-ŭŠNlāI-f
 óΗ tN22ŠŌŭl2yā NŠŌŠāāSā I-yR NŠŌŠI-fā ŠēLJNlSāāly3 āŭNdzŌŭdzNŭI-f ōI-ēāŠ SyŭNŭI-yŌŠā 2N 2ŭKŠN I-āLJŠŌŭā 2f ūKŠ I-NŌKlŭŠŌŭdzNŭSφ
 óο Dŭ2dzLJly3ā 2f ōlyR2ōā 2N 7ŠyŠāŭNŭI-ŭl2yφ

λλφ . dzlfrly3 YI-ŭŠNlāI-fā I-yR Ō2f2Nŭāφ

óμ a ŠŭI-f āKl-ff y2ŭ ōŠ dzāŠR I-ā I- LJNlYI-Nŭ ŠēŭŠNl2N ādzNŭI-ŌŠ YI-ŭŠNlāI-f Lŭ YI-ē ōŠ dzāŠR I-ā I- ŭNlY YI-ŭŠNlāI-f Ō2ŌŠNlly3 y2 Y2NŭS ūKl-yŭŠyŭŏmŭ LJŠNŌŠyŭ 2f ūKŠ 7I-ŌI-RŠ 2N I-ā I- N227 YI-ŭŠNlāI-fφ
 óΗ Cl-ŌI-RŠ Ō2f2Nā āKl-ff Kl-ŌŠ f2ō NŠTfŠŌŭI-yŌŠφ I lāKπlyŭŠyāŭē 2N 7fdz2NlSāŌŠyŭ Ō2f2Nā I-NŭS LJN2KlŏlŭŠRφ

λλλφ {ŠNŌlŌŠ I-yR [2I-Rly3 ! NŠI-āφ h77πāŭNŠŠŭ f2I-Rly3 āKl-ff ōŠ NŠēdzfI-ŭŠR ly I-ŌŌ2NlRŭI-yŌŠ ōlŭK {ŠŌŭl2yā ocπnc I-yR o cπnyo óΗ 2f ūKŠ {LJNlY77lSfR ½2yly3 hNlRlyI-yŌŠφ φKŠ 72ft2ōly3 NŠlJdzNŭSŭYŠyŭā I-NŭS ādzLJLJfŠYŠyŭI-Nŭēφ

óμ ! ff āŠNŌlŌŠ I-yR f2I-Rly3 I-NŭS I-ā āKl-ff ōŠ f2ŌI-ŭŠR ly ūKŠ ālRŠ 2N NŠI-Nŭ ēI-NŭR 2f ōdzlfrly3āφ
 óΗ {ŠNŌlŌŠ I-yR f2I-Rly3 I-NŭS I-ā āKl-ff ōŠ RŠāly3R ā2 ūKl-ŭ ūKŠ ŠyŭNŭS āŠNŌlŌŠ I-yR f2I-Rly3 2LJŠNŭI-ŭl2yā I-NŭS Ō2yRdzŌŭŠR 2y ūKŠ ōdzlfrly3 ālŭŠ I-yR āKl-ff ōŠ lyŭŠNŭI-ŭŠR lyŭ2 ūKŠ ōdzlfrly3 I-NŌKlŭŠŌŭdzNŭSφ φKŠ ōlāŏlāŭē 2f āŠNŌlŌŠ I-yR f2I-Rly3 7N2Y Ljdzōflō āŭNŠŠŭā āKl-ff ōŠ YlylYlĪŠR 2N ŠflYlyI-ŭŠRφ

οφ tNlSāŠNŌI-ŭl2y2f Šēlāŭly3 āŭNdzŌŭdzNŭSā I-yR yŠlāKŏ2NlK22R ŌKl-NŭI-ŌŭŠNφ

Iφ 9ēlāŭly3 āŭNdzŌŭdzNŭSā I-ŭ oπhMŭ oπhT I-yR opop {φ [2yŠ tlyŠ ! ŌŠyŭzŠ I-yR I-ā RŠālyI-ŭŠR 2y ālŭŠ LJfI-yāKl-ff ōŠ YI-lyŭI-lyŠR ā2 ūKŠē YI-ē ōŠ LJNlSāŠNŌŠR I-yR I-LJLJN2LJNlāI-ŭŠfē NŠKl-ŏlāŭI-ŭŠR 72ft2ōly3 ūKŠ {ŠŌNŭSŭI-Nŭē 2f LyŭŠNl2Nŭā {ŭI-yR I-NŭRā 72N wŠKl-ŏlāŭI-ŭl2yŭI-yR YlylYdzY YI-lyŭŠyI-yŌŠ NŠlJdzNŭSŭYŠyŭā flāŭŠR ōŠf2ōφ wŠāRŠyŭlāI-f dzāSā YI-ē ōŠ f2ŌI-ŭŠR I-ŏ2ŌŠ ūKŠ 7Nlāŭ 7f22N 2N ōŠKlyR y2yNlSāRŠyŭlāI-f dzāSā ā2 I-ā ŭ2 ŌNŠI-ŭS I- Ō2yŭlyŭdz2dzā y2yNlSāRŠyŭlāI-f 7I-ŌI-RŠ 2y ūKŠ 7Nlāŭπ7f22N tŠŌŠfφ ! āSā āKl-ff SyŌ2dzNŭI-ēS Ljdzōflō I-ŌŭlŌŭē I-f2y3 [2yŠ tlyŠ ! ŌŠyŭzŠφ

ōφ ! Rŭlāŭly3 I-yRk2N NŠy2ŌI-ŭl2yā ŭ2 RŠālyI-ŭŠR Šēlāŭly3 ōdzlfrly3ā āK2dzfR ōŠ Ō2YlJl-ŭlŏtŌŠ ōlŭK ūKŠ yŠlāKŏ2NlK22R ŌKl-NŭI-ŌŭŠN ōlŭK I- Ylē 2f I-NŌKlŭŠŌŭdzNŭI-f āŭētSāŠ I-ŭŠYlJlly3 ŭ2 lYlJN2ŌŠ ūKŠ āŭNŠŠŭāŌI-LJŠ LJŠRŠāŭNlY ŠēLJNlSyŌŠ ōI-fŭI-ŏtŌŠ TŠŠf I-yR 2LJLJ2NŭdzylŭlāSā 72N lyŭŠNŭI-Ōŭl2yā lyLJNlŌI-ŭS ŠāŭI-ŏflāKYŠyŭā I-yR Ljdzōflō āLJl-ŌŠāφ

Ōφ 9ēŭŠNl2N 7lylāK ōdzlfrly3 YI-ŭŠNlāI-fā dzāŠR ly I-Rŭlāŭly3 I-yRk2N NŠy2ŌI-ŭl2yā 2f Šēlāŭly3 ōdzlfrly3ā āKl-ff ōŠ Ō2YlJlYŠyŭI-Nŭē ŭ2 ūKŠ yŠlāKŏ2NlK22R ŌKl-NŭI-ŌŭŠNφ

óyú {lÿä I-yŕ I-ŏylyäð ! ff ðl-y2LJäSäz älyäz I-ŏylyäz äúI-äNðl-èäz FANUS Šäðl-LJŠäz ŠËKI-dzäú
Ŕdzðúäz I-yŕ älyäfI-N 2ðŠNKI-y ŠËúŠyälzyä äKI-ft öŠ Yl-lyúI-lyŠŕ lyÿ22ŕ NUSLJI-AN I-yŕ öŠ
LJN2LJŠNfè I-yðK2NŠŕ äz I-ä ú2 öŠ lŠLJú lyI-äI-ŦŠ I-yŕ ä2dzyŕ ðzyŕlúäzyð ÇKŠè äKI-ft öŠ
LJN2úŠðúŠŕ FN2Y úKŠ ŠŦSYŠyüä I-yŕ I-ÿI-lyäú ŔŠðl-è I-yŕ Ndzäú ðè úKŠ LJŠN2Ŕlð
I-LJLJfðl-úäzy2Ŧ I-ŏŠl-úKŠNðŦðl-úlyY Yl-úŠNl-f ädzðK I-ä LJl-lyú 2N 2úKŠN LJN2úŠðúäz
úNŠl-úYŠyüð

óçú /KlYyŠèäð ! ff ðKlYyŠèä I-yŕ älyäfI-N I-LJLJdzNúŠyl-yðŠä äKI-ft öŠ Yl-lyúI-lyŠŕ äúNdzðúdzNl-ftè
äI-ŦŠ ä2dzyŕ I-yŕ lyÿ22ŕ NUSLJI-AN ! ff ŠËLJ2äŠŕ ädzNŦl-ðŠä 2Ŧ YŠúI-Ŧ 2N ð22ŕ äKI-ft öŠ
LJN2úŠðúŠŕ FN2Y úKŠ ŠŦSYŠyüä I-yŕ I-ÿI-lyäú ŔŠðl-è 2N Ndzäú ðè LJŠN2Ŕlð I-LJLJfðl-úäzy2Ŧ
ŏŠl-úKŠNðŦðl-úlyY Yl-úŠNl-f ädzðK I-ä LJl-lyú 2N älyäfI-N ädzNŦl-ðŠä úNŠl-úYŠyüð

ómlú {úI-ANä I-yŕ LJ2NðKŠäð 9ðŠNè äúI-ANŠ LJ2NðKŠ FANUS Šäðl-LJŠš ðl-tðzyè I-yŕ I-ft I-LJLJdzNúŠyl-yðŠä
I-úúI-ðKŠŕ úKŠNŠú2 äKI-ft öŠ äz ðzyäúNdzðúŠŕ I-ä ú2 öŠ äI-ŦŠ ú2 dzäŠ I-yŕ ðl-LJl-ðŦŠ 2Ŧ
ädzLJLJ2NúälyY úKŠ I-yúäLJl-úŠŕ f2l-Ŕä I-yŕ äKI-ft öŠ Yl-lyúI-lyŠŕ lyä2dzyŕ ðzyŕlúäzy I-yŕ
ÿ22ŕ NUSLJI-ANð

ómmú ² lyŕ2ð I-yŕ Ŕ22N FNl-YŠäð 9ðŠNè ðlyŕ2ðŕ Ŕ22N I-yŕ FNl-YŠ äKI-ft öŠ ðzyäúNdzðúŠŕ
I-yŕ Yl-lyúI-lyŠŕ lyädzðK NŠfI-úäzyú2 úKŠ I-Ŕl-ðŠyü ðl-ft ðzyäúNdzðúäzyäz I-ä ú2 ŠËðfzŔŠ
Nl-ly I-ä ð2YlŦŠúŠfè I-ä LJ2äälyðŠ I-yŕ ú2 ädzðäúI-yúäI-ftè ŠËðfzŔŠ ðlyŕ FN2Y ŠyüŠNlyY úKŠ
ŔðŠŦlyY 2N äúNdzðúdzNl-ð

óMHú ² Šl-úKŠNúäÇKúð 9ðŠNè ðlyŕ2ð I-yŕ ŠËúŠN2N Ŕ22N äKI-ft öŠ FlúúŠŕ NUSl-äzyI-ðfè lyäúä
FNl-YŠ I-yŕ öŠ ðŠl-úKŠNúäÇKúð ² Šl-úKŠN äúNlLJllyY äKI-ft öŠ dzäŠŕ ú2 ŠËðfzŔŠ ðlyŕ 2N
Nl-ly FN2Y ŠyüŠNlyY úKŠ ŔðŠŦlyY 2N äúNdzðúdzNl I-yŕ äKI-ft öŠ lŠLJú lyä2dzyŕ ðzyŕlúäzy
I-yŕ ÿ22ŕ NUSLJI-ANð

ómoúDfI-llyð 9ðŠNè NUSlJdzANŠŕ ðlyŕ2ð äI-äK äKI-ft öŠ fdzfè ädzLJLJfðl-ðlÚK I-LJLJN2ðŠŕ ÿI-llyY
Yl-úŠNl-fä ðKlðK I-NUS ðlÚK2dzú 2LJŠyðNl-ðl I-yŕ K2ŦŠäð

ómnú522N KI-Nŕðl-NŠð 9ðŠNè ŠËúŠN2N Ŕ22N I-yŕ lúä KI-Nŕðl-NŠ äKI-ft öŠ Yl-lyúI-lyŠŕ lyÿ22ŕ
ðzyŕlúäzyð 522N f2ðl äzyI-ft Ŕ22Nä ŠyüŠNlyY ŔðŠŦlyY dzyäúä äKI-ft öŠ lyÿ22ŕ NUSLJI-AN
I-yŕ ðl-LJl-ðŦŠ 2Ŧ úäÇKúfè äŠðdzNlyY úKŠ Ŕ22Nð

ómpú . l-äSYŠyü KI-úðKðl-èäð 9ðŠNè ðl-äSYŠyü KI-úðKðl-è äKI-ft öŠ äz ðzyäúNdzðúŠŕ I-yŕ
Yl-lyúI-lyŠŕ I-ä ú2 LJNŠðŠyü úKŠ ŠyüNl-yðŠ 2Ŧ Nl-úäz Nl-ly I-yŕ ädzNŦl-ðŠ ŔNl-lyl-ÿŠ ðl-úŠN
lyü2 úKŠ äúNdzðúdzNl-ð

ómcúDNI-ŔlyY I-yŕ ŔNl-lyl-ÿŠð ! ff LJNŠYläŠä äKI-ft öŠ ÿNl-ŔŠŕ I-yŕ Yl-lyúI-lyŠŕ äz I-ä ú2
LJNŠðŠyü úKŠ I-ððdzYdzl-úäzy2Ŧ äúI-ÿyl-yü ðl-úŠN úKŠNŠzyŦ 2N ðlÚKly I-yè äúNdzðúdzNl-ð
f2ðl-úŠŕ úKŠNŠzyð {úI-ÿyl-yü ðl-úŠN äKI-ft öŠ ŔŠúŠNlyŠŕ I-ä I-yè I-ððdzYdzl-úäzyúKI-ú KI-ä
y2ú ŔlälJŠNäŠŕ ðlÚKly äŠðŠyŕl-èä 2Ŧ úKŠ fl-äú NUSð2NŔŠŕ f2ðl-Ŧ Nl-lyfl-ftð

ómtú !ððŠä2Nè äúNdzðúdzNl-ð ! ff I-ððŠä2Nè äúNdzðúdzNl-ðäz lyðfzŔlyY ŔŠúI-ðKŠŕ ÿI-Nl-ÿŠäz ŦSyðŠäz
I-yŕ ðl-ftäz äKI-ft öŠ Yl-lyúI-lyŠŕ äúNdzðúdzNl-ftè ä2dzyŕð

ómyú ! w / Y I-è NÚŠTŠN ØIzfi-úá2yā 2T úKlā āŠÓúá2y ū2 úKŠ 5NÚŠÓÚ2N 2T . dzlfrlyā 5ŠÓŠf2LJYŠyú
 {ŠNØlŌŠā T2N LjdzNlJ2āŠā 2T Ō2yRdzŌúá2y ādzŌK lyāLJŠŌúá2yā I-yR ŠyT2NŌŠYŠyú
 LJN2ŌŠŠRlyā I-ā úKŠ 5NÚŠÓÚ2N 2T . dzlfrlyā 5ŠÓŠf2LJYŠyú {ŠNØlŌŠā Y I-è RŠŠY
 I-LJLJN2LJNlI-úŠ ā2 úKl-ú úKŠ ōdzlfrlyā 2N āúNdzŌúdzNŠ Y I-è ōŠ LJNŠāŠNŌŠR ly I-ŌŌ2NŌR I-yŌŠ ōlúK
 úKŠ LjdzNlJ2āŠā 2T úKlā 2NŌRly I-yŌŠ

ómpú ΦKŠ LJN2Ōlā2yā 2T úKlā āŠÓúá2y āKl-ff ōŠ ly I-RŌlā2y ū2 I-ff 2úKŠN I-LJLJlŌI-ŌfŠ LJN2Ōlā2yā
 2T úKŠ {LJNlyāTlŠfR / lūē / 2RŠ NÚŠfI-úá2y ū2 úKŠ Ō2yāúNdzŌúá2y I-yR Y I-lyúŠyl-yŌŠ 2T
 ōdzlfrlyā I-yR āúNdzŌúdzNŠā

Φ {úNdzŌúdzNŠā āKl-ff y2ú ōŠ RŠY2flāKŠR 2N NÚŠY2ŌŠR ōlúK2dzú I-y9Ō2y2YlŌ I I-NŌRāKlJ ōŠlyā
 LJN2ŌŠY I-ā LJNŠāŌNlŌŠR ly {ŠŌúá2y ocπππ

Ξ ΦKŠ ! RYlyāúNlI-úáŌŠ wŠŌlŠŌ / 2Y YlúúŠŠ ō ! w / ū āKl-ff ōŠ NÚŠāLJ2yālŌfŠ T2N I-yē I-LJLJN2ŌI-fā 2N
 lyúŠNlJNŠúI-úá2yā 2T úKlā ādzŌāŠŌúá2y Lf úKŠ ŠĒāúá2y āúNdzŌúdzNŠā I-ā RŠāŌNlŌŠR I-Ō2ŌŠ I-NÚŠ
 RŠāly I-úŠR 2yúKŠ {LJNlyāTlŠfR / lāú2NlŌ wŠāúúŠN ly úKŠ TdzúdzNŠ ūKŠ [I-yR Y I-NŌlā . 2I-NŌR ōlff
 Kl-ŌŠ I-dzúK2Nlūē I-yR ! w / Ōā I-dzúK2Nlūē I-ā RŠāŌNlŌŠR I-Ō2ŌŠ ōlff ōŠ ydzff I-yR Ō2lāR

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ΦKŠ fl-yRāŌI-LJlyā I-yR āŌNÚŠlyā LJN2Ōlā2yā I-NÚŠ lyúŠyRŠR ū2 ly LJN2ŌŠ ūKŠ LJKēāŌI-f I-LJLJŠI-NlI-yŌŠ 2T úKŠ
 5lāúNlŌÚT ū2 ly LJN2ŌŠ ūKŠ ŠyŌNl2yYŠyúI-f LJŠNf2Nly I-yŌŠ ōē Ō2yúNlāŌdzúá2y ū2 úKŠ I-ŌI-úŠYŠyú 2T KŠI-úŠ 3flI-NÚŠ
 I-yR y2lāŠŠ I-yR ōē LJN2Y2úá2y yI-údzNlI-f LJŠNŌ2fI-úá2y 2T āú2Nly ō I-úŠN I-yR ly LJN2ŌŠYŠyú 2T I-NŌ ljd I-flūēT ū2
 ōdzffŠN LJ2úŠyúI-f fē ly Ō2Y LJI-úáŌfŠ fl-yR dzāŠā TNU2Y 2yŠ I-y2úKŠN I-yR ū2 Ō2yāŠNŌŠ ūKŠ ŌI-fdz 2T I-Rē2lylyā
 LJN2LJŠNūē I-yR yŠlEKŌ2NlK22Rā

Μ hLJŠy āLJI-ŌŠ NÚŠljdZlNÚŠYŠyúā

I-Φ a lylydzY 2LJŠy āLJI-ŌŠY b2ú fŠāā úKl-y óhpú LJŠNŌŠyú 2T úKŠ ū2úI-f f2ú I-NÚŠI- āKl-ff ōŠ RŠŌ2úŠR ū2
 2LJŠy āLJI-ŌŠ lyŌfzRlyā NÚŠljdZlNÚŠR ēI-NŌRāš āúNÚŠI-Y ōdzffŠN I-yR ōdzffŠN ēI-NŌRā hLJŠy āLJI-ŌŠ āKl-ff
 Ō2yúI-ly flūá2y 3N2dzYR Ō2ŌŠN I-yR 2úKŠN fl-yRāŌI-LJlyā Y I-úŠNlI-fā

Ō-Φ a I-ĒlydzY ly LJŠNŌlā2dzā I-NÚŠI-Y ΦKŠ Ō2Y ōlyŠR I-NÚŠI- 2ŌŌdzLJlŠR ōē I-ff Y I-ly I-yR I-ŌŌŠāā2Nūē
 ōdzlfrlyā 2N āúNdzŌúdzNŠā LJ I-NŌllyā I-NÚŠI-āz RNUŌŠŌ I-ēā I-yR I-yē 2úKŠN ādzNfI-ŌŠā ōKlŌK NÚŠRdzŌŠ
 I-yR LJNÚŠŌŠyú I-Ōā2NlJúá2y 2T āú2Nly ō I-úŠN āKl-ff y2ú ŠĒŌŠR ŠlāKūē ōtpú LJŠNŌŠyú 2T úKŠ ū2úI-f
 f2ú I-NÚŠI-Φ

Η . dzffŠNūēI-NŌRā

I-Φ wŠljdZlNÚŠR ōdzffŠNūēI-NŌRā

óMÚ ² KŠNÚŠ yŠŌ RŠŌŠf2LJYŠyú lā f2ŌI-úŠR I-RēI-ŌŠyú ū2 I-y wπ{C ½2ylyā 5lāúNlŌÚŠ I TlTúŠŠy ómpú
 T22ú ÇēLJŠ / ōdzffŠNūēI-NŌR āKl-ff ōŠ NÚŠljdZlNÚŠR b2 2úKŠN ōdzffŠNūēI-NŌRā I-NÚŠ NÚŠljdZlNÚŠR

Ō-Φ . dzffŠNūēI-NŌR āúI-yR I-NŌRā

óMÚ wŠljdZlNÚŠR ōdzffŠNūēI-NŌRā 2y I- f2ú 2N ūN I-Ōú āKl-ff ōŠ lyāúI-fŠR ōKŠy úKŠ f2ú 2N

únuí-óú lá řšóšf2ljšř
 óhú wšljdznušř ōdzřřšnuē í-nuřă ly'ô2y'y2y í-nuší-ăki-ft ôš lyăúí-ftšř škšyí-yē
 řšóšf2ljyšyú 2ôôdznuă ly'úks 5lăúnuăôú dzyřšăă úks lyăúí-ftí-úaly'ăă lăššôlftlôí-ftē
 řšftí-ēšř ōē úks nušljdznušyšyúă
 óou . dzřřšnuē í-nuřăăki-ft ôš ftí-yřăôí-ljšř ly'ô2y'f2ny í-yôš šlúk úks 2ljšy
 âljí-ôš ftí-yřăôí-ljyă nušljdznušyšyúă flăúšř ôšf2š

oφ ±šklôdzř í-nu dzăš í-nuší- 2ljšyăljí-ôš

í-φ t šnuayšúšnu
 ô-φ ly'úšnu2nu

nφ hljšyăljí-ôš ftí-yřăôí-ljyă

í-φ [í-yřăôí-ljyă ljftí-yúlyăă ly í-ft 2ljšyăljí-ôš í-nuší-ă nušljdznušř ōē úklă 5lăúnuăôú úks řřf2šlyă
 ftí-yřăôí-ljyăăki-ft ôš ljftí-yúšř í-yř y í-lyúí-lyšř ř2nu ší-ôk řlôš kdzyřnušř ópnnú âljdz í-nuš řššú
 2ř âdzôk 2ljšyăljí-ôš í-nuší-φ 9ēăúlyă únuššă í-ljlnu2ôšř ř2nu ljušăšnuší-úaly'ăki-ft ôš ô2dzyšř
 ú2š í-nuřă ftí-úăftí-ôúaly'2ř úklă lju2ôaly2y
 ómú hyš ómú ôí-y2ljē únušš 2nu óhú dzyřšnuăú2nuē 2nyí-yšyúí-ft 2nu šššnuššyúnuššă
 óhú {lă ôcú âknuđzôă

ô-φ [í-yřăôí-ljyăăúí-yří-nuřăă

ómú φnuššă lăššôlšăšă âlîšă í-yřăljí-ôlyăăki-ft ôš í-ljlnu2ôšř ôzyăăúšyú šlúk úks /lăē 2ř
 {ljnuayřřăřă !nuô2nuăôdzřřdznuí-ft 5šăly' Ddzlřšřlyšă zy řlšš šlúk úks tftí-ylyă í-yř
 5ššf2ljyšyú 5nuššôú2nu
 óhú φnuššă ljušăšnuší-úaly2y tnušăšnuší-úaly2y 2ř ší-ôk kší-túkē šēăúlyă únušš 2ř í-y í-ljlnu2ôšř
 âljšôlšă úklí-úăă í-ú řší-ăú ř2dznu í-yř zyšřpií-ft óppmkhú lyôkšă ôí-ftljšnuăki-ft ô2dzyú íă úš2
 óhú únuššă ú2š í-nuřă řdzřřlyšyú 2ř úks únušš nušljdznušyšyúă 2ř úklă 5lăúnuăôú
 óou a í-lyúšyí-yôš 2ř nušljdznušř ftí-yřăôí-ljyă ; ljzy'lyăúí-ftí-úaly'2nu ljušăšnuší-úaly2y 2ř
 nušljdznušř ftí-yřăôí-ljš y í-úšnuă í-ēă í-ljlnu2ljnuă í-úš yší-ădznušăăki-ft ôš úí-řšyú2 šyădznuš
 úksnu ô2yúalyđšř kší-túk í-yř y í-lyúšyí-yôš wšljdznušř y í-úšnuă í-ēă úklí-úă ř2 y2ú nušy í-ly
 kší-túkēăki-ft ôš nušljftí-ôšř ôzyăăúšyú šlúk úklă í-nuăôš
 ópú φks řššf2ljšnuăki-ft ô22nuřlyí-úš šlúk úks ôlăē dznuôí-y'ř2nušăúšnu ú2 šyădznuš lju2ljšnu
 yší-ădznušă ř2nu únušš ôzyăšnuší-úaly í-nuš dzúălîšř řdznuay ôzyăúnuđzôúaly' í-yř úklí-úă lju2ljšnu
 ljftí-yúlyă í-yř y í-lyúšyí-yôš lju2ôšřřdznušă í-nuš řřf2šř ř2nu yšš í-yř šēăúlyă únuššă
 ópú φks ljušřlyí-nuē âlúš ftí-ē2dzú lju2ôlřšă í-ôdzřřšnuăklí-úăăănuší-úšnuăklí-y nušljdznušř í-fzyă
 úks y2nuúksny í-yř ššăúšny ô2dzyří-nuăšă ú2 ljušăšnušš šēăúlyă yšăkô2nuay únuššă

pφ {ônuššylyă

í-φ {ônuššylyă [2ôí-úalyă

ómú t í-nuřlyă ř2ú âônuššylyăy t í-nuřlyă ř2ú šřšăă ôlăôš řnu2y [zyš tlyšăki-ft ôš âônuššyšř šlúk
 í- 2ljí-ljdzšăknuđzô ôí-nuăšnu ô2nuřšnu šlúk í- ylylydz y kšăkô 2ř ođ í-ú ljftí-yúlyăă φksăšăknuđzôă
 šlft ô2dzyú ú2š í-nuřă úks ú2úí-ft âknuđzôă yššřšř šlúklalyúks ftí-yřăôí-ljš nušljdznušyšyúă

lφ !túšnyí-úš í-ôôšljúí-ôš âônuššylyă úăljšă ú2 kí-ôš í-y2ljí-ljdzš ôí-nuăšnu o řššú ly
 kšăkô šklôk ôlădzí-ftē âônuššyă ljí-nuřlyă ř2úă řnu2y [zyš tlyš !ôšăki-ft ôš í-ljlnu2ôšř

[illegible]

ϕKŠ ņŠljdzņŠYŠyŭä I-yŘ äŭI-yŘI-ņŘä Z† {ŠÖŭŭ2y’ocπnyņ Z† ŭKŠ {LņņņyƳ†Š†Ř ½2yIyƳ hņņņņyI-yņŠŠ yŠ Š††ŠÖŭ
I-ŭ ŭKŠ ŭņYŠ Z† ŘŠņŠņLņYŠyŭ äKI-ft I-Lņņņfèϕ

! ŌŌšāā ū2 ūKŠ Łjdzōfłō āūnNŠSū āēāúŠY āk2đy2y9Ėklōlú h ākl-ft ōš Ğz0ŠlnyŠŘ ōē ūKŠ ŠÈlāúlýž áuí-yŘ-l-NRă žT
ŭKŠ / lūē žT {ŁJNNAyFtŠfř f2N ūKŠ l-ŁJLJtlōl-ōfš āūnNŠSū Őt-l-āālflōl-ūātzy

MØ ɕKŠ ŠĖl̥äul̥y̯ äKl̥l̥NŠR̥ l̥OŠŠäā Šl̥l̥äŠYŠYü̯ ʦɲZy̯ [2yŠ t̥l̥yŠ l̥ØŠɕ l̥ú ūKŠ äzd̥z̥d̥z̥uKŠN̥y̯ l̥JN̥J2L̥JŠN̥u̯ē t̥l̥yŠ äKl̥l̥ff oŠ
dzäŠR̥ ʦɲJ l̥OŠŠäā üz̥ ūKŠ R̥ŠØŠʦt̥l̥JYŠYü̯ l̥Yl̥JN̥J2ØŠŠYŠYü̯ üz̥ äKl̥l̥NŠR̥ l̥OŠŠäā ʦɲZy̯ [2yŠ t̥l̥yŠ l̥ØŠɕ Øl̥ff
oŠ l̥Yl̥JʦYŠYü̯ŠR̥ l̥ä äKz̥øYz̥y9E̯Kl̥o̯l̥u̯ h ɕ t̥N̥Šʦt̥Yl̥Yl̥l̥N̥u̯ē {l̥u̯Š [l̥èzd̥z̥d̥z̥ l̥y̯R̥ l̥y̯Ø22N̥Jl̥Yl̥l̥ü̯l̥y̯2ʦ
N̥Šl̥Jdz̥l̥N̥ŠR̥ l̥Jdz̥t̥o̯l̥o̯ l̥Yl̥JN̥J2ØŠŠYŠYü̯ R̥ŠäO̯N̥JäoŠR̥ l̥y̯{Šü̯ü̯l̥y̯bɕ

{SÖÜü2yã ocπnppζ ocπnpc l-yŘ ocπnyo 2† ūKŜ {LJWYƳπSfŘ ½2ylyƳ hNŖlyl-yŎŜ lyŜ††SÖü l-ú ūKŜ ūlyŜ 2†
 ŘSŎŜf2LJYŜÿü äKl-f f-LJLJfè

Ly I-ŘŘáúá2Yú2 úKŠ áá3YúSŠdzfI-úá2Yá áúI-úŠŘ ØáúKáYúKáŘ Ř2ØdzYŠSyúS úKŠ úSúIjdzáúSŸSyúá I-yŘ áúI-yŘI-úŘá
2T {ŠØúá2Yocπnπn 2T úKŠ {LúúáYßTáŠtŘ ½2YúY húúŘáYI-yØŠΣ áYŠTßŠØú I-ú úKŠ úáYŠ 2T ŘŠØŠt2úYŠSyú áKl-ft
I-LúúJtèø

[illegible]

I-ϕ 02yáúndz0ú úKŚ NŚIjdzANŚR̄ λY LJN20ŚYŚyúāt 2N
 oϕ LJN20λR̄S̄ I-ādzN I-yŌSā āI-úāfI-Ōú2Nē ú2 úKŚ 5ANŚŌú2N 2f t dzōfIŌ ² 2Nŷā 3dzI-N I-yŪS̄S̄Iy3 úKI-ú I-ff
 NŚIjdzANŚR̄ λY LJN20ŚYŚyúā 0λff oS̄ 02yáúndz0úŚR̄ λY I-ŌŌ2NŖI-yŌS̄ 0λúK úKŚ 05S̄āI3Y {úI-yŖI-NŖā
 f2N t dzōfIŌ LY LJN20ŚYŚyúāē 2f úKŚ t dzōfIŌ ² 2Nŷā 5S̄LJ I-NŪYŚyú āKI-ff oS̄ LJN20λR̄S̄ ū2 úKŚ
 /lúēϕ

Hϕ /S̄NŪA fAŌI-úS̄ 2f 2ŌŌdzLJ I-yŌēϕ b2 ŌS̄NŪA fAŌI-úS̄ 2f 2ŌŌdzLJ I-yŌē āKI-ff oS̄ lāādzŚR̄ f2N I-yē áúndzŌúdzNŚ
 0λúK λY úKlā 5lāáúNlŌŪS̄ 2N LJKI-āS̄ 2f úKŚ R̄S̄ŌS̄f2LJYŚyúS̄ dzyfS̄āāY

I-ϕ úKŚ NŚIjdzANŚR̄ λY LJN20ŚYŚyúā I-NŚ Ō2Y LfS̄ŪS̄R̄ LJN2N ū2 2ŌŌdzLJ I-yŌē 2f úKŚ áúndzŌúdzNŚāt 2N
 oϕ úKŚ 5ANŚŌú2N 2f t dzōfIŌ ² 2Nŷā KI-ā R̄S̄ŪS̄NŷYŚR̄ úKI-ŪY
 omú I-yē λYŌ2Y LfS̄ŪS̄ NŚIjdzANŚR̄ λY LJN20ŚYŚyúā KI-ŌS̄ fI-ŌŪfS̄ 2N y2 S̄fTŌŪ 2y úKŚ 2ŌŌdzLJ I-yŌē
 2f úKŚ fI-ŌŪfS̄ 2N
 ohú Ō2yŖlūā2yā ōS̄ē2yŖ úKŚ Ō2yŪN2f 2f úKŚ Ō2yŪN I-Ōú2N 2N λφS̄φ áúNlāŷS̄āS̄ 0S̄I-úKŚN 2S̄ŪŌS̄
 KI-ŌS̄ R̄S̄fI-ēS̄R̄ úKŚ Ō2Y LfS̄Ūā2y 2f úKŚ λY LJN20ŚYŚyúāϕ

Lf 2yS̄ 2f úKŚāS̄ Ō2yŖlūā2yā 2ŌŌdzNāS̄ úKŚ 5ANŚŌú2N 2f . dzlŖlāy3 5S̄ŌS̄f2LJYŚyú {S̄NŪŌŌS̄ā Y I-ē
 LJŚNŷYŪ 2ŌŌdzLJ I-yŌē dzyŖS̄N Ō2yŖlūā2yā āI-úāfI-Ōú2Nē ú2 úKŚ 5ANŚŌú2N 2f t dzōfIŌ ² 2Nŷā úKI-ú úKŚ
 NŚIjdzANŚR̄ λY LJN20ŚYŚyúā 0λff oS̄ Ō2Y LfS̄ŪS̄R̄ I-ā NŚIjdzANŚR̄ ōē úKlā 2NŖlāy I-yŌS̄ 0λúK λY I-
 NŚI-ā2yI-ŌfS̄ ŪAYŚϕ

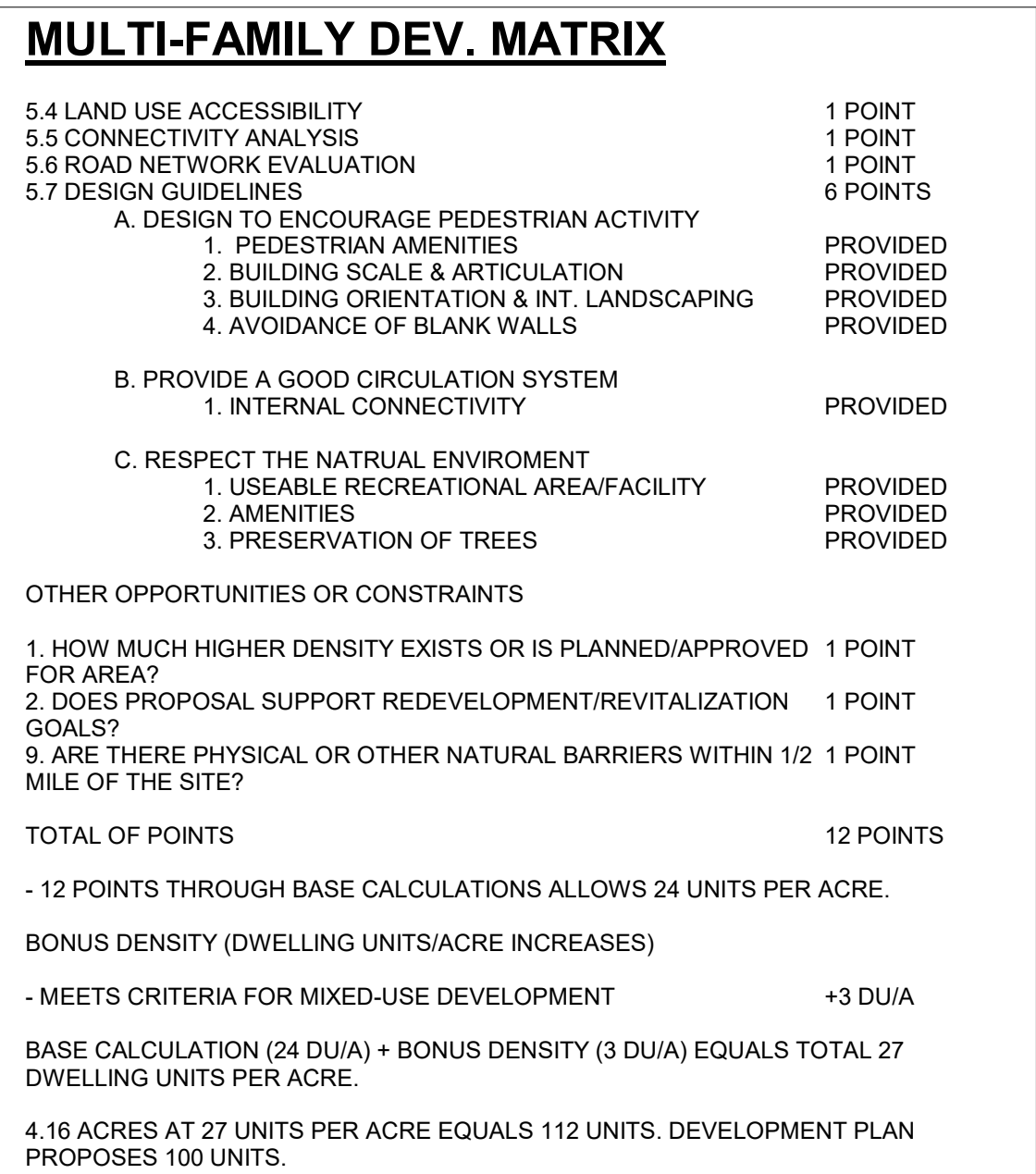
oϕ wŚIjdzANŚR̄ λY LJN20ŚYŚyúā LY LJN20ŚYŚyúā yS̄ŌS̄āāI-Nē ū2 I-R̄S̄IjdzI-úS̄fē I-ŌŌ2Y Y2ŖI-úS̄
 úKŚ λyŪS̄yāIūē 2f R̄S̄ŌS̄f2LJYŚyú λY úKlā 5lāáúNlŌŪ λYŌf dzR̄S̄ úKŚ f2f2 0λy3ϕ

I-ϕ {úNŚS̄Ū λY LJN20ŚYŚyúāϕ
 Mϕ ! y2NŪKō2dzyŖ fS̄fŪpúdzNŷfI-yS̄ I-f2y3 {ϕ [2yS̄ t λyS̄ ! ŌS̄yŌzS̄ lā yS̄S̄R̄S̄R̄ ū2 I-ŌŌS̄āā úKŚ
 R̄S̄ŌS̄f2LJYŚyú I-ú lūā ā2dzúKŚNŷY2āú S̄yŪN I-yŌS̄ I-f2y3 λúK úKŚ {S̄IjdzI2úI- LJ I-Nŷ R̄NŪŌS̄Ō I-ē
 S̄yŪN I-yŌS̄ ϕ KŚ fS̄yŪK 2f úKŚ y2NŪKō2dzyŖ fS̄fŪ āú2N I-3S̄ ū2 ōS̄ y2 fS̄āā úKI-y mπ fS̄ŪS̄ LJf dzā
 ūI-LJ S̄N. b2 ŌdzNŌ I-yŖ 3dzŪúS̄N I-NŚ NŚIjdzANŚR̄ dzyfS̄āā 2úKŚNŪŌāS̄ Ō2yáúndzŌúŚR̄ ōē t dzōfIŌ ² 2Nŷāϕ
 Hϕ LyāúI-ff I-úā2y 2f I-ŌN2āā 0 I-fI I-f2y3 ū2 úKŚ y2NŪKāāR̄S̄ 2f úKŚ {S̄IjdzI2úI- LJ I-Nŷ R̄NŪŌS̄Ō I-ē ū2 I-yŖ
 úKŚ y2NŪKāāR̄S̄ 2f úKŚ āKI-NŪS̄R̄ I-ŌŌS̄āā R̄NŪŌS̄ ā2dzúK 2f opop {ϕ [2yS̄ t λyS̄ ! ŌS̄Ō ōϕNŚI-R̄ŌI-ēŌā
 . dzlŖlāy3ϕ
 oϕ LyāúI-ff I-úā2y 2f ālR̄S̄Ō I-fI I-f2y3 LJN2LJ S̄NŪē FN2yŪlāy3 {2dzúK [2yS̄ t λyS̄ ! ŌS̄Ō Ly I-y S̄fT2N ū2
 LJNŚāS̄NŪŌS̄ S̄Ēlāúly3 ŪNŚS̄ā I-ā 0S̄ff I-ā S̄YKI-yŌS̄ úKŚ LJ S̄R̄S̄āŪNŪA I-y S̄ĒLJ S̄NŪS̄ŌS̄ 2y ālŪS̄ ūKŚ
 ālR̄S̄Ō I-fI úKI-ú FN2yŪā I-f2y3 LJ I-NŪŌf oplo { [2yS̄ t λyS̄ ! ŌS̄Ō āKI-ff āKlāfŪ úKŚ LJ dzōfIŌ ālR̄S̄Ō I-fI
 2yŪ2 LJNŪŌI-úS̄ LJN2LJ S̄NŪē 0S̄āú 2f S̄Ēlāúly3 ŪNŚS̄ā λY úKŚ I-LJ LJN2ĒY I-úS̄ f2ŌI-úā2y āK20y 2y úKŚ
 ālŪS̄ LJf I-yϕ ! ālR̄S̄Ō I-fI S̄I-āS̄YŚyú 0λff oS̄ yS̄32ūā I-úS̄R̄ ōS̄ŪŌS̄Y ūKŚ Ōlūē I-yŖ R̄S̄ŌS̄f2LJ S̄NŪϕ
 nϕ ! yē áúNŪS̄Ū f dzNŷYŪdzNŚS̄ fI3KŪlāy3 ŪNŚS̄āS̄ LJf I-yŪS̄NāS̄ S̄ŪŌ λY úKŚ LJ dzōfIŌ NŪ3KŪāp2fπŌ I-ē āKI-ff ōS̄
 I-LJ LJN20ŚR̄ ōē úKŚ t dzōfIŌ ² 2Nŷā 5S̄LJ I-NŪYŚyú ! Y I-λyŪS̄Y I-yŌS̄ I-3NŚS̄YŚyú Y I-ē ōS̄
 yS̄ŌS̄āā I-Nē f2N ūKŚāS̄ I-Y S̄YŪlāS̄āϕ
 pϕ ! LJ LJN2ĒY I-úS̄fē p fS̄Ū 2f I-R̄R̄lūā2y I-f NŪ3KŪāp2fπŌ I-ē 0λff ōS̄ R̄S̄R̄ŌI-úS̄R̄ I-f2y3 úKŚ S̄yŪNŪS̄ fS̄yŪK
 2f úKŚ LJN2LJ S̄NŪē FN2yŪI-3S̄ 2y {ϕ [2yS̄ t λyS̄ ! ŌS̄yŌzS̄ f2N I-ú2úI-f 2f op fS̄Ū FN2Y ūKŚ
 ŌS̄yŪS̄NŷY 2f úKŚ N2I-R̄ŌI-ēϕ KŚ fIy I-f I-Y2dzyŪ 2f R̄S̄R̄ŌI-úS̄R̄ wπhπ ² 0λff ōS̄ R̄S̄ŪS̄NŷYŚR̄ ōē I-
 ādzNŪS̄ēϕ
 λϕ KŚ t dzNŪLJ S̄ {KI-Y N2ŌI ōdzlŖlāy3 I-ú opht {ϕ [2yS̄ t λyS̄ ! ŌS̄Ō S̄yŪN2I-ŌKŚā λyŪ2 úKŚ
 LJN2LJ 2āS̄R̄ wπhπ ² ϕ wπhπ ² 0λff yS̄S̄R̄ ū2 23 I-N2dzyŖ S̄Ēlāúly3 . dzlŖlāy3 2N I-y
 I-3NŚS̄YŚyú 0λff yS̄S̄R̄ ū2 ōS̄ LJN20λR̄S̄R̄ LJN2N ū2 R̄S̄R̄ŌI-úā2y 2f yS̄Ō wπhπ ² ϕ

9ĖKλōλúă mΣ η Ι·yŘ π Ι·ă ŘŠťλyŠŘ òĕ {dzôăŠŌŭλ2γoσππλρ όφύ όŌŭ 2ť úKŜ {LJNλyƳťλŠťŘ ½2yλyƳ
hNŨŘλyI·yŎŜφ

ΦKŜ řλyI·f řŠŎŠť2LJYŠyŭ LJfI·yăKI·ff ôŜădzôYλúŭŠŘ ŭ2 úKŜ tfI·yyλyƳ Ι·yŘ 5ŠŎŠť2LJYŠyŭ
5ŜLJΙ·NŭYŠyŭ ť2Nŭ úKŜ !ŘYλyλăŭNŭI·ŭλŎŜ wŜŎλŜŎ /2YγλúŭŜŜ NŭŜŎλŜŎ Ι·yŘ řλyI·f Ι·Ŏŭλ2yλ ŠλúKŜNŭ Ι·ă
Ι·ŎK2ťŜ 2Nŭ λyLJKI·ăŠăφ ΦKŜ !ŘYλyλăŭNŭI·ŭλŎŜ wŜŎλŜŎ /2YγλúŭŜŜ λă KŜNŭŜôĕ Ι·dzŭK2NŭλÎŜŘΣ Ι·ŭ
λúă ŘλăŎNŭŜŭλ2yλ ŭ2 Ι·LJLJNŭ2ŎŜ Yλy2Nŭ Ι·Ř2dzăŭYŠyŭă Ι·yŘ Y2ŘλťλŎI·ŭλ2yă ŭ2 úKŜăλúŜ LJfI·yI·yŘ
ŠĖŭŜNŭλ2Nŭ ŠťŠŎI·ŭλ2yăφ {dzŎK Ι·dzŭK2NŭλúĕăKI·ff y2ŭΣ K2ŎŜŎŜNŭΣ ôŜ Ŏ2yăŭNŭdzŠŘ ŭ2 LJŜNŭYλŭY

!φ !yĕ dzăŠă ŎλúKλyŭúKŜ 5λăŭNŭλŎŭ 2ŭKŜNŭ úKI·yŭK2ăŜăLJŠŎλťλŎI·ťĕĕ LJNŭSăŎNŭλôŜŘ òĕ úKŜ 2NŨŘλyI·yŎŜφ
.φ !yĕ λyŎNŭŜI·ăŜ λyŭúKŜ λyŭŠyăλŭĕ 2ť dzăŜ LJŜNŭYλúŭŠŘ ŎλúKλyŭúKŜ 5λăŭNŭλŎŭφ



<u>GOVERNING CODES</u>	
BUILDING CODE	2018 IBC
MECHANICAL CODE	2018 IMC
PLUMBING CODE	2018 MPC
ELECTRICAL CODE	2017 NEC
ENERGY CODE	2018 IECC
ACCESSIBILITY CODE	2009 ICC/ANSI A117.1
<u>CODE DATA</u>	
PRIMARY USE GROUPS	B, BUSINESS R-2, RESIDENTIAL
ACCESSORY USE GROUPS	S-2, STORAGE
CONSTRUCTION TYPE	BUILDING 1 - 5A BUILDING 2 - 1B & 5A
BUILDING 1 (NORTH)	
TOTAL AREA 1ST FLOOR	11,797 S.F.
TOTAL AREA 2ND FLOOR	11,797 S.F.
TOTAL AREA 3RD FLOOR	7,541 S.F.
TOTAL AREA 4TH FLOOR	7,541 S.F.
BUILDING 2 (WEST)	
TOTAL AREA GARAGE LEVEL	14,241 S.F.
TOTAL AREA 1-4 FLOORS	14,226 S.F. EA.
<u>FIRE PROTECTION</u>	
SPRINKLER	
BUILDING 1 (NORTH)	S13R
BUILDING 2 (WEST) GARAGE	NS
BUILDING 2 (WEST) 1-4 FLOORS	S13R
FIRE ALARMS	YES
EMERGENCY LIGHTING	YES
<u>GENERAL BUILDING HEIGHT + AREA</u>	
ALLOWABLE AREA (TABLE 506.2) STORY TYPE	
TYPE CONSTRUCTION	5A
OCCUPANCY	R-2
SPRINKLER	S13R
ALLOWABLE AREA	12,000 SF
FRONTAGE INCREASE (12,000 X 0.75)	
TOTAL ALLOWABLE AREA	9,000 SF
ALLOWABLE HEIGHT (TABLE 504.3)	21,000 SF 60 FEET
ALLOWABLE STORIES ABOVE GRADE (TABLE 504.4)	4
TYPE CONSTRUCTION	1B
OCCUPANCY	S-2
SPRINKLER	R-2
ALLOWABLE AREA	79,000
ALLOWABLE HEIGHT (TABLE 504.3)	
ALLOWABLE STORIES ABOVE GRADE (TABLE 504.4)	11

ALLOWABLE AREA (TABLE 506.2)PER STORY	
TYPE CONSTRUCTION	5A
OCCUPANCY	R-2
SPRINKLER	S13R
ALLOWABLE AREA	12,000 SF
FRONTAGE INCREASE (12,000 X 0.75)	9,000 SF
TOTAL ALLOWABLE AREA	21,000 SF
ALLOWABLE HEIGHT (TABLE 504.3)	60 FEET
ALLOWABLE STORIES	4
ABOVE GRADE (TABLE 504.4)	
TYPE CONSTRUCTION	1B
OCCUPANCY	S-2
SPRINKLER	NS
ALLOWABLE AREA	79,000
ALLOWABLE HEIGHT	160
(TABLE 504.3)	
ALLOWABLE STORIES	11
ABOVE GRADE (TABLE 504.4)	

[illegible]

PROJECT NO.: 18-018 DRAWN BY: BGB
DATE: 07.06.2020 REVIEWED BY: BMS

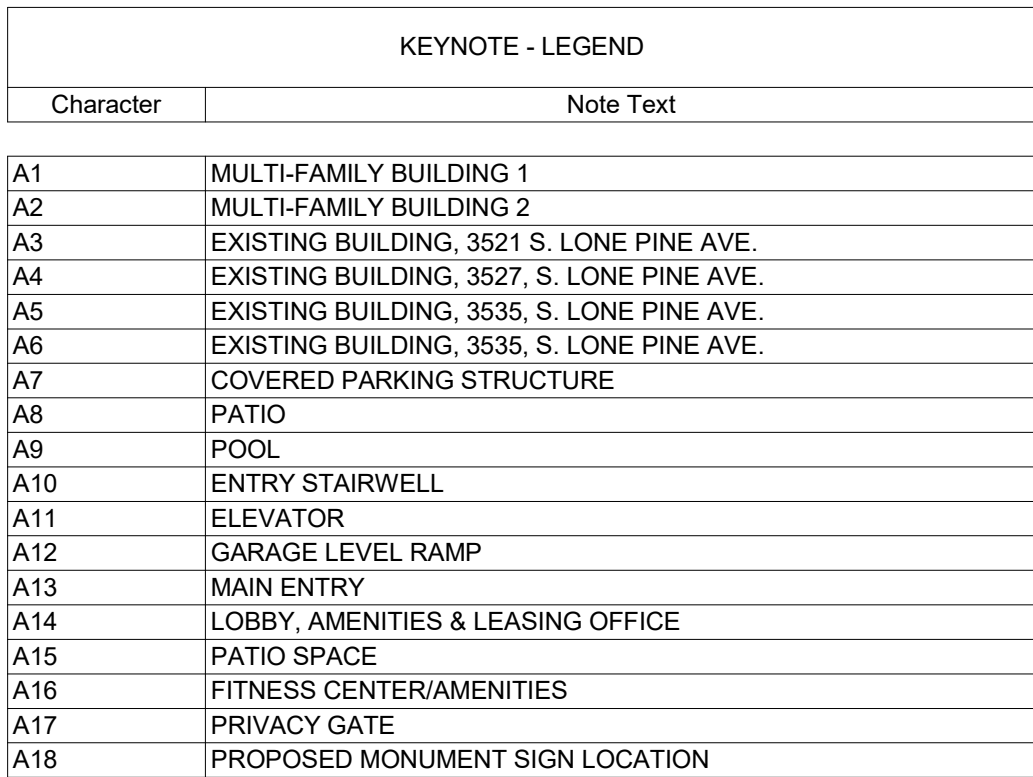
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PROJECT ADDRESS:
3535,3527,3521, AND 3503 S. LONE PINE AVE.
SPRINGFIELD, MISSOURI 65804

SHEET

A101

scale: 1" = 20'-0"



scale: 1" = 20'-0"



DESIGN GUIDELINES

THE BELOW TEXT IS ABSTRACTED FROM EXHIBIT 1 - PD LANGUAGE AND DOES NOT ALTER, NEGATE OR ADD TO THE REQUIREMENTS SET FORTH IN EXHIBIT 1 - PD LANGUAGE. THE BELOW TEXT IS ONLY INTENDED TO BE USED AS A REFERENCE TO THE REQUIREMENTS ESTABLISHED IN EXHIBIT 1 - PD LANGUAGE.

MULTI-FAMILY DESIGN GUIDELINES

- A. DESIGN TO ENCOURAGE PEDESTRIAN ACTIVITY
1. PEDESTRIAN AMENITIES
 2. BUILDING SCALE & ARTICULATION
 3. BUILDING ORIENTATION & INTERIOR LANDSCAPING
 4. AVOIDANCE OF BLANK WALLS
- B. PROVIDE A GOOD CIRCULATION SYSTEM
1. CONNECTIVITY BETWEEN ADJUTING OR ADJACENT DEVELOPMENTS
 2. INTERNAL CONNECTIVITY
 3. PROVIDE SHARED DRIVEWAYS, CROSS ACCESS DRIVEWAYS AND/OR OTHER FORMS OF CONNECTIVITY AND SECONDARY ACCESS TO EXISTING OR FUTURE ADJACENT DEVELOPMENTS.
- C. RESPECT THE NATURAL ENVIRONMENT
1. USABLE RECREATIONAL AREA/FACILITY
 2. AMENITIES
 3. PRESERVATION OF TREES

GALLOWAY VILLAGE DEVELOPMENT GUIDELINES

- A. SIGNAGE LIMITATIONS
1. DETACHED AND ATTACHED SIGNS LIMITED IN AREA AND LOCATION
 2. DESIGN OF SIGNAGE SHALL BE COMPATIBLE WITH CHARACTER OF BUILDING AND LANDSCAPING
- B. GLAZING RATIOS
1. GLAZING ON EXTERIOR OF BUILDING FACADES SHALL NOT MAKE UP MORE THAN 40% OF GROSS AREA OF EACH BUILDING ELEVATION.
- C. LOCATION OF PARKING LOTS
1. PARKING LOTS SHALL BE LOCATED BEHIND BUILDINGS OR WITH DRIVE ACCESS ORIENTED PERPENDICULAR FROM LONE PINE AVE.
- D. LIMIT EXCESSIVE GRADING OR ROCK BLASTING
1. LIMIT EXCESSIVE GRADING OR ROCK BLASTING THROUGH CREATIVE DESIGN SOLUTIONS SUCH AS ESTABLISHING THE FINISH FLOOR ELEVATIONS, LOCATING BUILDING ENTRY/ACCESS POINTS, LAYOUT OF PARKING LOTS AND OTHER DESIGN ELEMENTS SHALL BE EXPLORED.
- E. PRESERVATION OF EXISTING TREE CANOPY
1. PRESERVATION OF EXISTING TREES IN GOOD CONDITION.
- F. RESTRICTIONS ON RETAINING WALLS
1. RETAINING WALLS SHALL BE DESIGN FOR A MAXIMUM OF 8' IN HEIGHT WITH A MINIMUM 6' BETWEEN TIERS.
- G. THE DEVELOPMENT SHALL DESIGNATE SPACE AND ALLOW FOR A MIX OF ALLOWABLE SMALL BUSINESS USES THAT COULD BE SUPPORTIVE OF NEIGHBORHOOD AMENITIES.
- H. PROMOTE HIGH-QUALITY STREETSCAPE EXPERIENCE.
- I. BUILDING FACADES VISIBLE TO THE PUBLIC SHALL DISPLAY A SIMILAR LEVEL OF QUALITY AND ARCHITECTURAL FINISH. TWO OR MORE OF THE FOLLOWING DESIGN ELEMENTS SHALL BE INCORPORATED FOR EACH 25 FEET OF BUILDING FACADE OR WALL.
1. CHANGES IN COLOR, TEXTURE AND MATERIAL
 2. PROJECTIONS, RECESSES AND REVEALS
 3. GROUPINGS OF WINDOWS OR FENESTRATION.
- J. BUILDING MATERIALS AND COLORS.
1. METAL SHALL NOT BE USED AS A PRIMARY EXTERIOR SURFACE MATERIAL.
 2. FACADE COLORS SHALL HAVE LOW REFLECTANCE. HIGH-INTENSITY OR FLOURESCENT COLORS ARE PROHIBITED.
- K. SERVICE AND LOADING AREAS.
1. ALL SERVICE AND LOADING AREAS SHALL BE LOCATED IN THE SIDE OR REAR YARD OF BUILDINGS.
 2. SERVICE AND LOADING AREAS SHALL BE DESIGNED SO THAT THE ENTIRE SERVICE AND LOADING OPERATIONS ARE CONDUCTED ON THE BUILDING SITE AND SHALL BE INTEGRATED INTO THE BUILDING ARCHITECTURE. THE VISIBILITY OF THE SERVICE AND LOADING FROM PUBLIC STREETS SHALL BE MINIMIZED OR ELIMINATED.

NOTE:

THE ELEVATION SHOWN IS INTENDED AS AN ILLUSTRATIVE REPRESENTATION OF THE PROPOSED DEVELOPMENT'S CONFORMANCE TO THE MULTI-FAMILY DESIGN GUIDELINES AND THE GALLOWAY VILAGE DOCUMENT. EXISTING VEGETATION, LANDSCAPING AND OTHER SITE ELEMENTS ARE NOT SHOWN TO BETTER HIGHLIGHT THE DESIGN INTENT OF THE NEW RESIDENTIAL STRUCTURES CONFORMANCE TO THE DESIGN GUIDELINES.

BUILDING HEIGHT DEFINED AND CALCULATED AS PERSCRIBED BY INTERNATIONAL BUILDING CODE.

ELEVATION MATERIAL LEGEND	
Character	Note Text
E1	RAISED LANDSCAPE BED
E2	FACADE ARTICULATION
E3	MAXIMUM 40% GLAZING
E4	BRICK MASONRY, STONERIE OR OTHER MATERIAL COMPLEMENTARY TO THE PEDESTRIAN SCALE
E5	FINISH FLOOR ELEVATION ESTABLISHED TO MINIMIZE EXCESSIVE GRADING



5039 S National Avenue | Springfield, MO 65810 | 417.887.6595

OWNER
ELEVATIONS DEVELOPMENT CO.

PROJECT TEAM

CIVIL ENGINEER
OLSSON, INC.
550 ST. LOUIS STREET
SPRINGFIELD, MO 65806
417.890.8802

LANDSCAPE ARCHITECT
OLSSON, INC.
550 ST. LOUIS STREET
SPRINGFIELD, MO 65806
417.890.8802

REVISIONS

NO.	DESCRIPTION	DATE

PROJECT NO.: 19-018 DRAWN BY: BGB
DATE: 07.06.2020 REVIEWED BY: BMS

PROFESSIONAL SEAL

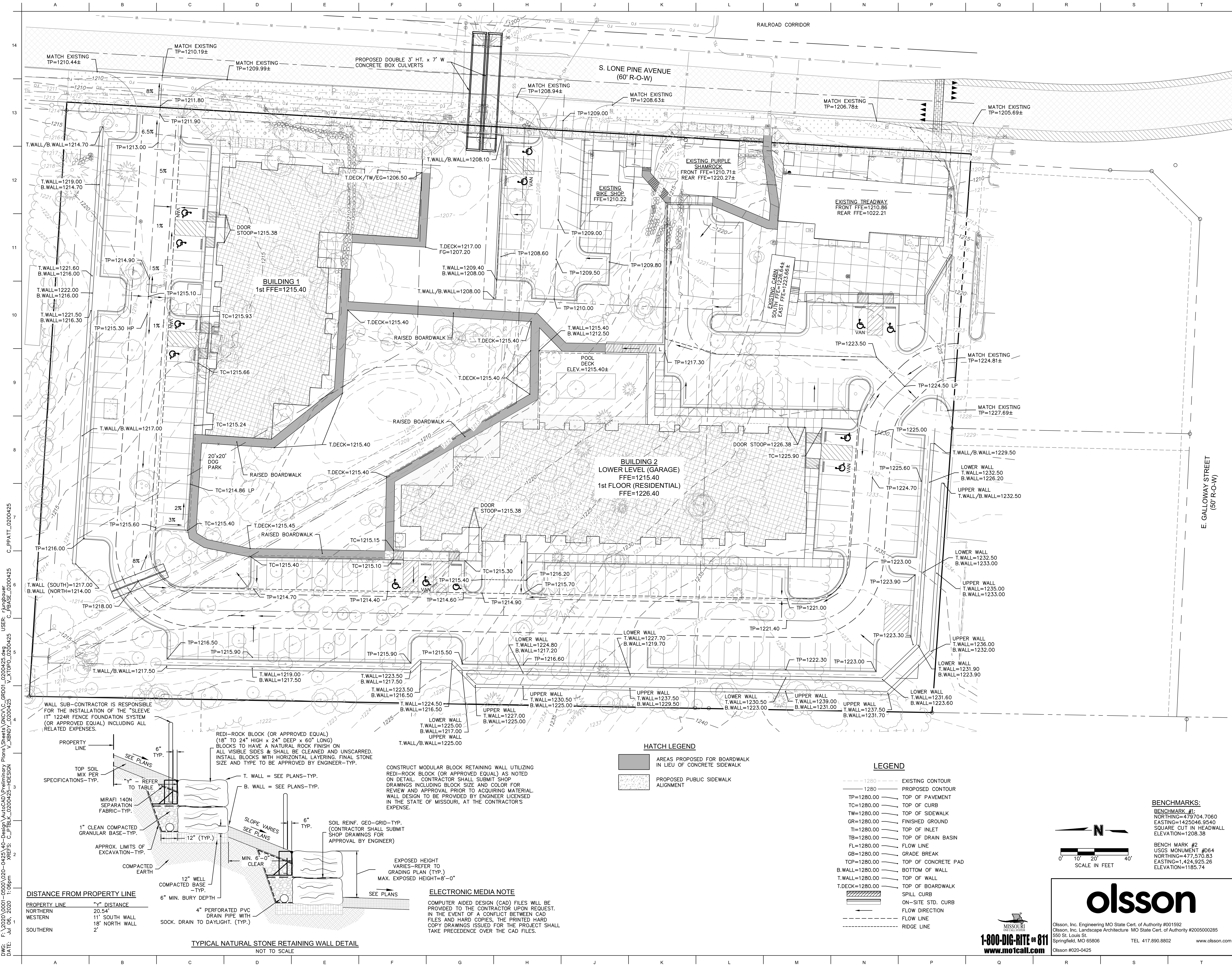


PROJECT TITLE
ELEVATION DEVELOPMENT CO. LONE
PINE & GALLOWAY

PROJECT ADDRESS:
3535, 3527, 3521, AND 3503 S. LONE PINE AVE.
SPRINGFIELD, MISSOURI 65804

EXHIBIT 4 - ARCH. ELEVATIONS

SHEET
A401



OWNER
ELEVATIONS DEVELOPMENT CO.

PROJECT TEAM

CIVIL ENGINEER
OLSSON, INC.
550 ST. LOUIS STREET
SPRINGFIELD, MO 65806
417.890.8802

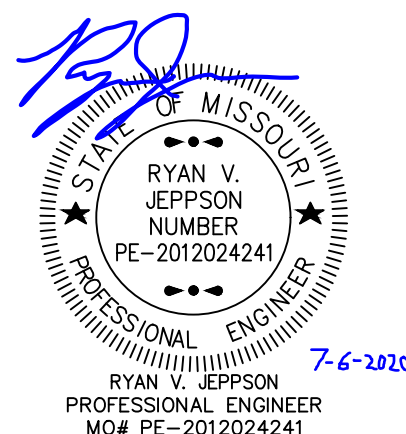
LANDSCAPE ARCHITECT
OLSSON, INC.
550 ST. LOUIS STREET
SPRINGFIELD, MO 65806
417.890.8802

REVISIONS

NO.	DESCRIPTION	DATE

PROJECT NO.: 20-000 DRAWN BY: RPJ
DATE: 07.06.2020 REVIEWED BY: JKE

PROFESSIONAL SEAL



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PROJECT TITLE
ELEVATION DEVELOPMENT CO. LONE
PINE & GALLOWAY

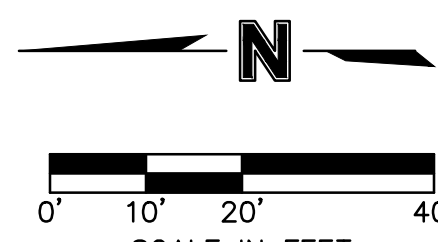
PROJECT ADDRESS:
3535, 3521, 3521, AND 3503 S. LONE PINE AVE.
SPRINGFIELD, MISSOURI 65804

PRELIMINARY GRADING PLAN

BENCHMARKS:

BENCHMARK #1:
NORTHING=479704.7060
EASTING=1425046.9540
SQUARE CUT IN HEADWALL
ELEVATION=1208.35

BENCH MARK #2
USGS MONUMENT #D64
NORTHING=477,570.83
EASTING=1,424,925.26
ELEVATION=1185.74



olsson

Olsson, Inc. Engineering MO State Cert. of Authority #001592
Olsson, Inc. Landscape Architecture MO State Cert. of Authority #2005000285
550 St. Louis St.
Springfield, MO 65806
TEL 417.890.8802
www.olsson.com
Olsson #020-0425

MISSOURI
ON-CALL SYSTEM
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HATCH LEGEND

- AREAS PROPOSED FOR BOARDWALK
IN LIEU OF CONCRETE SIDEWALK
- PROPOSED PUBLIC SIDEWALK
ALIGNMENT

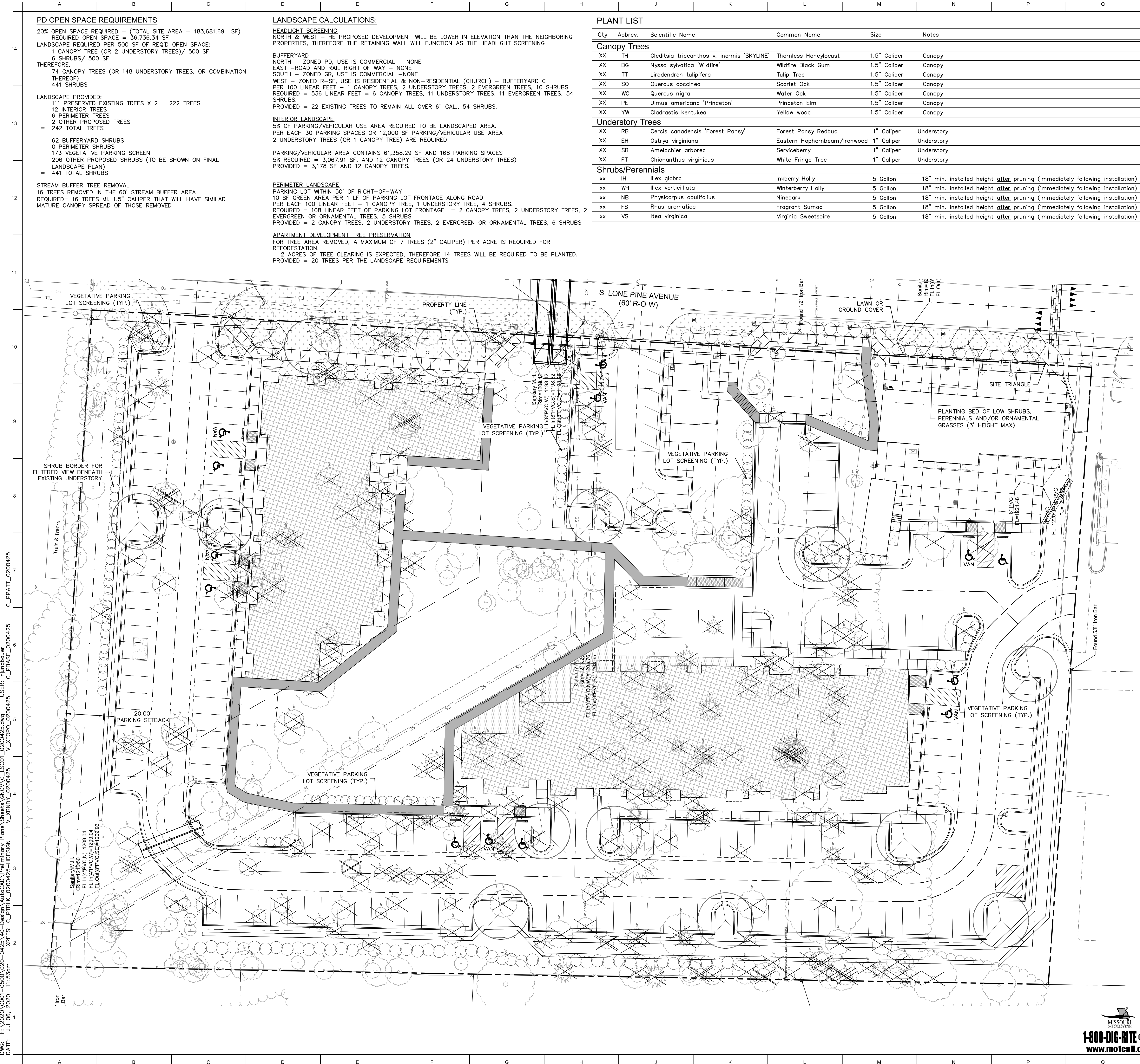
LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- TP=1280.00 TOP OF PAVEMENT
- TC=1280.00 TOP OF CURB
- TW=1280.00 TOP OF SIDEWALK
- GR=1280.00 FINISHED GROUND
- TI=1280.00 TOP OF INLET
- TB=1280.00 TOP OF DRAIN BASIN
- FL=1280.00 FLOW LINE
- GB=1280.00 GRADE BREAK
- TOP=1280.00 TOP OF CONCRETE PAD
- B.WALL=1280.00 BOTTOM OF WALL
- T.WALL=1280.00 TOP OF WALL
- T.DECK=1280.00 TOP OF BOARDWALK
- SPILL CURB
- ON-SITE STD. CURB
- FLOW DIRECTION
- FLOW LINE
- RIDGE LINE

ELECTRONIC MEDIA NOTE

COMPUTER AIDED DESIGN (CAD) FILES WILL BE PROVIDED TO THE CONTRACTOR UPON REQUEST. IN THE EVENT OF A CONFLICT BETWEEN CAD FILES AND HARD COPIES, THE PRINTED HARD COPY DRAWINGS ISSUED FOR THE PROJECT SHALL TAKE PRECEDENCE OVER THE CAD FILES.

TYPICAL NATURAL STONE RETAINING WALL DETAIL
NOT TO SCALE



PD OPEN SPACE REQUIREMENTS

20% OPEN SPACE REQUIRED = (TOTAL SITE AREA = 183,681.69 SF)
REQUIRED OPEN SPACE = 36,736.34 SF
LANDSCAPE REQUIRED PER 500 SF OF REQ'D OPEN SPACE:
1 CANOPY TREE (OR 2 UNDERSTORY TREES)/ 500 SF
6 SHRUBS/ 500 SF
THEREFORE:
74 CANOPY TREES (OR 148 UNDERSTORY TREES, OR COMBINATION THEREOF)
441 SHRUBS
LANDSCAPE PROVIDED:
111 PRESERVED EXISTING TREES X 2 = 222 TREES
12 INTERIOR TREES
6 PERIMETER TREES
= 242 TOTAL TREES
62 BUFFERYARD SHRUBS
0 PERIMETER SHRUBS
173 VEGETATIVE PARKING SCREEN
206 OTHER PROPOSED SHRUBS (TO BE SHOWN ON FINAL LANDSCAPE PLAN)
= 441 TOTAL SHRUBS
STREAM BUFFER TREE REMOVAL
16 TREES REMOVED IN THE 60' STREAM BUFFER AREA
REQUIRED= 16 TREES MI. 1.5" CALIPER THAT WILL HAVE SIMILAR MATURE CANOPY SPREAD OF THOSE REMOVED

LANDSCAPE CALCULATIONS:

HEADLIGHT SCREENING
NORTH & WEST - THE PROPOSED DEVELOPMENT WILL BE LOWER IN ELEVATION THAN THE NEIGHBORING PROPERTIES, THEREFORE THE RETAINING WALL WILL FUNCTION AS THE HEADLIGHT SCREENING
BUFFERYARD
NORTH - ZONED PD, USE IS COMMERCIAL - NONE
EAST - ROAD AND RAIL RIGHT OF WAY - NONE
SOUTH - ZONED OR, USE IS COMMERCIAL - NONE
WEST - ZONED R-SF, USE IS RESIDENTIAL & NON-RESIDENTIAL (CHURCH) - BUFFERYARD C
PER 100 LINEAR FEET - 1 CANOPY TREES, 2 UNDERSTORY TREES, 2 EVERGREEN TREES, 10 SHRUBS.
REQUIRED = 536 LINEAR FEET = 6 CANOPY TREES, 11 UNDERSTORY TREES, 11 EVERGREEN TREES, 54 SHRUBS
PROVIDED = 22 EXISTING TREES TO REMAIN ALL OVER 6" CAL., 54 SHRUBS.
INTERIOR LANDSCAPE
5% OF PARKING/VEHICULAR USE AREA REQUIRED TO BE LANDSCAPED AREA.
PER EACH 30 PARKING SPACES OR 12,000 SF PARKING/VEHICULAR USE AREA
2 UNDERSTORY TREES (OR 1 CANOPY TREE) ARE REQUIRED
PARKING/VEHICULAR AREA CONTAINS 61,358.29 SF AND 168 PARKING SPACES
5% REQUIRED = 3,067.91 SF, AND 12 CANOPY TREES (OR 24 UNDERSTORY TREES)
PROVIDED = 3,178 SF AND 12 CANOPY TREES.
PERIMETER LANDSCAPE
PARKING LOT WITHIN 50' OF RIGHT-OF-WAY
10 SF GREEN AREA PER 1 LF OF PARKING LOT FRONTAGE ALONG ROAD
PER EACH 100 LINEAR FEET - 1 CANOPY TREE, 1 UNDERSTORY TREE, 4 SHRUBS.
REQUIRED = 108 LINEAR FEET OF PARKING LOT FRONTAGE = 2 CANOPY TREES, 2 UNDERSTORY TREES, 2 EVERGREEN OR ORNAMENTAL TREES, 5 SHRUBS
PROVIDED = 2 CANOPY TREES, 2 UNDERSTORY TREES, 2 EVERGREEN OR ORNAMENTAL TREES, 6 SHRUBS
APARTMENT DEVELOPMENT TREE PRESERVATION
FOR TREE AREA REMOVED, A MAXIMUM OF 7 TREES (2" CALIPER) PER ACRE IS REQUIRED FOR REFORESTATION.
± 2 ACRES OF TREE CLEARING IS EXPECTED, THEREFORE 14 TREES WILL BE REQUIRED TO BE PLANTED.
PROVIDED = 20 TREES PER THE LANDSCAPE REQUIREMENTS

PLANT LIST

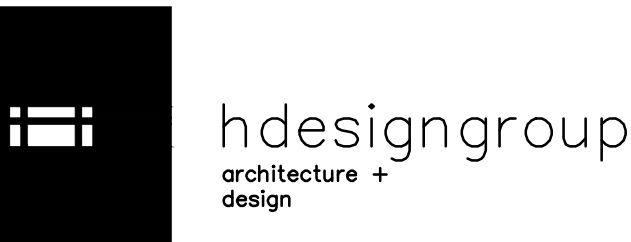
Qty	Abbrev.	Scientific Name	Common Name	Size	Notes
Canopy Trees					
XX	TH	Gleditsia triacanthos v. inermis 'SKYLINE'	Thornless Honeylocust	1.5" Caliper	Canopy
XX	BG	Nyssa sylvatica 'Wildfire'	Wildfire Black Gum	1.5" Caliper	Canopy
XX	TT	Liriodendron tulipifera	Tulip Tree	1.5" Caliper	Canopy
XX	SO	Quercus coccinea	Scarlet Oak	1.5" Caliper	Canopy
XX	WO	Quercus nigra	Water Oak	1.5" Caliper	Canopy
XX	PE	Ulmus americana 'Princeton'	Princeton Elm	1.5" Caliper	Canopy
XX	YW	Cladostis kentuckea	Yellow wood	1.5" Caliper	Canopy
Understory Trees					
XX	RB	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	1" Caliper	Understory
XX	EH	Ostrya virginiana	Eastern Hophornbeam/Ironwood	1" Caliper	Understory
XX	SB	Amelachier arborea	Serviceberry	1" Caliper	Understory
XX	FT	Chionanthus virginicus	White Fringe Tree	1" Caliper	Understory
Shrubs/Perennials					
xx	IH	Illex glabra	Inkberry Holly	5 Gallon	18" min. installed height after pruning (Immediately following installation)
xx	WH	Illex verticillata	Winterberry Holly	5 Gallon	18" min. installed height after pruning (Immediately following installation)
xx	NB	Physicarpus opulifolius	Ninebark	5 Gallon	18" min. installed height after pruning (Immediately following installation)
xx	FS	Rhus aromatica	Fragrant Sumac	5 Gallon	18" min. installed height after pruning (Immediately following installation)
xx	VS	Itea virginica	Virginia Sweetpire	5 Gallon	18" min. installed height after pruning (Immediately following installation)

LANDSCAPE LEGEND

- EXISTING TREES TO BE REMOVED. ALL OTHER EXISTING TREES TO BE PRESERVED. (SEE EXISTING TREE REMOVAL TABLE FOR SIZE AND QUANTITY OF REMOVED TREES)
- NEW UNDERSTORY TREE
- NEW CANOPY/STREET TREE
- SHRUB
- AREA RESERVED FOR PLANTING BED

Existing Tree Removal Table

Size	Number Removed
6"	45
7"	32
8"	29
9"	31
10"	33
11"	9
12"	30
13"	18
14"	4
15"	12
16"	10
17"	4
18"	4
20"	5
21"	1
22"	4
24"	4
28"	1
30"	2
38"	1
40"	1
42"	1
52"	1
389 EXISTING TREES ONSITE	
279 EXISTING TREES REMOVED	
110 EXISTING TREES TO REMAIN	



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OWNER
ELEVATIONS DEVELOPMENT CO.

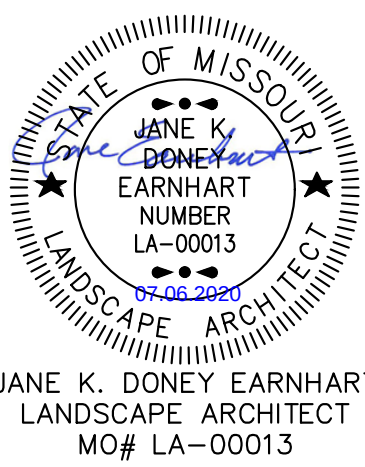
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REVISIONS

NO.	DESCRIPTION	DATE

PROJECT NO.: 20-000 DRAWN BY: RPJ
DATE: 07.06.2020 REVIEWED BY: JKE

PROFESSIONAL SEAL



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PROJECT TITLE
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PROJECT ADDRESS:
3535, 3527, 3521, AND 3503 S. LONE PINE AVE.
SPRINGFIELD, MISSOURI 65804

PRELIMINARY LANDSCAPE PLAN



Olsson, Inc. Engineering MO State Cert. of Authority #001592
Olsson, Inc. Landscape Architecture MO State Cert. of Authority #2005000285
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Olsson #020-0425

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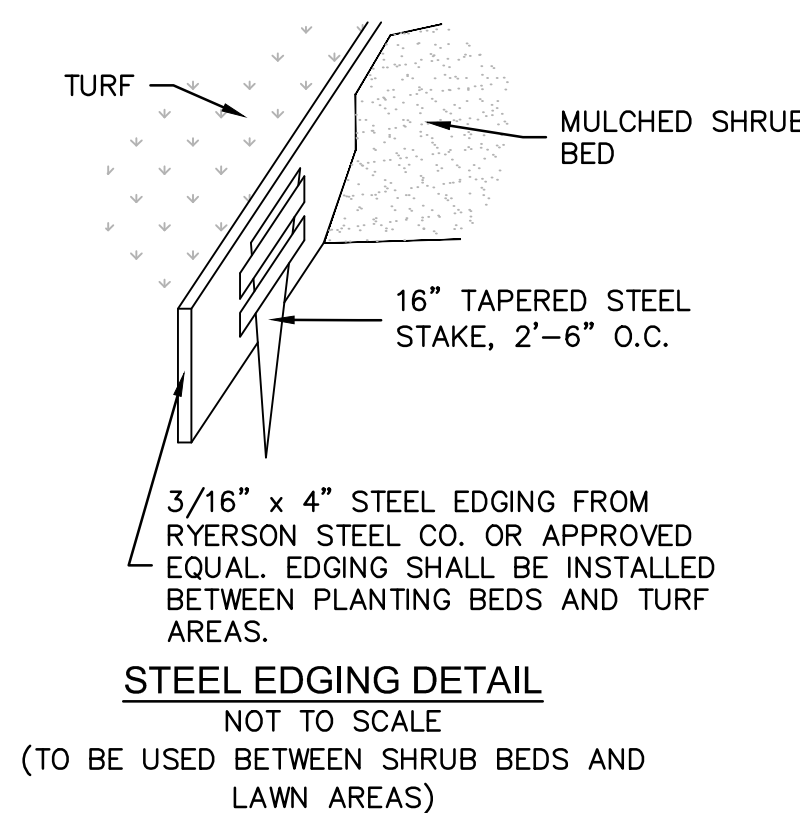
4" DEPTH OF RIVER GRAVEL



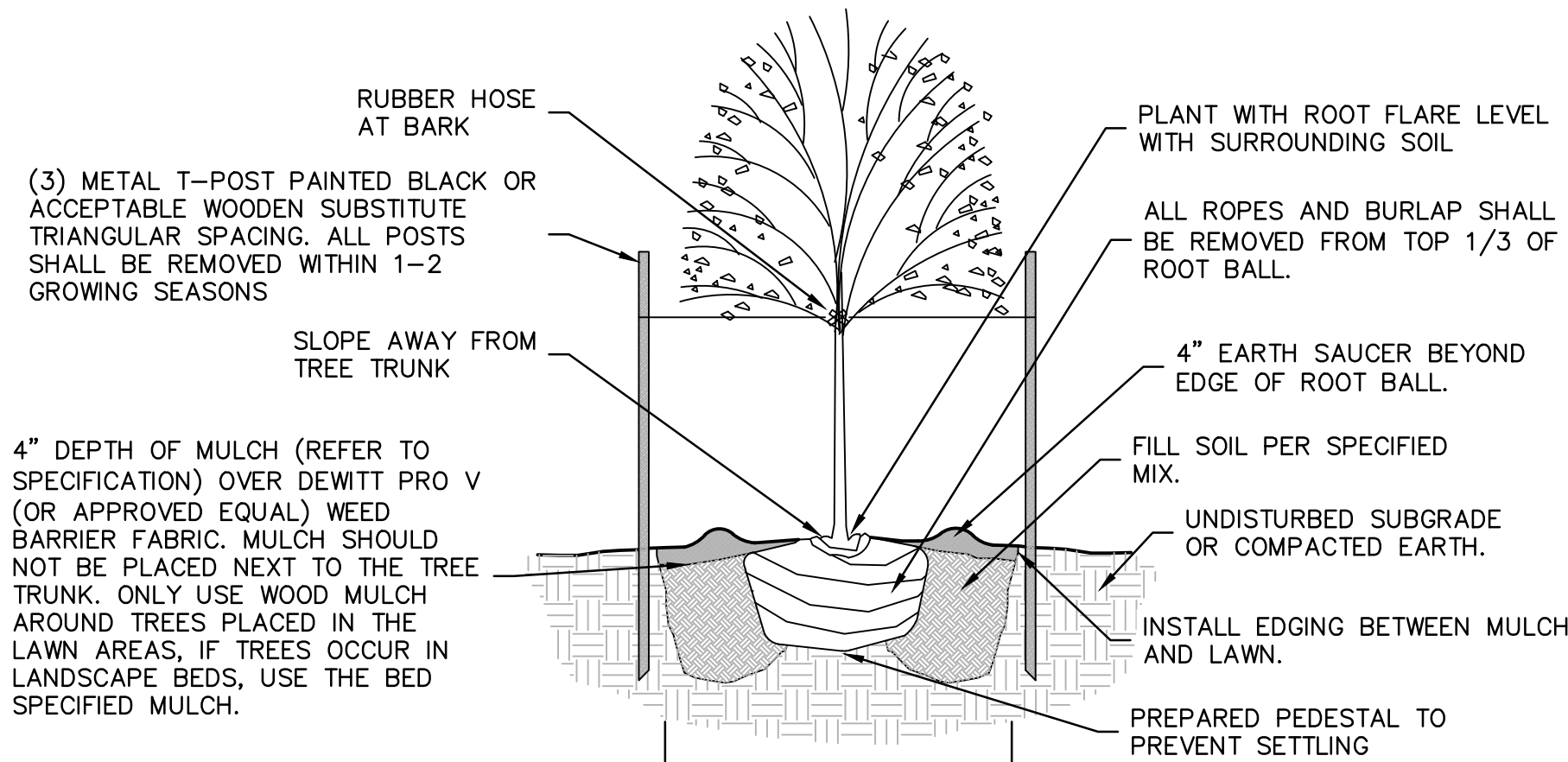
NOTES:

1. MINIMUM ROOT SPREAD TO BE IN ACCORDANCE WITH AAN STANDARDS
2. PRUNE DAMAGED LIMBS OR ROOTS AFTER INSTALLATION
3. MAKE SURE ROOTS DO NOT DRY OUT DURING INSTALLATION
4. SOAK GENEROUSLY TO COMPACT AND SETTLE

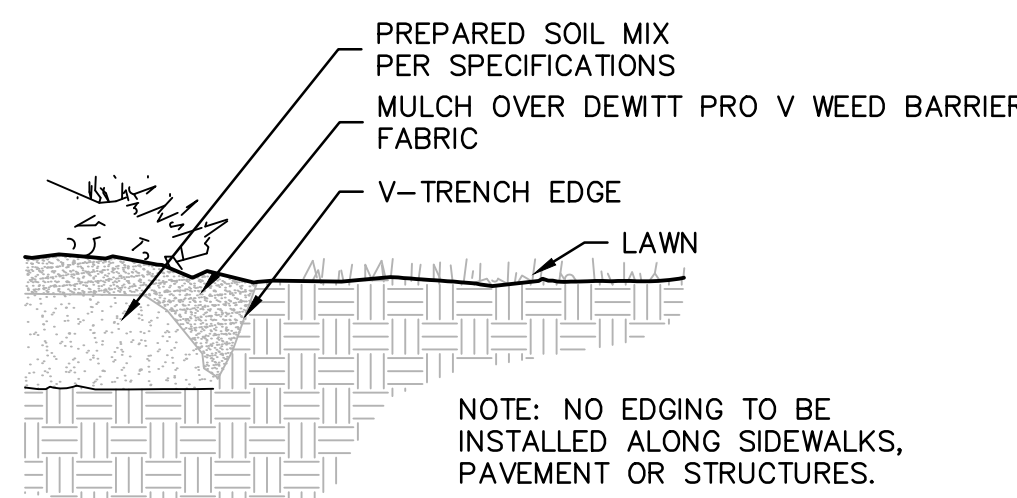
1. ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
2. LOCATE AND FLAG ALL UNDERGROUND UTILITIES PRIOR TO ANY CONSTRUCTION. CONTRACTOR SHALL PROTECT EXISTING OVERHEAD AND UNDERGROUND UTILITIES. ANY DAMAGE TO SUCH SHALL BE REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
3. PLANTS AND OTHER MATERIALS ARE QUANTIFIED AND SUMMARIZED FOR THE CONVENIENCE OF THE CITY AND LOCAL GOVERNING BODIES. CONFIRM AND INSTALL SUFFICIENT QUANTITIES TO COMPLETE THE WORK AS DRAWN.
4. PLAN IS SUBJECT TO CHANGES BASED ON PLANT SIZE AND MATERIAL AVAILABILITY. ALL CHANGES OR SUBSTITUTIONS MUST BE APPROVED BY THE CITY OF SPRINGFIELD, MISSOURI AND THE LANDSCAPE ARCHITECT.
5. ALL PLANT MATERIAL SHALL BE NURSERY GROWN TO MEET MINIMUM SIZE AS SPECIFIED IN THE AMERICAN STANDARD FOR NURSERY STOCK ESTABLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION (ANLA). THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
6. ALL TREES SHALL BE CALIPERED AND ANY UNDERSIZED TREES SHALL BE REJECTED. SPECIFIED CALIPER MEASUREMENT FOR TREES SHALL BE MEASURED AT 6" ABOVE THE GRADE.
7. PLANTING OF TREES, SHRUBS, SODDED AND SEEDED TURFGRASS SHALL BE COMMENCED DURING EITHER THE SPRING (MARCH 1-JUNE 1) OR FALL (SEPTEMBER 1 - NOVEMBER 1) PLANTING SEASON AND WITH WATER AVAILABLE FOR IRRIGATION PURPOSES.
8. CONTRACTOR SHALL STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. CONTRACTOR SHALL HAVE THE LANDSCAPE ARCHITECT APPROVE ALL STAKING PRIOR TO INSTALLATION. FIELD ADJUSTMENTS MAY BE NECESSARY BASED UPON FIELD CONDITIONS (I.E. ROOT BALL AND DROP INLET CONFLICT). ALL ADJUSTMENTS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
9. THE LANDSCAPE CONTRACTOR SHALL REMOVE ALL CONSTRUCTION DEBRIS AND MATERIALS INJURIOUS TO PLANT GROWTH FROM PLANTING PITS AND BEDS PRIOR TO BACKFILLING WITH PLANTING MIX.
10. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO ALL SHRUB BEDS PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
11. BACKFILL ALL PLANTING BEDS TO A MINIMUM 12-INCH DEPTH WITH PLANTING SOIL MIX. PLANTING SOIL MIX SHALL CONSIST OF ONE (1) PART PERLITE, ONE (1) PART PEAT MOSS, AND TWO (2) PARTS CLEAN LOAM TOPSOIL THOROUGHLY MIX PLANTING SOIL COMPONENTS PRIOR TO PLACEMENT.
12. ALL LANDSCAPE PLANTING AREAS, EXCLUDING TURF AREAS SHALL BE MULCHED AS NOTED ON PLANS.
13. ALL LANDSCAPE AREAS DESIGNATED TO RECEIVE ROCK MULCH SHALL BE MULCHED TO A DEPTH OF 4" WITH ROCK MULCH PER SPECIFICATIONS.
14. STEEL LANDSCAPE EDGING IS TO BE USED ON ALL LANDSCAPE BEDS ABUTTING SODDED AREAS AND TO SEPARATE ROCK MULCH AREAS FROM HARDWOOD MULCH AREAS.
15. LANDSCAPE CONTRACTOR IS TO BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS UNTIL THE ACCEPTANCE OF THE PROJECT HAS TAKEN PLACE. ANY MATERIALS WHICH ROT OR DECOMPOSE (PRIOR TO ACCEPTANCE OF THE WORK) WILL BE PROMPTLY REMOVED AND REPLACED.
16. THE CONTRACTOR WILL COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. CONTRACTOR WILL MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).



DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



NOTES:
1. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING
2. IN AREAS OF TURF, SURROUND BED WITH 6' DIAMETER OF MULCH



"V" TRENCH EDGING DETAIL
BE USED AROUND TREES PLACED IN LAWN AREAS
NOT TO SCALE

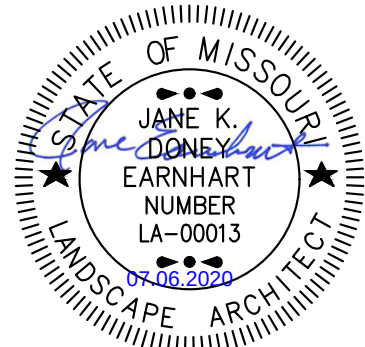
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PROJECT NO.: 20-000 DRAWN BY: RPJ
DATE: 07.06.2020 REVIEWED BY: JKE

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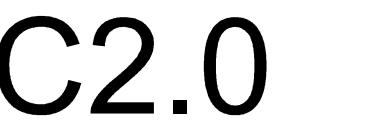
JANE K. DONEY EARNHART
LANDSCAPE ARCHITECT
MO# LA-00013

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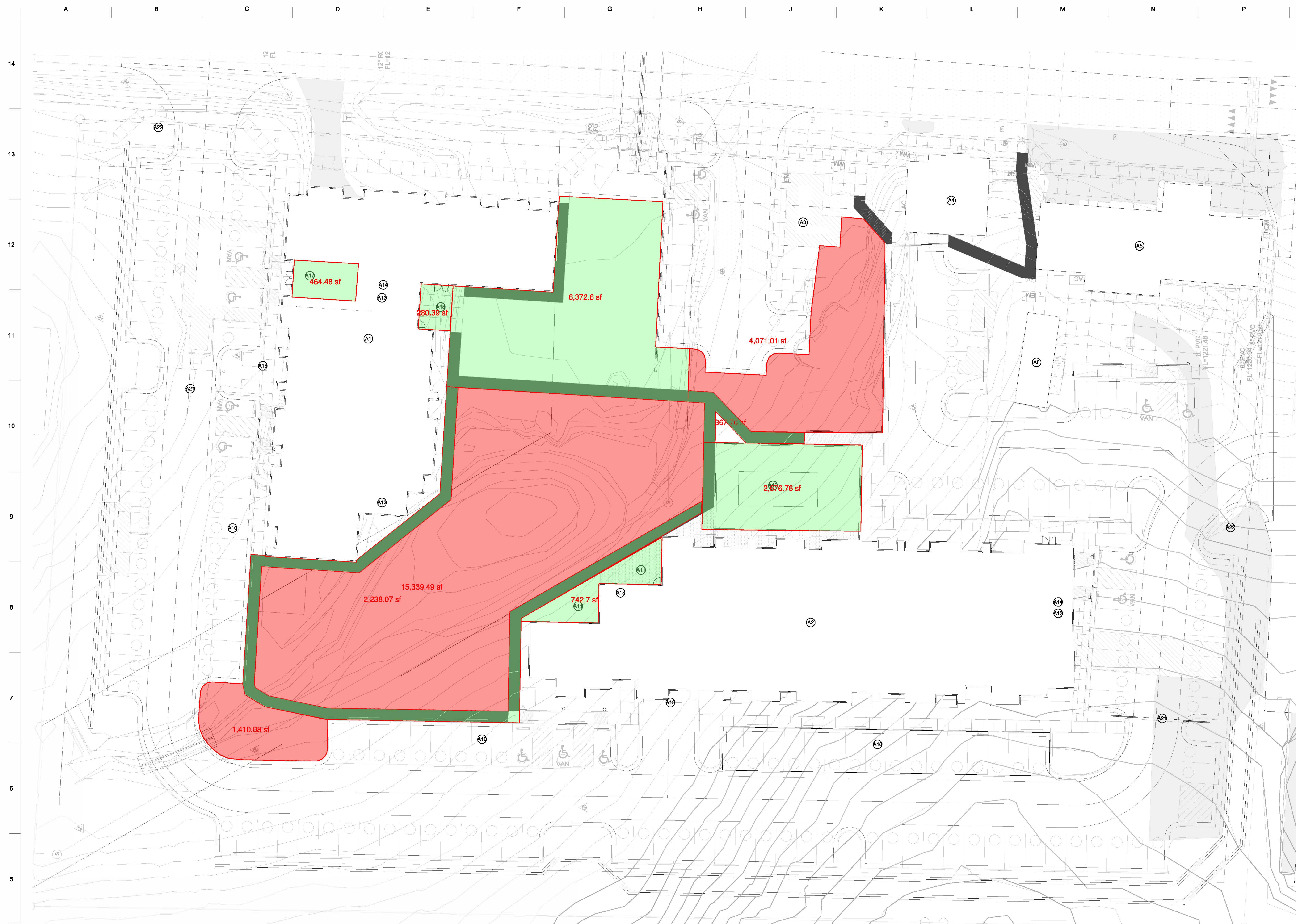
PROJECT TITLE
ELEVATION DEVELOPMENT CO. LONE
PINE & GALLOWAY

PROJECT ADDRESS:
3535, 3527, 3521, AND 3503 S. LONE PINE AVE
SPRINGFIELD, MISSOURI 65804

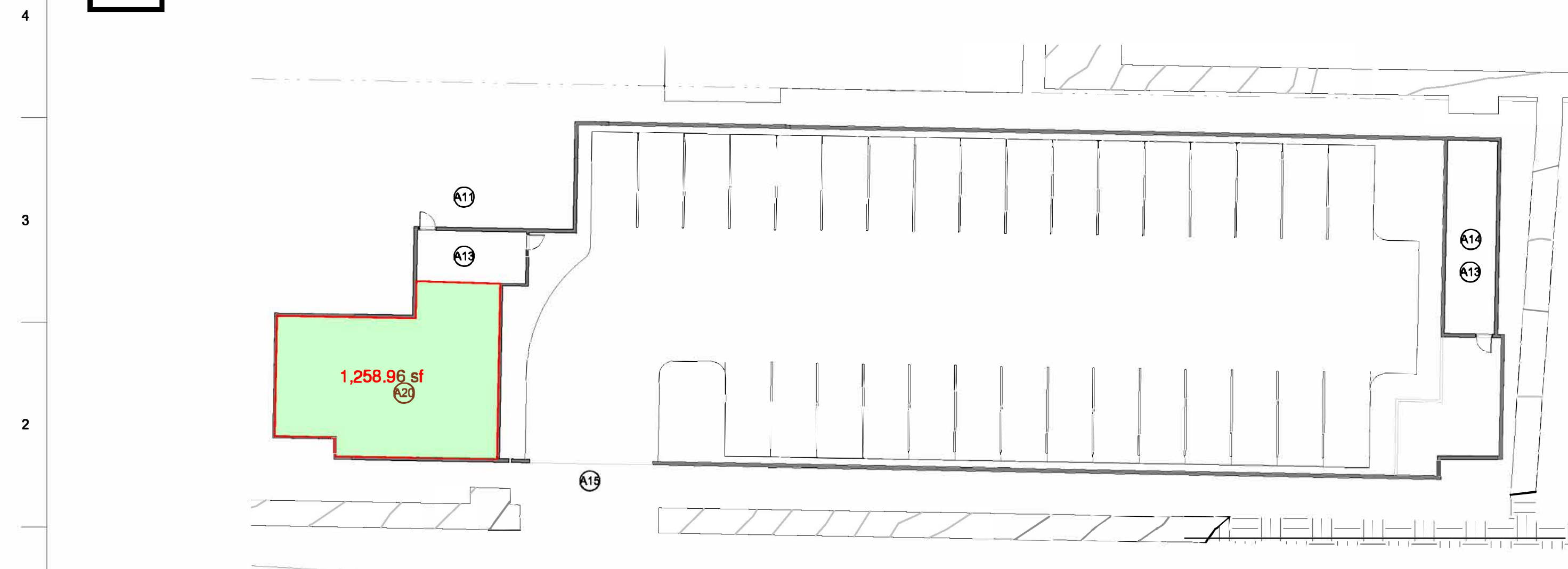
NOTES AND CALCULATIONS



C2.0



4A OVERALL PLAN
A101 scale: 1" = 20'-0"



1A BUILDING 1 GARAGE LEVEL

KEYNOTE - LEGEND	
Character	Note Text
A1	MULTI-FAMILY BUILDING 1
A2	MULTI-FAMILY BUILDING 2
A3	EXISTING BUILDING, 3503 S. LONE PINE AVE. PROPOSED LIMITED BUSINESS
A4	EXISTING BUILDING, 3527, S. LONE PINE AVE. PROPOSED LIMITED BUSINESS
A5	EXISTING BUILDING, 3527, S. LONE PINE AVE. PROPOSED LIMITED BUSINESS
A6	EXISTING BUILDING, 3527, S. LONE PINE AVE. PROPOSED LIMITED BUSINESS
A10	COVERED PARKING STRUCTURE
A11	PATIO
A12	POOL
A13	ENTRY STAIRWELL
A14	ELEVATOR
A15	GARAGE LEVEL RAMP
A16	MAIN ENTRY
A17	LOBBY, AMENITIES & LEASING OFFICE
A18	PATIO SPACE
A20	FITNESS CENTER/AMENITIES
A21	PRIVATE GATE
A22	PROPOSED MONUMENT SIGN LOCATION

GENERAL CODE INFO.

GOVERNING CODES

BUILDING CODE	2018 IBC
MECHANICAL CODE	2018 IMC
PLUMBING CODE	2018 IPC
ELECTRICAL CODE	2017 NEC
ENERGY CODE	2018 IECC
ACCESSIBILITY CODE	2009 ICC/ANSI A117.1

CODE DATA

PRIMARY USE GROUPS	B, BUSINESS R-2, RESIDENTIAL
ACCESSORY USE GROUPS	S-2, STORAGE
CONSTRUCTION TYPE	BUILDING 1 - 5A BUILDING 2 - 1B &

BUILDING 1 (NORTH)	
TOTAL AREA 1ST FLOOR	11,797 S.F.
TOTAL AREA 2ND FLOOR	11,797 S.F.
TOTAL AREA 3RD FLOOR	7,541 S.F.
TOTAL AREA 4TH FLOOR	7,541 S.F.

BUILDING 2 (WEST)	
TOTAL AREA GARGE LEVEL	14,241 S.F.
TOTAL AREA 1-4 FLOORS	14,226 S.F. EA

FIRE PROTECTION

SPRINKLER

BUILDING 1 (NORTH)	S13R
BUILDING 2 (WEST) GARAGE	NS
BUILDING 2(WEST) 1-4 FLOORS	S13R

FIRE ALARMS	YES
EMERGENCY LIGHTING	YES

GENERAL BUILDING HEIGHT + AREA

ALLOWABLE AREA (TABLE 506.2) PER STORY	
TYPE CONSTRUCTION	5A
OCCUPANCY	R-2
SPRINKLER	S13R
ALLOWABLE AREA	12,000 SF
FRONTAGE INCREASE (12,000 X 0.75)	9,000 SF
TOTAL ALLOWABLE AREA	21,000 SF
ALLOWABLE HEIGHT (TABLE 504.3)	60 FEET
ALLOWABLE STORIES	4
ABOVE GRADE (TABLE 504.4)	
TYPE CONSTRUCTION	1B
OCCUPANCY	S-2
SPRINKLER	N5
ALLOWABLE AREA	79,000 SF
ALLOWABLE HEIGHT	160
(TABLE 504.3)	
ALLOWABLE STORIES	11
ABOVE GRADE (TABLE 504.4)	

RECREATIONAL SPACE CALCUALTION

TOTAL SITE AREA - 4.14 Acre = 180,338 sf

- RECREATION SPACE W/ < 10% GRADE - 14,401 SF (8%)
RECREATION SPACE W/ > 10% GRADE - 20,820 SF (12%)

TOTAL RECREATION SPACE - 35,222 SF (20%)

hdesigngroup
architecture + design

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ELEVATIONS DEVELOPMENT CO.

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REVISIONS

[illegible]

PROJECT NO.: 18-018 DRAWN BY: BGB
DATE: 06.19.2020 REVIEWED BY: BMS

PROFESSIONAL SEAL



Brent Stevens

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PROJECT TITLE
ELEVATION DEVELOPMENT CO. LONE
PINE & GALLOWAY

PROJECT ADDRESS:
3535,3527,3521, AND 3503 S. LONE PINE AVE.
SPRINGFIELD, MISSOURI 65804

Elevation Development Co.
Lone Pine & Galloway
Site and Landscape Design Narrative

SITE DESIGN ASSUMPTIONS

Setback: Lone Pine is a Collector, which typically has a 60' r/w width. Measuring from the centerline, 30' + 25' = 55' setback from centerline

Stream Buffer: Jane Earnhart had a discussion with Julie Hawkins on 3/6/2020. Since the "stream" area has already been disturbed by the former installation of the public sanitary sewer main as well as the dam to create the pond, and no well-defined stream channel exists, the buffer was established by drawing a line parallel to and 7.5' south/west of the existing sanitary sewer line, and then offsetting this line 60' to the north/east. This creates a baseline area for a 60' stream buffer.

Pond Outlet: The existing pond overtops near the southeast portion of the pond but does not have a well-defined route toward the existing culvert under Lone Pine. We are proposing to slightly re-route this overflow. Once it is east the existing trees, we have shown it to be realigned as a swale toward the culvert. Following regrading of this area, we will install new trees that are tolerant of both wet and dry conditions. To better understand the existing outfall, walking the site is helpful.

Building FFE's:

Based on our initial calculations, the 100-yr WSE at the pond is 1213.4, and at the existing upstream end of the Lone Pine culvert the 100-yr WSE is 1211.2. The lowest FFE for Building 1 is 1217.0. The lowest FFE for Building 2 (garage level) is 1215.4 to achieve a 2' freeboard above the pond 100-yr WSE.

SITE DESIGN NARRATIVE

Public Street and Sidewalk:

Street – Earl Newman has had a great deal of coordination with Derrick Estell regarding the traffic analysis and roadway improvements. We have depicted the coordinated widening on the southern end of the site. The existing 24' wide street will widen to 34' over a 50 linear foot taper. The west side of Lone Pine Avenue will widen 6' and the east side will widen 4'. This has been coordinated to ensure the improvement is clear of the railroad corridor. No curb and gutter is required. It is our understanding that the Galloway Street Improvements and round-about will be constructed following this widening.

Sidewalk - To preserve as many trees as feasible along Lone Pine Avenue, we have shifted the alignment of the public sidewalk onto private property within the northern portion of the site. Not only will this preserve the trees, those walking on the sidewalk will feel safer further from the Lone Pine (especially when the quarry trucks are on the street). We acknowledge this is non-standard, and that it will require a sidewalk easement to be given by the developer to the City.

Stream Buffer - Encroachments and Mitigation:

Please see the Stream Buffer Exhibit that illustrates the baseline 60' wide stream buffer in red, and the proposed buffer/mitigation area in green. The green area is intended to offset the square feet of site development encroachments (excluding the crossings of the buffer by the drive aisle, boardwalk and sidewalk). We also calculated the needed replacement trees on the planting plan. This quantity is subject to change as detailed engineering is finalized.

Retaining Walls:

Retaining walls are needed along the northern, western and southern boundaries for grading. We have followed the Galloway Guidelines for the height of and spacing between the walls (8' ht. max., and 6' between walls min.). A typical wall section is included on the grading plan to illustrate the intent of the height, spacing, material, etc.

Grading:

The engineering, landscape, and architectural staff have worked closely together for months to develop a layout that considers the storm water, stream buffer, trees on adjacent properties, Galloway Guideline, and proposed elements within the site. To minimize both land disturbance and retaining walls we have proposed raised decks/boardwalks within the central portion of the site in lieu of typical concrete sidewalk. Below are images of boardwalk examples. Our boardwalk T.Deck (top walking surface of deck) and B.Deck (finish grade below the deck) call-outs reflect this on the submittal.





Tree Removal & Tree Protection:

The site layout was developed to protect the neighboring trees as well as the trees within the steam buffer. We have depicted a proposed a non-standard public sidewalk location to protect trees along Lone Pine. The sidewalk will jog from public property to private property to work with the existing terrain and tree locations.

Many of the mitigation trees will be planted east of the existing pond (in the area that is currently open)

Landscape:

The final locations of all new plantings will evolve during the course of final design, and will be a part of the Final Development Plan. The planting plan calculations are as follows:

Buffer yards

- North - no buffer yard requirement abutting PD 264
- East - no buffer yard requirement abutting public street r/w and public railroad r/w
- South - no buffer yard requirement abutting General Retail (GR)
- West - Abutting R-SF - Bufferyard C Required Plantings per 100 Linear Feet
 - 1 Canopy Trees
 - 2 Understory Trees
 - 2 Evergreen Trees
 - 10 Shrubs

Required = 536 linear feet = 6 canopy trees, 11 understory trees, 11 evergreen trees, 54 shrubs

Parking Lot Perimeter Green

- Along Lone Pine Avenue, per 100 linear feet:
 - 1 canopy tree
 - 1 understory tree
 - 1 evergreen or ornamental tree
 - 4 shrubs

Required = 108 linear feet of parking lot frontage = 2 canopy trees, 2 understory trees, 2 evergreen or ornamental trees, 5 shrubs

Parking Lot Interior Green

- 5% of Vehicular surface area
Vehicular Area = 61,359 SF
Required 5% Interior Green = 3,068 SF, and 12 Canopy Trees

Parking Lot Headlight Screening

- Parking abutting residential use shall have screening of not less than 4' height.
 - Screening may be a solid wall, solid wood fence, berm and/or evergreen hedge.
- The proposed development will be lower in elevation than the neighboring properties, therefore the retaining wall will function as the headlight screening.

Apartment Development Tree Preservation

For tree area removed, a maximum of 7 trees (2" caliper) per acre is required for reforestation. Approximately 2+/- acres of tree clearing is expected, therefore 14+/- trees will be required to be planted.

PD Open Space Requirements

20% Open Space Require: Total site area 183,682 SF x 20% = 36,736 SF Required
Landscape Required per 500 SF of Required Open Space: 1 canopy tree and 6 shrubs
Required = 74 canopy trees and 441 shrubs

We are proposing to use as many native (or climate tolerant) species as possible. Below is a partial listing of our proposed plant species. This list will evolve over the course of final design, and the finalized version will be a part of the Final Development Plan.

Canopy Trees:

Gleditsia triacanthos var. 'inermis' - Skyline Thornless Honeylocust
Nyssa sylvatica 'Wildfire' - Wildfire Black Gum
Liriodendron tulipifera - Tulip tree
Quercus coccinea - Scarlet Oak
Quercus nigra - Water Oak
Ulmus Americana 'Princeton' - Princeton Elm
Cladrastis kentukea - Yellowwood

Understory trees:

Cercis canadensis 'Forest Pansy' - Redbud
Ostrya virginiana - Eastern Hophornbeam/ Ironwood
Amelachier arborea - Serviceberry
Chionanthus virginicus - Fringe Tree

Shrubs:

Illex glabra - Inkberry Holly
Illex verticillata - Winterberry
Physicarpus opulifolius - Ninebark
Rhus aromatica - Fragrant sumac
Itea virginica - Virginia Sweetspire

**PLANNED DEVELOPMENT
ENGINEER'S REPORT
FOR
ELEVATION DEVELOPMENT CO.
LONE PINE AND GALLOWAY
SPRINGFIELD, MISSOURI**

Prepared for:
ELEVATION DEVELOPMENT CO.
641 S. Pickwick Avenue
SPRINGFIELD, MISSOURI 65802
PHONE: 417-576-4124

June 18, 2020



Prepared By: Brett Mahan
Reviewed By: Ryan Jeppson, P.E.
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Springfield, MO 65806
Missouri Engineering Certificate of Authority #001592

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APPENDIX A – STORMWATER CALCULATIONS	
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INTRODUCTION:

The Developer is seeking to rezone four parcels of land located on the west side of Lone Pine Avenue just north of East Galloway Street. The subject properties are currently zoned R-SF, LB and GR and are proposed to be rezoned to a planned development that will support a mixed use. The lots will be conveyed under one owner, and a lot combination will be required pending the approval of the planned development. The following report discusses how design considerations for water, sanitary sewer, stormwater, and street improvements will be addressed

WATER SUPPLY SOURCE AND PROPOSED DISTRIBUTION:

The properties are currently serviced by a City Utilities water main located on the east side of Lone Pine Avenue. Water will be distributed onsite through separate domestic water and fire water lines. Both systems will be equipped with the required backflow devices and valves as required by the City of Springfield Building Department. The fire water distribution will be sized to accommodate the water demand needed for fire suppression as required by the City of Springfield Fire Department. There are no known water demand issues in the area.

SANITARY SEWER:

The project will discharge sanitary sewer to the City of Springfield sanitary sewer main located in an easement that crosses through the property. There are no known sewer capacity issues at this location.

STORMWATER RUNOFF:

Stormwater from approximately 80-acres drains to the northwest corner of the property. It then travels southeast to an existing pond located in the center of the northern most parcel. When the pond reaches capacity, it overtops to the east and flows to the existing 3'x4' box culvert that crosses beneath Lone Pine Avenue and discharges to the Galloway Creek floodplain. See Figure 1 for the offsite drainage area exhibit.

Development will be limited in the existing stream buffer located within the project boundary. Stormwater entering the site from the northwest will be intercepted by two 48" polypropylene culverts that will discharge to the existing pond. The existing 3'x4' box culvert will be replaced by two (2) 3'x7' RCB culverts that will convey stormwater more efficiently beneath Lone Pine Avenue to the east. Due to the project's proximity to the Galloway Creek floodplain, additional stormwater detention will not be provided. This will allow stormwater runoff from the site to move downstream before Galloway Creek reaches peak flow rates in the vicinity. Stormwater calculations for the 100-year storm event are provided in Appendix A. See Figure 2 for post development drainage area exhibit.

TABLE 1. CULVERT PEAK FLOW RATES

	100-YR (CFS)	25-YR (CFS)
NORTHWEST CULVERT	188	121
LONE PINE AVE CULVERT	206	133

STORM WATER QUALITY TREATMENT:

Underground stormwater chambers, along with the preservation of the existing stream buffer will be used to treat stormwater runoff from the new development. Stormwater runoff will be collected by three separate underground stormwater chambers that will filter trash and debris prior to discharging into the stream buffer. The water quality treatment volume calculations for each drainage area is provide on the following pages. See Figure 2 for drainage area boundaries and underground water quality chamber locations.

Water Quality Volume Calculation Worksheet

Short Cut Method (Claytor and Schueler, 1996)

Date: 04/16/2020

Project Name: **GALLOWAY & LONE PINE DA 10**

Description: **Water Quality Volume**

$$WQV (ft^3) = (P/12)(R_v)(A*43,560)$$

Where

P = rainfall depth = 1 inch

R_v = volumetric runoff coefficient = $0.05 + 0.009I$

I = percent impervious cover (in percent, e.g. 80% = 80)

A = total site area in acres

P=	1 inch
A=	0.97 acres
Impervious Area=	0.68 acres
I=	70 %
R_v =	0.68

WQV=	2394 cubic feet
WQV=	0.05 ac-ft

Water Quality Volume Calculation Worksheet**Short Cut Method (Claytor and Schueler, 1996)****Date: 04/16/2020****Project Name: GALLOWAY & LONE PINE DA 20****Description: Water Quality Volume**

$$WQV (ft^3) = (P/12)(R_v)(A*43,560)$$

Where**P = rainfall depth = 1 inch** **R_v = volumetric runoff coefficient = $0.05 + 0.009I$** **I = percent impervious cover (in percent, e.g. 80% = 80)****A = total site area in acres**

P= 1 inch
A= 1.03 acres
Impervious Area= 0.76 acres
I= 74 %
 R_v = 0.7142

WQV=	2670 cubic feet
WQV=	0.06 ac-ft

Water Quality Volume Calculation Worksheet
Short Cut Method (Claytor and Schueler, 1996)
Date: 04/16/2020

Project Name: GALLOWAY & LONE PINE DA 30
Description: Water Quality Volume

$$WQV (ft^3) = (P/12)(R_v)(A*43,560)$$

Where

P = rainfall depth = 1 inch

R_v = volumetric runoff coefficient = $0.05 + 0.009I$

I = percent impervious cover (in percent, e.g. 80% = 80)

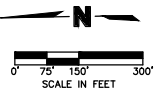
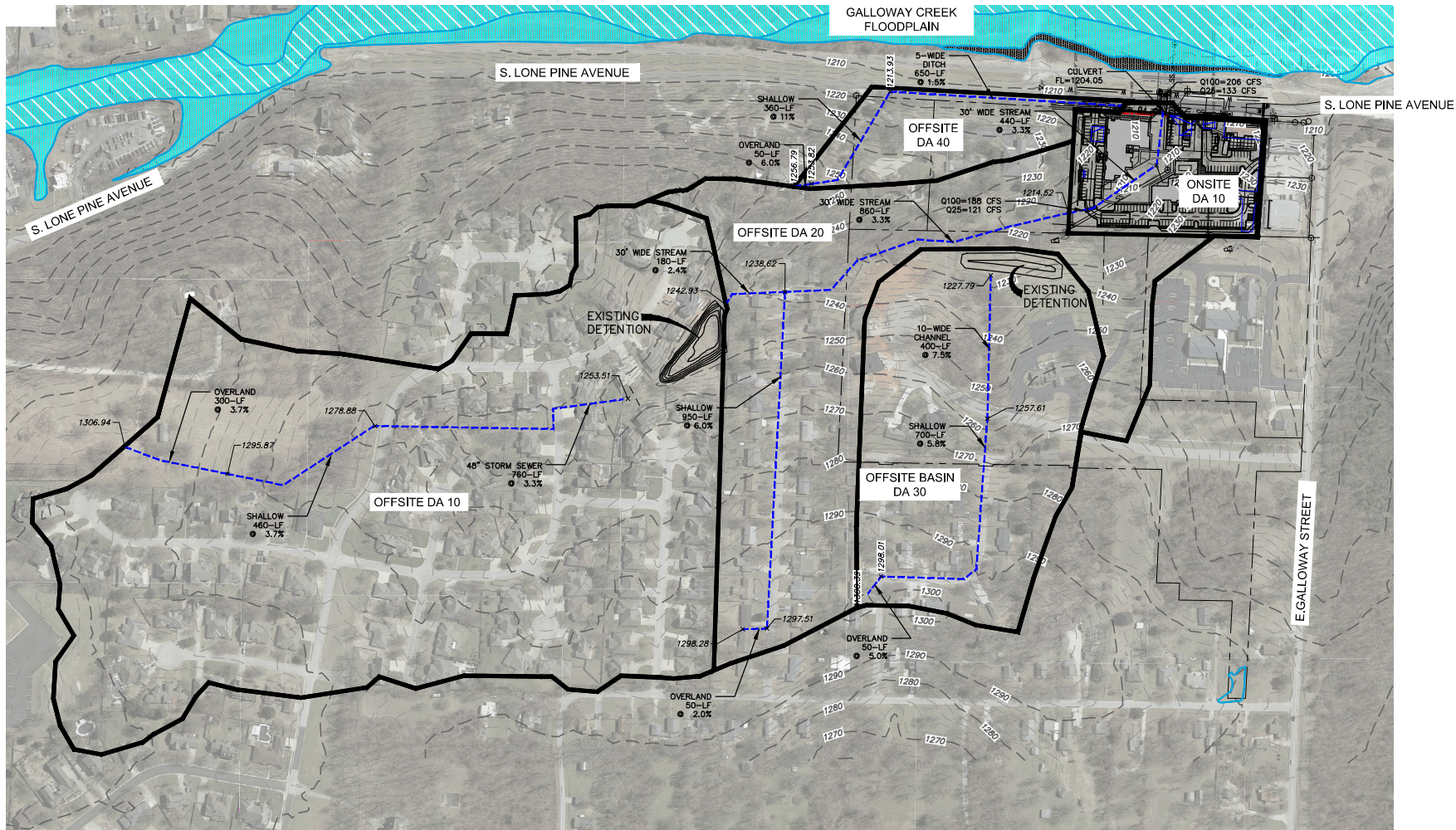
A = total site area in acres

P= 1 inch
A= 1.57 acres
Impervious Area= 1.18 acres
I= 75 %
 R_v = 0.725

WQV=	4132 cubic feet
WQV=	0.09 ac-ft

PUBLIC STREET IMPROVEMENTS

See Preliminary Site Plan for existing and proposed sidewalk connections and driveway locations. Additional right-of-way will be required along the property frontage of Lone Pine Avenue.



LEGEND

- DRAINAGE AREA BOUNDARY
- TIME OF CONCENTRATION PATH
- FEMA 100-YR FLOODPLAIN
- FEMA DESIGNATED FLOODWAY

SUMMARY TABLE

SUBBASIN	AREA (AC)	CN	TC (MIN.)
OFFSITE DA 10	43.65	80	20.0
OFFSITE DA 20	20.30	79	9.7
OFFSITE DA 30	13.92	78	6.0
OFFSITE BASIN DA 40	3.77	87	7.2
ONSITE 10	4.23	92	5.0

PROJECT NO: 020-0425

DRAWN BY: RVJ

DATE: 04/27/2020

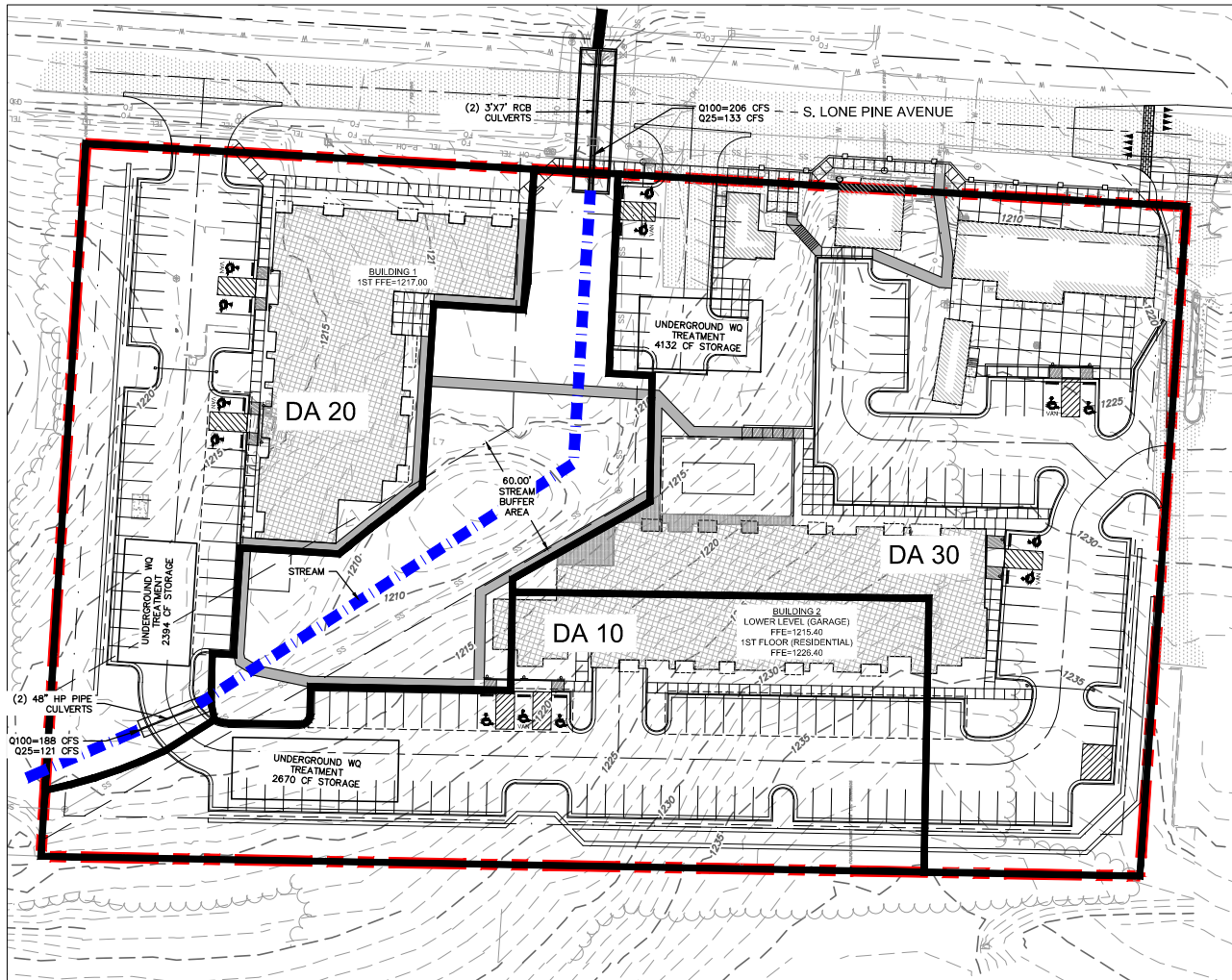
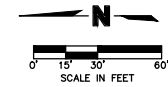
OFFSITE DRAINAGE AREA EXHIBIT 131 of 177

olsson

550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802

FIGURE

1



LEGEND

- PROJECT BOUNDARY
- DRAINAGE AREA BOUNDARY
- STREAM FLOW PATH

PRE-DEVELOPMENT SUMMARY TABLE

SUBBASIN	IMPERVIOUS AREA (AC)	PERVIOUS AREA (AC)
DA 10	0.00	0.97
DA 20	0.08	0.95
DA 30	0.59	0.98
DA 40	0.00	0.58

POST-DEVELOPMENT SUMMARY TABLE

SUBBASIN	IMPERVIOUS AREA (AC)	PERVIOUS AREA (AC)
DA 10	0.68	0.29
DA 20	0.76	0.28
DA 30	1.18	0.40
DA 40	0.06	0.51

PROJECT NO: 020-0425

DRAWN BY: RVJ

DATE: 06/18/2020

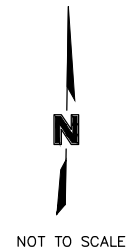
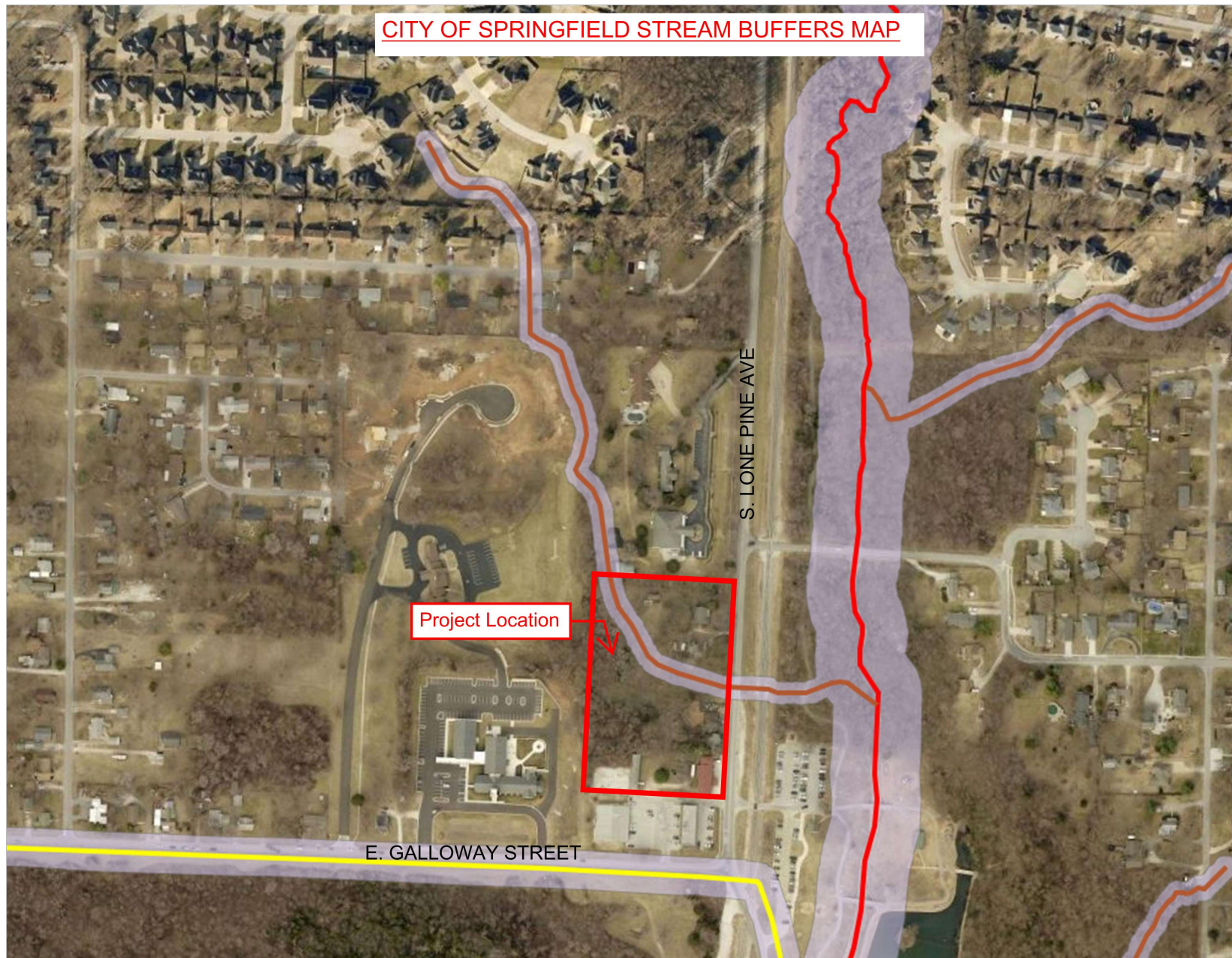
ONSITE POST DEVELOPMENT DRAINAGE AREA EXHIBIT

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550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802

FIGURE

2



PROJECT NO: 020-0425

DRAWN BY: BMM

DATE: 04/27/2020

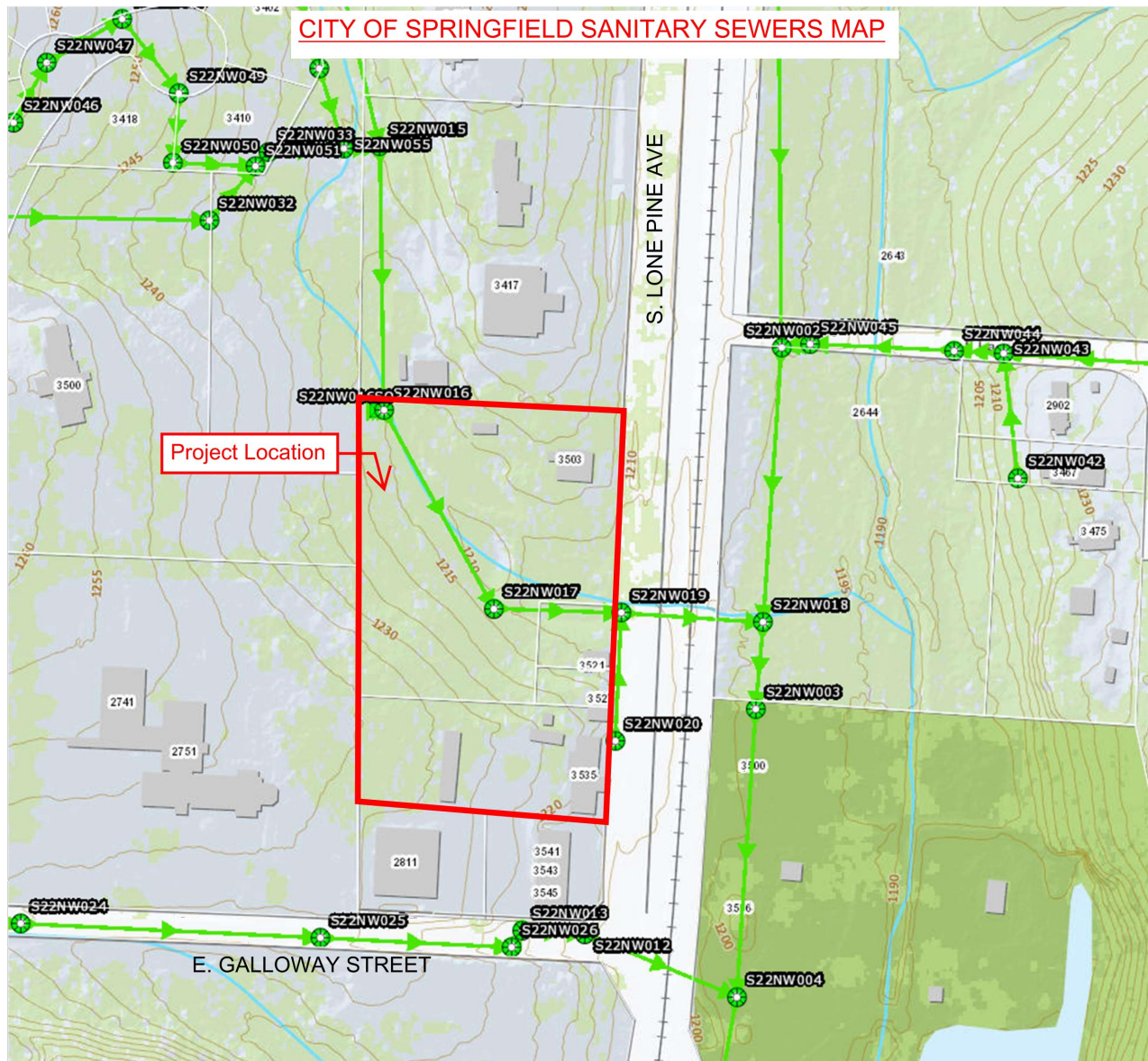
CITY OF SPRINGFIELD STREAM BUFFER EXHIBIT

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550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802

FIGURE

3



PROJECT NO: 020-0425

DRAWN BY: BMM

DATE: 04/27/2020

CITY OF SPRINGFIELD SANITARY SEWER EXHIBIT

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Springfield, MO 65806
TEL 417.890.8802

FIGURE

4

APPENDIX A

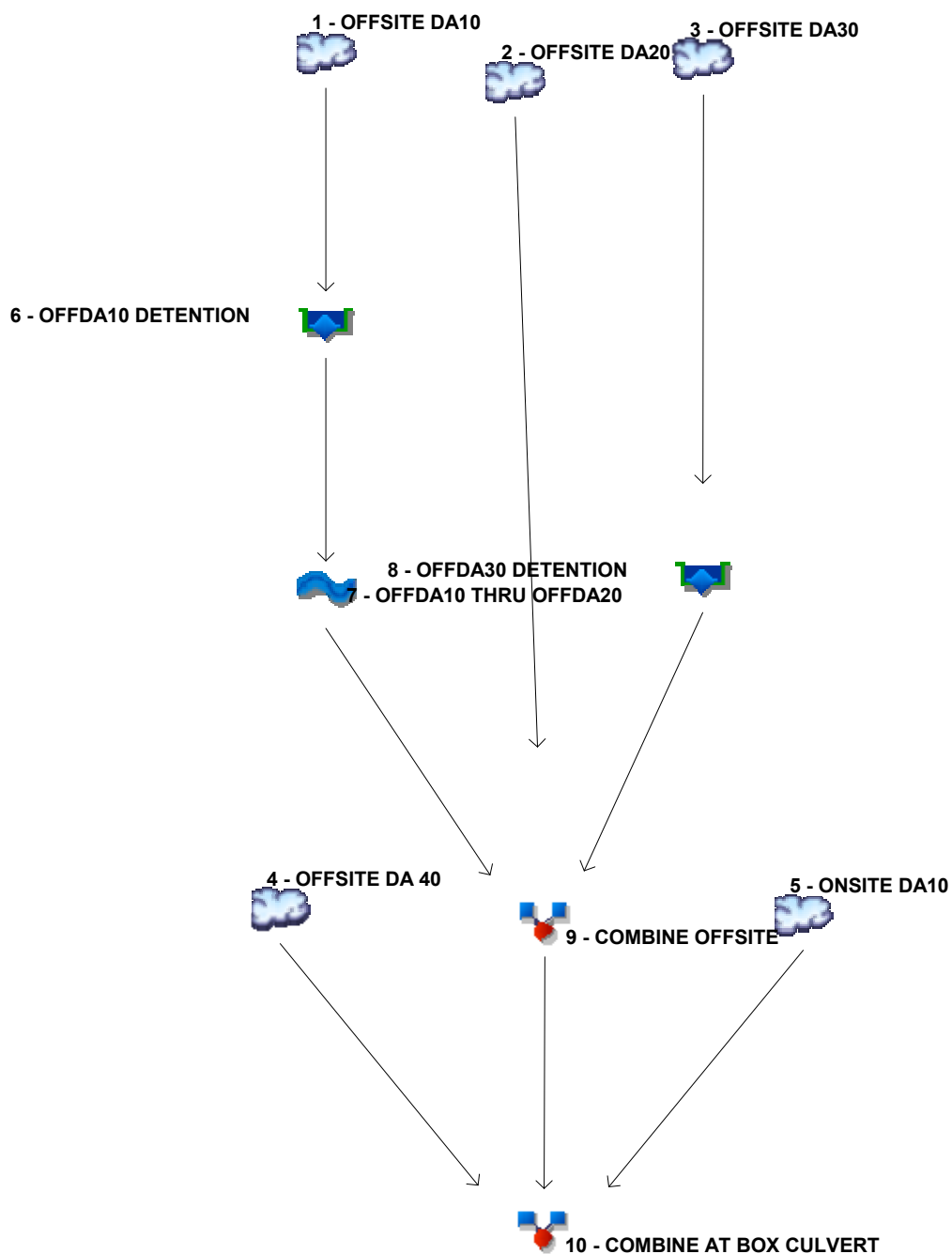
STORMWATER CALCULATIONS

Hydrology Calculations

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Watershed Model Schematic

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020



Legend

Hyd.	Origin	Description
1	SCS Runoff	OFFSITE DA10
2	SCS Runoff	OFFSITE DA20
3	SCS Runoff	OFFSITE DA30
4	SCS Runoff	OFFSITE DA 40
5	SCS Runoff	ONSITE DA10
6	Reservoir	OFFDA10 DETENTION
7	Reach	OFFDA10 THRU OFFDA20
8	Reservoir	OFFDA30 DETENTION
9	Combine	COMBINE OFFSITE
10	Combine	COMBINE AT BOX CULVERT

Hydrograph Summary Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	134.84	2	28	302,671	-----	-----	-----	OFFSITE DA10
2	SCS Runoff	73.72	2	18	135,176	-----	-----	-----	OFFSITE DA20
3	SCS Runoff	46.55	2	16	83,388	-----	-----	-----	OFFSITE DA30
4	SCS Runoff	19.93	2	16	34,080	-----	-----	-----	OFFSITE DA 40
5	SCS Runoff	28.83	2	10	41,950	-----	-----	-----	ONSITE DA10
6	Reservoir	127.53	2	32	302,666	1	1246.88	48,851	OFFDA10 DETENTION
7	Reach	124.11	2	36	302,625	6	-----	-----	OFFDA10 THRU OFFDA20
8	Reservoir	30.17	2	26	83,386	3	1225.81	19,911	OFFDA30 DETENTION
9	Combine	188.24	2	32	521,187	2, 7, 8	-----	-----	COMBINE OFFSITE
10	Combine	206.24	2	32	597,218	4, 5, 9	-----	-----	COMBINE AT BOX CULVERT
Galloway Hydrographs-1hr.gpw					Return Period 100 Year			Thursday, 04 / 23 / 2020	

Hydrograph Report

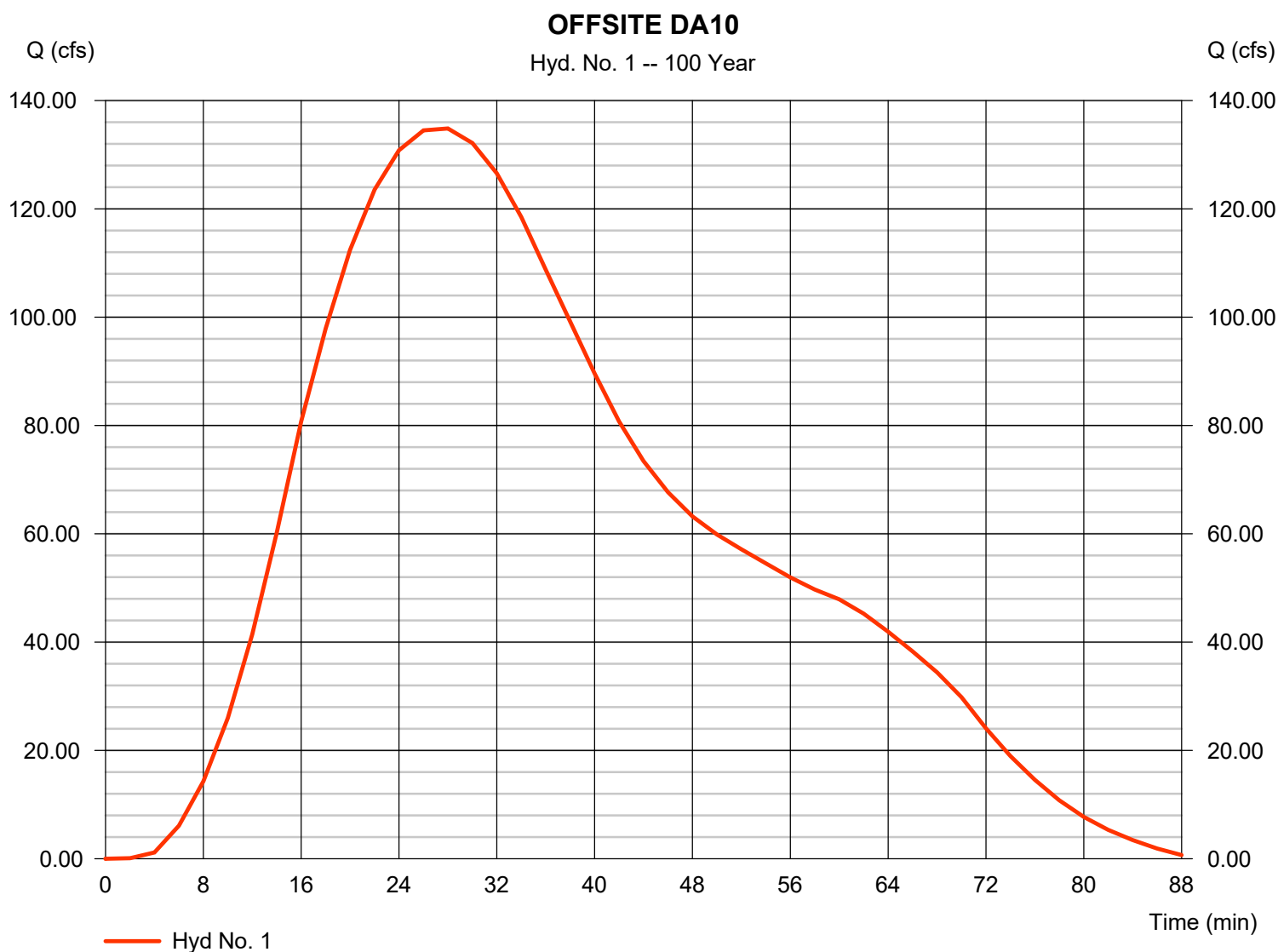
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 1

OFFSITE DA10

Hydrograph type	= SCS Runoff	Peak discharge	= 134.84 cfs
Storm frequency	= 100 yrs	Time to peak	= 28 min
Time interval	= 2 min	Hyd. volume	= 302,671 cuft
Drainage area	= 43.650 ac	Curve number	= 80
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 20.00 min
Total precip.	= 3.84 in	Distribution	= Huff-1st
Storm duration	= 1.00 hrs	Shape factor	= 484



TR55 Tc Worksheet

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Hyd. No. 1

OFFSITE DA10

<u>Description</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Totals</u>
Sheet Flow				
Manning's n-value	= 0.150	0.011	0.011	
Flow length (ft)	= 300.0	0.0	0.0	
Two-year 24-hr precip. (in)	= 3.77	0.00	0.00	
Land slope (%)	= 3.70	0.00	0.00	
Travel Time (min)	= 17.00	+	0.00	+
			0.00	= 17.00
Shallow Concentrated Flow				
Flow length (ft)	= 460.00	0.00	0.00	
Watercourse slope (%)	= 3.70	0.00	0.00	
Surface description	= Unpaved	Paved	Paved	
Average velocity (ft/s)	=3.10	0.00	0.00	
Travel Time (min)	= 2.47	+	0.00	+
			0.00	= 2.47
Channel Flow				
X sectional flow area (sqft)	= 12.57	0.00	0.00	
Wetted perimeter (ft)	= 10.00	0.00	0.00	
Channel slope (%)	= 3.30	0.00	0.00	
Manning's n-value	= 0.013	0.015	0.015	
Velocity (ft/s)	=24.27	0.00	0.00	
Flow length (ft)	(0)760.0	0.0	0.0	
Travel Time (min)	= 0.52	+	0.00	+
			0.00	= 0.52
Total Travel Time, Tc				20.00 min

Hydrograph Report

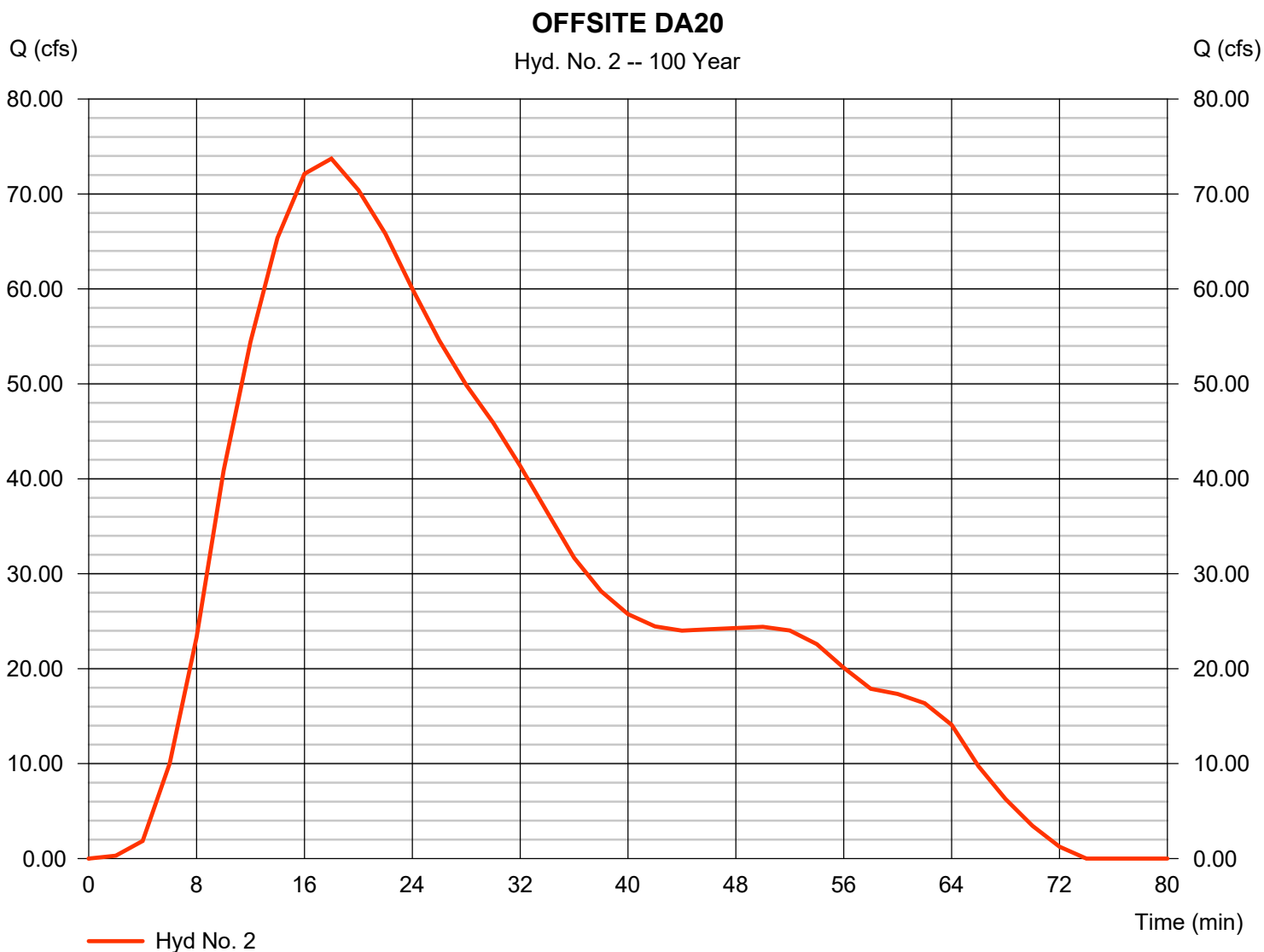
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 2

OFFSITE DA20

Hydrograph type	= SCS Runoff	Peak discharge	= 73.72 cfs
Storm frequency	= 100 yrs	Time to peak	= 18 min
Time interval	= 2 min	Hyd. volume	= 135,176 cuft
Drainage area	= 20.300 ac	Curve number	= 79
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 9.70 min
Total precip.	= 3.84 in	Distribution	= Huff-1st
Storm duration	= 1.00 hrs	Shape factor	= 484



TR55 Tc Worksheet

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Hyd. No. 2

OFFSITE DA20

<u>Description</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Totals</u>
Sheet Flow				
Manning's n-value	= 0.150	0.011	0.011	
Flow length (ft)	= 50.0	0.0	0.0	
Two-year 24-hr precip. (in)	= 3.77	0.00	0.00	
Land slope (%)	= 2.00	0.00	0.00	
Travel Time (min)	= 5.18	+	0.00	+
			0.00	= 5.18
Shallow Concentrated Flow				
Flow length (ft)	= 950.00	0.00	0.00	
Watercourse slope (%)	= 6.00	0.00	0.00	
Surface description	= Paved	Paved	Paved	
Average velocity (ft/s)	=4.98	0.00	0.00	
Travel Time (min)	= 3.18	+	0.00	+
			0.00	= 3.18
Channel Flow				
X sectional flow area (sqft)	= 40.32	0.00	0.00	
Wetted perimeter (ft)	= 37.59	0.00	0.00	
Channel slope (%)	= 3.30	0.00	0.00	
Manning's n-value	= 0.035	0.015	0.015	
Velocity (ft/s)	=8.11	0.00	0.00	
Flow length (ft)	({})650.0	0.0	0.0	
Travel Time (min)	= 1.34	+	0.00	+
			0.00	= 1.34
Total Travel Time, Tc				9.70 min

Hydrograph Report

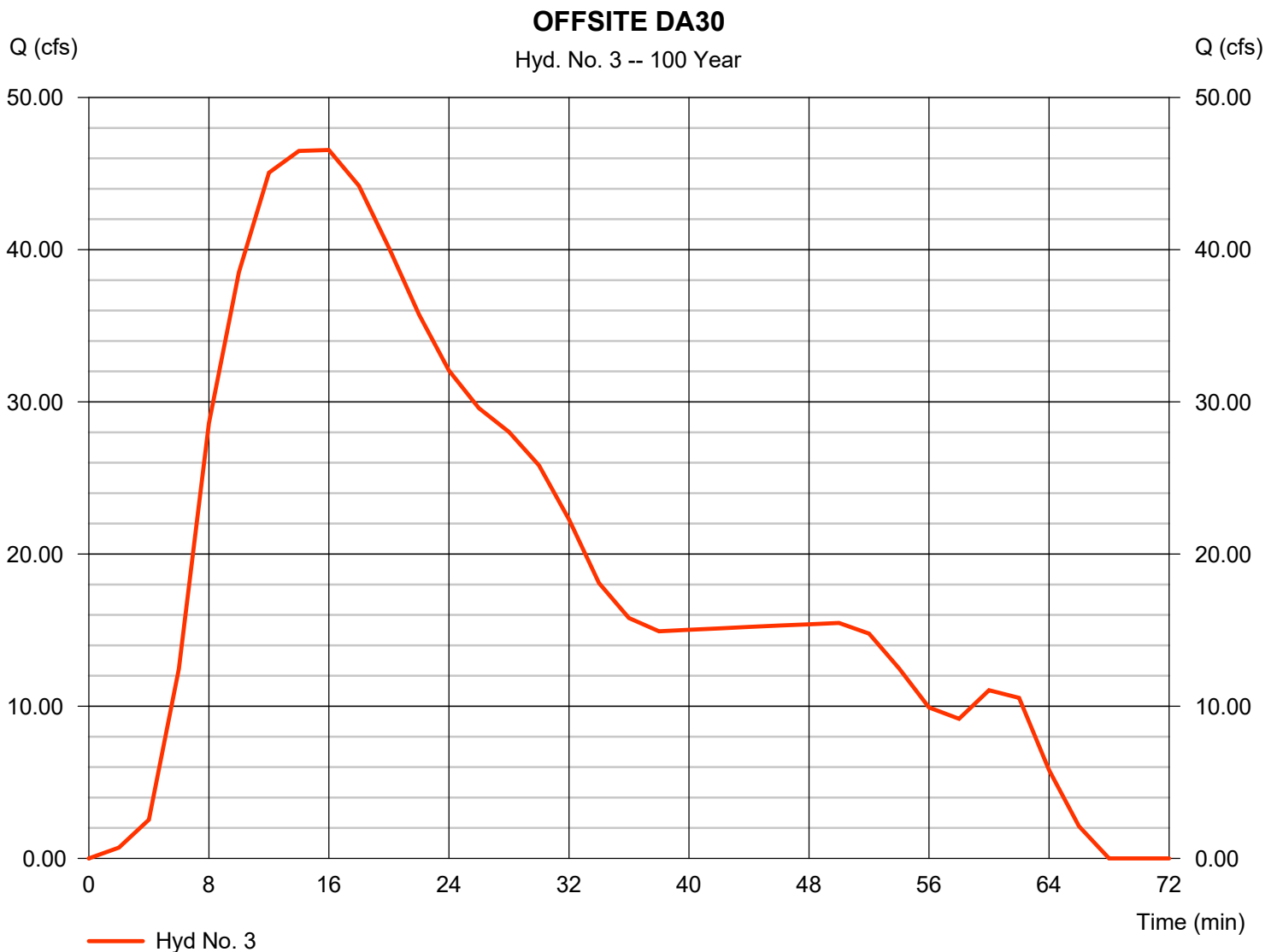
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 3

OFFSITE DA30

Hydrograph type	= SCS Runoff	Peak discharge	= 46.55 cfs
Storm frequency	= 100 yrs	Time to peak	= 16 min
Time interval	= 2 min	Hyd. volume	= 83,388 cuft
Drainage area	= 13.920 ac	Curve number	= 78
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 6.00 min
Total precip.	= 3.84 in	Distribution	= Huff-1st
Storm duration	= 1.00 hrs	Shape factor	= 484



TR55 Tc Worksheet

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Hyd. No. 3

OFFSITE DA30

<u>Description</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Totals</u>			
Sheet Flow							
Manning's n-value	= 0.150	0.011	0.011				
Flow length (ft)	= 50.0	0.0	0.0				
Two-year 24-hr precip. (in)	= 3.77	0.00	0.00				
Land slope (%)	= 5.00	0.00	0.00				
Travel Time (min)	= 3.59	+	0.00	+	0.00	=	3.59
Shallow Concentrated Flow							
Flow length (ft)	= 700.00	0.00	0.00				
Watercourse slope (%)	= 5.80	0.00	0.00				
Surface description	= Paved	Paved	Paved				
Average velocity (ft/s)	=4.90	0.00	0.00				
Travel Time (min)	= 2.38	+	0.00	+	0.00	=	2.38
Channel Flow							
X sectional flow area (sqft)	= 0.00	0.00	0.00				
Wetted perimeter (ft)	= 0.00	0.00	0.00				
Channel slope (%)	= 0.00	0.00	0.00				
Manning's n-value	= 0.015	0.015	0.015				
Velocity (ft/s)	=0.00	0.00	0.00				
Flow length (ft)	((0})0.0	0.0	0.0				
Travel Time (min)	= 0.00	+	0.00	+	0.00	=	0.00
Total Travel Time, Tc				6.00 min			

Hydrograph Report

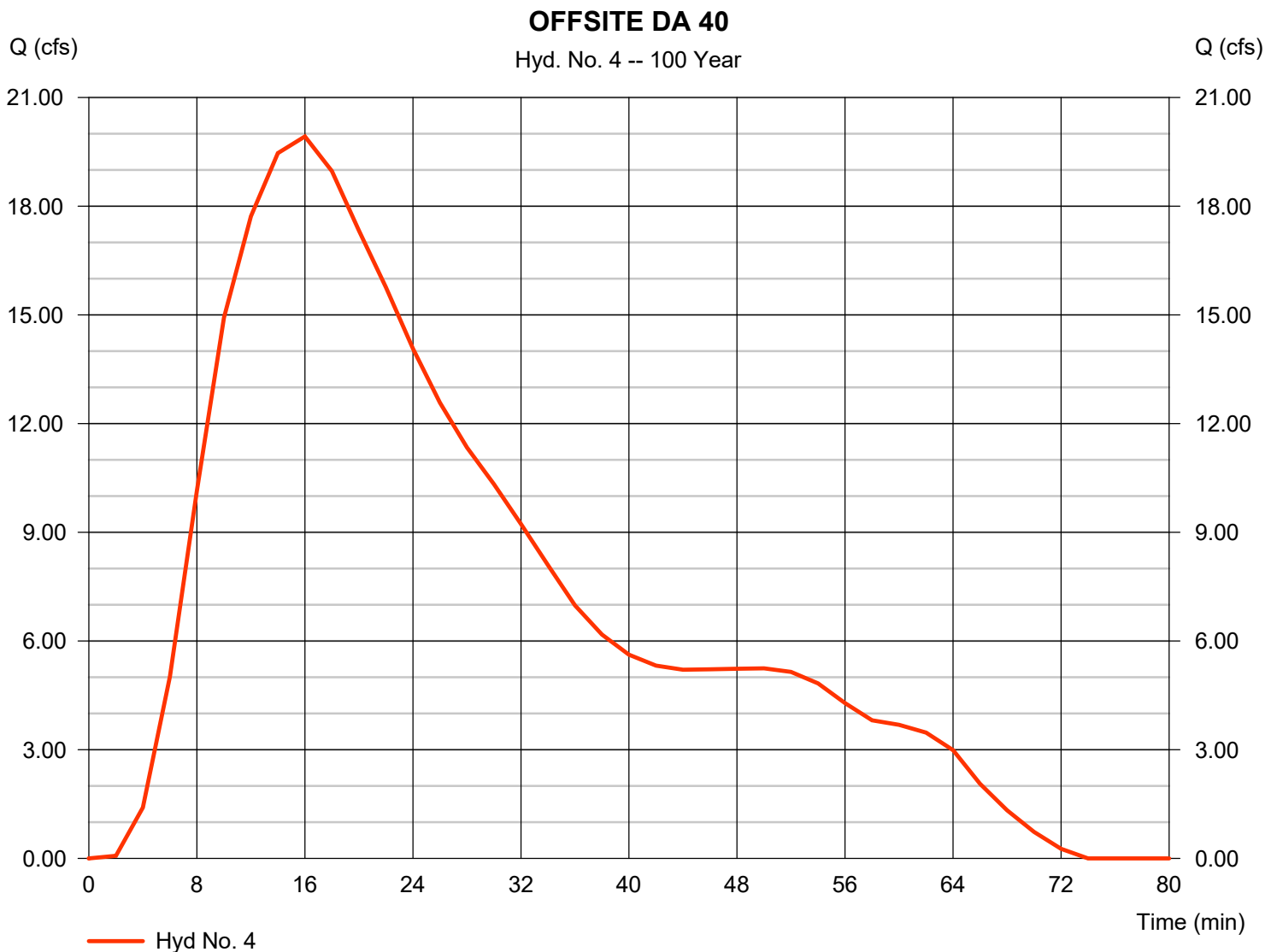
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 4

OFFSITE DA 40

Hydrograph type	= SCS Runoff	Peak discharge	= 19.93 cfs
Storm frequency	= 100 yrs	Time to peak	= 16 min
Time interval	= 2 min	Hyd. volume	= 34,080 cuft
Drainage area	= 3.770 ac	Curve number	= 87
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 7.20 min
Total precip.	= 3.84 in	Distribution	= Huff-1st
Storm duration	= 1.00 hrs	Shape factor	= 484



TR55 Tc Worksheet

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Hyd. No. 4

OFFSITE DA 40

<u>Description</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Totals</u>			
Sheet Flow							
Manning's n-value	= 0.150	0.011	0.011				
Flow length (ft)	= 50.0	0.0	0.0				
Two-year 24-hr precip. (in)	= 3.77	0.00	0.00				
Land slope (%)	= 6.00	0.00	0.00				
Travel Time (min)	= 3.34	+	0.00	+	0.00	=	3.34
Shallow Concentrated Flow							
Flow length (ft)	= 360.00	0.00	0.00				
Watercourse slope (%)	= 11.00	0.00	0.00				
Surface description	= Unpaved	Paved	Paved				
Average velocity (ft/s)	=5.35	0.00	0.00				
Travel Time (min)	= 1.12	+	0.00	+	0.00	=	1.12
Channel Flow							
X sectional flow area (sqft)	= 6.93	0.00	0.00				
Wetted perimeter (ft)	= 10.69	0.00	0.00				
Channel slope (%)	= 1.50	0.00	0.00				
Manning's n-value	= 0.035	0.015	0.015				
Velocity (ft/s)	=3.90	0.00	0.00				
Flow length (ft)	({0})650.0	0.0	0.0				
Travel Time (min)	= 2.78	+	0.00	+	0.00	=	2.78
Total Travel Time, Tc				7.20 min			

Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

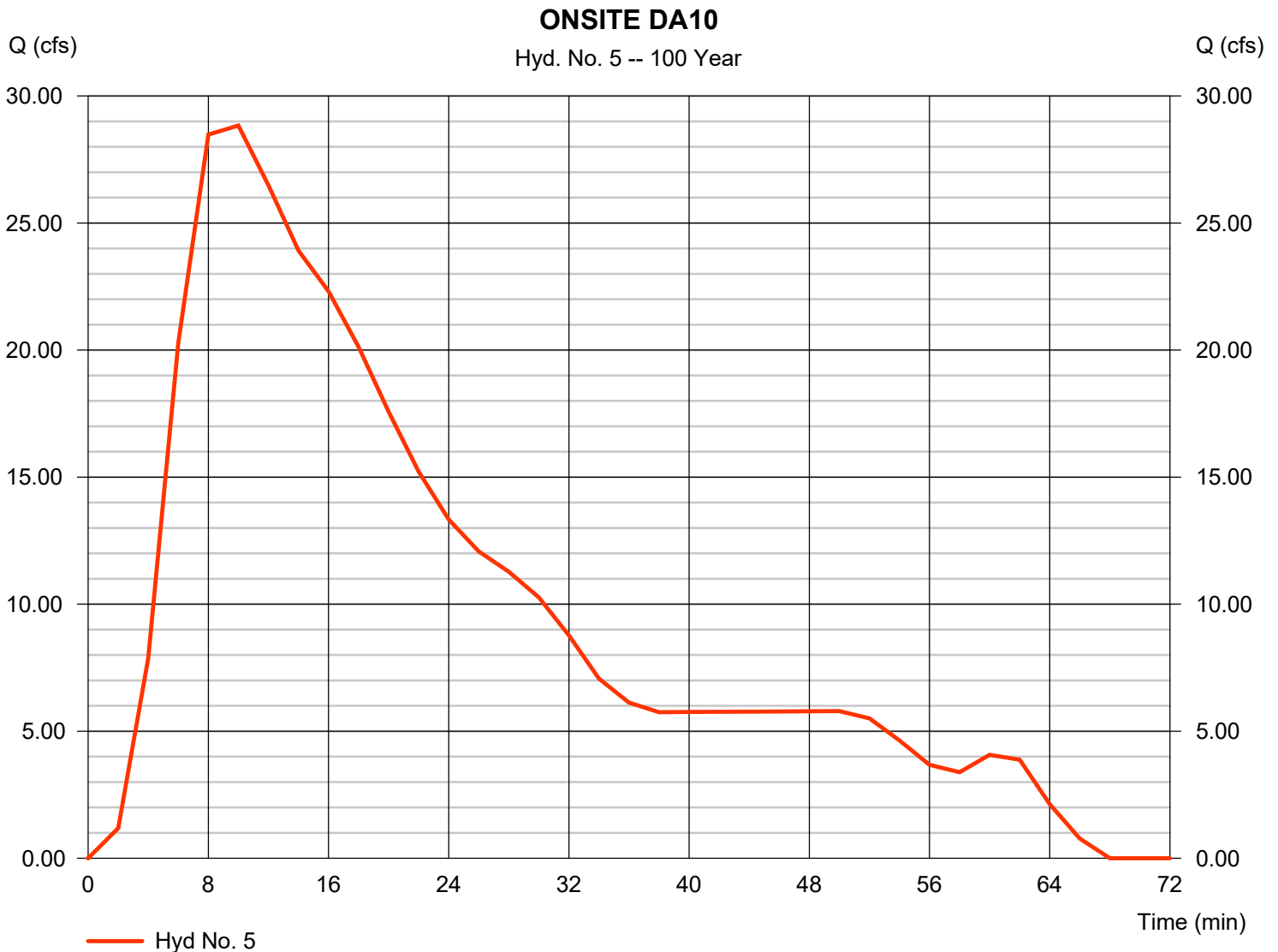
Thursday, 04 / 23 / 2020

Hyd. No. 5

ONSITE DA10

Hydrograph type	= SCS Runoff	Peak discharge	= 28.83 cfs
Storm frequency	= 100 yrs	Time to peak	= 10 min
Time interval	= 2 min	Hyd. volume	= 41,950 cuft
Drainage area	= 4.160 ac	Curve number	= 92*
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 3.84 in	Distribution	= Huff-1st
Storm duration	= 1.00 hrs	Shape factor	= 484

* Composite (Area/CN) = $[(2.680 \times 98) + (1.480 \times 80)] / 4.160$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

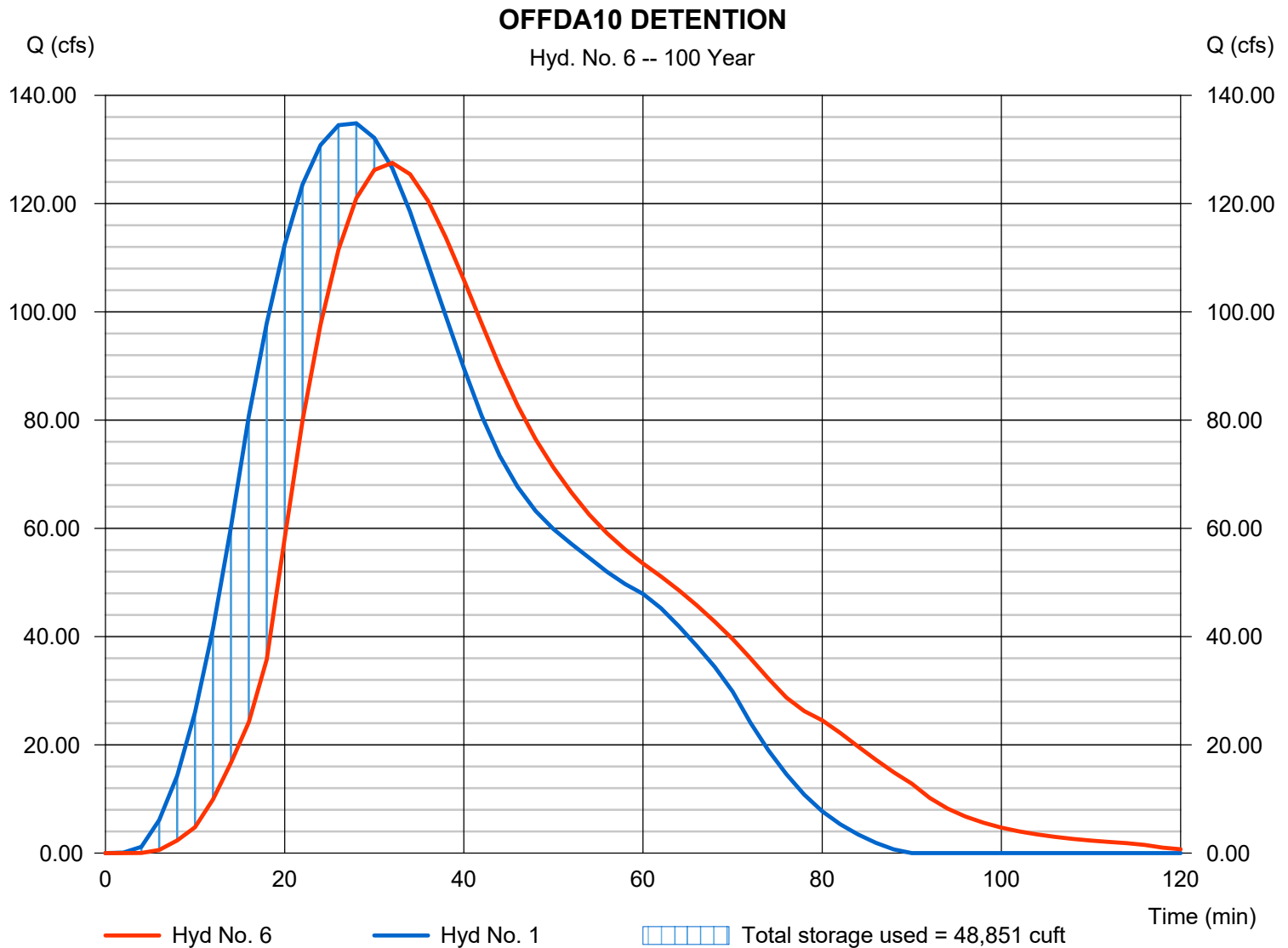
Thursday, 04 / 23 / 2020

Hyd. No. 6

OFFDA10 DETENTION

Hydrograph type	= Reservoir	Peak discharge	= 127.53 cfs
Storm frequency	= 100 yrs	Time to peak	= 32 min
Time interval	= 2 min	Hyd. volume	= 302,666 cuft
Inflow hyd. No.	= 1 - OFFSITE DA10	Max. Elevation	= 1246.88 ft
Reservoir name	= OFFDA 10 POND	Max. Storage	= 48,851 cuft

Storage Indication method used.



Pond No. 1 - OFFDA 10 POND

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 1242.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	1242.50	00	0	0
0.50	1243.00	5,000	833	833
1.50	1244.00	10,073	7,389	8,222
2.50	1245.00	12,930	11,471	19,693
3.50	1246.00	15,789	14,334	34,027
4.50	1247.00	17,985	16,873	50,901
5.50	1248.00	20,244	19,101	70,002

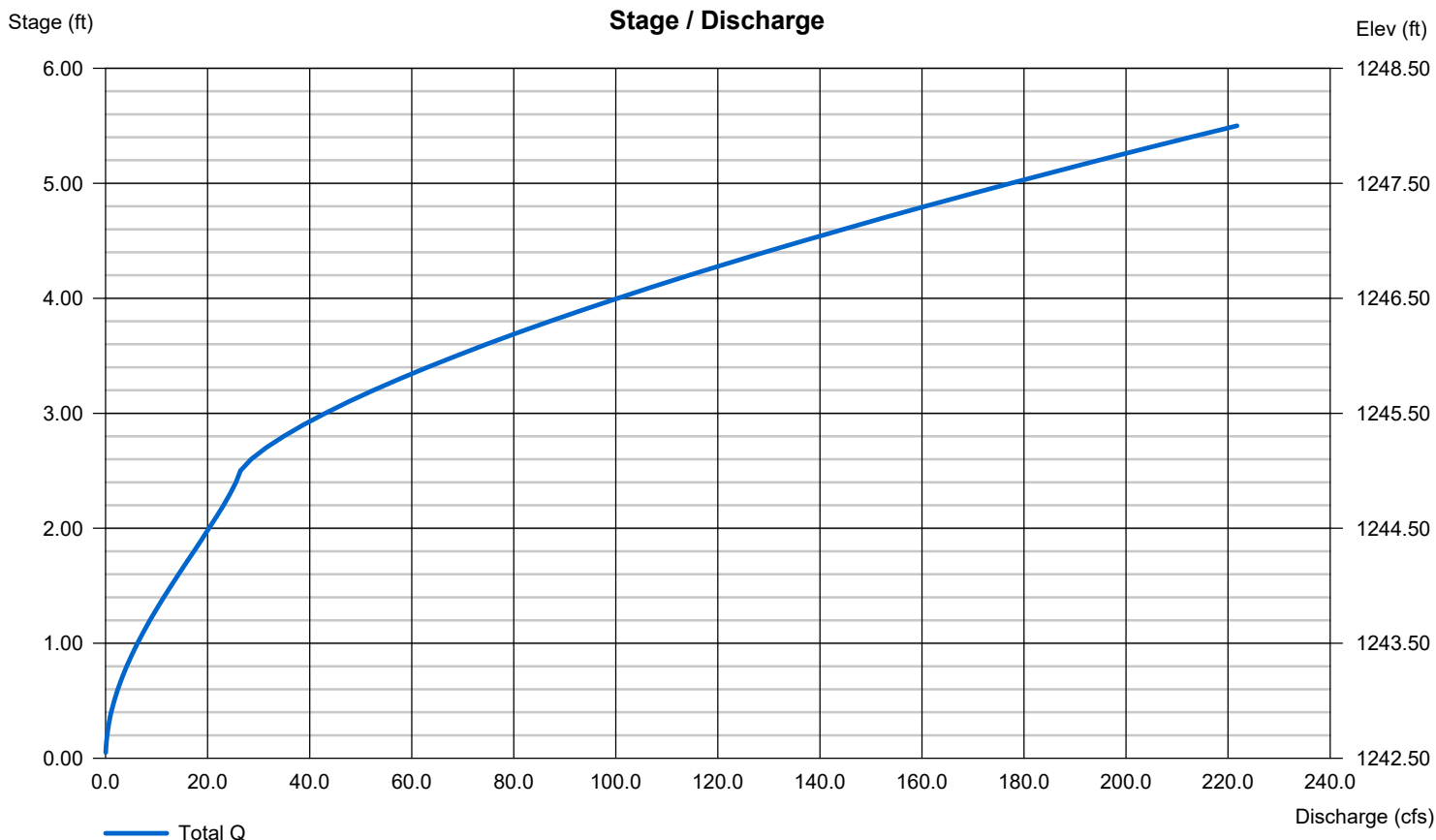
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 30.00	0.00	0.00	0.00
Span (in)	= 30.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 1242.50	0.00	0.00	0.00
Length (ft)	= 100.00	0.00	0.00	0.00
Slope (%)	= 2.00	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 10.00	0.00	0.00	0.00
Crest El. (ft)	= 1245.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= Rect	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 7

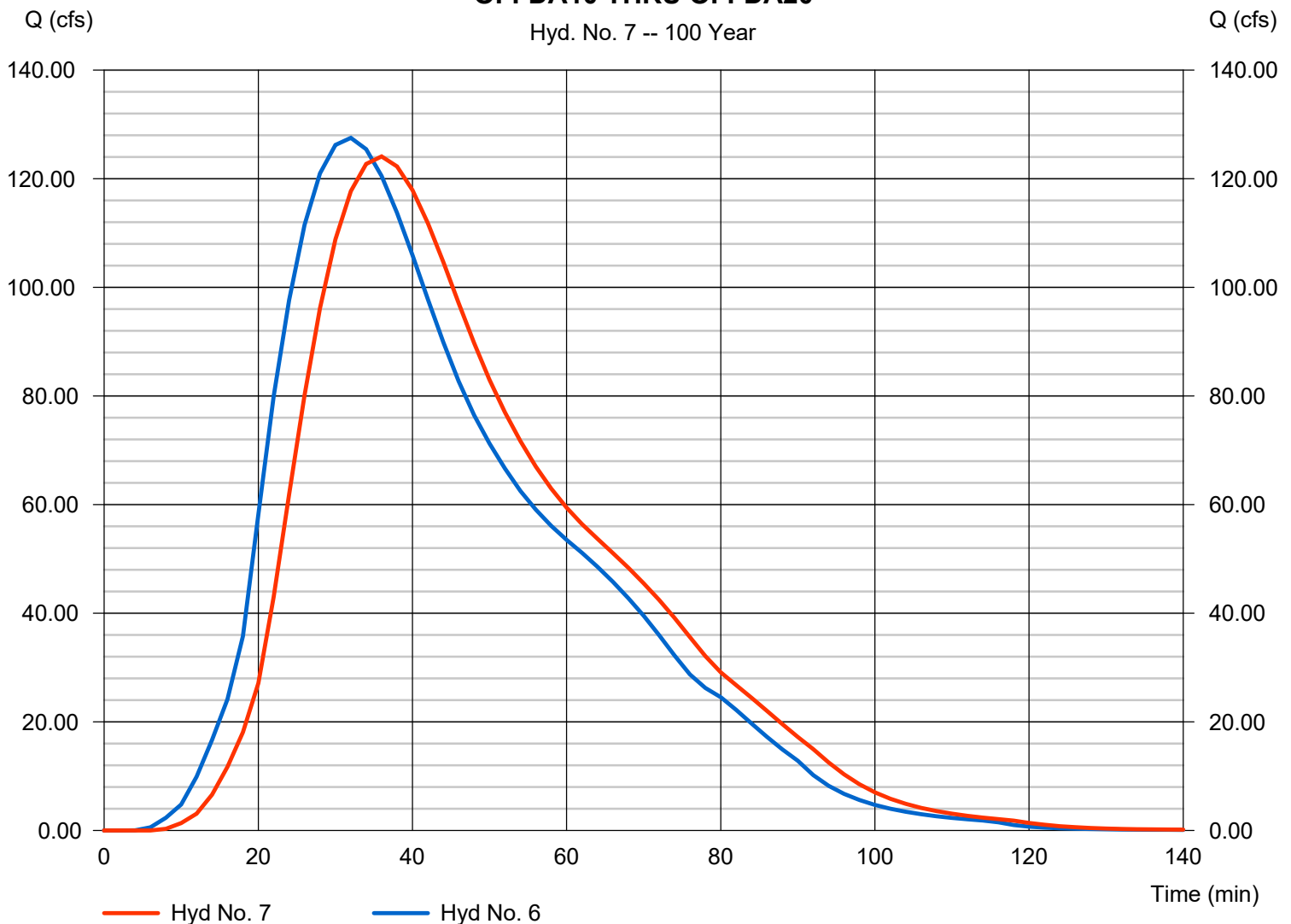
OFFDA10 THRU OFFDA20

Hydrograph type	= Reach	Peak discharge	= 124.11 cfs
Storm frequency	= 100 yrs	Time to peak	= 36 min
Time interval	= 2 min	Hyd. volume	= 302,625 cuft
Inflow hyd. No.	= 6 - OFFDA10 DETENTION	Section type	= Trapezoidal
Reach length	= 1040.0 ft	Channel slope	= 3.0 %
Manning's n	= 0.035	Bottom width	= 30.0 ft
Side slope	= 3.0:1	Max. depth	= 3.0 ft
Rating curve x	= 0.763	Rating curve m	= 1.480
Ave. velocity	= 4.02 ft/s	Routing coeff.	= 0.5107

Modified Att-Kin routing method used.

OFFDA10 THRU OFFDA20

Hyd. No. 7 -- 100 Year



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

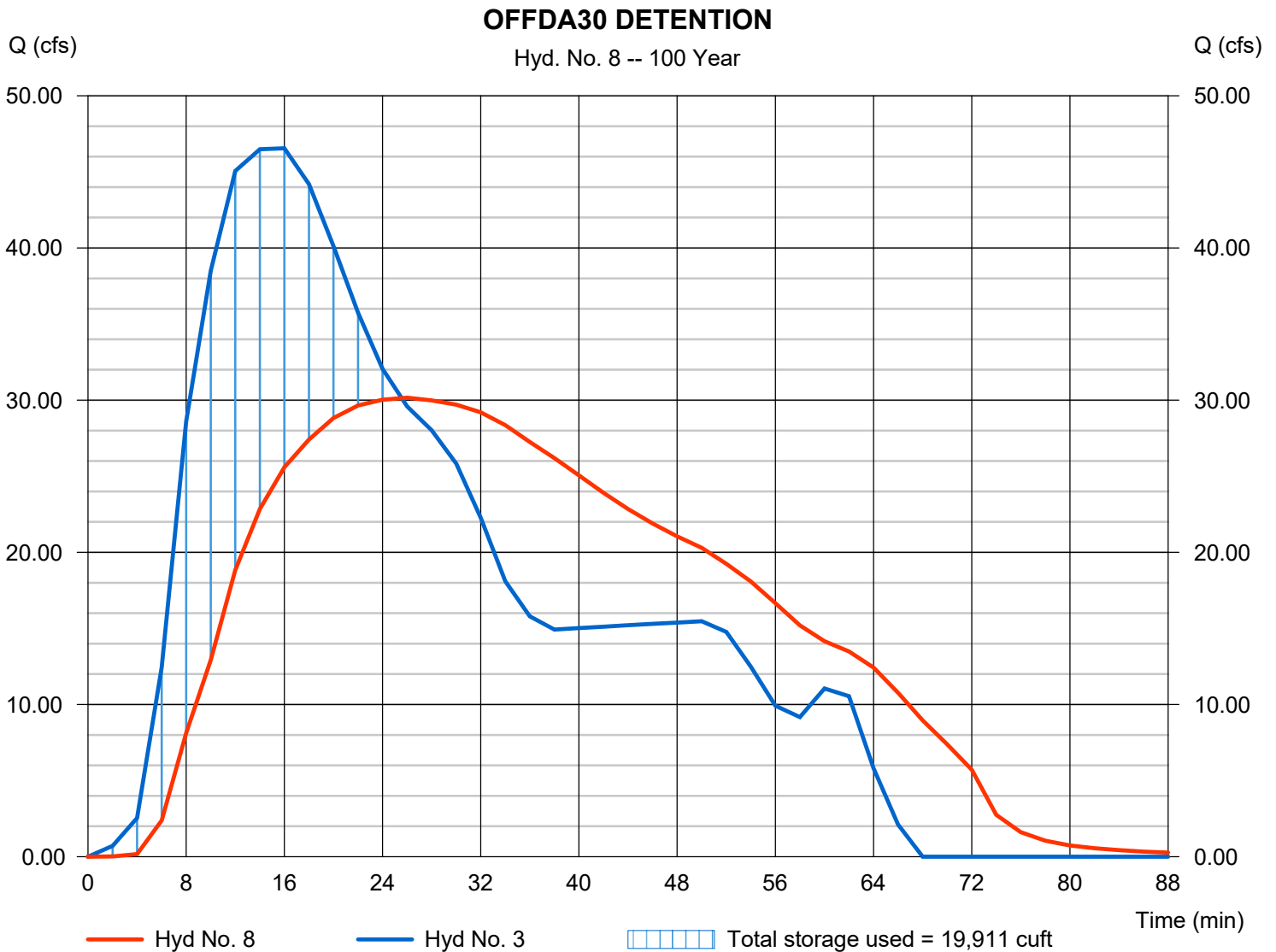
Thursday, 04 / 23 / 2020

Hyd. No. 8

OFFDA30 DETENTION

Hydrograph type	= Reservoir	Peak discharge	= 30.17 cfs
Storm frequency	= 100 yrs	Time to peak	= 26 min
Time interval	= 2 min	Hyd. volume	= 83,386 cuft
Inflow hyd. No.	= 3 - OFFSITE DA30	Max. Elevation	= 1225.81 ft
Reservoir name	= OFFDA 30 POND	Max. Storage	= 19,911 cuft

Storage Indication method used.



Pond No. 2 - OFFDA 30 POND

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Beginning Elevation = 1223.00 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	1223.00	00	0	0
1.00	1224.00	4,935	1,645	1,645
2.00	1225.00	11,193	7,853	9,497
3.00	1226.00	14,748	12,928	22,426
4.00	1227.00	18,809	16,736	39,162
5.00	1228.00	23,061	20,897	60,058
6.00	1229.00	27,493	25,242	85,300
7.00	1230.00	32,129	29,778	115,078

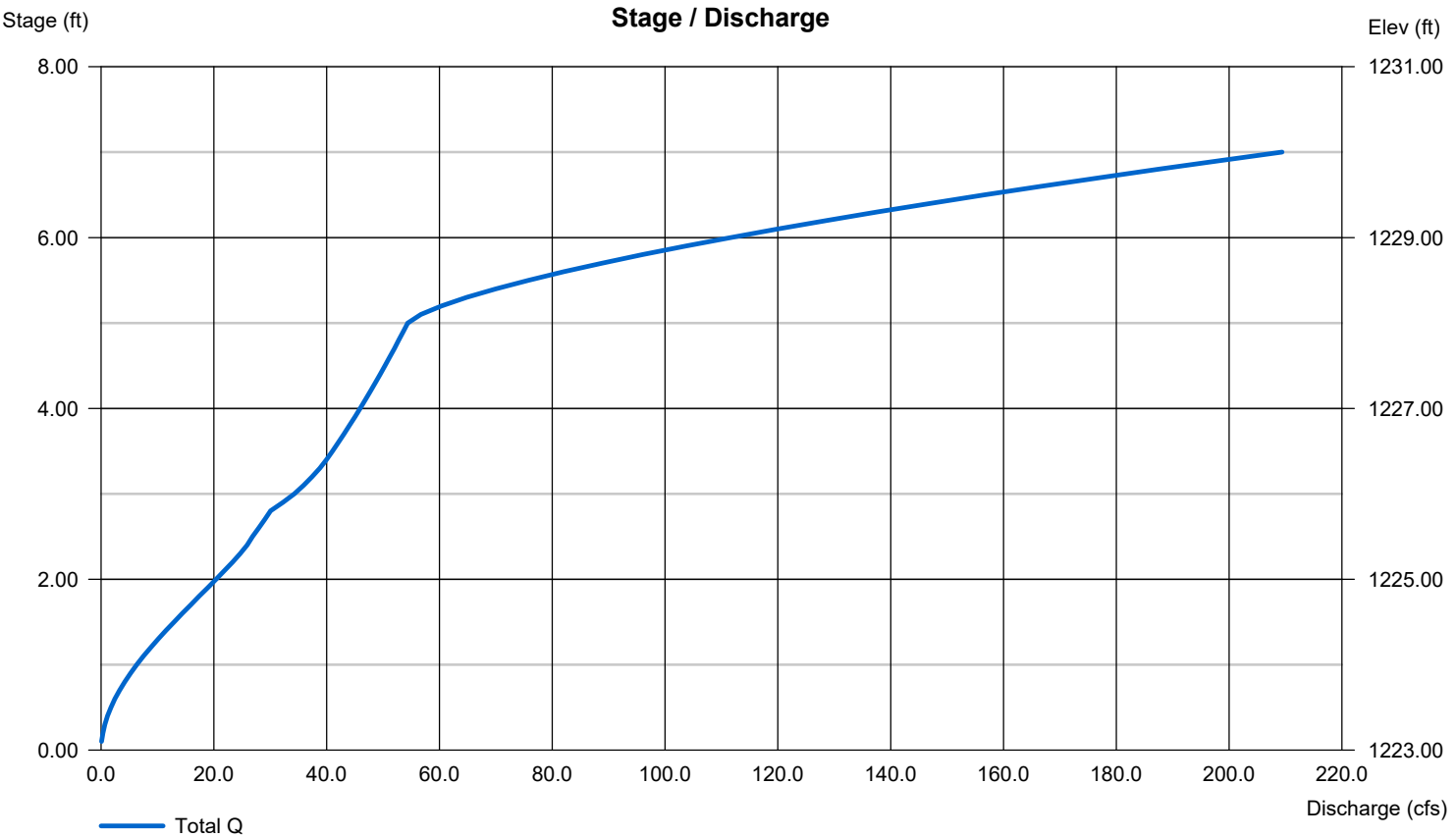
Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 30.00	1.00	10.00	0.00
Span (in)	= 30.00	1.00	10.00	0.00
No. Barrels	= 1	3	2	0
Invert El. (ft)	= 1223.00	1223.00	1225.01	0.00
Length (ft)	= 79.90	0.01	0.50	0.00
Slope (%)	= 2.90	1.00	1.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 15.00	0.00	0.00	0.00
Crest El. (ft)	= 1228.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= Rect	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Wet area)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).

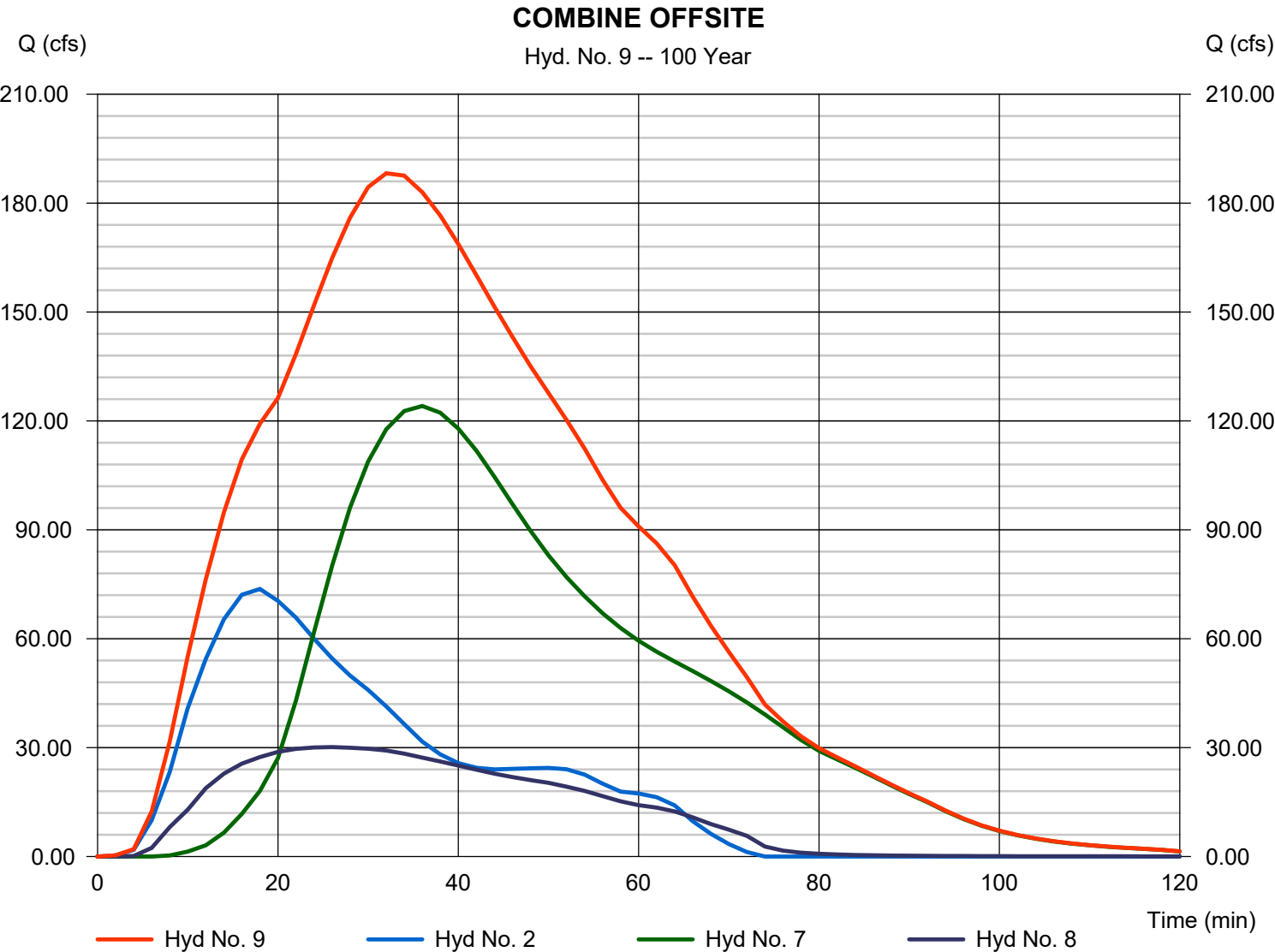


Hydrograph Report

Hyd. No. 9

COMBINE OFFSITE

Hydrograph type	= Combine	Peak discharge	= 188.24 cfs
Storm frequency	= 100 yrs	Time to peak	= 32 min
Time interval	= 2 min	Hyd. volume	= 521,187 cuft
Inflow hyds.	= 2, 7, 8	Contrib. drain. area	= 20.300 ac



Hydrograph Report

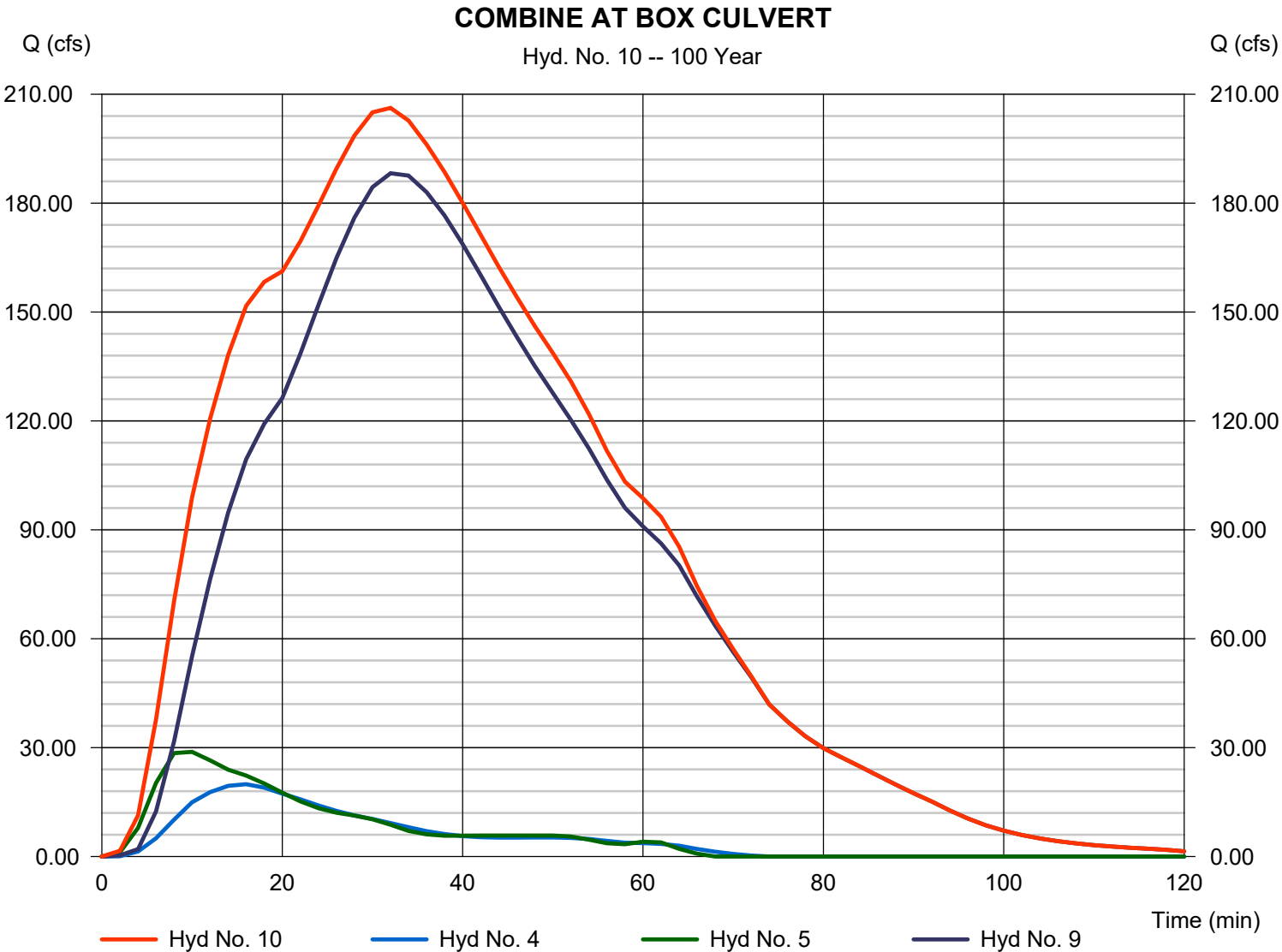
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Hyd. No. 10

COMBINE AT BOX CULVERT

Hydrograph type	= Combine	Peak discharge	= 206.24 cfs
Storm frequency	= 100 yrs	Time to peak	= 32 min
Time interval	= 2 min	Hyd. volume	= 597,218 cuft
Inflow hyds.	= 4, 5, 9	Contrib. drain. area	= 7.930 ac



Hydraflow Rainfall Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Thursday, 04 / 23 / 2020

Return Period (Yrs)	Intensity-Duration-Frequency Equation Coefficients (FHA)			
	B	D	E	(N/A)
1	0.0000	0.0000	0.0000	-----
2	49.7047	12.6000	0.7744	-----
3	0.0000	0.0000	0.0000	-----
5	54.7163	12.8000	0.7412	-----
10	60.9118	13.3000	0.7335	-----
25	73.7457	14.0000	0.7378	-----
50	79.9241	14.0000	0.7308	-----
100	93.5617	14.8000	0.7425	-----

File name: gc.IDF

$$\text{Intensity} = B / (T_c + D)^E$$

Return Period (Yrs)	Intensity Values (in/hr)											
	5 min	10	15	20	25	30	35	40	45	50	55	60
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	5.39	4.44	3.81	3.35	3.00	2.72	2.50	2.31	2.15	2.02	1.90	1.80
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	6.48	5.39	4.65	4.12	3.71	3.38	3.11	2.89	2.71	2.54	2.40	2.28
10	7.22	6.05	5.25	4.66	4.20	3.84	3.54	3.30	3.09	2.91	2.75	2.61
25	8.40	7.07	6.15	5.47	4.94	4.52	4.17	3.89	3.64	3.43	3.24	3.08
50	9.29	7.83	6.82	6.07	5.49	5.03	4.65	4.33	4.06	3.83	3.62	3.44
100	10.19	8.63	7.53	6.71	6.07	5.56	5.14	4.79	4.49	4.23	4.00	3.80

T_c = time in minutes. Values may exceed 60.

Precip. file name: F:\2016\1501-2000\016-1787\40-Design\Calcs\LDVP\Stormwater\HYDRAFLOW\gc-1 hour.pcp

Storm Distribution	Rainfall Precipitation Table (in)							
	1-yr	2-yr	3-yr	5-yr	10-yr	25-yr	50-yr	100-yr
SCS 24-hour	3.00	3.77	0.00	0.00	5.55	6.56	0.00	8.18
SCS 6-Hr	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-1st	1.41	0.00	0.00	0.00	2.61	3.08	0.00	3.84
Huff-2nd	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-3rd	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-4th	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-Indy	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Custom	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Culvert Hydraulic Calculations

Culvert Report

Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc.

Thursday, Apr 23 2020

TWO 48-INCH PIPE NORTHWEST ONSITE CULVERT Q100=188 CFS

Invert Elev Dn (ft) = 1211.50
 Pipe Length (ft) = 40.00
 Slope (%) = 2.00
 Invert Elev Up (ft) = 1212.30
 Rise (in) = 48.0
 Shape = Circular
 Span (in) = 48.0
 No. Barrels = 2
 n-Value = 0.013
 Culvert Type = Circular Culvert
 Culvert Entrance = Smooth tapered inlet throat
 Coeff. K,M,c,Y,k = 0.534, 0.555, 0.0196, 0.9, 0.2

Embankment

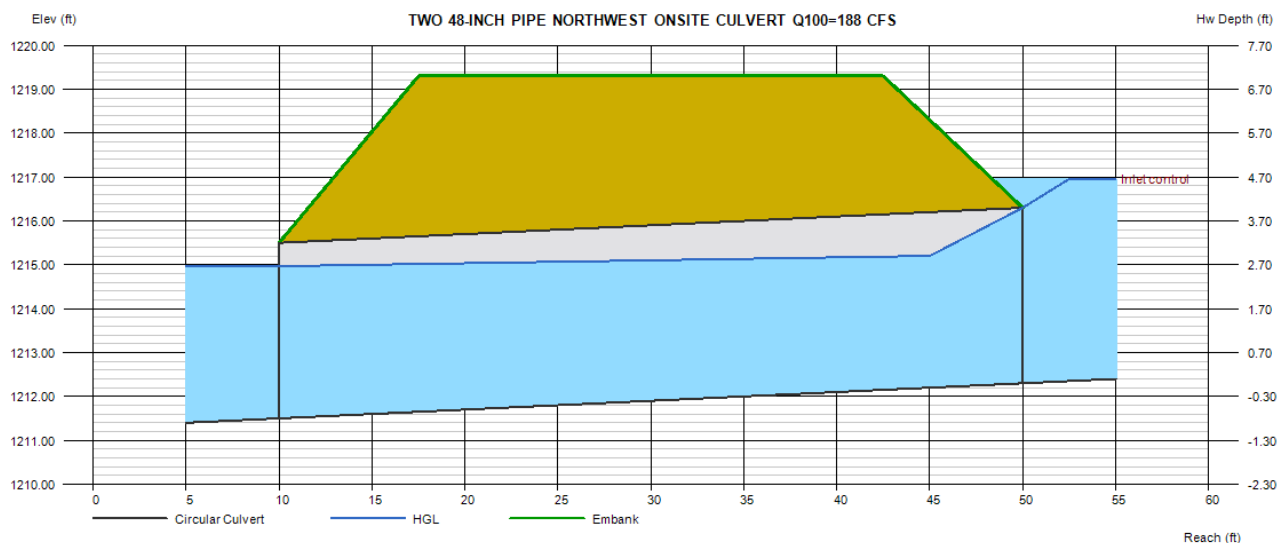
Top Elevation (ft) = 1219.30
 Top Width (ft) = 25.00
 Crest Width (ft) = 10.00

Calculations

Qmin (cfs) = 188.00
 Qmax (cfs) = 188.00
 Tailwater Elev (ft) = (dc+D)/2

Highlighted

Qtotal (cfs) = 188.00
 Qpipe (cfs) = 188.00
 Qovertop (cfs) = 0.00
 Veloc Dn (ft/s) = 8.12
 Veloc Up (ft/s) = 9.51
 HGL Dn (ft) = 1214.97
 HGL Up (ft) = 1215.24
 Hw Elev (ft) = 1216.96
 Hw/D (ft) = 1.16
 Flow Regime = Inlet Control



Culvert Report

Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc.

Thursday, Apr 23 2020

TWO 3'X7' RCB LONE PINE AVENUE CULVERT Q100=206 CFS

Invert Elev Dn (ft) = 1203.87
Pipe Length (ft) = 36.00
Slope (%) = 0.50
Invert Elev Up (ft) = 1204.05
Rise (in) = 36.0
Shape = Box
Span (in) = 84.0
No. Barrels = 2
n-Value = 0.013
Culvert Type = Flared Wingwalls
Culvert Entrance = 30D to 75D wingwall flares
Coeff. K,M,c,Y,k = 0.026, 1, 0.0347, 0.81, 0.4

Embankment

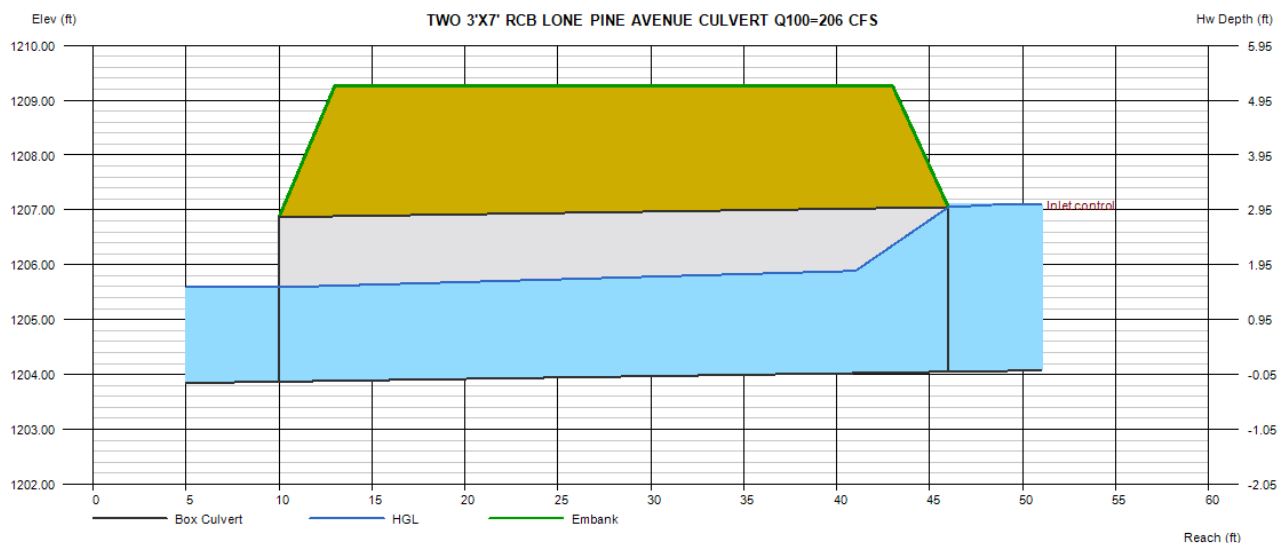
Top Elevation (ft) = 1209.26
Top Width (ft) = 30.00
Crest Width (ft) = 30.00

Calculations

Qmin (cfs) = 206.00
Qmax (cfs) = 206.00
Tailwater Elev (ft) = Normal

Highlighted

Qtotal (cfs) = 206.00
Qpipe (cfs) = 206.00
Qovertop (cfs) = 0.00
Veloc Dn (ft/s) = 8.55
Veloc Up (ft/s) = 7.80
HGL Dn (ft) = 1205.59
HGL Up (ft) = 1205.94
Hw Elev (ft) = 1207.10
Hw/D (ft) = 1.02
Flow Regime = Inlet Control



ELEVATION DEVELOPMENT CO SOLUTIONS

LONE PINE AND GALLOWAY

3535,3527,3521, and 3503 S. Lone Pine Ave
Springfield, MO 65804

June 18, 2020

Olsson Project No. 020-0425



LOCATION MAP
Sec. 9, T-28-N, R-21-W
Scale: 1"=2000'

BOUNDARY AND TOPOGRAPHIC SURVEY
LONE PINE & GALLOWAY DEVELOPMENT
PART OF THE NE¼ OF THE NW¼
SECTION 9, TOWNSHIP 28 NORTH, RANGE 21 WEST
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

PREPARED FOR
Elevation Development Co.
4006 S. Lone Pine Ave. Apt. 207
Springfield, MO 65804

PREPARED BY
Olsson, Inc.
550 St. Louis Street
Springfield, MO 65806

DEED DESCRIPTIONS

Deed Book 2018, Page 44946-18
Tract I: Beginning 316 feet North and 330 feet East of the Southwest corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21), which is the Northeast corner of J.H. Ellison Tract; thence West 100 feet; thence North 50 feet; thence East 100 feet; thence South to the Point of Beginning, in Greene County, Missouri.

Tract II: Commencing at the Southwest corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21); thence North 316 feet, more or less, to the Northwest corner of the Ellison Tract for a second Beginning Point; thence East along the North line of the Ellison Tract, 236.7 feet; thence North 136 feet; thence East 100 feet to the West Right-of-Way line of Highway 65; thence North along the West Right-of-Way line of said Highway 65, a distance of 259 feet; thence West 353.5 feet to the West line of said Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9); thence South to the second Point of Beginning, all in the City of Springfield, Greene County, Missouri.

Tract III: Beginning 366 feet North and 330 feet East of the Southwest corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9), Township Twenty-Eight (28), Range Twenty-One (21); thence West 100 feet; thence North 86 feet; thence East 100 feet; thence South 86 feet to the Point of Beginning, in Springfield, Greene County, Missouri.

Deed Book 2018, Page 44951-18
Commencing at the Southwest corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9), Township Twenty-Eight (28) North, Range Twenty-One (21) West; thence N00°36'45"E along the West line of the said Northeast Quarter (NE¼) of the Northwest Quarter (NW¼), a distance of 175.15 feet to an iron pin set for a Point of Beginning; thence continuing N00°36'45"E along the said West line, a distance of 141.23 feet to an existing iron pin; thence S87°41'55"E, a distance of 337.60 feet to an iron pin set on the West Right-of-Way line of Lone Pine Avenue, as it now exists; thence S02°51'18"W along the said West Right-of-Way line, a distance of 149.11 feet to a PK Nail set; thence N86°79'47"W, a distance of 332.09 feet to the Point of Beginning; all in the City of Springfield, Greene County, Missouri. Bearings are based on the West line of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) as being N00°36'45"E.

Subject to Easement:
Commencing at the Southwest corner of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Nine (9), Township Twenty-Eight (28) North, Range Twenty-One (21) West; thence N00°36'45"E along the West line of the said Northeast Quarter (NE¼) of the Northwest Quarter (NW¼), a distance of 175.15 feet; thence S86°19'47"E, a distance of 178.98 feet for a Point of Beginning; thence N03°40'13"W, a distance of 7.5 feet; thence S86°19'47"E, a distance of 153.00 feet to a point on the West Right-of-Way line of Lone Pine Avenue, as it now exists; thence S02°52'18"W along the said West Right-of-Way line, a distance of 7.5 feet; thence N86°19'47"W, a distance of 153.11 feet to the Point of Beginning, all in the City of Springfield, Greene County, Missouri.

INFORMATION OF FACT

- This survey and plan is based upon the following data and/or exceptions:

	Yes	No	Item
a) Deed of Record	x		Deed Book 2018, Page 44946-18 and Deed Book 2018, Page 44951-18
b) Filed Maps	x		Sequoia Center (UU-84), Cottages at All Saints (AAA-320); Huscher Hill (XX-42); AS-6564
c) Title Search/Binder	x		Waco Title Company, Report no. 2000731-117, effective date February 17, 2020
- Certified To: Elevation Development Co.
This is to certify that, to the best of my knowledge and belief, this map or plan is the result of a field survey performed on February 26, 2020, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the "State Board of Professional Engineers and Land Surveyors". The information depicted hereon, to the best of my knowledge and belief, represents the conditions found at, and as of the date of the field survey, except such improvements or easements, if any below the surface and not visible. Accordingly the undersigned professional is not responsible for the presence of underground utilities or structures, if same are not visible or otherwise disclosed by any aforementioned data listed above.
- This survey or plan is made for and certified to the parties named hereon for the purpose(s) stated. No other purpose is intended nor implied. The undersigned professional is neither responsible nor liable for the use of this plan beyond its intended purpose.
- The use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the undersigned professional's knowledge, information and belief, and in accordance with the commonly accepted procedure consistent with the applicable standards of practice, and does not constitute a warranty or guarantee either expressed or implied.
- Current Zoning: Residential Single Family (R-SF District), General Retail (GR District), and Limited Business (LS District)
- The Flood Insurance Rate Map (FIRM) from the Federal Emergency Management Agency (FEMA) Community Panel No. 29077C0363E, Effective Date December 17, 2010 shows this property is located in Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain.)
- Olsson and the surveyor of record make no guarantees that the underground utilities shown hereon comprise all such utilities in the area, either in service or abandoned. Olsson and the surveyor of record further does not warrant that the underground utilities shown are in the exact location indicated. Olsson and the surveyor of record have not physically located the underground utilities. If any underground utility locations are required, they will have to be verified by field potholing the utilities. Olsson and the surveyor of record shall not be liable for the location of or the failure to note the location of non-visible utilities. Utilities were ordered to be located per one-call ticket number 200430895 & 200430896. The companies listed on the ticket are ATT Distribution, City Utilities Electric/Fiber/Gas/Water, City of Springfield Sewer/Traffic, Southern Star Central Gas, and Mediacom.

CERTIFICATE OF SURVEY AND ACCURACY

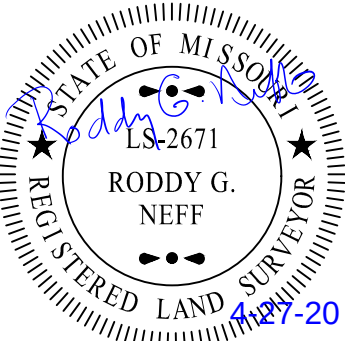
Know all men by these presents:

That I, Roddy G. Neff, do hereby certify to Elevation Development Co., that this survey was prepared under my supervision from an actual survey of the land herein described, prepared by Olsson, Inc., dated March 12, 2020, and signed by Roddy G. Neff, RLS 2671, and that the monuments and lot corner pins shown herein were placed under the personal supervision of Roddy G. Neff, RLS 2671, in accordance with the current Missouri Standards For Urban Property Boundary Surveys.

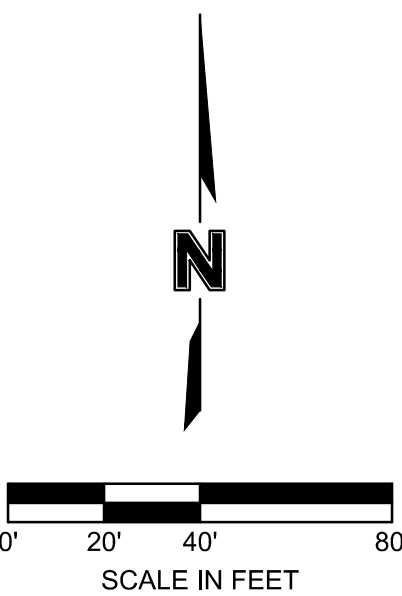
Roddy G. Neff
Roddy G. Neff, MO RLS 2671
Olsson, Inc., MO LC366
rgneff@olsson.com
Date 4-27-20

Boundary & Topographic Survey for Lone Pine & Galloway

drawn by: CDA	DATE	REVISION	BY	 Olsson, Inc. Survey MO Certificate of Authority #LC366 550 St. Louis St. TEL 417.890.8802 Springfield, MO 65806 FAX 417.890.8805 www.olsson.com
surveyed by: DDD				
checked by: RGN				
approved by: RGN				
project no.: 020-0425				
file name: V_SVR_0200425				
03.12.20	Original Preparation	CDA		



LEGEND	
○	Found Monument (As Noted)
●	Set 1/2" Rebar w/Plastic Cap, "LC 366"
(D)	Deeded
(M)	Measured
(P)	Platted
⊙	Bollard
⊙	Column
⊙	Electric Meter
⊙	Fiber Optic Pedestal
⊙	Fire Hydrant
⊙	Flared End Section
⊙	Gas Meter
⊙	Gas Valve
⊙	Mail Box
⊙	Power Pole
⊙	Sanitary Cleanout
⊙	Sanitary Manhole
⊙	Sign
⊙	Steel Post
⊙	Telephone Riser
⊙	Tree, Coniferous
⊙	Tree, Deciduous
⊙	Tree Stump
⊙	Water Meter
⊙	Water Valve
⊙	Wood Post
— P—OH	Overhead Electric
— FO—	Fiber Optic Line
— SS—	Sanitary Sewer Line
— SD—	Storm Sewer Line
— TEL—	Telephone Line
— W—	Water Line
—	Barbed Wire Fence
—	Chainlink Fence
—	Tree Line
▨	Asphalt Pavement
▨	Concrete Pavement
▨	Gravel Pavement

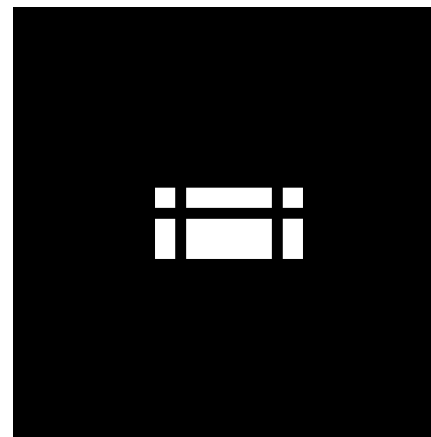


BASIS OF BEARINGS
Grid North based on Missouri State Plane Coordinate System 1983 by use of MoDOT continuously operating GNSS RTK Network Central Zone
DATUM
Elevations based on NAVD 88 by use of MoDOT continuously operating GNSS RTK Network



USER: cmold

DWG: F:\2020\0001-0500\020-0425\40-Design\Survey\SRVY_Sheets\SVR_0200425.dwg
DATE: Mar 12, 2020 7:43am
XREFS: V_XBNDY_0200425 V_XTOPO_0200425

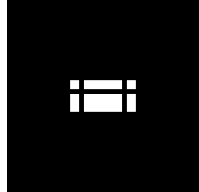


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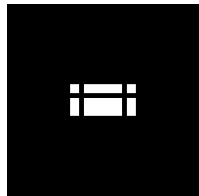
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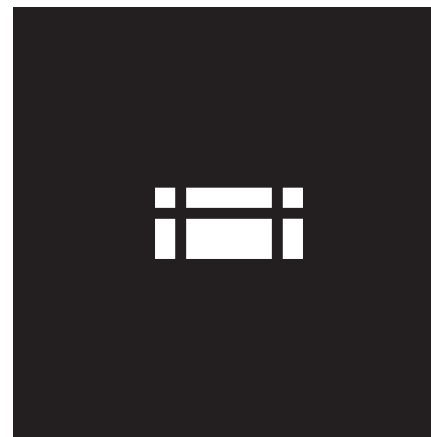


2020.07.10



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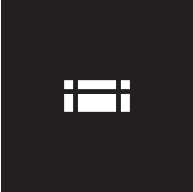


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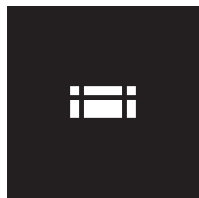
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Lone Pine Development - Sequiota Park View Exhibit

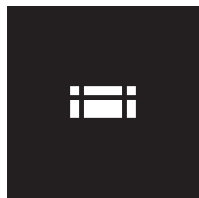
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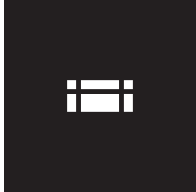
2020.07.14

Lone Pine Development - Sequiota Park View Exhibit

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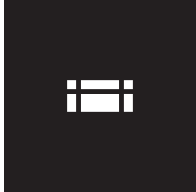
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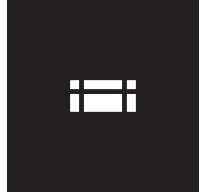
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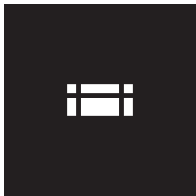
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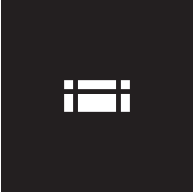
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Lone Pine Development - Sequiota Park View Exhibit

One-rdg. _____
P. Hmgs. _____
Pgs. 6
Filed: 08-18-20

Sponsored by: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020- 199

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING the plans and specifications for Project #06-0061 Southwest
2 Wastewater Treatment Plant - Administrative and Maintenance
3 Facility Improvement; accepting the bid of Mechanical Services, Inc.,
4 d/b/a MSI Constructors, in the amount of \$675,700.00 for construction
5 and oversight; authorizing the City Manager, or his designee, to enter
6 into an agreement with such bidder; and approving a budget
7 adjustment to amend the Fiscal Year 2020-2021 Budget for the
8 Department of Environmental Services in the amount of \$850,000, by
9 appropriating retained earnings of the Clean Water Enterprise Fund.

10
11
12 WHEREAS, the heating, ventilation and air-conditioning ("HVAC") systems in the
13 laboratory and administration building at the Southwest Wastewater Treatment Plant
14 ("SWTP") have exceeded their useful life and need replacement; and

15
16 WHEREAS, the proposed HVAC upgrades will improve safety in the laboratory
17 and improved climate control and energy efficiency throughout the laboratory and
18 administration facility; and

19
20 WHEREAS, the proposed improvements include additional office space, server
21 space, and improved compliance with the Americans with Disabilities Act ("ADA"); and

22
23 WHEREAS, the facility improvements have been in the approved Capital
24 Improvement Program since 2019, as Project #06-0061 SWTP-Administrative and
25 Maintenance Facility Improvement (hereinafter 'Project'); and

26
27 WHEREAS, the Project was put out for bid and Mechanical Services, Inc, d/b/a
28 MSI Constructors, at \$675,700, is the lowest responsive and responsible bidder for the
29 Project.

30
31 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
32 SPRINGFIELD, MISSOURI, as follows, that:

34 Section 1 – City Council hereby approves the plans, specifications and
35 improvements identified as Project #06-0061 SWTP-Administrative and Maintenance
36 Facility Improvement, accepts the bid of Mechanical Services, Inc., d/b/a MSI
37 Constructors for said Project at the price and sum of \$675,700.00, except said sum and
38 price as may be lawfully increased or decreased by the actual quantities of work units
39 involved; and approves a ten (10%) contingency.

40
41 Section 2 – The City Manager, or his designee, is hereby authorized to enter into
42 an agreement with said bidder, in a form approved by the City Attorney or designee,
43 and to approve a bond from the contractor for labor, materials, and performance, each
44 in accordance with the terms of the bid, the plans, and the specifications prepared by
45 the Director of Environmental Services, and to do all things necessary to carry out the
46 intent of the agreement.

47
48 Section 3 – All workers performing work under the agreement shall be paid a
49 wage of no less than the prevailing hourly rate of wages for work of a similar character
50 in this locality or the public works contracting minimum wage, whichever is applicable.
51 Contractor shall fully comply with the provisions and requirements of the Missouri State
52 Prevailing Wage Law. Contractors and any subcontractor performing work under this
53 agreement must provide a 10-hour OSHA construction safety training program, or
54 similar program approved by the Department of Labor, for on-site employees, unless
55 employees demonstrate they previously completed the program.

56
57 Section 4 – The budget for Fiscal Year 2020-2021 of the Department of
58 Environmental Services of the City of Springfield is hereby amended in the accounts
59 and in the amounts as shown on Budget Adjustment No. 013, a copy of which is
60 attached hereto and incorporated herein by reference as “Exhibit A.”

61
62 Section 5 – City Council hereby finds that the budget adjustment made above
63 has been recommended by the City Manager.

64
65 Section 6 – The City Manager is directed to cause the appropriate accounting
66 entries to be made in the books and records of the City.

67
68 Section 7 – This Ordinance shall be in full force and effect from and after
69 passage.

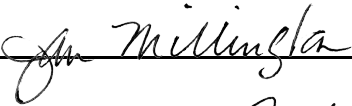
70
71 Passed at meeting: _____

72
73 _____
74 Mayor

75
76 Attest: _____, City Clerk

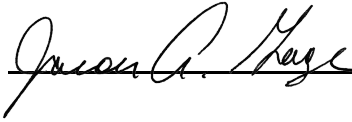
77
78 Filed as Ordinance: _____
79

80

81 Approved as to form: , Deputy City Attorney

82

83

84 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020-199

FILED: 08-18-20

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: Approving the plans and specifications for Project #06-0061 Southwest Wastewater Treatment Plant - Administrative and Maintenance Facility Improvement; accepting the bid of Mechanical Services, Inc., d/b/a MSI Constructors, in the amount of \$675,700.00 for construction and oversight; authorizing the City Manager, or his designee, to enter into an agreement with such bidder; and approving a budget adjustment to amend the Fiscal Year 2020-2021 Budget for the Department of Environmental Services in the amount of \$850,000, by appropriating retained earnings of the Clean Water Enterprise Fund. .

BACKGROUND AND REMARKS:

1. The Southwest Wastewater Treatment Plant heating, ventilation and air-conditioning (HVAC) systems in the laboratory and administration building have exceeded their useful life. The laboratory requires new fume hoods that are suitable for existing equipment and to provide adequate protection against chemical hazards. Fume hoods require significant volumes of make-up air, and due to the inadequate air balancing and age of the current hood/HVAC system, both fume hoods will be replaced as a fully balanced system to provide correct make-up air and climate control. The HVAC system in the office wing will also be replaced at the same time. Other improvements associated with HVAC replacement are included in the plans.

Additional staffing required under the Overflow Control Plan has created a need for two new offices in the administration area, which will be included in this project. In addition, the new roof-mounted HVAC unit will allow the mechanical room to be re-purposed as a secure server room which is required to conform to current networking policies. The project will improve ADA access as well.

This project is included in the City's Capital Improvements Program as project #06-0061 SW Treatment Plant-Administrative and Maintenance Facility Improvement.

2. Plans, specifications, and a cost estimate have been prepared by Buxton Kubik Dodd for Environmental Services and are on file at the Southwest Wastewater Treatment Plant.
3. The project was advertised in the *Daily Events* from June 27, 2020, through July 3, 2020, as well as DemandStar and the City Purchasing Department website.

4. Bids were opened by the City Purchasing Department on July 16, 2020, at 3:00 pm. The following bids were received:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Mechanical Services, Inc., d/b/a MSI Constructors	\$675,700.00
Patriot Construction, LLC, d/b/a Patriot	\$790,430.90
Dewitt & Associates, Inc.	\$835,000.00
Bales Construction Company, Inc.	\$838,000.00
Branco Enterprises, Inc.	\$904,000.00
Architect's Estimate	\$1,012,314.00

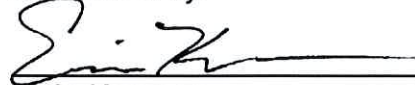
5. An evaluation of the bids was performed in accordance with the bid documents prepared by the City Purchasing Department to determine the highest scoring qualified responsive bidder. The evaluation considered price, references, experience, and qualifications, and time of completion.
6. MSI Constructors submitted the highest evaluation score of responsive bidders. The bid price was 33% below the architect's estimate. Based on the above evaluation of the bid documents, qualifications, and the Purchasing Department's recommendation, Environmental Services recommends awarding this project to MSI Constructors for \$675,700.00.
7. A budget adjustment of \$743,270 is requested to cover the construction costs plus a 10% contingency. Funds for the budget adjustment will come from the retained earnings of the Clean Water Enterprise Fund.

RECOMMENDATIONS: Environmental Services recommends passage of this Council Bill and budget adjustment

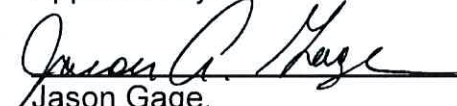
Recommended by:


Brian Wirth, Superintendent of Treatment Plants

Submitted by:


Errin Kemper,
Director of Environmental Services

Approved by:


Jason Gage,
City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
013

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

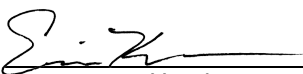
Fund	Dept	Org	Account	P&G	Location	Amount	Description
53020	08	33520	509110	101661	00000	\$ 743,270	Southwest Wastewater Treatment Plant Lab/Administration Building HVAC & Other Improvements
Net Expenditure Adjustment						\$ 743,270	

Fund Balance Appropriation:

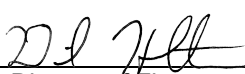
Fund	Title	Amount
53020	Clean Water Improvement Fund	\$ (743,270)

Explanation: To amend the FY2020-21 budget by appropriating Environmental Services Clean Water Enterprise Fund reserves to provide funding for the Southwest Wastewater Treatment Plant Lab/Administration Building HVAC and other improvements.

Requested By:


Department Head 8/18/20
Date

Approved By:


Director of Finance 8/18/20
Date

Authorization:

Council Bill No. 2020-199
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 28
Filed: 08-18-20

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-200

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Surface
2 Transportation Program-Urban Program Agreement with the Missouri
3 Highways and Transportation Commission; and amending the budget
4 of the Department of Public Works for Fiscal Year 2020-2021, in the
5 amount of \$640,000.00, for the purpose of appropriating federal funds
6 to be used in purchasing battery back-ups for traffic signals.
7 _____
8

9 WHEREAS, federal Surface Transportation Block Grant ("STBG") funds are
10 available through the Missouri Surface Transportation Program ("STP"), to provide
11 battery backup systems for traffic signals; and
12

13 WHEREAS, the STP-Urban Program Agreement, attached hereto as "Exhibit 1"
14 provides for an 80 percent cost reimbursement for traffic signal battery back-up shown
15 in "Exhibit 1 – Exhibit A"; and
16

17 WHEREAS, the City will provide matching funds of 20 percent of the project cost,
18 in the estimated amount of \$160,000.00, from the 1/4-Cent Capital Improvement Sales
19 Tax – Traffic Signal/Traffic Calming Program, which funds are already budgeted; and
20

21 WHEREAS, a budget adjustment is required to appropriate the funds associated
22 with the Agreement.
23

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
25 SPRINGFIELD, MISSOURI, as follows, that:
26

27 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
28 an Agreement with the Missouri Highways and Transportation Commission, said
29 Agreement to be in substantially the same form as that document attached hereto and
30 incorporated herein by this reference as "Exhibit 1."
31

32 Section 2 – The budget of the Department of Public Works for Fiscal Year 2020-
33 2021, is hereby amended in the accounts and in the amounts as shown on Budget

Adjustment No. 014, a copy of which is attached hereto and incorporated herein by this reference as "Exhibit 2."

Section 3 – The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City.

Section 4 – This Ordinance shall be in full force and effect from and after passage.

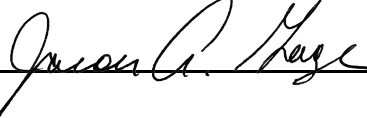
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: , Assistant City Attorney

Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020- 200

FILED: 08-18-20

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Surface Transportation Program-Urban Program Agreement with the Missouri Highways and Transportation Commission; and amending the budget of the Department of Public Works for Fiscal Year 2020-2021, in the amount of \$640,000.00, for the purpose of appropriating federal funds to be used in purchasing battery back-ups for traffic signals.

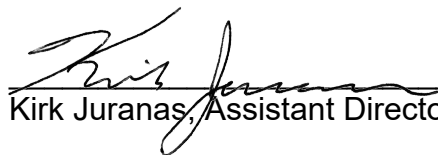
BACKGROUND INFORMATION: The proposed battery backup systems would provide uninterrupted backup power to traffic signals during fluctuations or outages from the electrical utility service, whereby enhancing intersection safety, reducing delay to motorists, and improving overall reliability of the signal system. While such systems have already been installed at some locations as part of recent capital improvement projects, approval of this ordinance authorizes the City Manager to enter into the Surface Transportation Program ("STP")-Urban Program Agreement to utilize federal Surface Transportation Block Grant ("STBG") funds to purchase equipment to be installed by Public Works personnel at 133 additional existing signals throughout the city. The required minimum local match of 20 percent (\$160,000) would be funded from the 1/4-Cent Capital Improvement Sales Tax – Traffic Signal/Traffic Calming Program and is already budgeted.

Supports the following 2020 City Council Core Priorities:

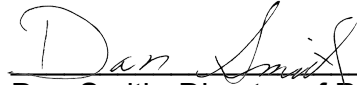
- Quality of Place
- Fiscal Sustainability and Accountability
- Economic Vitality
- Public Safety

REMARKS: A Transportation Improvement Program ("TIP") project has been prepared to allow the use of federal STBG funds for this project. Public Works recommends approval of this Council bill and budget adjustment.

Submitted by:

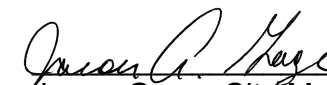

Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Jason Gage, City Manager

EXHIBIT 1

CCO Form: FS11
 Approved: 07/96 (KMH)
 Revised: 02/16 (MWH)
 Modified: 02/19 (MWH)

CFDA Number:	CFDA #20.205	
CFDA Title:	Highway Planning and Construction	
Award name/number:	STBG-5901(818)	TIP# SP2011-20
Award Year:	2021	
Federal Agency:	Federal Highway Administration, Department of Transportation	

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
 STP-URBAN PROGRAM AGREEMENT**

THIS STP-URBAN AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Springfield, Greene County, Missouri (hereinafter, "City").

WITNESSETH:

WHEREAS, the Fixing America's Surface Transportation Act (FAST) 23 U.S.C. §133, authorizes a Surface Transportation Program (STP) to fund transportation related projects; and

WHEREAS, the City desires certain improvements, more specifically described below, using such STP funding; and

WHEREAS, those improvements are to be in compliance with the provisions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The purpose of this Agreement is to grant the use of STP funds to the City. The improvement contemplated by this Agreement and designated as Project STBG-5901(818) involves traffic signal system equipment in Springfield, Missouri at various locations, including battery backup systems. Construction is not contemplated by this agreement.

(2) LOCATION: The contemplated improvement designated as Project STBG-5901(818) by the Commission is within the city limits of Springfield, Missouri. The general location of the improvement is shown on an attachment hereto marked "Exhibit A" and incorporated herein by reference. More specific descriptions are as follows: Inside the city limits of Springfield, Missouri.

(3) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

1. To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(4) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA) 1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit B. Wherever the term "the contractor" or words of similar import appear in these sections, the term "the City" is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

(5) ACQUISITION OF RIGHT OF WAY: No acquisition of additional right of way is anticipated in connection with Project STBG-5901(818) or contemplated by this Agreement.

(6) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

(A) Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All federally funded projects are required to have a project end date. Any costs incurred after the project end date are not eligible for reimbursement. The federal share for this project will be 80 percent (**80%**) not to exceed **\$640,000.00**. The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(B) The total reimbursement otherwise payable to the City under this Agreement is subject to reduction, offset, levy, judgment, collection or withholding, if there is a reduction in the available federal funding, or to satisfy other obligations of the City to the Commission, the State of Missouri, the United States, or another entity acting pursuant to a lawful court order, which City obligations or liability are created by law, judicial action, or by pledge, contract or other enforceable instrument. Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs.

(7) WORK ON STATE RIGHT OF WAY: There are no contemplated improvements for Project STBG-5901(818) which will involve work on the state's right of way.

(8) PROGRESS PAYMENTS: The City may request progress payments be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. All progress payment requests must be submitted for reimbursement within 90 days of the project completion date for the final phase of work. The City shall repay any progress payments which involve ineligible costs.

(9) FINAL AUDIT: The Commission will perform a final audit of project costs. The United States Government shall reimburse the City, through the Commission, any monies due. The City shall refund any overpayments as determined by the final audit.

(10) AUDIT REQUIREMENT: If the City expend(s) seven hundred fifty thousand dollars (\$750,000) or more in a year in federal financial assistance it is required to have an independent annual audit conducted in accordance with 2 CFR Part 200. A copy of the audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Subject to the requirements of 2 CFR Part 200, if the City expend(s) less than seven hundred fifty thousand dollars (\$750,000) a year, the City may be exempt from auditing requirements for that year but records must be available for review or audit by applicable state and federal authorities.

(11) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006: The City shall comply with all reporting requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, as amended. This Agreement is subject to the award terms within 2 C.F.R. Part 170.

(12) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(13) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(14) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(15) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(16) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

(A) To the City:
Tom Dancey, P.E.
840 Boonville
Springfield, MO 65802
Facsimile No.:417-864-1983

(B) To the Commission:
Chad Zickefoose, P.E.
3025 E. Kearney
Springfield, MO 65803
Facsimile No.:417-895-7610

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(17) NONDISCRIMINATION ASSURANCE: With regard to work under this Agreement, the City agrees as follows:

(A) Civil Rights Statutes: The City shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d and §2000e, et seq.), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. §12101, et seq.). In addition, if the City is providing services or operating programs on behalf of the Department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".

(B) Administrative Rules: The City shall comply with the administrative rules of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 C.F.R. Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices.

(D) Solicitations for Subcontracts, Including Procurements of Material and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the City. These apply to all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the City of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, sex, disability or national origin, age or ancestry of any individual.

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and

its facilities as may be determined by the Commission or the United States Department of Transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as appropriate and shall set forth what efforts it has made to obtain the information.

(F) Sanctions for Noncompliance: In the event the City fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the United States Department of Transportation may determine to be appropriate, including but not limited to:

1. Withholding of payments under this Agreement until the City complies; and/or
2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

(G) Incorporation of Provisions: The City shall include the provisions of paragraph (17) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission or the United States Department of Transportation. The City will take such action with respect to any subcontract or procurement as the Commission or the United States Department of Transportation may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that in the event the City becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the City may request the United States to enter into such litigation to protect the interests of the United States.

(18) ACCESS TO RECORDS: The City and its contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the FHWA and the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(19) CONFLICT OF INTEREST: The City shall comply with conflict of interest policies identified in 23 CFR 1.33. A conflict of interest occurs when an entity has a financial or personal interest in a federally funded project.

(20) MANDATORY DISCLOSURES: The City shall comply with 2 CFR 200.113 and disclose, in a timely manner, in writing all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____.

Executed by the Commission on _____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

Assistant Chief Engineer

Deputy City Manager

ATTEST:

ATTEST:

Secretary to the Commission

City Clerk

Approved as to Form:

Director of Finance

Commission Counsel

Contract Paralegal

Approved as to Form:

Assistant City Attorney

Ordinance No: _____

Exhibit A - Location of Project

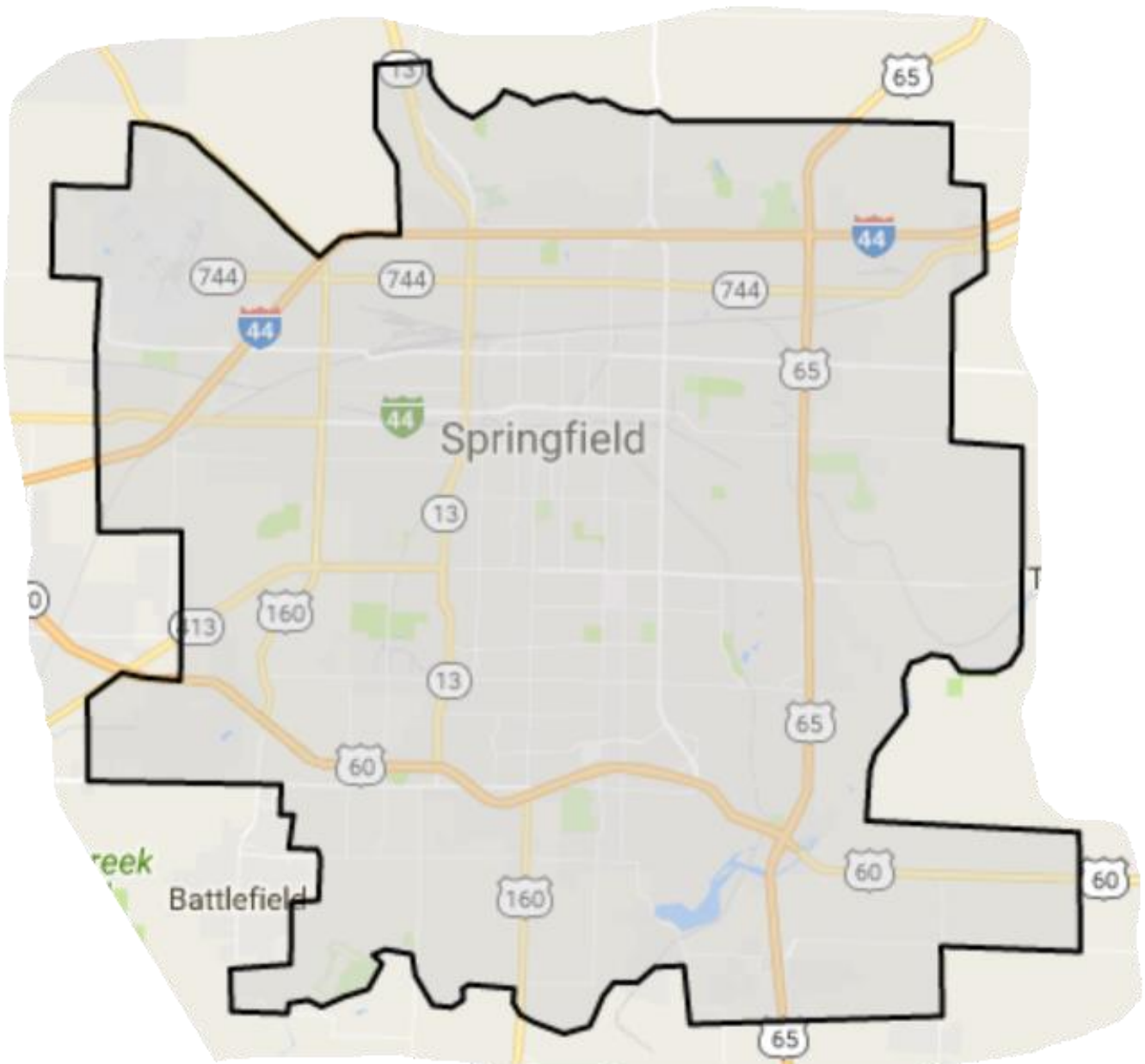


Exhibit B

FHWA-1273 -- Revised May 1, 2012

**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

Exhibit B

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

Exhibit B

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

Exhibit B

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b.(1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

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will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

Exhibit B

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

Exhibit B

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

Exhibit B

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

Exhibit B

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

Exhibit B

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

Exhibit B

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

Exhibit B

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

Certificate Of Completion

Envelope Id: 4C185A0B89BA48E18CA92BED22BBCFD0

Status: Sent

Subject: Please DocuSign: 2020-06-58181.pdf STBG-5901(818)

Source Envelope:

Document Pages: 20

Signatures: 0

Envelope Originator:

Certificate Pages: 3

Initials: 0

Chad E. Zickefoose

AutoNav: Enabled

1860 Michael Faraday Drive

Envelopeld Stamping: Enabled

Suite 100

Time Zone: (UTC-06:00) Central Time (US & Canada)

Reston, VA 20190

Chad.Zickefoose@modot.mo.gov

IP Address: 168.166.80.221

Record Tracking

Status: Original

Holder: Chad E. Zickefoose

Location: DocuSign

7/16/2020 10:54:43 AM

Chad.Zickefoose@modot.mo.gov

Signer Events

Signature

Timestamp

Christian Burris

Sent: 7/16/2020 11:06:12 AM

cburris@springfieldmo.gov

Security Level: Email, Account Authentication
(Optional), Access Code

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

David Holtmann

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Security Level: Email, Account Authentication
(Optional), Access Code

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Tom Rykowski

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(Optional), Access Code

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(Optional), Access Code

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Anita Cotter

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Security Level: Email, Account Authentication
(Optional), Access Code

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Megan Waters-Hamblin

Megan.Waters-Hamblin@modot.mo.gov

Security Level: Email, Account Authentication
(Optional)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Signer Events	Signature	Timestamp
Eric Schroeter Eric.Schroeter@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Pamela J. Harlan - MHTC Pamela.Harlan@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Tom Dancy tdancy@springfieldmo.gov Security Level: Email, Account Authentication (Optional), Access Code Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 7/16/2020 11:06:12 AM Viewed: 7/16/2020 11:10:30 AM
Dana Kaiser Dana.Kaiser@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Sharon Monroe Sharon.Monroe@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Jennifer Jorgensen Jennifer.Jorgensen@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Jennifer Schulte Jennifer.Schulte@modot.mo.gov Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/16/2020 11:06:12 AM
Payment Events	Status	Timestamps

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 2

Budget Adjustment
014

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	000000	00000	\$ 640,000	Federal STBG Grant Revenues - Traffic Signal System Battery Backup System
Net Revenue Adjustment						\$ 640,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	509110	000000	00000	\$ 640,000	Traffic Signal System Battery Backup System
Net Expenditure Adjustment						\$ 640,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2020-21 budget by appropriating federal STBG grant funds of \$640,000 for 80% of the estimated costs of purchasing a Traffic Signal System Battery Backup System based on the proposed Agreement. The remaining 20% of estimated costs (\$160,000) will be funded by the 1/4 Cent Capital Improvement Sales Tax Traffic Signal/Traffic Calming Program that is already budgeted.

Requested By:


Department Head

8/18/20
Date

Approved By:


Director of Finance

8/18/20
Date

City Manager

Date

Authorization:

Council Bill No. 2020-200
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed 08-18-20

Sponsored by Lear

First Reading _____

Second Reading _____

COUNCIL BILL 2020- 201

SPECIAL ORDINANCE _____

AN ORDINANCE

1 DECLARING the necessity of condemning right(s)-of-way for construction and
2 permanent easements over, under, and through the properties herein
3 described and generally located near the intersection of South Campbell
4 Avenue and West Republic Road in the City of Springfield, Missouri,
5 including 4101 and 4222 South Campbell Avenue, for the purpose of
6 completing City Project #2015PW0077WTE, funded through the 1/8-
7 Cent Capital Improvement Sales Tax, MoDot Cost-Share and federal
8 funds; and authorizing certain officers, or their designees, to do all things
9 necessary to carry out the terms of this Ordinance.

10
11
12 WHEREAS, the Department of Public Works is attempting to relieve traffic
13 congestion at West Republic Road and South Campbell Avenue by and through signal
14 improvements, widening of Republic Road, and adding additional turn lanes, adding
15 bike lanes, sidewalk and Americans with Disabilities Act ("ADA") upgrades and
16 improvements, stormwater improvements, and better integration with the James River
17 Freeway, identified as City Project #2015PW0077WTE (hereinafter "Project"); and
18

19 WHEREAS, right(s)-of-way are needed to complete the Project and City right-of-
20 way staff has successfully negotiated with twelve (12) out of fourteen (14) properties
21 within the Project area and now must proceed with condemnation in order to ensure
22 timely completion of the Projects.

23
24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
25 SPRINGFIELD, MISSOURI, as follows, that:

26
27 Section 1 – City Council hereby declares it necessary to condemn the following
28 three described properties, for the purposes of City Project #2015PW0077WTE, to-wit:

29
30 **4101 South Campbell Avenue**, owned by McDonald's Corporation, d/b/a Delaware
31 McDonald's Corporation, a Delaware corporation, the following described easements:

32
33 **A PERPETUAL DRAINAGE EASEMENT DESCRIBED AS FOLLOWS:**

34
35 A PART OF THE GRANTOR'S LAND, IN LOTS 2, 3 AND 4 OF THE AMENDED PLAT
36 OF KICKAPOO PRAIRIE ESTATES WEST, A SUBDIVISION IN THE CITY OF
37 SPRINGFIELD, GREENE COUNTY, MISSOURI, AND OWNED BY THE GRANTOR
38 AS DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 1770 AT PAGE 836
39 OF THE GREENE COUNTY RECORDER'S OFFICE, DESCRIBED FROM THE
40 SURVEYED CONSTRUCTION CENTERLINE OF CAMPBELL AVENUE, AS
41 FOLLOWS:

42
43 THE SURVEYED CONSTRUCTION CENTERLINE OF CAMPBELL AVENUE, BEING
44 IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE
45 22 WEST, AND THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 28
46 NORTH, RANGE 22 WEST, IS DESCRIBED AS FOLLOWS:

47
48 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER
49 OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 22 WEST; THENCE NORTH 67
50 DEGREES 37 MINUTES 36 SECONDS EAST, A DISTANCE OF 2943.55 FEET TO
51 CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 149+00, FOR A
52 POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 20 MINUTES 42 SECONDS
53 WEST, A DISTANCE OF 1148.12 FEET TO CAMPBELL AVENUE CONSTRUCTION
54 CENTERLINE STATION 160+48.12, ALSO BEING REPUBLIC ROAD
55 CONSTRUCTION CENTERLINE STATION 53+52.77; THENCE CONTINUING SOUTH
56 02 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 36.61 FEET TO
57 CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 160+83.73; THENCE
58 SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL
59 ANGLE OF 01 DEGREES 21 MINUTES 02 SECONDS WITH A RADIUS OF 34,786.48
60 FEET AND A 819.88 FEET LONG CHORD WHICH BEARS SOUTH 01 DEGREES 40
61 MINUTES 11 SECONDS WEST, AN ARC DISTANCE OF 819.90 FEET TO
62 CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 169+03.63, FOR A
63 TERMINUS. SAID TERMINUS LIES SOUTH 72 DEGREES 26 MINUTES 23
64 SECONDS WEST, A DISTANCE OF 2773.55 FEET FROM THE NORTHEAST
65 CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13. BEARINGS ARE
66 BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM 1983, CENTRAL
67 ZONE.

68
69 **DRAINAGE EASEMENT:**

70
71 BEGINNING AT A POINT 61.40 FEET RIGHT OF CAMPBELL AVENUE
72 CONSTRUCTION CENTERLINE STATION 155+28.05 ON THE SOUTH LINE OF
73 GRANTOR'S PROPERTY; THENCE DIRECTLY ALONG SAID SOUTH PROPERTY
74 LINE, TO A POINT 71.42 FEET RIGHT OF CAMPBELL AVENUE CONSTRUCTION
75 CENTERLINE STATION 155+28.08; THENCE DIRECTLY TO A POINT 70.76 FEET
76 RIGHT OF CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION
77 155+15.00; THENCE DIRECTLY TO A POINT 60.75 FEET RIGHT OF CAMPBELL
78 AVENUE CONSTRUCTION CENTERLINE STATION 155+15.00 ON THE WEST

RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE DIRECTLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINING 131 SQUARE FEET (0.003 ACRES) OF PERPETUAL DRAINAGE EASEMENT.

ALSO,

A TEMPORARY CONSTRUCTION EASEMENT DESCRIBED AS FOLLOWS:

A PART OF THE GRANTOR'S LAND, IN LOTS 2, 3 AND 4 OF THE AMENDED PLAT OF KICKAPOO PRAIRIE ESTATES WEST, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND OWNED BY THE GRANTOR AS DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 1770 AT PAGE 836 OF THE GREENE COUNTY RECORDER'S OFFICE, DESCRIBED FROM THE SURVEYED CONSTRUCTION CENTERLINE OF CAMPBELL AVENUE, AS FOLLOWS:

THE SURVEYED CONSTRUCTION CENTERLINE OF CAMPBELL AVENUE, BEING IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST, AND THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 22 WEST, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 22 WEST; THENCE NORTH 67 DEGREES 37 MINUTES 36 SECONDS EAST, A DISTANCE OF 2943.55 FEET TO CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 149+00, FOR A POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 1148.12 FEET TO CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 160+48.12, ALSO BEING REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 53+52.77; THENCE CONTINUING SOUTH 02 DEGREES 20 MINUTES 42 SECONDS WEST, A DISTANCE OF 36.61 FEET TO CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 160+83.73; THENCE SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 21 MINUTES 02 SECONDS WITH A RADIUS OF 34,786.48 FEET AND A 819.88 FEET LONG CHORD WHICH BEARS SOUTH 01 DEGREES 40 MINUTES 11 SECONDS WEST, AN ARC DISTANCE OF 819.90 FEET TO CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 169+03.63, FOR A TERMINUS. SAID TERMINUS LIES SOUTH 72 DEGREES 26 MINUTES 23 SECONDS WEST, A DISTANCE OF 2773.55 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM 1983, CENTRAL ZONE.

TEMPORARY CONSTRUCTION EASEMENT:

BEGINNING AT A POINT 60.75 FEET RIGHT OF CAMPBELL AVENUE
CONSTRUCTION CENTERLINE STATION 155+15.00, ON THE WEST RIGHT-OF-
WAY LINE OF CAMPBELL AVENUE; THENCE DIRECTLY TO A POINT 70.76 FEET
RIGHT OF CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION
155+15.00; THENCE DIRECTLY TO A POINT 71.42 FEET RIGHT OF CAMPBELL
AVENUE CONSTRUCTION CENTERLINE STATION 155+28.08 ON THE SOUTH
LINE OF GRANTOR'S PROPERTY; THENCE DIRECTLY ALONG SAID SOUTH
PROPERTY LINE, TO A POINT 76.42 FEET RIGHT OF CAMPBELL AVENUE
CONSTRUCTION CENTERLINE STATION 155+28.10; THENCE DIRECTLY TO A
POINT 75.02 FEET RIGHT OF CAMPBELL AVENUE CONSTRUCTION CENTERLINE
STATION 155+00.00; THENCE DIRECTLY TO A POINT 70.01 FEET RIGHT OF
CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 155+00.00; THENCE
DIRECTLY TO A POINT 70.00 FEET RIGHT OF CAMPBELL AVENUE
CONSTRUCTION CENTERLINE STATION 154+99.74; THENCE DIRECTLY TO A
POINT 70.00 FEET RIGHT OF CAMPBELL AVENUE CONSTRUCTION CENTERLINE
STATION 153+53.53; THENCE DIRECTLY TO A POINT 75.00 FEET RIGHT OF
CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 153+53.53; THENCE
DIRECTLY TO A POINT 75.00 FEET RIGHT OF CAMPBELL AVENUE
CONSTRUCTION CENTERLINE STATION 153+18.06 ON GRANTOR'S NORTH
PROPERTY LINE; THENCE DIRECTLY ALONG SAID NORTH PROPERTY LINE TO
A POINT 60.00 FEET RIGHT OF CAMPBELL AVENUE CONSTRUCTION
CENTERLINE STATION 153+18.01, ON SAID WEST RIGHT-OF-WAY LINE; THENCE
DIRECTLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT 60.00 FEET
RIGHT OF CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION
154+99.98; THENCE DIRECTLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE
POINT OF BEGINNING.

CONTAINING 2,288 SQUARE FEET (0.053 ACRES) OF TEMPORARY
CONSTRUCTION EASEMENT.

Note: The above described temporary construction easement shall terminate one year
from the date a notice to proceed is issued by the City of Springfield for construction to
begin, or upon the expiration of six months after completion and acceptance of the
construction project by the City of Springfield, whichever shall occur last.

See "Exhibit A," which is attached hereto and incorporated herein by this reference, for
diagram.

4222 South Campbell Avenue, owned by Village Inn Enterprises, Ltd, the following
described easements:

A TEMPORARY CONSTRUCTION EASEMENT DESCRIBED AS FOLLOWS:

A PART OF THE GRANTOR'S LAND, IN THE NORTHWEST QUARTER OF SECTION
13, TOWNSHIP 28 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI, AND OWNED BY THE GRANTOR AS DESCRIBED

IN A WARRANTY DEED RECORDED IN BOOK 2158 AT PAGE 1171 OF THE GREENE COUNTY RECORDER'S OFFICE, DESCRIBED FROM THE SURVEYED CONSTRUCTION CENTERLINE OF REPUBLIC ROAD, AS FOLLOWS:

THE SURVEYED CONSTRUCTION CENTERLINE OF REPUBLIC ROAD, BEING IN THE SOUTH ONE-HALF OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 22 WEST, AND THE SOUTH ONE-HALF OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11; THENCE SOUTH 89 DEGREES 23 MINUTES 43 SECONDS EAST, A DISTANCE OF 2022.37 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 47+00, FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 31 MINUTES 42 SECONDS EAST, A DISTANCE OF 652.77 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 53+52.77, ALSO BEING CAMPBELL AVENUE CONSTRUCTION CENTERLINE STATION 160+48.12; THENCE CONTINUING SOUTH 89 DEGREES 31 MINUTES 42 SECONDS EAST, A DISTANCE OF 195.37 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 55+48.14; THENCE SOUTH 87 DEGREES 26 MINUTES 41 SECONDS EAST, A DISTANCE OF 247.60 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 57+95.74; THENCE NORTH 88 DEGREES 55 MINUTES 12 SECONDS EAST, A DISTANCE OF 243.30 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 60+39.04; THENCE NORTHEASTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 19 DEGREES 39 MINUTES 25 SECONDS WITH A RADIUS OF 1506.00 FEET AND A 514.15 FEET LONG CHORD WHICH BEARS NORTH 79 DEGREES 05 MINUTES 27 SECONDS EAST, AN ARC DISTANCE OF 516.68 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 65+55.72; THENCE NORTH 69 DEGREES 15 MINUTES 47 SECONDS EAST, A DISTANCE OF 286.11 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 68+41.82; THENCE NORTHEASTERLY, ALONG A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 59 SECONDS, WITH A RADIUS OF 1020.36 FEET AND A 261.95 FEET LONG CHORD WHICH BEARS NORTH 76 DEGREES 38 MINUTES 16 SECONDS EAST, AN ARC DISTANCE OF 262.67 FEET TO REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 71+04.49, FOR A TERMINUS. SAID TERMINUS LIES NORTH 73 DEGREES 26 MINUTES 06 SECONDS WEST, A DISTANCE OF 944.41 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM 1983, CENTRAL ZONE.

TEMPORARY CONSTRUCTION EASEMENT:

BEGINNING AT A POINT 62.62 FEET RIGHT OF REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 56+25.00, ON THE SOUTH RIGHT-OF-WAY LINE OF REPUBLIC ROAD; THENCE DIRECTLY ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT 58.01 FEET RIGHT OF REPUBLIC ROAD CONSTRUCTION

CENTERLINE STATION 57+49.00; THENCE DIRECTLY TO A POINT 87.98 FEET
RIGHT OF REPUBLIC ROAD CONSTRUCTION CENTERLINE STATION 57+50.12;
THENCE DIRECTLY TO A POINT 92.64 FEET RIGHT OF REPUBLIC ROAD
CONSTRUCTION CENTERLINE STATION 56+25.00; THENCE DIRECTLY TO THE
POINT OF BEGINNING.

CONTAINING 3,739 SQUARE FEET (0.086 ACRES) OF TEMPORARY
CONSTRUCTION EASEMENT.

Note: The above described temporary construction easement shall terminate one year
from the date a notice to proceed is issued by the City of Springfield for construction to
begin, or upon the expiration of six months after completion and acceptance of the
construction project by the City of Springfield, whichever shall occur last.

See "Exhibit B," which is attached hereto and incorporated herein by this reference, for
diagram.

Section 2 – City Council hereby finds and declares that the West Republic
Road/South Campbell Avenue projects identified as: City Project #2015PW0077WTE,
serves a legitimate public purpose as it includes needed improvements to a major
arterial intersection of the City traffic structure.

Section 3 – The City Attorney, or designee, is hereby authorized to proceed
immediately with condemnation proceedings against the above described properties as
authorized by Article II, Sections 2.16(3), (7) and (10), and Article XIX, Section 19.18 of
the City Charter; and the officers of the City are further authorized to exercise any and
all powers necessary to carry out the terms of this Ordinance.

Section 4 – This Ordinance shall be in full force and effect from and after
passage.

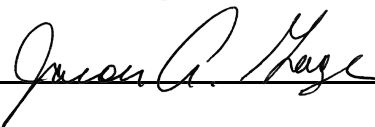
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: , Assistant City Attorney

Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020-201

FILED: 08-18-20

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To receive authority to condemn right(s)-of-way for construction and permanent easements over, under, and through the properties herein described and generally located near the intersection of South Campbell Avenue and West Republic Road in the City of Springfield, Missouri, including 4101 and 4222 South Campbell Avenue, for the purpose of completing City Project #2015PW0077WTE, funded through the 1/8-Cent Capital Improvement Sales Tax, MoDot Cost-Share and federal funds; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

BACKGROUND INFORMATION: The right(s)-of-way are necessary for constructing and maintaining a public street, and for the relocation, construction, maintenance, and operation of gas, water, electric, telephone, fiber optic, and communications utilities, including necessary fixtures and appurtenances for the Republic Road Phase 4 NHPP-S602027, City Project #2015PW0077WTE. The project is funded through the 1/8-Cent Capital Improvement Sales Tax, MoDOT Cost-Share, and federal funds.

This project will provide improvements to upgrade the traffic signals at the intersections of Campbell Avenue and Republic Road and of Republic Road and the driveway for Chase Card Services, additional turn lanes at Campbell Avenue and Republic Road, widening Republic Road from three (3) lanes to five (5), addition of bike lanes to Republic Road, sidewalk and ADA upgrades, storm water improvements, and better integration with the Campbell Avenue and James River Freeway interchange.

City right-of-way staff have been able to reach agreements and received signed documents regarding the necessary rights-of-way from twelve (12) out of fourteen (14) properties. This Ordinance allows the Law Department to begin condemnation proceedings regarding the remaining properties as shown in "Exhibits A, and B ."

Negotiations are continuing with the remaining property owners to obtain the necessary right(s)-of-way and we are hopeful to reach agreements soon. To keep this project on schedule for a December 2020 bidding, it is necessary to gain this approval now. Should settlements be reached with the remaining property owners, condemnation will not be pursued.

Supports the following City Council Priorities:

- Public safety
- Economic vitality

- Fiscal sustainability

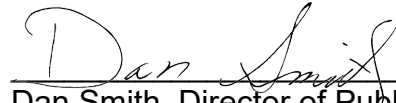
REMARKS: The Public Works Department recommends passage of this Council bill.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



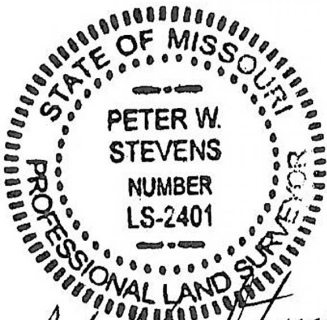
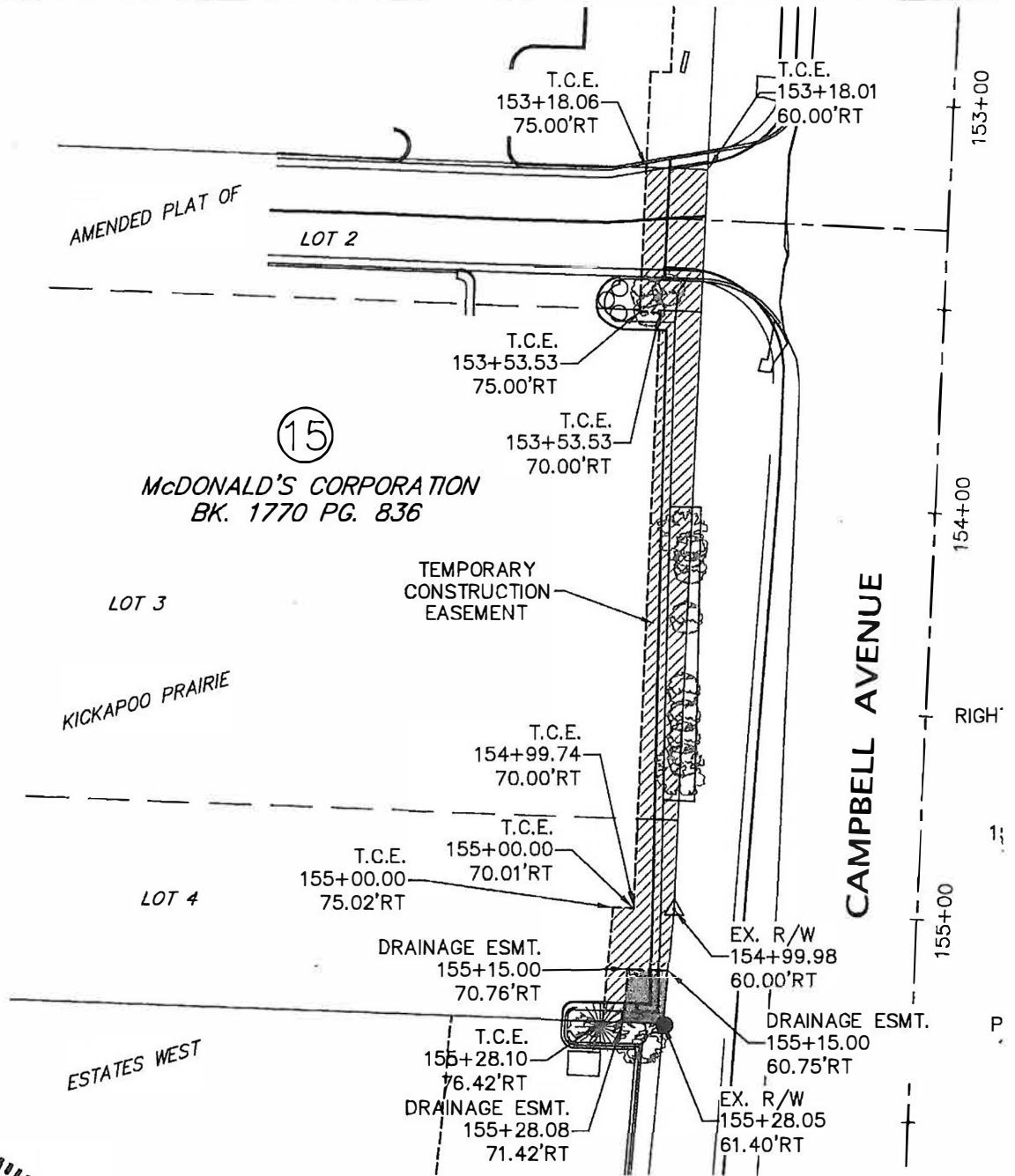
Dan Smith, Director of Public Works

Approved by:



Jason Gage, City Manager

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



Peter W. Stevens
3/12/19

PROPOSED TEMPORARY CONSTRUCTION EASEMENT.....0.053 ACRES
PROPOSED DRAINAGE EASEMENT.....0.003 ACRES

THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF PROPOSED RIGHTS-OF-WAY AND EASEMENTS. IT SHOULD NOT BE USED TO LOCATED PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

DATE: 02/08/2019

JOB No: 18032001.00

C. U. ACTIVITY NO.: N/A

DRAWING NAME:

Right of Way Base.dwg



Crawford, Murphy & Tilly
Engineers and Consultants

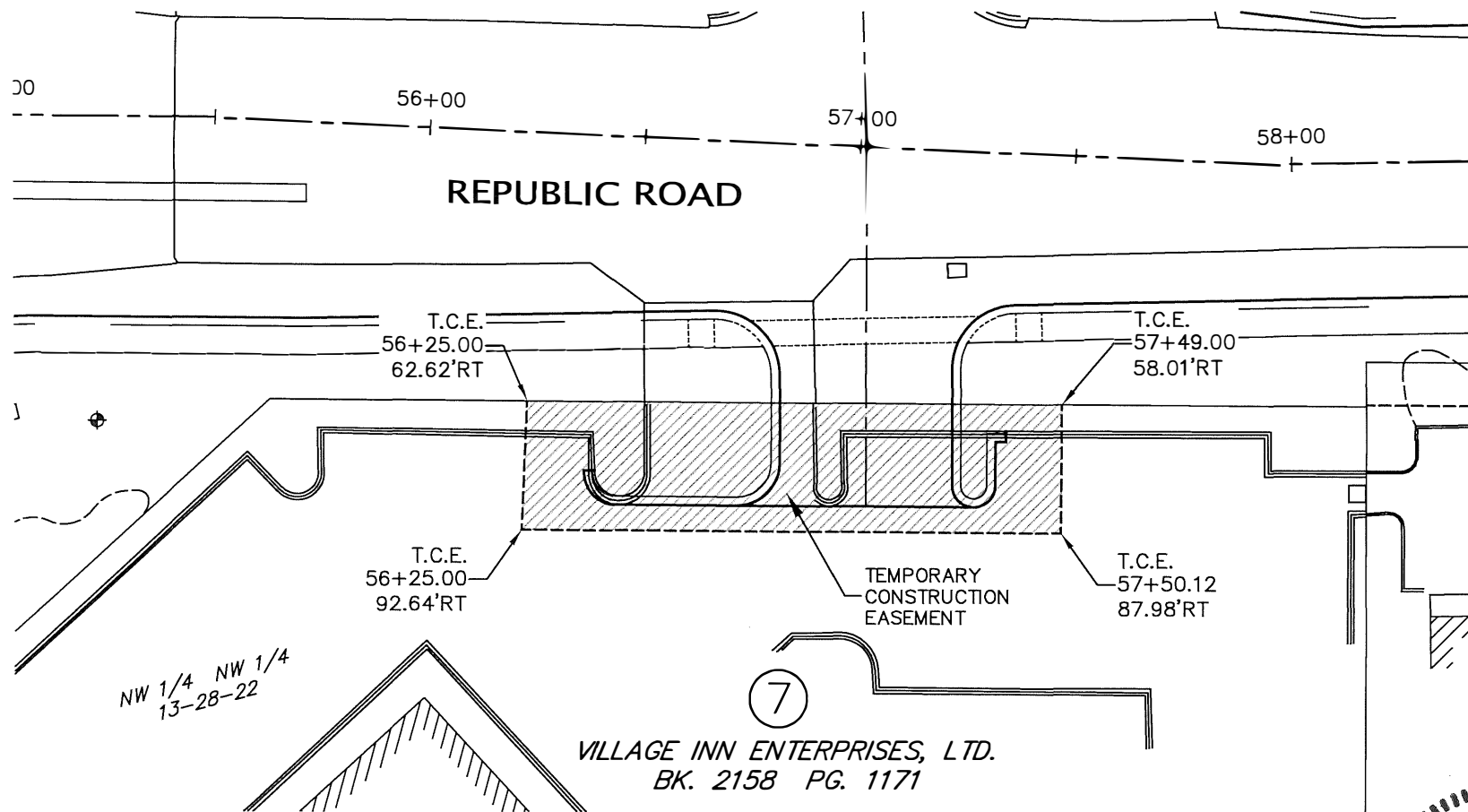
1631 W Ellfindale, Springfield, Missouri 65807

tel 417-869-6009 fax 417-869-8129

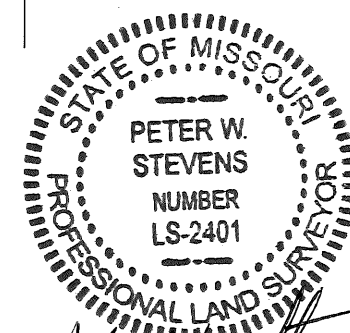
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McDONALD'S CORPORATION
A PART OF LOTS 2, 3 & 4 IN THE AMENDED PLAT
OF KICKAPOO PRAIRIE ESTATES WEST,
A SUBDIVISION IN THE CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI

Exhibit B



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



Peter W. Stevens
2/13/19

PROPOSED TEMPORARY CONSTRUCTION EASEMENT.....0.086 ACRES

DATE: 09/18/2018

JOB No: 18032001-00

C.U. ACTIVITY NO.: N/A

DWG NAME:

Right of Way Base.dwg



Crawford, Murphy & Tilly
Engineers and Consultants

1631 W Elfindale, Springfield, Missouri 65807
tel 417-869-6009 fax 417-869-8129

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VILLAGE INN ENTERPRISES, LTD.
A PART OF THE 4 NW 1/4 NW 1/4 IN
SECTION 13, TOWNSHIP 28 NORTH, RANGE 22 WEST,
IN THE CITY OF SPRINGFIELD
GREENE COUNTY, MISSOURI

THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF PROPOSED RIGHTS-OF-WAY AND EASEMENTS. IT SHOULD NOT BE USED TO LOCATED PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

One-rdg. _____
P. Hrngs. _____
Pgs. 19 _____
Filed 08-18-20 _____

Sponsored by Fisk

First Reading _____

Second Reading _____

COUNCIL BILL 2020- 202

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to modify an Intergovernmental
2 Agreement with the City of Nixa, Missouri, modifying the terms of
3 the existing consolidated Police Records Management System
4 agreement.
5 _____
6

7 WHEREAS, in 2011, the City of Springfield purchased and implemented a Police
8 Records Management System ("RMS" a/k/a "Niche"), for use by the City's Police and
9 Prosecutors; and
10

11 WHEREAS, Niche has the capability to allow use by other governmental law
12 enforcement agencies, allowing these agencies to have more seamless and efficient
13 communication and allowing law enforcement agencies to coordinate with each other in
14 the delivery and execution of their respective duties; and
15

16 WEHREAS, the City of Springfield currently partners with multiple area law
17 enforcement agencies for the use of a consolidated RMS, allowing agencies to share
18 information and costs, resulting in more efficient delivery of services for all partner
19 agencies; and
20

21 WHEREAS on March 26, 2018, City Council approved Special Ordinance 27106,
22 which allowed for the City of Springfield to enter into an Intergovernmental Agreement
23 ("Agreement") with the City of Nixa to allow for the Nixa Police Department to join the
24 consolidated RMS; and
25

26 WHEREAS, the City of Springfield and the City of Nixa entered into said
27 Agreement on April 18, 2018; and
28

29 WHEREAS, the City of Springfield and the City of Nixa now wish to modify the
30 terms of the previous Agreement.
31

32 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
33 SPRINGFIELD, MISSOURI, as follows, that:

34
35 Section 1 – The City Manager, or his designee, is hereby authorized modify an
36 Intergovernmental Agreement with the City of Nixa, Missouri; said modification to be
37 substantially similar in form and content as that First Addendum attached hereto and
38 incorporated herein by reference as "Exhibit 1," which modifies the terms of the
39 currently existing Agreement which is attached hereto and incorporated herein by
40 reference as "Exhibit 2."

41
42 Section 2 – This Ordinance shall be in full force and effect from and after
43 passage.

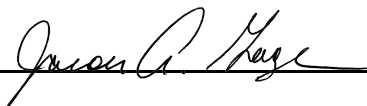
44
45 Passed at meeting: _____

46
47 _____
48 Mayor
49

50 Attest: _____, City Clerk

51
52 Filed as Ordinance: _____

53
54 Approved as to form: , Assistant City Attorney

55
56
57 Approved for Council action: , City Manager
58

EXPLANATION TO COUNCIL BILL 2020-202

FILED: 08-18-20

ORIGINATING DEPARTMENT: Police Department

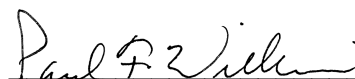
PURPOSE: To authorize the City Manager, or his designee, to modify an Intergovernmental Agreement with the City of Nixa, Missouri, relating to the use of a consolidated Police Records Management System.

BACKGROUND INFORMATION: The Records Management System ("RMS" a/k/a "Niche") for a police department is the source of information for police and citizens. It is where all police reports, including incidents, traffic accidents, arrests and crime reports are stored. RMS manages property and evidence, provides most statistical information for manpower allocation decisions and allows departments to meet mandatory state and federal reporting requirements.

The Springfield Police Department has used its current RMS since January 31, 2011. The RMS allows sharing of system information with other local law enforcement agencies. The Springfield Police Department currently has agreements with other area law enforcement agencies for the purpose of sharing information as well as cost associated with the RMS. An Intergovernmental Agreement between the City of Springfield and the City of Nixa was approved in 2018, allowing the Nixa Police Department to join the consolidated RMS.

The purpose of this Agreement is to modify the previously approved Intergovernmental Agreement and allow the City of Springfield to collect costs from the City of Nixa for Springfield Police Department staff time that is devoted to maintenance and quality control services for outside agencies participating in the consolidated RMS. The modified Agreement would also update contact information reflecting changes in personnel since the original Agreement was established.

Submitted by:



Paul Williams, Chief of Police

Approved by:



Jason Gage, City Manager

Exhibit 1

FIRST ADDENDUM TO INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SPRINGFIELD, MISSOURI, AND
THE CITY OF NIXA, MISSOURI,
For a Consolidated Police Records Management System
(RMS)

The Intergovernmental Agreement Between the City of Springfield, Missouri, and the City of Nixa, Missouri, for a Consolidated Police Records Management System (RMS) entered into on April 18, 2018 (“the Agreement”) is hereby amended and updated as follows:

1.) The Agreement is amended by striking Paragraph IX under the heading “AGREEMENT” and replaced with a new Paragraph IX which shall read as follows:

“IX. **Notices.** All notices to be given under the terms of this agreement shall be in writing and signed by the authorized agent of the party serving the notice and shall be sent by registered or certified mail, return receipt requested, postage prepaid, or hand delivered to the persons designated below:

FOR THE CITY OF SPRINGFIELD: City Manager (currently Jason Gage)

FOR THE CITY OF NIXA: City Administrator (currently Jimmy Liles)”

2.) Exhibit B to the Agreement is amended by striking Paragraph 1.c and replacing it with a new Paragraph 1.c which shall read as follows:

“c. **REQUIRED SUPPORT COSTS.** The City of Springfield will provide all related support and software upgrade functions in lieu of a direct manufacturer’s maintenance agreement. The City of Nixa agrees to pay the following maintenance and support fees:

1) Manufacturer maintenance fees as stated in the contractual agreement between Niche and the City of Springfield (currently established at 20% of the total licensing cost) to the City of Springfield for said support beginning one year from the date that the City of Nixa “goes live” with Niche. Should the cost to the City of Springfield change, such change shall be forwarded to the City of Nixa within (30) days. The City of Nixa shall receive for this support agreement support as outlined in the main contract body, as well as minor software changes and updates as requested. All support and change requests shall be prioritized within the City of Springfield and acted upon based on their priority level. Should the City of Nixa feel that the priority for a specific project be changed, said request should be routed through the local Information Systems Coordinator, or the local Project Manager.

2) Local maintenance fees in an amount equal to 75% of the City of Nixa’s share of the manufacturer maintenance fees shall be payable to the City of Springfield for overall quality control services which maintain the integrity and quality of the data within the RMS. Local quality control services include but are not limited to data quality management, training and technical support, general testing and troubleshooting, product development, and coordination with the manufacturer on future functionality and upgrades to the software. Local maintenance fees will be assessed beginning with the billing cycle that commences on February 1, 2021.”

This addendum is entered into this _____ day of _____, 2020.

For the City of Springfield:

City Manager or Designee
Approved as to form:

City Attorney or Designee

For the City of Nixa:

Jimmy Liles, City Administrator

Approved as to form:

Nick Woodman, City Attorney

Exhibit 2

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SPRINGFIELD, MISSOURI, AND THE CITY OF NIXA, MISSOURI

For a Consolidated Police Records Management System (RMS)

PARTIES:

The parties to this Agreement are the City of Springfield, a Missouri municipal corporation, hereafter "City of Springfield", and the City of Nixa, a Missouri municipal corporation, hereafter "City of Nixa". The entities executing the agreement now or in the future shall be referred to throughout this document collectively as the "Agencies" or "each agency" where appropriate:

RECITALS:

WHEREAS, the City of Springfield, and the City of Nixa desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records; and

WHEREAS, in order to accomplish the desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records, such other Agencies as may now or at a future date execute this Agreement and its *Exhibits* substantially in the form set forth herein may be added as parties to this agreement; and

WHEREAS, the City of Springfield has contracted with Niche Systems to install all necessary hardware and software to implement such a consolidated police records management system; and

WHEREAS, Agencies recognize the value in pooling their resources to create a uniform and seamless system which will greatly assist all participating agencies and the general public through improved data collection and data sharing; and

WHEREAS, the Niche System offers all participating agencies a data collection and sharing system that can meet the collective and individual needs of each agency; and

WHEREAS, this Agreement and all attachments incorporated by reference herein sets forth the scope of each Agency's responsibilities as well as the benefits each agency will receive by the Agency's participation in RMS.

AGREEMENT:

NOW THEREFORE, the Agencies executing this agreement enter into an Intergovernmental Agreement under 70.220 RSMo. for their mutual benefit as further described in this Agreement, and for the benefit, health, safety and welfare of the public.

- I. **Parties.** The Parties to this Agreement are the municipalities listed above under "Parties."
- II. **Purpose.** The Purpose of this Agreement is to form an Intergovernmental Agreement under 70.220 RSMo. for the purpose of participating in a multijurisdictional RMS. This agreement defines appropriate security controls and use restrictions for the exchange of criminal justice information ("CJI") between the Springfield Police Department ("SPD") and Nixa Police Department ("NPD"). This Agreement ensures that any CJI exchanged between SPD and NPD

shall at all times be stored, processed and transmitted in compliance with applicable standards found in FBI CJIS Security Policy, MULES Policy and SPD policy.

- III. **Term and Automatic Renewal.** The term of this Agreement shall commence when approved by the governing bodies of each party and executed by the persons authorized to sign on behalf of each party, and shall terminate on March 12, 2020. This Agreement shall be automatically renewed at the end of the first Agreement term, for a period of two (2) years, and subsequent terms of two (2) years each, unless any party has been terminated or cancels under Section XV. Termination, or if any agency provides written notice of non-renewal to the City of Springfield and to all other parties at least 180 days prior to the end of the Agreement's term. Notice shall be given as provided in Section IX, Notices.
- IV. **Scope of Services.** Costs and Payment. The Scope of Services shall be as described in *Exhibit A*, "Scope of Services," attached and incorporated herein. The costs and payments associated with this Agreement shall be as described in *Exhibit B*, "Costs and Billing" attached and incorporated herein.
- V. **Non-Discrimination.** In the performance of the services of this Agreement, each party agrees not to discriminate against any employee or applicant because of race, religion, age, color, sex, handicap, national origin or ancestry. Each party further agrees not to discriminate against any subcontractor or person who offers to subcontract on this contract because of race, religion, color, age, disability, sex, or national origin.
- VI. **Liability.** Each party shall be responsible for the consequences of its own acts or omissions and those of its employees, boards, commissions, agencies, officers and representatives, and shall be responsible for losses, claims and liabilities which are attributable to such acts or omissions.
- VII. **Compliance with applicable laws.** Each party shall become familiar with, and shall at all times comply with and observe all federal, state, and local laws, ordinances, and regulations which may in any manner affect this Agreement.
- VIII. **Legal Powers and Duties.** Each party understands and agrees that no clause, term or condition of this Agreement shall be construed to supersede the lawful powers or duties of any party.
- IX. **Notices.** All notices to be given under the terms of this Agreement shall be in writing and signed by the authorized agent of the party serving the notice and shall be sent by registered or certified mail, return receipt required, postage prepaid, or hand delivered to the persons designated below:

FOR THE CITY OF SPRINGFIELD: City Attorney, City of Springfield, Mo; 840 Boonville Ave; Springfield, MO 65802

FOR THE CITY OF NIXA: City Administrator, City of Nixa, Mo; 715 W. Mt. Vernon, P.O. Box 395, Nixa, MO 65714

If any party wishes to designate another person for the receipt of notice under this section, that party shall notify all other parties in writing by sending a notice under this section.

- X. **Controlling Law.** It is expressly understood and agreed to by the parties that in the event of any disagreement or controversy between the parties, Missouri law shall be controlling.

XI. **Entire Agreement.**

- A. The entire Agreement of the parties is contained herein and this Agreement supersedes any and all oral agreements and negotiations between the parties relating to the subject matter hereof.
- B. This entire Agreement is intended to be an agreement solely among the parties hereto and for their benefit only. No part of the Agreement shall be construed to add to, supplement, amend, abridge or repeal existing duties, rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.

XII. **Amendment.** This Agreement shall be binding on me parties hereto, and cannot be varied or waived by any oral representations or promise of any agenda or other person of the parties hereto. Any change in any provision of this Agreement may only be made by a written amendment, signed by the duly authorized agent or agents who executed this Agreement, unless another provision is specifically provided for elsewhere in this Agreement.

XIII. **Severability.** If any provision of this Agreement is determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement remain in full force and effect.

XIV. **No Waiver.** No failure to exercise, and no delay in exercising, any right, power, or remedy hereunder by any party shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy. No express waiver shall affect any event or default other than the event or default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided by the party making the waiver. A waiver of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.

XV. **Termination.**

- A. **Termination by the City of Springfield for Cause.** If for any reason, any agency shall fail to fulfill its obligations under this Agreement or if any Agency shall violate any of the terms or conditions of the Agreement, the City of Springfield shall have the right to terminate this Agreement as to that Agency by giving notice of such failure or violation to that Agency under the Notice procedures provided in Section IX, Notices. Upon receipt of such notice the Agency shall have thirty (30) days to cure such failure or violation or the Agreement shall terminate as to that Agency. The procedures under paragraph C, below, shall apply to the terminated Agency. If any Agency is terminated under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support for the current year of the contract. Termination as to one Agency shall not affect the Agreement as to ANY other.
- B. **Cancellation by City of Springfield or any Agency, without cause, payment.** Any party may terminate this Agreement without cause by giving all of the other parties no less than one hundred eighty (180) days written notice of its intent to cancel, under the procedures of Section IX, Notices. If any Agency terminates participation under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support.
- C. **Suspension of Service**
SPD reserves the right to suspend all use of CJI owned by or provided through this exchange by SPD if any terms of this Agreement, or documents incorporated herein are violated by NPD or NPD employees or contractors. Prior to this suspension of connectivity/data use, NPD shall be notified in writing by SPD of any alleged violations by SPD of this Agreement.

NPD shall then have five (5) business days to provide a written response to SPD regarding the notice of violation. If the alleged violation has been satisfactorily resolved use of the data and/or CJIS connections will not be suspended and SPD shall provide NPD with written documentation of the fact. If the remediation or planned remediation of documented violations does not meet the terms of this Agreement SPD will notify NPD of a suspension date in writing. The suspension date will be no less than ten (10) business days from the date SPD notifies NPD of the forthcoming suspension. After connectivity and use of the CJI has been suspended, SPD shall resume furnishing such access and information to NPD upon receipt of proof satisfactory to SPD that such violations did not occur or that such violations have been fully corrected or eliminated. If satisfactory proof is not received by SPD within thirty (30) days following the suspension this agreement will be considered cancelled by NPD for non-compliance and will invoke the cancellation section of this Agreement.

D. Procedures upon Termination, Cancellation or Non-Renewal of Any Agency.

1. If any Agency is terminated, cancels or non-renews their participation in this Agreement the City of Springfield shall restrict all passwords and log-ins issued to that agency to a read-only level of access as of the date of termination, cancellation or non-renewal.
2. A terminated, canceled or non-renewed Agency will be entitled to a copy of their Data, as that term is defined in *Exhibit A*, upon written request to the City of Springfield. If an Agency requests and the City of Springfield agrees to perform any services to facilitate reconversion of Data for that Agency, any work so performed shall be billed to that Agency at an hourly rate to be determined by the City of Springfield, based upon the hourly pay rate for City of Springfield employee(s) performing the work and shall be paid within thirty (30) days of billing.

- XVI. **Third Party Rights.** This Agreement is intended to be solely among the parties hereto. Nothing in this Agreement shall be construed to add, supplement, amend, abridge or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.
- XVII. **Goodwill.** Any and all goodwill arising out of this Agreement shall be shared equally by the City of Springfield and all of the parties.
- XVIII. **Authority.** Each party represents that it has the authority to enter into the Agreement and that all necessary procedures have been followed to secure authorization to enter into this Agreement from the party's respective governing body. Each person signing the Agreement represents and warrants that he or she has been duly authorized to do so.
- XIX. **Counterparts.** The Agreement may be signed in counterparts which, when taken together, shall be effective as if all signatures appeared on the same original document.
- XX. **Indemnification.** To the extent the law permits, NPD agrees to indemnify and hold harmless SPD, and their officials and employees from and against any and all claims, demands, actions, suits and proceedings by others, against all liability to others, including but not limited to any liability for damages by reason of or arising out of any false arrest or imprisonment, or any loss, cost, expense and damages, resulting from unauthorized use, or out of, or involving any negligence on the part of NPD or NPD personnel or contractors in the exercise or use of this Agreement.

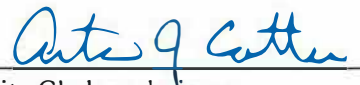
IN WITNESS WHEREOF, the parties hereto, by their respective authorized agents, have caused this Agreement to be executed.

FOR THE CITY OF SPRINGFIELD:

CITY OF SPRINGFIELD
A municipal corporation

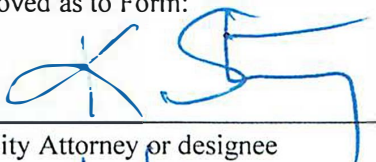
By: 
City Manager or designee

Date: 4/18/18

By: 
City Clerk or designee

Date: 4/18/18

Approved as to Form:

By: 
City Attorney or designee

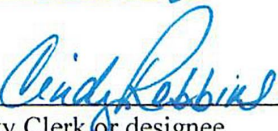
Date: 4/17/18

FOR THE CITY OF NIXA

CITY OF NIXA
A municipal corporation

By: 
City Manager or designee

Date: 3-27-18

By: 
City Clerk or designee

Date: 3/27/18

Approved as to Form:

By: 
Legal Counsel

Date: 3-26-18

EXHIBIT A

To the Intergovernmental Agreement between the City of Springfield, Missouri and the City of Nixa, Missouri for a Consolidated Police Records Management System (RMS)

SCOPE OF SERVICES

DEFINITIONS:

COMPUTER AIDED DISPATCH SYSTEM ("CAD"): Highly specialized telecommunications and geographic technology that supports public safety emergency response operations.

DATA: For purposes of this Agreement, Data shall be any piece of information produced by the police department of any party that is converted, digitally created, collected, and stored on the Records Management System while that agency is a valid party to this Agreement.

DATA ENTRY STANDARDS: Niche RMS user guide and help documents provided by the City of Springfield describing data entry standards and procedures for the RMS.

LEVELS OF AUTHORITY: Level of access that a user has to RMS data.

LOCAL INFORMATION SYSTEM COORDINATOR ("LOCAL ISC"): A police department employee designated by each agency to be responsible for coordinating with the Project Manager for RMS implementation, training and on-going support for that agency under this Agreement.

PROJECT MANAGER: Person designated by the City of Springfield charged with planning and coordinating the implementation and ongoing support of the RMS to be created under this Agreement.

RECORDS MANAGEMENT SYSTEM ("RMS"): A collaborative system and related work processes for collecting, storing, and sharing public safety data, including police department records, municipal court operations and CAD operations, of all parties covered under this Agreement. All RMS data will be stored, maintained, and backed up by the City of Springfield on redundant servers at two different geographic locations.

SUMMARY OF RECORDS MANAGEMENT SYSTEM:

The RMS to be created under this Agreement seeks to standardize, where possible, business and records management processes among the police departments of all of the parties to facilitate data processing and immediate electronic information retrieval and data exchange among the parties. The RMS will utilize and expand the Niche Systems, Inc. "Niche" software suite currently used by the City of Springfield Police Department. Existing data of any participating agency may, at their discretion and cost, be converted and consolidated into a single RMS that will be hosted by the City of Springfield. Thereafter each agency shall enter all data onto the RMS system. The City of Springfield will continue to enter and store its own data on its existing system which shall become part of the shared RMS under this Agreement. Each party will have access and authority to enter, store, revise, and view its own data and to view the shared data of other parties.

The RMS will expand and share the following technologies presently used by the City of Springfield Police Department with each of the parties to this Agreement:

- Interfaces so that RMS contact data and photos can be obtained in the field from a squad car;
- Ability to electronically create monthly UCR reports and capability to migrate to IBR based reporting in the future;

- Ability to create "ad hoc" reports or specific data queries over the RMS (beyond their jurisdiction if desired);

This RMS will also provide for technology and software that is not presently used by the City of Springfield but is needed by some of the participating agencies for Municipal Court applications and CAD applications.

COORDINATION AND COMMUNICATION AMONG THE PARTIES:

I. RMS PROJECT MANAGEMENT: The Project Manager for purposes of this Agreement will be:

Crystal Higdon
Police Services Administrator
City of Springfield, Missouri
321 E. Chestnut Expressway, Springfield, MO 65802
chigdon@springfieldmo.gov

2. INFORMATION SERVICES COORDINATOR ("ISC"): Each agency shall designate an Information Services Coordinator, and provide that person's name, title, address, phone number and email address, in writing, to the Project Manager within thirty (30) days of the effective date of this Agreement.

If the City of Springfield wishes to designate another Project Manager or any agency wishes to change their local ISC, that party shall notify all other parties in writing with the name, title, address, phone number and email address of the new designee.

IMPLEMENTATION PROCEDURES AND SCHEDULE:

1. SPRINGFIELD AND CITY OF NIXA. The implementation and integration schedule for these agencies is presented in Table 1, below. This schedule represents the initial stages of development and planning as well as setting dates for a full transition to Niche RMS operations.

Table 1 -Task Schedule for Springfield and the City of Nixa.

Springfield will work with the City of Nixa to complete each task according to the schedule in Table 1, below. Moving from one task to the next will require the approval of the Project Manager. This schedule may be consolidated or modified at the discretion of the City of Springfield in consultation with the City of Nixa. Springfield will keep the City of Nixa informed of any final decisions to modify the schedule. All parties agree to commit to efficient and prompt completion of tasks necessary to fully implement and go live with the RMS.

IMPLEMENTATION SCHEDULE FOR TASKS RELATED TO NIXA SET UP		
DATE	RESPONSIBLE PARTY	TASK
TBD	SPRINGFIELD AND NIXA PD	Gather information on process and procedural differences
TBD	SPRINGFIELD IS AND NICHE	Create Nixa domain in Niche
TBD	SPRINGFIELD AND NIXA IS	Determine connectivity options and setup
TBD	NIXA PD	Request or Create specific forms and reports as necessary due to procedural differences
TBD	SPRINGFIELD AND NIXA IS	Begin remote testing with Nixa
TBD	SPRINGFIELD PD	Administrator Training - Nixa
TBD	SPRINGFIELD PD	User Training - Nixa
TBD	SPRINGFIELD PD AND NICHE	Documentation for new users provided
TBD	ALL	Conclude testing
TBD	ALL	Go live
TBD	ALL	Initial change period
TBD	ALL	Completion sign off

CITY OF SPRINGFIELD RESPONSIBILITIES:

Under the terms of this Agreement SPD shall have the authority to set, maintain and enforce the following duties and standards over and/or relating to the use of and security controls over all CJI and SPD provided, obtained or owned data and associated processing systems:

- a. The SPD shall retain final control over, and retain ownership of, any CJI shared by SPD through the exchange received by NPD.
- b. Policy governing the operation of computers, access devices, circuits, hubs, routers, firewalls, applications and other components that comprise and support a telecommunications network and related Criminal Justice and CJIS systems used to process, store, or transmit CJI through the exchange.
- c. NPD compliance with all applicable federal, state and local laws, FBI CJIS Security Policy, Missouri State Highway Patrol (MSHP) MULES policy and local department policy as they relate to the exchange of CJI between SPD and NPD.
- d. Standards for the authorization of NPD personnel, contractors, visitors or others who may have access to SPD data.

1. PROVIDE THE HOST SERVER. The City of Springfield shall provide the host server with adequate storage and processing capability for the RMS.

2. **PROVIDE A COMMUNICATIONS LINK.** The City shall provide their end point of presence for a communications link that provides adequate bandwidth, security and reliability to be used as the primary link between the City of Springfield and the City of Nixa. After consultation between the parties, this can be in the form of a leased line, fiber optic, or virtual private network between the two entities and shall serve as the primary data conduit for the software.

3. **PROJECT MANAGEMENT.** The City of Springfield project manager shall coordinate with Nixa's ISC to manage the project as well as actual services for all aspects of implementing the RMS with the City of Nixa. This includes, but is not limited to installation, implementation, start-up, training, and coordinating with Niche hired by the City of Springfield for purposes of creating and running the City of Nixa's domain on the Niche system.

4. **SUPPORT.** The City of Springfield shall provide and coordinate ongoing maintenance and technical support services, as described under the heading "Maintenance and Support Services" below.

5. **BILLING.** The City of Springfield shall provide annual estimates, adjustments and invoices to the City of Nixa for annual maintenance and support as described in *Exhibit B*.

6. **OUTSIDE VENDORS.** The City of Springfield may at its discretion choose to implement this Agreement with the assistance of outside vendors or contractors using bidding and contracting methods required by law or policy of the City of Springfield and the State of Missouri. The City of Springfield shall arrange for services and products from the vendors below, or other vendors who in the City's opinion provide equivalent services, and fulfill its obligations under this paragraph using whatever lawful means it deems necessary and suitable. In addition, the City of Springfield agrees not to terminate the contract(s) with Niche required for the RMS while this Agreement is in effect, unless all parties agree, in writing, to engage another vendor for purposes of this Agreement. The parties acknowledge that the City of Springfield cannot guarantee the participation of any of these vendors and by listing them herein, the parties do not intend to bind any of them as third parties to the Agreement:

a. NICHE SYSTEMS, INC. owns licenses, and distributes the records management software.

CITY OF NIXA RESPONSIBILITIES:

As a member of this exchange, NPD may only access/use the data provided to NPD by SPD as explicitly authorized writing as a part of the contract to perform specific functions on behalf of SPD, this Agreement or another fully executed agreement between these two parties. Additionally, NPD may only provide access to SPD criminal justice data with the permission of SPD as permitted under this Agreement, applicable federal and state law, FBI CJIS Security Policy, MULES policy and any other applicable agreements or contracts executed between both parties of this Agreement.

1. **SCREENING OF NPD PERSONNEL AND CONTRACTORS.** All NPD employees and contractors with either physical or logical access to CJI and/or unescorted access to terminals processing CJI must submit to a fingerprint-based background check pursuant to MSHP CJIS fingerprint policy. Fingerprints must be submitted to either the SPD or the Missouri State Highway Patrol CJIS Division within thirty (30) days of hire. All final determinations for NPD employee or contractor access to SPD CJI are at the discretion of the MSHP CJIS Systems Officer (CSO) or the TAA of SPD. Decisions to approve or deny access will be provided to the NPD in writing. A list of authorized NPD employees/contractors will be maintained by NPD for retrieval during audit.

2. **SECURITY.** NPD agrees to limit access to CJI owned by SPD or derived from MSHP or FBI CJIS in strict accordance with NCIC, NLETS, MULES, FBI CJIS Security and SPD policies and regulations. NPD

agrees to take full responsibility for the integrity of the CJI stored or processed by NPD as a part of this exchange with SPD. All NPD personnel or contractors with direct or indirect physical or logical access to CJI shall complete security awareness training pursuant to FBI CJIS Security Policy every two (2) years. NPD is also responsible for implementing adequate physical security measures at their facilities to protect against any unauthorized personnel gaining access to computer systems, network equipment, storage devices or areas containing/processing CJI. NPD shall not provide any CJI nor allow any contractors or employees thereof to extract any metadata from SPD provided CJI except within the official scope of duties performed under this Agreement.

3. NETWORK DIAGRAM. NPD is responsible, based on FBI CJIS Security Policy, for providing a network diagram depicting the NPD network configuration including the location of all computer equipment, connectivity to SPD as well as the data flow/storage within the NPD network. This network diagram must be updated whenever substantial changes occur or at least every three (3) years and submitted to the MSHP ISO for review and approval.

4. HARDWARE. The City of Nixa shall be responsible to acquire, maintain and administer necessary hardware equipment and software applications necessary for accessing the RMS from their local site.

5. PROVIDE A COMMUNICATIONS LINK. The City of Nixa shall provide their end point of presence for a communications link that provides adequate bandwidth, security and reliability to be used as the primary link between the City of Springfield and the City of Nixa. After consultation between the parties, this can be in the form of a leased line, fiber optic, or virtual private network between the two entities and shall serve as the primary data conduit for the software.

6. LOCAL ADMINISTRATOR. Designate a local ISC and notify the Project Manager within thirty (30) days of signing this Agreement. Notice shall include name, title or rank if appropriate, word address, phone, email address and normal hours of work.

7. AVAILABILITY. Make the appropriate staff available after being notified by the Project Manager of the dates scheduled for migration and any other task or function that must be provided on-site at the City of Nixa to implement the RMS.

8. USER ACCESS. The Local ISC shall identify those employees of the City of Nixa who will be users of the RMS, and determine with the Chief of Police, the appropriate level of authority for each user from their agency. The Local ISC shall assign the level of authority and security profiles for each user based on information provided by the Chief.

9. ACCESS RESTRICTION AND DELETION. The Local ISC shall disable or delete users immediately when an RMS user leaves the employment of the agency for any reason, including retirement, termination, resignation or any other reason.

10. USAGE. Ensure that all users from the City of Nixa use the RMS for valid law enforcement and public safety purposes only, according to law.

11. SECURITY BREACHES. Promptly report any suspected security breaches to the Project Manager.

12. RELEASE OF RECORDS. Handle requests for release of records in accordance with "Security and Release of RMS Data" below and as required by law.

13. TECHNICAL SUPPORT. Handle technical problems at the local level including local connectivity issues, report unresolved problems according to "Maintenance and Support Services" below, and follow all instructions given by the technical support service provider.

11. DATA ENTRY. Ensure that all data entered onto the RMS shall adhere to "Data Entry Standards" to be established by the City of Springfield, and the Local ISC shall be responsible to ensure all users at the City of Nixa adhere to the standards.

12. CHANGEOVER. Once the City of Nixa has gone live as determined by the Completion Sign Off listed in the implementation table above, all data collected from that point forward shall be entered and stored onto the RMS.

SECURITY AND RELEASE OF RMS DATA:

For the purposes of data control, security and protection and this Agreement the SPD defines all data provided to or processed by NPD on behalf of the SPD to be considered Criminal Justice Information (CJI) as defined by, and thus afforded the protections of FBI CJIS Security Policy, MULES Policy and SPD policies governing the handling, disclosure and control of the data.

Any NPD employee or contractor who has access to or receives CJI shall only use the access and data for the purposes for which access was required and it will not be disseminated to any other party without explicit permission from the SPD.

Any data converted, transferred, entered or stored on the RMS shall be the sole property of the party that produced the data, with each party granting to each other consent to use and review the data only for lawful law enforcement purposes and in accordance with other procedures described herein. Such data shall be used solely for valid law enforcement purposes according to law and the policies of each agency. Each party shall be responsible for responding to

610.10 et seq. requests and any other requests from any requestor, to view, access, or release its own data. No party shall allow access to or release the data of another party to anyone who is not a valid RMS user of one of the parties to this Agreement. If a request is made to one party for access or release of data of another party, the requester shall be directed to the party that produced that data.

1. MISUSE. SPD agrees that any misuse of CJIS systems or CJI obtained by or stored on behalf of SPD by NPD or NPD personnel or contractors is a Class A Misdemeanor pursuant to 576.050 RSMo as well as a security incident and as such must be reported to SPD and to the MSHP CSO and ISO.

MAINTENANCE AND SUPPORT SERVICES:

The type of electronic equipment used by NPD shall be compatible with the standards set forth in the FBI CJIS Security Policy and shall meet with the approval of the MSHP Information Security Officer (ISO) and the SPD Local Agency Security Officer (LASO). NPD must receive written approval before granting any access to the SPD owned CJI to any agency other than SPD or subunits thereof. All such interfaces or connections must also meet all FBI and MSHP CJIS technical specifications and security safeguards.

1. MAINTENANCE. The City of Springfield shall:

- a. Maintain all computer hardware under the City's control associated with the RMS, including performing routine maintenance procedures as needed
- b. Perform back-ups of all RMS data not less frequently than one time per day
- c. Maintain all software license, maintenance and support contracts associated with the RMS

2. **TECHNICAL SUPPORT TO THE CITY OF NIXA.** The City of Springfield agrees to provide basic technical support to the City of Nixa, related to the connectivity and RMS software. The City of Springfield will provide support and respond to all problems as soon as practicable, if they are properly reported according to the procedures listed below:
3.
 - a. **CONNECTIVITY PROBLEMS:**
 - i. **LEVEL 1 WAN SUPPORT** -all connectivity issues shall be first reported to the Local ISC at the City of Nixa, who shall resolve problems with the local connection and/or call any local connection providers.
 - ii. **LEVEL 2 WAN SUPPORT** -if the Local ISC cannot resolve a connectivity issue, the problem may be reported to the Springfield Police Department ("SPD") IS Coordinator during normal business hours. After-hours and on weekends, connectivity problems shall be reported to the City of Springfield's designated after-hours support service **LEVEL 3 WAN SUPPORT** - if a connectivity issue cannot be resolved at level 1 or 2, the Local ISC may report it to the Project Manager at the number or email as determined by the Project Manager.
 - b. **All other RMS Application Technical Problems unrelated to connectivity:**
 - i. **LEVEL 1 RMS SUPPORT** - all other RMS technical issues shall be first reported to the Local ISC at the City of Nixa, who shall resolve all local hardware and software issues or utilize the agencies own support services for local hardware or software problems unrelated to the RMS
 - ii. **LEVEL 2 RMS SUPPORT** -if the Local ISC cannot resolve an RMS application problem at Level 1, the problem may be reported to the SPD IS Coordinator if during normal business hours
 - iii. **LEVEL 3 RMS SUPPORT** -If RMS application problems cannot be resolved after proceeding through Level 1 or 2, the problem may be reported to the Project Manager
 - iv. **LEVEL 4 EMERGENCY SUPPORT** - Connectivity or RMS Applications – In the event of an urgent, emergency RMS application or connectivity problem that cannot be resolved by Levels 1-2, the Local ISC may report it to the SPD IS Coordinator or the Project Manager for immediate support, regardless of time of day, using phone numbers to be provided. SPD overtime costs associated with an emergency support request may be charged to the City of Nixa, by invoice, at an hourly rate to be determined by the City of Springfield to cover these costs, and if so charged shall be paid within thirty (30) days of the invoice date.
 - c. **SUPPORT TRAINING.** The City of Springfield will train the local ISC's to identify and respond to connectivity and RMS application support issues, and to properly use the Support Levels described above. Additional support procedures and details such as phone numbers shall be provided to each agency by the Project Manager at the appropriate stage of implementation.
 - d. **PAYMENT.** Payment of maintenance and support services provided by the City of Springfield described above shall be the responsibility of the City of Nixa as described in **Exhibit B**.
4. **AUDIT.** NPD computer equipment, facilities, policies and procedures as well as agency-owned data are subject to and shall be made available for Policy Compliance Reviews, Technical Security Audits and routine review by SPD staff, MSHP CJIS auditors or FBI CJIS auditors. SPD must allow the aforementioned personnel necessary access to audit, implement and enforce security control as defined by FBI CJIS Security Policy.

EXHIBIT B

To the Intergovernmental Agreement between the City of Springfield, Missouri and the City of Nixa, Missouri for a Consolidated Police Records Management System (RMS)

COSTS AND BILLING

1. COSTS

- a. **INITIAL LICENSE COSTS.** The City of Springfield Missouri agrees to maintain all appropriate licenses for the RMS system with the systems manufacturer. The City of Nixa shall be authorized to use licenses in accordance with the Niche license agreement at a cost of twelve hundred (\$1,200) per sworn person. Non-sworn persons and support personnel can use the software at no additional charge to the City of Nixa. This price per license shall remain in line with the City of Springfield's acquisition costs for obtaining the same from Niche. Should the cost to the City of Springfield change, such change should be forwarded to the City of Nixa within thirty (30) days.
- b. **INITIAL SOFTWARE SETUP COSTS.** Software setup and Niche domain creation and seeding shall be included in the initial licensing purchase. After the software has been signed off by the City of Nixa as being complete and ready to go live, initial setup time shall be concluded and any further changes shall be governed by the support and maintenance agreement between the City of Springfield and the City of Nixa.
- c. **REQUIRED SUPPORT COSTS.** The City of Springfield will provide all related support and software upgrade functions in lieu of a direct manufacturer's maintenance agreement. The City of Nixa agrees to pay the required annual maintenance fee as stated in the contractual agreement between Niche and the City of Springfield (currently established at 20% of the total licensing cost) to the City of Springfield for said support. Should the cost to the City of Springfield change, such change should be forwarded to the City of Nixa within thirty (30) days. The City of Nixa shall receive for this support agreement support as outlined in the main contract body as well as minor software changes and updates as requested. All support and change requests shall be prioritized within the City of Springfield and acted upon based on their priority level. Should the City of Nixa feel that priority for a specific project be changed, said request shall be routed through the local Information Systems Coordinator.
- d. **SIGNIFICANT SOFTWARE MODIFICATIONS.** The City of Springfield may choose to charge the City of Nixa for requested changes to the software. If the City of Springfield chooses to exercise this option, an estimate on the total cost to complete shall be given in writing to the City of Nixa prior to the commencement of work. The total costs due for said changes will be the actual costs to the City of Springfield for both employee labor at the employees labor rate, as well as any outside costs incurred directly for said project.
- e. **MISCELLANEOUS COSTS.** In the event of additional costs being incurred by the City of Springfield in reference to licensing that the City of Nixa holds, said costs shall be passed on at their original billed values.

2. BILLING

- a. **BILLING PROCEDURES.** The billing procedures shall be as follows.
 1. **ESTIMATE.** Upon execution of this Agreement and each January thereafter, the City of Springfield shall notify the City of Nixa of the estimated annual maintenance costs for the following year. Beginning with the initial estimate and each January thereafter, the estimated

costs may include adjustments for the following year as described in the Required Support Costs section above.

2. **JANUARY INVOICE AND PAYMENT.** The City of Springfield shall prepare an invoice for said support based on the total current number of licenses acquired and present said bill annually in January for payment within thirty (30) days from receipt of invoice.

One-rdg. _____
P. Hrngs. _____
Pgs. 20 _____
Filed 08-18-20 _____

Sponsored by Hosmer

First Reading _____

Second Reading _____

COUNCIL BILL 2020- 203

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to modify the Intergovernmental
2 Agreement with the City of Republic, Missouri, relating to the use of a
3 consolidated Police Records Management System agreement.
4 _____
5

6 WHEREAS, in 2011, the City of Springfield purchased and implemented a Police
7 Records Management System ("RMS" a/k/a "Niche"), for use by the City's police and
8 prosecutors; and
9

10 WHEREAS, Niche has the capability to allow use by other governmental law
11 enforcement agencies, allowing these agencies to have more seamless and efficient
12 communication and allowing law enforcement agencies to coordinate with each other in
13 the delivery and execution of their respective duties; and
14

15 WEHREAS, the City of Springfield currently partners with multiple area law
16 enforcement agencies for the use of a consolidated RMS, allowing agencies to share
17 information and costs, resulting in more efficient delivery of services for all partner
18 agencies; and
19

20 WHEREAS on January 30, 2012, City Council approved Special Ordinance
21 26010, which allowed for the City of Springfield to enter into an agreement with the City
22 of Republic to allow for the Republic Police Department to join the consolidated RMS;
23 and
24

25 WHEREAS, the City of Springfield and the City of Republic entered into said
26 Agreement on February 24, 2012; and
27

28 WHEREAS, the City of Springfield and the City of Republic now wish to modify
29 the terms of the previous Agreement to update contact information and allow cost
30 recovery from sharing law enforcement agencies.
31

32 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
33 SPRINGFIELD, MISSOURI, as follows, that:

34
35 Section 1 – The City Manager, or his designee, is hereby authorized to modify
36 the Intergovernmental Agreement (“Agreement”) with the City of Republic, Missouri;
37 said modification to be substantially similar in form and content as that First Addendum
38 attached hereto and incorporated herein by reference as "Exhibit 1," which modifies the
39 terms of the currently existing agreement which is attached hereto and incorporated
40 herein by reference as “Exhibit 2.”

41
42 Section 2 – This Ordinance shall be in full force and effect from and after
43 passage.

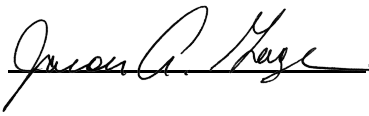
44
45 Passed at meeting: _____

46
47 _____
48 Mayor
49

50 Attest: _____, City Clerk

51
52 Filed as Ordinance: _____

53
54 Approved as to form: , Assistant City Attorney

55
56
57 Approved for Council action: , City Manager
58

EXPLANATION TO COUNCIL BILL 2020-203

FILED: 08-18-20

ORIGINATING DEPARTMENT: Police Department

PURPOSE: Authorizing the City Manager, or his designee, to modify an Intergovernmental Agreement with the City of Republic, Missouri, relating to the use of a consolidated Police Records Management System.

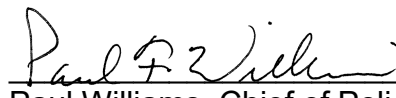
BACKGROUND INFORMATION: The Records Management System ("RMS" a/k/a "Niche") for a police department is the source of information for police and citizens. It is where all police reports, including incidents, traffic accidents, arrests and crime reports are stored. RMS manages property and evidence, provides most statistical information for manpower allocation decisions and allows departments to meet mandatory state and federal reporting requirements.

The Springfield Police Department has used its current RMS since January 31, 2011. The RMS allows sharing of system information with other local law enforcement agencies. The Springfield Police Department currently has agreements with other area law enforcement agencies for the purpose of sharing information as well as cost associated with the RMS. An Intergovernmental Agreement ("Agreement") between the City of Springfield and the City of Republic was approved in 2012, allowing the Republic Police Department to join the consolidated RMS.

The purpose of this agreement is to modify the previously approved Intergovernmental Agreement and allow the City of Springfield to collect costs from the City of Republic for Springfield Police Department staff time that is devoted to maintenance and quality control services for outside agencies participating in the consolidated RMS. The modified Agreement would also update contact information reflecting changes in personnel since the original agreement was established.

Submitted by:

Approved by:


Paul Williams, Chief of Police

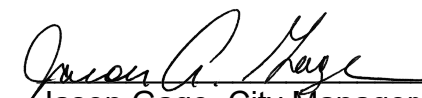

Jason Gage, City Manager

Exhibit 1

FIRST ADDENDUM TO INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SPRINGFIELD, MISSOURI, AND
THE CITY OF REPUBLIC, MISSOURI
For a Consolidated Police Records Management System
(RMS)

The Intergovernmental Agreement Between the City of Springfield, Missouri, and the City of Republic, Missouri for a Consolidated Police Records Management System (RMS) entered into on February 24, 2012 (“the Agreement”) is hereby amended and updated as follows:

The Agreement is amended by striking Paragraph IX under the heading “AGREEMENT” and replaced with a new Paragraph IX which shall read as follows:

“IX. **Notices.** All notices to be given under the terms of this agreement shall be in writing and signed by the authorized agent of the party serving the notice and shall be sent by registered or certified mail, return receipt requested, postage prepaid, or hand delivered to the persons designated below:

FOR THE CITY OF SPRINGFIELD: City Manager (currently Jason Gage)

FOR THE CITY OF REPUBLIC: City Administrator (currently David Cameron)”

Exhibit A to the Agreement is amended by striking the existing RMS Project Managers and replacing them with new RMS Project Managers as follows”

“RMS Project Manager for the City of Springfield:
Police Services Administrator
(Currently Crystal Higdon)
Springfield Police Department
321 East Chestnut Expressway
Springfield, MO 65802
(417)864-1810
chigdon@springfieldmo.gov

RMS Project Manager for the City of Republic
Jake Wilburn
540 Civic Blvd.
Republic, MO 65738
jwilburn@republicmo.com”

Exhibit B to the Agreement is amended by striking Paragraph C and replacing it with a new Paragraph C which shall read as follows:

“c. **REQUIRED SUPPORT COSTS.** The City of Springfield will provide all related support and software upgrade functions in lieu of a direct manufacturer’s maintenance agreement. the City of Republic agrees to pay the following maintenance and support fees:

1) Manufacturer maintenance fees as stated in the contractual agreement between Niche and the City of Springfield (currently established at 20% of the total licensing cost) to the City of Springfield for said support beginning one year from the date that the City of Republic “goes live” with Niche. Should the cost to the City of Springfield change, such

change shall be forwarded to the City of Republic within (30) days. the City of Republic shall receive for this support agreement support as outlined in the main contract body, as well as minor software changes and updates as requested. All support and change requests shall be prioritized within the City of Springfield and acted upon based on their priority level. Should the City of Republic feel that the priority for a specific project be changed, said request should be routed through the local Information Systems Coordinator, or the local Project Manager.

2) Local maintenance fees in an amount equal to of 75% of the City of Republic’s share of the manufacturer maintenance fees shall be payable to the City of Springfield for overall quality control services which maintain the integrity and quality of the data within the RMS. Local quality control services include but are not limited to data quality management, training and technical support, general testing and troubleshooting, product development, and coordination with the manufacturer on future functionality and upgrades to the software. Local maintenance fees will be assessed beginning with the billing cycle that commences on February 1, 2021.”

Based on current rates, maintenance fees are anticipated to be as follows:

Manufacturer Maintenance:	\$5760.00 per year
Local Maintenance:	\$4320.00 per year
Total:	\$10,080.00 per year

Fees subject to future increases.

This addendum is entered into this _____ day of _____, 2020.

For the City of Springfield:

City Manager or Designee
Approved as to form:

City Attorney or Designee

For the City of Republic:

Exhibit 2

INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF SPRINGFIELD, MISSOURI, AND THE CITY OF
REPUBLIC, MISSOURI
For a Consolidated Police Records Management System (RMS)

PARTIES:

The parties to this Agreement are the City of Springfield, a Missouri municipal corporation, hereafter "City of Springfield", and the City of Republic, a Missouri municipal corporation, hereafter "City of Republic". The entities executing the agreement now or in the future shall be referred to throughout this document collectively as the "Agencies" or "each agency" where appropriate:

RECITALS:

WHEREAS, The City of Springfield, and the City of Republic desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records; and

WHEREAS, In order to accomplish the desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records, such other Agencies as may now or at a future date execute this Agreement and its Exhibits substantially in the form set forth herein may be added as parties to this agreement; and

WHEREAS, the City of Springfield has contracted with Niche Systems to install all necessary hardware and software to implement such a consolidated police records management system; and

WHEREAS, Agencies recognize the value in pooling their resources to create a uniform and seamless system which will greatly assist all participating agencies and the general public through improved data collection and data sharing; and

WHEREAS, the Niche System offers all participating agencies a data collection and sharing system that can meet the collective and individual needs of each agency; and

WHEREAS, this Agreement and all attachments incorporated by reference herein sets forth the scope of each Agency's responsibilities as well as the benefits each agency will receive by the Agency's participation in RMS.

AGREEMENT:

NOW THEREFORE, the Agencies executing this agreement enter into an Intergovernmental Agreement under 70.220 RSMo. for their mutual benefit as further described in this Agreement, and for the benefit, health, safety and welfare of the public.

- I. **Parties.** The Parties to this Agreement are the municipalities listed above under "Parties."
- II. **Purpose.** The Purpose of this Agreement is to form an Intergovernmental Agreement under 70.220 RSMo. for the purpose of participating in a multijurisdictional RMS.
- III. **Term and Automatic Renewal.** The term of this Agreement shall commence when approved by the governing bodies of each party and executed by the persons authorized to sign on behalf of each

party, and shall terminate on February 24, 2014. This Agreement shall be automatically renewed at the end of the first Agreement term, for a period of two (2) years, and subsequent terms of two (2) years each, unless any party has been terminated or cancels under Section XIV., Termination, or if any agency provides written notice of non-renewal to the City of Springfield and to all other parties at least 180 days prior to the end of the Agreement term. Notice shall be given as provided in Section IX, Notices.

IV. **Scope of Services. Costs, and Payment.** The Scope of Services shall be as described in **Exhibit A**, "Scope of Services," attached and incorporated herein. The costs and payments associated with this Agreement shall be as described in **Exhibit B**, "Costs and Billing" attached and incorporated herein.

V. **Non-Discrimination.** In the performance of the services of this Agreement, each party agrees not to discriminate against any employee or applicant because of race, religion, age, color, sex, handicap, national origin or ancestry. Each party further agrees not to discriminate against any subcontractor or person who offers to subcontract on this contract because of race, religion, color, age, disability, sex, or national origin.

VI. **Liability.** Each party shall be responsible for the consequences of its own acts or omissions and those of its employees, boards, commissions, agencies, officers and representatives, and shall be responsible for losses, claims and liabilities which are attributable to such acts or omissions.

VII. **Compliance with applicable laws.** Each party shall become familiar with, and shall at all times comply with and observe all federal, state, and local laws, ordinances, and regulations which may in any manner affect this Agreement.

VIII. **Legal Powers and Duties.** Each party understands and agrees that no clause, term or condition of this Agreement shall be construed to supersede the lawful powers or duties of any party.

IX. **Notices.** All notices to be given under the terms of this Agreement shall be in writing and signed by the authorized agent of the party serving the notice and shall be sent by registered or certified mail, return receipt required, postage prepaid, or hand delivered to the persons designated below:

FOR THE CITY OF SPRINGFIELD: City Attorney, City of Springfield, 840 Beaver Hill, Springfield, MO 65802.

FOR THE CITY OF REPUBLIC: City Attorney, 213 North Main, Republic, MO 65738-1472.

If any party wishes to designate another person for the receipt of notice under this section, that party shall notify all other parties in writing by sending a notice under this section.

X. **Controlling Law.** It is expressly understood and agreed to by the parties that in the event of any disagreement or controversy between the parties, Missouri law shall be controlling.

XI. **Entire Agreement.**

A. The entire Agreement of the parties is contained herein and this Agreement supersedes any and all oral agreements and negotiations between the parties relating to the subject matter hereof.

B. This entire Agreement is intended to be an agreement solely among the parties hereto and for their benefit only. No part of the Agreement shall be construed to add to, supplement, amend, abridge or repeal existing duties, rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.

- XII. **Amendment.** This agreement shall be binding on me parties hereto, and cannot be varied or waived by any oral representations or promise of any agenda or other person of the parties hereto. Any change in any provision of this Agreement may only be made by a written amendment, signed by the duly authorized agent or agents who executed this Agreement, unless another provision is specifically provided for elsewhere in this Agreement.
- XIII. **Severability.** If any provision of this Agreement is determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement remain in full force and effect.
- XIV. **No Waiver.** No failure to exercise, and no delay in exercising, any right, power, or remedy hereunder by any party shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy. No express waiver shall affect any event or default other than the event or default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided by the party making the waiver. A waiver of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.
- XV. **Termination.**
- A. **Termination by the City of Springfield for Cause.** If through any cause, any agency shall fail to fulfill in timely and proper manner its obligations under this Agreement or if any agency shall violate any of the terms or conditions of the Agreement, the City of Springfield shall have the right to terminate this Agreement as to that agency by giving notice of such failure or violation to that agency under the Notice procedures provided in Section IX, Notices. Upon receipt of such notice the agency shall have thirty (30) days to cure such failure or violation or the Agreement shall terminate as to that agency. The procedures under paragraph C, below, shall apply to the terminated agency. If any agency is terminated under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support for the current year of the contract. Termination as to one Agency shall not affect the Agreement as to the other.
- B. **Cancellation by City of Springfield or any Agency, no cause, payment.** Any party may terminate this Agreement without cause by giving all of the other parties no less than one hundred eighty (180) days written notice of its intent to cancel, under the procedures of Section IX, Notices. If any agency terminates participation under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support for the current year of the contract.
- C. **Procedures upon Termination, Cancellation or Non-Renewal of Any Agency.**
1. If any agency is terminated, cancels or non-renews their participation in this Agreement the City of Springfield shall restrict all passwords and log-ins issued to that agency to a read-only level of access as of the date of termination, cancellation or non-renewal.
 2. A terminated, canceled or non-renewed agency will be entitled to a copy of their Data, as that term is defined in Exhibit A, upon written request to the City of Springfield. If an agency requests and the City of Springfield agrees to perform any services to facilitate reconversion of Data for that agency, any work so performed shall be billed to that agency at an hourly rate to be determined by the City of Springfield, based upon the hourly pay rate for City of Springfield employee(s) performing the work and shall be paid within thirty (30) days of billing.

- XVI. **Third Party Rights.** This Agreement is intended to be solely among the parties hereto. Nothing in this Agreement shall be construed to add, supplement, amend, abridge or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.
- XVII. **Goodwill.** Any and all goodwill arising out of this Agreement shall be shared equally by the City of Springfield and all of the parties.
- XVIII. **Authority.** Each party represents that it has the authority to enter into the Agreement and that all necessary procedures have been followed to secure authorization to enter into this Agreement from the party's respective governing body. Each person signing the Agreement represents and warrants that he or she has been duly authorized to do so.
- XIX. **Counterparts.** The Agreement may be signed in counterparts which, when taken together, shall be effective as if all signatures appeared on the same original document.

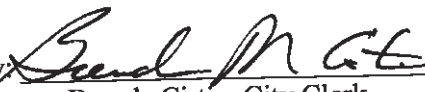
IN WITNESS WHEREOF, the parties hereto, by their respective authorized agents, have caused this Agreement to be executed.

FOR THE CITY OF SPRINGFIELD

CITY OF SPRINGFIELD
A municipal corporation

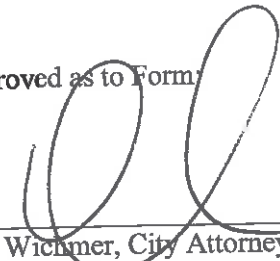
By: 
Collin Quigley, Assistant City Manager

Date: 2-24-2012

By: 
Brenda Cirtin, City Clerk

Date: 2-24-2012

Approved as to Form:


Dan Wichmer, City Attorney

Date: 2-24-2012

FOR THE CITY OF REPUBLIC:

CITY OF REPUBLIC
a municipal corporation

By: Brian C. Bucker
Brian C. Bucker, Mayor

Date: 2-3-2012

By: Brenda Jackson
Brenda Jackson, City Clerk

Date: 2-3-12

Ron Dirickson
Ron Dirickson, City Attorney

Date: 1-31-12

Approved as to Form:

Jim Kruschke
Jim Kruschke, City Administrator

Date: 2-2-12

EXHIBIT A

To the Intergovernmental Agreement between the City of Springfield, Missouri and the City of Republic, Missouri for a Consolidated Police Records Management System (RMS)

SCOPE OF SERVICES

DEFINITIONS:

COMPUTER AIDED DISPATCH SYSTEM ("CAD"): Highly specialized telecommunications and geographic technology that supports public safety emergency response operations.

DATA: For purposes of this Agreement, Data shall be any piece of information produced by the police department of any party that is converted, digitally created, collected, and stored on the Records Management System while that agency is a valid party to this Agreement.

DATA ENTRY STANDARDS: Niche RMS user guide and help documents provided by the City of Springfield describing data entry standards and procedures for the RMS.

LEVELS OF AUTHORITY: Level of access that a user has to RMS data.

LOCAL INFORMATION SYSTEM COORDINATOR ("LOCAL ISC"): A police department employee designated by each agency to be responsible for coordinating with the Project Manager for RMS implementation, training and on-going support for that agency under this Agreement.

PROJECT MANAGER: Person designated by the City of Springfield charged with planning and coordinating the implementation and ongoing support of the RMS to be created under this Agreement.

RECORDS MANAGEMENT SYSTEM ("RMS"): A collaborative system and related work processes for collecting, storing, and sharing public safety data, including police department records, municipal court operations and CAD operations, of all parties covered under this agreement. All RMS data will be stored, maintained, and backed up by the City of Springfield on redundant servers at two different geographic locations.

SUMMARY OF RECORDS MANAGEMENT SYSTEM:

The RMS to be created under this Agreement seeks to standardize, where possible, business and records management processes among the police departments of all of the parties to facilitate data processing and immediate electronic information retrieval and data exchange among the parties. The RMS will utilize and expand the Niche Systems, Inc. "Niche" software suite currently used by the City of Springfield Police Department. Existing data of any participating agency may, at their discretion and cost, be converted and consolidated into a

single RMS that will be hosted by the City of Springfield. Thereafter each agency shall enter all data onto the RMS system. The City of Springfield will continue to enter and store its own data on its existing system which shall become part of the shared RMS under this Agreement. Each party will have access and authority to enter, store, revise, and view its own data and to view the shared data of other parties.

The RMS will expand and share the following technologies presently used by the City of Springfield Police Department with each of the parties to this Agreement:

- Interfaces so that RMS contact data and photos can be obtained in the field from a squad car;
- Ability to electronically create monthly UCR reports and capability to migrate to IBR based reporting in the future;
- Ability to create “ad hoc” reports or specific data queries over the RMS (beyond their jurisdiction if desired);

This RMS will also provide for technology and software that is not presently used by the City of Springfield but is needed by some of the participating agencies for Municipal Court applications and CAD applications.

COORDINATION AND COMMUNICATION AMONG THE PARTIES:

1. **RMS PROJECT MANAGEMENT:** The Project Manager for purposes of this Agreement will be:

Sherry Royal
Police Services Administrator
City of Springfield, Missouri
321 E. Chestnut Expressway, Springfield, MO 65802
sroyal@springfieldmo.gov

2. **INFORMATION SERVICES COORDINATOR (“ISC”):** Each agency shall designate an Information Services Coordinator, and provide that person’s name, title, address, phone number and email address, in writing, to the Project Manager within thirty (30) days of the effective date of this Agreement.

If the City of Springfield wishes to designate another Project Manager or any agency wishes to change their local ISC, that party shall notify all other parties in writing with the name, title, address, phone number and email address of the new designee.

IMPLEMENTATION PROCEDURES AND SCHEDULE:

1. **SPRINGFIELD AND CITY OF REPUBLIC.** The implementation and integration schedule for these agencies is presented in Table 1, below. This schedule represents the initial stages of development and planning as well as setting dates for a full transition to Niche RMS operations.

Table 1 – Task Schedule for Springfield and the City of Republic.

Springfield will work with the City of Republic to complete each task according to the schedule in Table 1, below. Moving from one task to the next will require the approval of the Project Manager. This schedule may be consolidated or modified at the discretion of the City of Springfield in consultation with the City of Republic. Springfield will keep the City of Republic informed of any decisions to modify the schedule. All parties agree to commit to efficient and prompt completion of tasks necessary to fully implement and go live with the RMS.

IMPLEMENTATION SCHEDULE FOR TASKS RELATED TO REPUBLIC SET UP		
DATE	RESPONSIBLE PARTY	TASK
TBD	SPRINGFIELD AND REPUBLIC PD	Gather information on process and procedural differences
TBD	SPRINGFIELD IS AND NICHE	Create Republic domain in Niche
TBD	SPRINGFIELD AND REPUBLIC IS	determine connectivity options and setup
TBD	REPUBLIC PD	Request or Create specific forms and reports as necessary due to procedural differences
TBD	SPRINGFIELD AND REPUBLIC IS	Begin remote testing with Republic
TBD	SPRINGFIELD PD	Administrator Training – Republic User
TBD	PD SPRINGFIELD PD AND	Training – Republic Documentation for
TBD	NICHE	new users provided
TBD	ALL	Conclude testing
TBD	ALL	Go live
TBD	ALL	Initial change period
TBD	ALL	Completion sign off

CITY OF SPRINGFIELD RESPONSIBILITIES:

1. PROVIDE THE HOST SERVER. The City of Springfield shall provide the host server with adequate storage and processing capability for the RMS.
2. PROVIDE A COMMUNICATIONS LINK. The City shall provide their end point of presence for a communications link that provides adequate bandwidth, security and reliability to be used as the primary link between the City of Springfield and the City of Republic.

After consultation between the parties, this can be in the form of a leased line, fiber optic, or virtual private network between the two entities and shall serve as the primary data conduit for the software.

3. PROJECT MANAGEMENT. The City of Springfield project manager shall coordinate with Republic's ISC to manage the project as well as actual services for all aspects of

implementing the RMS with the City of Republic. This includes, but is not limited to installation, , implementation, start-up, training, and coordinating with Niche hired by the City of Springfield for purposes of creating and running the City of Republic's domain on the Niche system.

4. **SUPPORT.** The City of Springfield shall provide and coordinate ongoing maintenance and technical support services, as described under the heading "Maintenance and Support Services" below.
5. **BILLING.** The City of Springfield shall provide annual estimates, adjustments and invoices to the City of Republic for annual maintenance and support as described in Exhibit B.
6. **OUTSIDE VENDORS.** The City of Springfield may at its discretion choose to implement this Agreement with the assistance of outside vendors or contractors using bidding and contracting methods required by law or policy of the City of Springfield and the State of Missouri. The City of Springfield shall arrange for services and products from the vendors below, or other vendors who in the City's opinion provide equivalent services, and fulfill its obligations under this paragraph using whatever lawful means it deems necessary and suitable. In addition, the City of Springfield agrees not to terminate the contract(s) with Niche required for the RMS while this Agreement is in effect, unless all parties agree, in writing, to engage another vendor for purposes of this Agreement. The parties acknowledge that the City of Springfield cannot guarantee the participation of any of these vendors and by listing them herein, the parties do not intend to bind any of them as third parties to the Agreement:
 - a. **NICHE SYSTEMS, INC.** owns licenses, and distributes the records management software.

CITY OF REPUBLIC RESPONSIBILITIES:

1. **HARDWARE.** The City of Republic shall be responsible to acquire, maintain and administer necessary hardware equipment and software applications necessary for accessing the RMS from their local site.
2. **PROVIDE A COMMUNICATIONS LINK.** The City of Republic shall provide their end point of presence for a communications link that provides adequate bandwidth, security and reliability to be used as the primary link between the City of Springfield and the City of Republic. After consultation between the parties, this can be in the form of a leased line, fiber optic, or virtual private network between the two entities and shall serve as the primary data conduit for the software.
3. **LOCAL ADMINISTRATOR.** Designate a local ISC and notify the Project Manager within thirty (30) days of signing this Agreement. Notice shall include name, title or rank if appropriate, word address, phone, email address and normal hours of work.

4. **AVAILABILITY.** Make the appropriate staff available after being notified by the Project Manager of the dates scheduled for migration and any other task or function that must be provided on-site at the City of Republic to implement the RMS.
5. **USER ACCESS.** The Local ISC shall identify those employees of the City of Republic who will be users of the RMS, and determine with the Chief of Police, the appropriate level of authority for each user from their agency. The Local ISC shall assign the level of authority and security profiles for each user based on information provided by the Chief.
6. **ACCESS RESTRICTION AND DELETION.** The Local ISC shall disable or delete users immediately when an RMS user leaves the employment of the agency for any reason, including retirement, termination, resignation or any other reason.
7. **USAGE.** Ensure that all users from the City of Republic use the RMS for valid law enforcement and public safety purposes only, according to law.
8. **SECURITY BREACHES.** Promptly report any suspected security breaches to the Project Manager.
9. **RELEASE OF RECORDS.** Handle requests for release of records in accordance with “Security and Release of RMS Data” below and as required by law.
10. **TECHNICAL SUPPORT.** Handle technical problems at the local level including local connectivity issues, report unresolved problems according to “Maintenance and Support Services” below, and follow all instructions given by the technical support service provider.
11. **DATA ENTRY.** Ensure that all data entered onto the RMS shall adhere to “Data Entry Standards I” to be established by the City of Springfield, and the Local ISC shall be responsible to ensure all users at the City of Republic adhere to the standards.
12. **CHANGEOVER.** Once the City of Republic has gone live as determined by the Completion Sign Off listed in the implementation table above, all data collected from that point forward shall be entered and stored onto the RMS.

SECURITY AND RELEASE OF RMS DATA:

Any data converted, transferred, entered or stored on the RMS shall be the sole property of the party that produced the data, with each party granting to each other consent to use and review the data only for lawful law enforcement purposes and in accordance with other procedures described herein. Such data shall be used solely for valid law enforcement purposes according

to law and the policies of each agency. Each party shall be responsible for responding to 610.010 et seq. requests and any other requests from any requestor, to view, access, or release its own data. No party shall allow access to or release the data of another party to anyone who is not a valid RMS user of one of the parties to this Agreement. If a request is made to one party for access or release of data of another party, the requestor shall be directed to the party that produced that data.

MAINTENANCE AND SUPPORT SERVICES:

1. MAINTENANCE. The City of Springfield shall:

- a. Maintain all computer hardware under the City's control associated with the RMS, including performing routine maintenance procedures as needed
- b. Perform back-ups of all RMS data not less frequently than one time per day
- c. Maintain all software license, maintenance and support contracts associated with the RMS

11. TECHNICAL SUPPORT TO THE CITY OF REPUBLIC. The City of Springfield agrees to provide basic technical support to the City of Republic, related to the connectivity and RMS software. The City of Springfield will provide support and respond to all problems as soon as practicable, if they are properly reported according to the procedures listed below:

3.

a. CONNECTIVITY PROBLEMS:

- i. LEVEL 1 WAN SUPPORT – all connectivity issues shall be first reported to the Local ISC at the City of Republic, who shall resolve problems with the local connection and/or call any local connection providers.
- ii. LEVEL 2 WAN SUPPORT – if the Local ISC cannot resolve a connectivity issue, the problem may be reported to the Springfield Police Department (“SPD”) IS Coordinator during normal business hours. After-hours and on weekends, connectivity problems shall be reported to the City of Springfield's designated after-hours support service LEVEL 3 WAN SUPPORT – if a connectivity issue cannot be resolved at level 1 or 2, the Local ISC may report it to the Project Manager at the number or email as determined by the Project Manager.

b. All other RMS Application Technical Problems unrelated to connectivity:

- i. LEVEL 1 RMS SUPPORT – all other RMS technical issues shall be first reported to the Local ISC at the City of Republic, who shall resolve all local hardware and software issues or utilize the agencies own support services for local hardware or software problems unrelated to the RMS
- ii. LEVEL 2 RMS SUPPORT – if the Local ISC cannot resolve an RMS application problem at Level 1, the problem may be reported to the SPD IS Coordinator if during normal business hours
- iii. LEVEL 3 RMS SUPPORT – If RMS application problems cannot be resolved after proceeding through Level 1 or 2, the problem may be reported to the Project Manager

- iv. **LEVEL 4 EMERGENCY SUPPORT – Connectivity or RMS Applications –**
In the event of an urgent, emergency RMS application or connectivity problem that cannot be resolved by Levels 1-2, the Local ISC may report it to the SPD IS Coordinator or the Project Manager for immediate support, regardless of time of day, using phone numbers to be provided. SPD overtime costs associated with an emergency support request may be charged to the City of Republic, by invoice, at an hourly rate to be determined by the City of Springfield to cover these costs, and if so charged shall be paid within thirty (30) days of the invoice date.
- c. **SUPPORT TRAINING.** The City of Springfield will train the local ISC's to identify and respond to connectivity and RMS application support issues, and to properly use the Support Levels described above. Additional support procedures and details such as phone numbers shall be provided to each agency by the Project Manager at the appropriate stage of implementation.
- d. **PAYMENT.** Payment of maintenance and support services provided by the City of Springfield described above shall be the responsibility of the City of Republic as described in Exhibit B.

EXHIBIT B

To the Intergovernmental Agreement between the City of Springfield, Missouri and the City of Republic, Missouri for a Consolidated Police Records Management System (RMS)

COSTS AND BILLING

1. Costs

- a. **INITIAL LICENSE COSTS.** The City of Springfield Missouri agrees to maintain all appropriate licenses for the RMS system with the systems manufacturer. The City of Republic shall be authorized to use licenses in accordance with the Niche license agreement at a cost of twelve hundred (\$1,200) per sworn person. Non-sworn persons and support personnel are able to use the software at no additional charge to the City of Republic. This price per license shall remain in line with the City of Springfield's acquisition costs for obtaining the same from Niche. Should the cost to the City of Springfield change, such change should be forwarded to the City of Republic within thirty (30) days.
- b. **INITIAL SOFTWARE SETUP COSTS.** Software setup and Niche domain creation and seeding shall be included in the initial licensing purchase. After the software has been signed off by the City of Republic as being complete and ready to go live, initial setup time shall be concluded and any further changes shall be governed by the support and maintenance agreement between the City of Springfield and the City of Republic.
- c. **REQUIRED SUPPORT COSTS.** The City of Springfield will provide all related support and software upgrade functions in lieu of a direct manufacturers maintenance agreement. The City of Republic agrees to pay the required annual maintenance fee as stated in the contractual agreement between Niche and the City of Springfield (currently established at 20% of the total licensing cost) to the City of Springfield for said support. Should the cost to the City of Springfield change, such change should be forwarded to the City of Republic within thirty (30) days. The City of Republic shall receive for this support agreement support as outlined in the main contract body as well as minor software changes and updates as requested. All support and change requests shall be prioritized within the City of Springfield and acted upon based on their priority level. Should the City of Republic feel that priority for a specific project be changed, said request shall be routed through the local Information Systems Coordinator.
- d. **SIGNIFICANT SOFTWARE MODIFICATIONS.** The City of Springfield may choose to charge the City of Republic for requested changes to the software. If the City of Springfield chooses to exercise this option, an estimate on the total cost to complete shall be given in writing to the City of Republic prior to the commencement of work. The total costs due for said changes will be the actual costs to the City of Springfield for both employee labor at the employees labor rate, as well as any outside costs incurred directly for said project.
- e. **MISCELLANEOUS COSTS.** In the event of additional costs being incurred by the City of Springfield in reference to licensing that the City of Republic holds, said costs shall be passed on at their original billed values.

2. BILLING

a. **BILLING PROCEDURES.** The billing procedures shall be as follows.

1. **ESTIMATE.** Beginning in _____ 2011 and each _____ thereafter, the City of Springfield shall notify the City of Republic of the estimated annual maintenance costs for the following year. Beginning with the _____ 2012 estimate and each _____ thereafter, the estimated costs may include adjustments for the following year as described in the Required Support Costs section above.
2. **JANUARY INVOICE AND PAYMENT.** The City of Springfield shall prepare an invoice for said support based on the total current number of licenses acquired and present said bill annually in January for payment within thirty (30) days from receipt of invoice.

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed 08-18-20

Sponsored by Lear

First Reading _____

Second Reading _____

COUNCIL BILL 2020- 204

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into an
2 Intergovernmental Agreement with the Springfield R-XII School
3 District, for the use of a consolidated Police Records Management
4 System.
5 _____
6

7 WHEREAS, in 2011, the City of Springfield purchased and implemented a Police
8 Records Management System ("RMS" a/k/a "Niche"), for use by the City's Police and
9 Prosecutors; and
10

11 WHEREAS, Niche has the capability to allow use by other governmental law
12 enforcement agencies, allowing these agencies to have more seamless and efficient
13 communication and allowing law enforcement agencies to coordinate with each other in
14 the delivery and execution of their respective duties; and
15

16 WHEREAS, the City of Springfield currently partners with multiple area law
17 enforcement agencies for the use of a consolidated RMS, allowing agencies to share
18 information and costs, resulting in more efficient delivery of services for all partner
19 agencies; and
20

21 WHEREAS, the City of Springfield and the Springfield R-XII School District
22 mutually desire to add the Springfield Schools Police Department to the consolidated
23 RMS.
24

25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 SPRINGFIELD, MISSOURI, as follows, that:
27

28 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
29 an Intergovernmental Agreement ("Agreement") with the Springfield R-XII School
30 District; said Agreement to be substantially similar in form and content as that document
31 attached hereto and incorporated herein by reference as "Exhibit 1."
32

33 Section 2 – This Ordinance shall be in full force and effect from and after
34 passage.

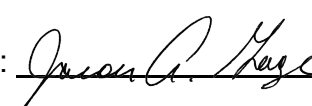
35
36 Passed at meeting: _____

37
38 _____
39 Mayor

40
41 Attest: _____, City Clerk

42
43 Filed as Ordinance: _____

44
45
46 Approved as to form: , Assistant City Attorney

47
48
49 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020- 204

FILED 08-18-20

ORIGINATING DEPARTMENT: Police Department

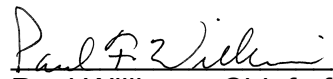
PURPOSE: Authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Springfield R-XII School District, for the use of a consolidated Police Records Management System.

BACKGROUND INFORMATION: The Records Management System ("RMS" a/k/a "Niche") for a police department is the source of information for police and citizens. It is where all police reports, including incidents, traffic accidents, arrests and crime reports are stored. RMS manages property and evidence, provides most statistical information for manpower allocation decisions and allows departments to meet mandatory state and federal reporting requirements.

The Springfield Police Department has used its current RMS since January 31, 2011. The RMS allows sharing of system information with other local law enforcement agencies. The Springfield Police Department currently has Intergovernmental Agreements with other area law enforcement agencies for the purpose of sharing information as well as cost associated with the RMS. An Intergovernmental Agreement between Springfield Police Department ("SPD") and the Springfield R-XII School District would allow the School Police to join the consolidated RMS, establishing further sharing of costs and criminal intelligence and information for more efficient delivery of services for all partner agencies.

Submitted by:

Approved by:



Paul Williams, Chief of Police



Jason Gage, City Manager

Exhibit 1

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SPRINGFIELD, MISSOURI, AND THE SPRINGFIELD R-XII SCHOOL DISTRICT For a Consolidated Police Records Management System (RMS)

PARTIES:

The parties to this Agreement are the City of Springfield, a Missouri municipal corporation, hereafter "City of Springfield" and the Board of Education for the School District of Springfield, R-XII School District, hereafter the "School District," on behalf of the Springfield Schools Police Department, hereafter "School Police". The entities executing the agreement now or in the future shall be referred to throughout this document by name, or collectively as the "Agencies" or "each agency" where appropriate:

RECITALS:

WHEREAS, The City of Springfield and the School Police desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records; and

WHEREAS, In order to accomplish the desire to consolidate economic resources, achieve a uniform system of reporting crimes, and create a seamless records and data sharing system for consolidated police records, such other Agencies as may now or at a future date execute this Agreement and its Exhibits substantially in the form set forth herein may be added as parties to this agreement; and

WHEREAS, the City of Springfield has contracted with Niche Systems to install all necessary hardware and software to implement such a consolidated police records management system; and

WHEREAS, the Agencies recognize the value in pooling their resources to create a uniform and seamless system which will greatly assist all participating agencies and the general public through improved data collection and data sharing; and

WHEREAS, the Niche System offers all participating agencies a data collection and sharing system that can meet the collective and individual needs of each agency; and

WHEREAS, this Agreement and all attachments incorporated by reference herein sets forth the scope of each Agency's responsibilities as well as the benefits each agency will receive by the Agency's participation in this RMS.

AGREEMENT:

NOW THEREFORE, the Agencies executing this agreement enter into an Intergovernmental Agreement under §70.220 RSMo for their mutual benefit as further described in this Agreement, and for the benefit, health, safety and welfare of the public.

- I. **Parties.** The Parties to this Agreement are the entities listed above under "Parties."
- II. **Purpose.** The Purpose of this Agreement is to form an Intergovernmental Agreement under §70.220 RSMo for the purpose of participating in a multijurisdictional RMS.

- III. **Term and Automatic Renewal.** The term of this Agreement shall commence when approved by the governing bodies of each party and executed by the persons authorized to sign on behalf of each party. This Agreement shall be automatically renewed at the end of the first Agreement term, for a period of two (2) years, and subsequent terms of two (2) years each, unless either party has been terminated or cancels, or if the School District provides written notice of non-renewal to the City of Springfield at least 180 days prior to the end of the Agreement term.
- IV. **Scope and Services, Costs, and Payment.** The Scope of Services shall be as described in **Exhibit A**, “Scope of Services,” attached and incorporated herein. The costs and payments associated with this Agreement shall be as described in **Exhibit B**, “Costs and Billing” attached and incorporated herein.
- V. **Non-Discrimination.** In the performance of the services of this Agreement, each party agrees not to discriminate against any employee or applicant because of race, religion, age, color, sex, handicap, national origin or ancestry. Each party further agrees not to discriminate against any subcontractor or person who offers to subcontract on this contract because of race, religion, color, age, disability, sex, or national origin.
- VI. **Liability.** Each party shall be responsible for the consequences of its own acts or omissions and those of its employees, boards, commissions, agencies, officers and representatives, and shall be responsible for losses, claims and liabilities which are attributable to such acts or omissions.
- VII. **Compliance with applicable laws.** Each party shall become familiar with, and shall at all times comply with and observe all federal, state, and local laws, ordinances, and regulations which may in any manner affect this Agreement.
- VIII. **Legal Powers and Duties.** Each party understands and agrees that no clause, term or condition of this Agreement shall be construed to supersede the lawful powers or duties of either party.
- IX. **Notices.** All notices to be given under the terms of this Agreement shall be in writing and signed by the authorized agent of the party serving the notice and shall be sent by registered or certified mail, return receipt required, postage prepaid, or hand delivered to the persons designated below:

FOR THE CITY OF SPRINGFIELD: City Manager (presently Jason Gage)

FOR THE SCHOOL DISTRICT: Carol L. Embree, Deputy Superintendent-Operations

If any party wishes to designate another person for the receipt of notice under this section, that party shall notify all other parties in writing by sending a notice under this section.

- X. **Controlling Law.** It is expressly understood and agreed to by the parties that in the event of any disagreement or controversy between the parties, Missouri law shall be controlling.
- XI. **Entire Agreement.**
- A. The entire Agreement of the parties is contained herein and this Agreement supersedes any and all oral agreements and negotiations between the parties relating to the subject matter hereof.
- B. This entire Agreement is intended to be an agreement solely among the parties hereto and for their benefit only. No part of the Agreement shall be construed to add to, supplement, amend, abridge or repeal existing duties, rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.

- XII. **Amendment.** This agreement shall be binding on the parties hereto, and cannot be varied or waived by any oral representations or promise of any agenda or other person of the parties hereto. Any change in any provision of this Agreement may only be made by a written amendment, signed by the duly authorized agent or agents who executed this Agreement, unless another provision is specifically provided for elsewhere in this Agreement.
- XIII. **Severability.** If any provision of this Agreement is determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement remain in full force and effect.
- XIV. **No Waiver.** No failure to exercise, or any delay in exercising, any right, power, or remedy hereunder by any party shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy. No express waiver shall affect any event or default other than the event or default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided by the party making the waiver. A waiver of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.
- XV. **Termination.**
- A. **Termination by the City of Springfield for Cause.** If through any cause, any agency shall fail to fulfill in a timely and proper manner its obligations under this Agreement or if any agency shall violate any of the terms or conditions of the Agreement, the City of Springfield shall have the right to terminate this Agreement as to that agency by giving notice of such failure or violation under the Notice procedures provided in Section IX, Notices. Upon receipt of such notice the agency shall have thirty (30) days to cure such failure or violation or the Agreement shall terminate. The procedures under paragraph C, below, shall apply to the terminated agency. If any agency is terminated under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support for the current year of the contract. Termination as to one Agency shall not affect the Agreement as to another.
- B. **Cancellation by City of Springfield or any Agency, no cause, payment.** Any party may terminate this Agreement without cause by giving the other party no less than one hundred eighty (180) days written notice of its intent to cancel, under the procedures of Section IX, Notices. If any agency terminates participation under this paragraph, it shall not be entitled to reimbursement of funds already paid for maintenance and support for the current year of the contract.
- C. **Procedures upon Termination, Cancellation or Non-Renewal of Any Agency.**
1. If any agency is terminated, cancels or non-renews, their participation in this Agreement the City of Springfield shall restrict all passwords and log-ins issued to that agency to a read-only level of access, as of the date of termination, cancellation or non-renewal.
- A terminated, canceled or non-renewed agency will be entitled to a copy of their Data, as that term is defined in Exhibit A, upon written request to the City of Springfield.
- XVI. **Third Party Rights.** This Agreement is intended to be solely among the parties hereto. Nothing in this Agreement shall be construed to add, supplement, amend, abridge or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.
- XVII. **Goodwill.** Any and all goodwill arising out of this Agreement shall be shared equally by the City of Springfield and all other parties.

XVIII. **Authority**. Each party represents that it has the authority to enter into the Agreement and that all necessary procedures have been followed to secure authorization to enter into this Agreement from the party's respective governing body. Each person signing the Agreement represents and warrants that he or she has been duly authorized to do so.

IN WITNESS WHEREOF, the parties hereto, by their respective authorized agents, have caused this Agreement to be executed.

[THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY]

FOR THE CITY OF SPRINGFIELD:

CITY OF SPRINGFIELD
A municipal corporation

Jason Gage, City Manager

Date: _____

Assistant City Attorney

Date: _____

FOR THE SCHOOL DISTRICT:

BOARD OF EDUCATION FOR THE SCHOOL
DISTRICT OF SPRINGFIELD, R-12 ON
BEHALF OF THE SPRINGFIELD SCHOOL
POLICE DEPARTMENT

Carol L Embree
Deputy Superintendent-Operations

Date: _____

EXHIBIT A

To the Intergovernmental Agreement between the City of Springfield, Missouri and The Board of Education for the School District of Springfield, R-XII for a Consolidated Police Records Management System (RMS)

SCOPE OF SERVICES

DEFINITIONS:

COMPUTER AIDED DISPATCH SYSTEM ("CAD"): Highly specialized telecommunications and geographic technology that supports public safety emergency response operations.

DATA: For purposes of this Agreement, Data shall be any piece of information produced by the police department of any party that is converted, digitally created, collected, and stored on the Records Management System while that agency is a valid party to this Agreement.

DATA ENTRY STANDARDS: Niche RMS user guide and help documents provided by the City of Springfield describing data entry standards and procedures for the RMS.

LEVELS OF AUTHORITY: Level of access that a user has to RMS data.

LOCAL INFORMATION SYSTEM COORDINATOR ("LOCAL ISC"): A police department employee designated by each agency to be responsible for coordinating with the Project Manager for RMS implementation, training and on-going support for that agency under this Agreement.

PROJECT MANAGER: Person designated by the City of Springfield charged with planning and coordinating the implementation and ongoing support of the RMS to be created under this Agreement.

RECORDS MANAGEMENT SYSTEM ("RMS"): A collaborative system and related work processes for collecting, storing, and sharing public safety data, including police department records, municipal court operations and CAD operations, of all parties covered under this agreement. All RMS data will be stored, maintained, and backed up by the City of Springfield on redundant servers at two different geographic locations.

SUMMARY OF RECORDS MANAGEMENT SYSTEM:

The RMS to be created under this Agreement seeks to standardize, where possible, business and records management processes among the police departments of all of the parties to facilitate data processing and immediate electronic information retrieval and data exchange among the parties. The RMS will utilize and expand the Niche Systems, Inc. "Niche" software suite currently used by the City of Springfield Police Department. Existing data of any participating agency may, at their discretion and cost, be converted and consolidated into a single RMS that

will be hosted by the City of Springfield. Thereafter each agency shall enter all data onto the RMS system. The City of Springfield will continue to enter and store its own data on its existing system which shall become part of the shared RMS under this Agreement. Each party will have access and authority to enter, store, revise, and view its own data and to view the shared data of other parties.

The RMS will expand and share the following technologies presently used by the City of Springfield Police Department with each of the parties to this Agreement:

- Interfaces so that RMS contact data and photos can be obtained in the field from a squad car;
- Ability to electronically create monthly UCR reports and capability to migrate to IBR based reporting in the future;
- Ability to create “ad hoc” reports or specific data queries over the RMS (beyond their jurisdiction if desired);

This RMS will also provide for technology and software that is not presently used by the City of Springfield but is needed by some of the participating agencies for Municipal Court applications and CAD applications.

Coordination and Communication among the Parties:

1. RMS PROJECT MANAGEMENT: The Project Managers for purposes of this agreement will be:

RMS Project Manager for the City of Springfield:

Police Services Administrator
(currently Crystal Higdon)
Springfield Police Department
321 East Chestnut Expressway
Springfield, MO 65802
417-864-1810
chigdon@springfieldmo.gov

RMS Project Manager for The School District:

Bruce Douglas
Director of Information Technology
School District of Springfield, R-12
1359 East St. Louis Street
Springfield, MO 65802
417-429-6305
bdouglas@spsmail.org

2. INFORMATION SERVICES COORDINATOR (“ISC”): Each agency shall designate an Information Services Coordinator, and provide that person’s name, title, address, phone number and email address, in writing, to the Project Manager within thirty (30) days of the effective date of this Agreement.

If either party wishes to designate another Project Manager or either agency wishes to change their Local ISC, that party shall notify the other party in writing by sending a notice under Section IX., Notices.

Implementation Procedures and Schedule:

1. **Springfield and The School District.** The implementation and integration schedule for these agencies is presented in Table 1, below. This schedule represents the initial stages of development and planning, as well as setting dates for a full transition to Niche RMS operations.

Table 1 – Task Schedule for Springfield and The School District.

Springfield will work with the School District to complete each task according to the schedule in Table 1, below. Moving from one task to the next will require the approval of the Project Manager. This schedule may be consolidated or modified at the discretion of the City of Springfield in consultation with the School District. Springfield will keep the School District informed of any decisions to modify the schedule. Both parties agree to commit to efficient and prompt completion of tasks necessary to fully implement and go live with the RMS.

IMPLEMENTATION SCHEDULE FOR TASKS RELATED TO SCHOOL DISTRICT SET UP		
DATE	RESPONSIBLE PARTY	TASK
TBD	SPRINGFIELD AND SCHOOL DISTRICT	Gather information on process and procedural differences
TBD	SPRINGFIELD IS AND NICHE	Create School District domain in Niche
TBD	SPRINGFIELD AND SCHOOL DISTRICT IS	determine connectivity options and setup
TBD	SCHOOL DISTRICT	Request or Create specific forms and reports as necessary due to procedural differences
TBD	SPRINGFIELD AND SCHOOL DISTRICT	Begin remote testing with School District
TBD	SPRINGFIELD PD	Administrator Training – School District
TBD	SPRINGFIELD PD	User Training – School District
TBD	SPRINGFIELD PD AND NICHE	Documentation for new users provided
TBD	ALL	Conclude testing
TBD	ALL	Go live
TBD	ALL	Initial change period
TBD	ALL	Completion sign off

City of Springfield Responsibilities:

1. **PROVIDE THE HOST SERVER.** The City of Springfield shall provide the host server with adequate storage and processing capability for the RMS. The City of Springfield shall provide 100% data redundancy and serve as the "hot back up" for the RMS. The production and the backup being used to store data for the RMS will be located in separate, secure, geographic locations.

2. **PROVIDE A COMMUNICATIONS LINK.** The City shall provide their end point of presence for a communications link that provides adequate bandwidth, security and reliability to be used as the primary link between the City of Springfield and the School District.

3. **PROJECT MANAGEMENT.** The City of Springfield Project Manager shall coordinate with the School District's Project Manager to manage the project, as well provide actual services for all aspects of implementing the RMS with the School District. This includes, but is not limited to installation, data conversion, implementation, start-up, training, and coordinating with Niche, outside vendors or subcontractors hired by the City of Springfield for purposes of creating and running the School District's domain on the Niche system. Further, it is expected that the Project Manager for the School District will be given administrative access rights to the School District domain on the Niche system.

4. **SUPPORT.** The City of Springfield shall provide and coordinate ongoing maintenance and technical support services, as described under the heading "Maintenance and Support Services" below. The City of Springfield shall assign the appropriate level of authority for access to the RMS by creating a "security profile" for each user from each agency. The level of authority for each user shall be determined by the Chief of Police and the Director of School Police. The City of Springfield shall enter all user names (ID or log-ins) and passwords with the appropriate security profile as determined by the Project Manager, and shall delete names and passwords when notified by the agency ISC or Project Manager that a user has left the employment of that agency. Further, if the operation of Niche requires the purchase of additional hardware, or upgrades to support the system, the City will be included in such discussions about the need for such and given adequate notice to prepare, if any of the costs will be paid by the School District.

5. **BILLING.** The City of Springfield shall provide annual estimates, adjustments and invoices to the School District for annual maintenance and support as described in Exhibit B.

6. **OUTSIDE VENDORS:** The City of Springfield may at its discretion choose to implement this Agreement with the assistance of outside vendors or contractors using required bidding and contracting methods required by law or policy of the City of Springfield and State of Missouri. The City of Springfield shall arrange for services and products from the vendors below, or other vendors who in the City's opinion provide equivalent services, and fulfill its obligations under this paragraph using whatever lawful means it deems necessary and suitable. In addition, the City of Springfield agrees not to terminate the contract(s) with Niche required for the RMS while this Agreement is in effect, unless all parties agree, in writing, to engage another vendor for purposes of this Agreement. The parties acknowledge that the City of Springfield cannot guarantee the participation of any of these vendors and by listing them herein, the parties do not intend to bind any of them as third parties to the Agreement:

- a. **Niche Systems, Inc.** owns, licenses, and distributes the records management software.

SCHOOL DISTRICT RESPONSIBILITIES:

1. **HARDWARE.** The School District shall be responsible to acquire, maintain and administer necessary hardware equipment and software applications necessary for accessing the RMS from their local site. The parties to this agreement expect that the Niche software will be loaded onto the existing computers currently in use at the School District and that there is no initial cost to the School District for equipment to support Niche.
2. **PROVIDE A COMMUNICATIONS LINK.** It is agreed upon by the parties that we will use existing city/county fiber cables to the Public Safety Center, at no additional cost to either party.
3. **LOCAL ADMINISTRATOR.** Designate an agency ISC and notify the Project Manager within thirty (30) days of signing this Agreement. Notice shall include name, title or rank if appropriate, phone, email address, and normal hours of work.
4. **AVAILABILITY.** Make the appropriate staff available after being notified by the Project Manager of the dates scheduled for migration and any other task or function that must be provided on-site at the School District to implement the RMS.
5. **USER ACCESS.** The Local ISC shall identify those School Police employees who will be users of the RMS, and determine with the Chief of Police, and the Director of School Police, the appropriate level of authority for each user, from their agency. The local ISC shall assign the level of authority and security profiles for each user based on information provided by the agency ISC, the Springfield Police Chief and the Director of School Police.
6. **ACCESS RESTRICTION AND DELETION.** The local ISC shall disable or delete users immediately when an RMS user leaves the employment of the agency for any reason, including retirement, termination, resignation or any other reason.
7. **USAGE.** Ensure that all School Police users use the RMS for valid law enforcement and public safety purposes only, according to law.
8. **SECURITY BREACHES.** Promptly report any suspected security breaches to the Project Manager, Chief of Police and the Director of School Police.
9. **RELEASE OF RECORDS.** Handle requests for release of records in accordance with “Security and Release of RMS Data” below and as required by law.
10. **TECHNICAL SUPPORT.** Handle technical problems at the local level including local connectivity issues, report unresolved problems according to “Maintenance and Support Services” below, and follow all instructions given by the technical support service provider.
11. **DATA ENTRY.** Ensure that all data entered onto the RMS shall adhere to data quality standards to be established by the City of Springfield, and the School District Project Manager shall be responsible to ensure all School Police users adhere to these standards.

12. **CHANGEOVER.** Once the School District has gone live, as determined by the Completion Sign Off listed in the implementation table above, all data collected from that point forward shall be entered and stored onto the RMS.

Security and Release of RMS Data:

Any data converted, transferred, entered or stored on the RMS shall be the sole property of the party that produced the data, with each party granting to each other consent to use and review the data only for lawful law enforcement purposes and in accordance with other procedures described herein. Such data shall be used solely for valid law enforcement purposes according to law and the policies of each agency. Each party shall be responsible for responding to 610.010 et seq. requests and any other requests from any requestor, to view, access, or release its own data. No party shall allow access to or release the data of another party to anyone who is not a valid RMS user of one of the parties to this Agreement. If a request is made to one party for access or release of data of another party, the requestor shall be directed to the party that produced that data.

Maintenance and Support Services:

1. **MAINTENANCE.** The City of Springfield shall:
 - a. Maintain all computer hardware under the City's control associated with the RMS, including performing routine maintenance procedures as needed
 - b. Perform back-ups of all RMS data not less frequently than one time per day
 - c. Maintain all software licenses, maintenance and support contracts associated with the RMS
2. **TECHNICAL SUPPORT TO SCHOOL DISTRICT.** The City of Springfield agrees to provide basic technical support to the School District, related to the connectivity and RMS software. The City of Springfield will provide support and respond to all problems as soon as practicable, if they are properly reported according to the procedures listed below:
 - a. **CONNECTIVITY PROBLEMS:**
 - i. **Level 1 WAN Support** - all connectivity issues shall be first reported to the Local ISC at the School District, who shall resolve problems with the local connection and/or call any local connection providers.
 - ii. **Level 2 WAN Support** - if the local ISC cannot resolve a connectivity issue, the problem may be reported to the Springfield Police Department ("SPD") IS Coordinator during normal business hours. After-hours and on weekends, connectivity problems shall be reported to the City of Springfield's designated after-hours support service.
 - iii. **LEVEL 3 Wan Support** - if a connectivity issue cannot be resolved at level 1 or 2, the Local ISC, or local Project Manager, may report it to the Project Manager at the number or email as determined by the Project Manager.
 - b. All other RMS Application Technical Problems unrelated to connectivity:
 - i. **Level 1 RMS Support** - all other RMS technical issues shall be first reported to the Local ISC at the School District, who shall resolve all local hardware and software issues or utilize that agency's own support services for local hardware or software problems unrelated to the RMS

ii. Level 2 RMS Support - if the local ISC cannot resolve an RMS application problem at Level 1, the problem may be reported to the SPD IS Coordinator if during normal business hours

iii. Level 3 RMS Support - If RMS application problems cannot be resolved after proceeding through Level 1 or 2, the problem may be reported to the Project Manager

iv. Level 4 Emergency Support - Connectivity-or RMS Applications - In the event of an urgent, emergency RMS application or connectivity problem that cannot be resolved by Levels 1-3, the Local ISC may report it to the SPD IS Coordinator or the Project Manager for immediate support, regardless of time of day, using phone numbers to be provided.

c. **SUPPORT TRAINING.** The City of Springfield will train the Local ISC's to identify and respond to connectivity and RMS application support issues, and to properly use the Support Levels described above. Additional support procedures and details such as phone numbers shall be provided to each agency by the Project Manager at the appropriate stage of implementation.

EXHIBIT B

To the Intergovernmental Agreement between the City of Springfield, Missouri and The Springfield R-XII School District for a Consolidated Police Records Management System (RMS)

COSTS AND BILLING

1. Costs

- a. **INITIAL LICENSE COSTS.** The City of Springfield, Missouri agrees to maintain all appropriate licenses for the RMS system with the systems manufacturer. The School District shall be authorized to use licenses in accordance with the Niche license agreement at a cost of twelve hundred dollars (\$1,200.00) per sworn person. The School District has twenty-six (26) sworn personnel. Non-sworn persons and support personnel are able to use the software at no additional charge to the School District. This price per license shall remain in line with the City of Springfield's acquisition costs for obtaining the same from Niche. Should the cost to the City of Springfield change, such change should be forwarded to the School District within thirty (30) days.
- b. **INITIAL SOFTWARE SETUP COSTS.** Software setup and Niche domain creation and seeding shall be included in the initial licensing purchase. After the software has been signed off by the School District as being complete and ready to go live, initial setup time shall be concluded and any further changes shall be governed by the support and maintenance agreement between the City of Springfield and the School District.
- c. **REQUIRED SUPPORT COSTS.** The City of Springfield will provide all related support and software upgrade functions in lieu of a direct manufacturer's maintenance agreement. The School District agrees to pay the following maintenance and support fees:
 - 1) Manufacturer maintenance fees as stated in the contractual agreement between Niche and the City of Springfield (currently established at 20% of the total licensing cost) to the City of Springfield for said support beginning one year from the date that the School District "goes live" with Niche. Should the cost to the City of Springfield change, such change shall be forwarded to the School District within (30) days. The School District shall receive for this support agreement support as outlined in the main contract body, as well as minor software changes and updates as requested. All support and change requests shall be prioritized within the City of Springfield and acted upon based on their priority level. Should the School District feel that the priority for a specific project be changed, said request should be routed through the local Information Systems Coordinator, or the local Project Manager.
 - 2) Local maintenance fees in an amount equal to of 75% of the School District's share of the manufacturer maintenance fees shall be payable to the City of Springfield for overall quality control services which maintain the integrity and quality of the data within the

RMS. Local quality control services include but are not limited to data quality management, training and technical support, general testing and troubleshooting, product development, and coordination with the manufacturer on future functionality and upgrades to the software. Local maintenance fees will be assessed beginning with the billing cycle that commences on February 1, 2021.

d. **SIGNIFICANT SOFTWARE MODIFICATIONS.** The City of Springfield may choose to charge the School District for requested changes to the software. If the City of Springfield chooses to exercise this option, an estimate on the total cost to complete shall be given in writing to the School District prior to the commencement of work. The total costs due for said changes will be the actual costs to the City of Springfield for both employee labor at the employee's labor rate, as well as any outside costs incurred directly for said project.

e. **MISCELLANEOUS COSTS.** In the event of additional costs being incurred by the City of Springfield in reference to licensing held by the School District, said costs shall be passed on at their original billed values.

2. BILLS

a. **BILLING PROCEDURES.** The billing procedures shall be as follows:

1. **ESTIMATE.** School District will go live on July 1, 2020 and will be billed for their initial license fees and prorated maintenance fees for the remainder of the current contract term, which runs through January 31 2021. Beginning February 1, 2021 and each February 1 thereafter, The City will invoice the School District for its annual maintenance fees as described in paragraph (c) of this Exhibit.

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 08-04-20

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020-192

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 public streets and easements to the City of Springfield, Missouri, as
3 shown on the Preliminary Plat of Firestone Springfield
4 Addition, generally located at 216 East Weaver Road, upon the
5 applicant filing and recording a final plat that substantially conforms to
6 the preliminary plat; and authorizing the City Clerk to sign the final plat
7 upon compliance with all the terms of this Ordinance. (Staff
8 recommends that City Council accept the public streets and
9 easements.)
10 _____
11

12 WHEREAS, an original Preliminary Plat of Firestone Springfield Addition, dated July
13 1, 2020, is on file in the Department of Planning and Development; and
14

15 WHEREAS, on July 16, 2020, the Planning and Zoning Commission met and
16 approved the Preliminary Plat of Firestone Springfield Addition, generally located at 216
17 East Weaver Road; and
18

19 WHEREAS, a copy of the Record of Proceedings from said meeting is attached
20 hereto as "Exhibit A" and incorporated herein by this reference.
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 – City Council hereby authorizes the Director of Planning and
26 Development, on behalf of the City of Springfield, to accept the dedication of public streets
27 and easements as shown on the Preliminary Plat of Firestone Springfield Addition,
28 generally located at 216 East Weaver Road, as approved by the Planning and Zoning
29 Commission. The original plat of Firestone Springfield Addition is on file in the Department
30 of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is
31 attached hereto for general reference as "Exhibit B – Attachment 3" and all of "Exhibit B,"
32 including any and all attachments, is incorporated herein by this reference.
33

34 Section 2 – The Director of Planning and Development shall be authorized to accept
35 the land, easements, and improvements dedicated to the City, as shown on the Approved
36 Preliminary plat, upon the filing and recording of a final plat in accordance with this

Ordinance and the Subdivision Regulations of the City, which final plat shall substantially conform to the Approved Preliminary Plat, including those conditions described in "Exhibit B – Attachment 2" and upon the Director of Public Works certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications. Said public improvements shall not be accepted until the occurrence of the above written conditions.

Section 3 – The final plat shall not be recorded until: (1) the public improvements relating to the Approved Preliminary Plat have been constructed according to the specifications of the City of Springfield, Missouri, and are approved by the Director of Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned by or in connection with the construction of said improvements have been paid to the City; or (2) in lieu of the construction of the improvements, that the Applicant has filed with the City Manager, according to the terms of the Subdivision Regulations of the City, the prescribed financial assurances in a form acceptable to the City to ensure the construction of the improvements and the payment to the City of all engineering fees, permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the construction of the improvements.

Section 4 – Upon compliance with all the requirements of this Ordinance, including the conditions described in "Exhibit B – Attachment 2" the City Clerk is hereby authorized to endorse City Council's approval upon the final plat pursuant to Section 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public Improvements contained therein.

Section 5 – This Ordinance shall be in full force and effect from and after its passage and is subject to Section 36-226 of the Land Development Code.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Kyle T. [Signature], Assistant City Attorney

Approved for Council action: Jason A. [Signature], City Manager

EXPLANATION TO COUNCIL BILL 2020 - 191

FILED: 08-04-20

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. An original Preliminary Plat of Firestone Springfield Addition dated July 1, 2020, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in "Exhibit B - Attachment 3."
- B. The Planning and Zoning Commission held a public hearing on July 16, 2020, and approved the preliminary plat by a vote of 7 to 0, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
 - 4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
 - 5. The developer shall be responsible for the relocation costs of any existing utility

services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section 36-233 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond, escrow agreement, letter of credit or other appropriate security agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

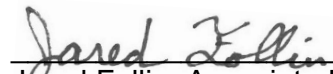
Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for High Intensity Retail, Office or Housing. The subdivision divides the property in a way that will facilitate commercial development which is consistent with the comprehensive plan and current zoning district. The Major Thoroughfare Plan classifies Campbell Avenue as an Expressway and Weaver Road as a Secondary Arterial which supports the proposed land use.

REMARKS:

Staff recommends approval.

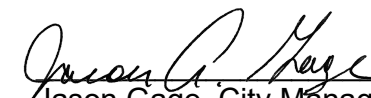
Submitted by:


Jared Follin, Associate Planner

Recommended by:


Mary Lilly Smith, Director

Approved by:


Jason Gage, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Conditions of Plat Approval

Attachment 3, Preliminary Plat

Exhibit A

**RECORD OF PROCEEDINGS
PRELIMINARY PLAT – FIRESTONE SPRINGFIELD ADDITION
Planning and Zoning Commission – July 16, 2020**

Preliminary Plat of Firestone Springfield Addition
216 East Weaver Road

Applicant: McKeen Trust, c/o Gene McKeen

Mr. Hosmer stated that this is a request to approve a two-lot commercial subdivision on 2.8 acres of property located at 216 East Weaver Road. The Comprehensive Plan identifies this as an appropriate area for High Intensity Retail, Office or Housing. The Transportation Plan classifies Campbell Avenue as an Expressway and Weaver Road as a Secondary Arterial which supports the proposed land use. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not allowed, and detention will be required. The property is not located in a stream buffer area. The property is currently zoned GR, General Retail District. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Bob Gage, representative wants to subdivide the access easement across the property and one west of Weaver Road.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Preliminary Plat of Firestone Springfield Addition (216 East Weaver Road). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.



Bob Hosmer, AICP
Planning Manager

Exhibit B

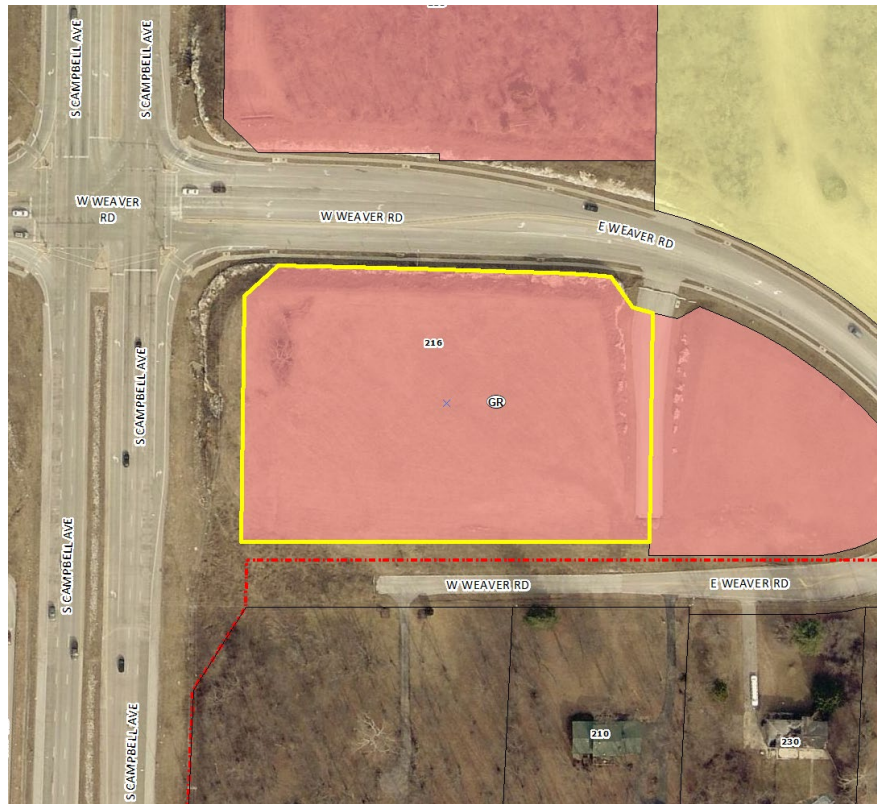
Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:

July 16, 2020

CITY COUNCIL PUBLIC HEARING:

August 10, 2020



CASE: Preliminary Plat of Firestone Springfield Addition

ACRES: 2.878

LOCATION: 216 East Weaver Road

EXISTING LAND USE: Vacant Property

APPLICANT: McKeen Trust

STAFF: Jared Follin, Associate Planner
417-864-1615

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report. Required vote is a majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

The applicant is proposing a preliminary plat for a two-lot subdivision named "Firestone Springfield Addition" to facilitate development on the property.

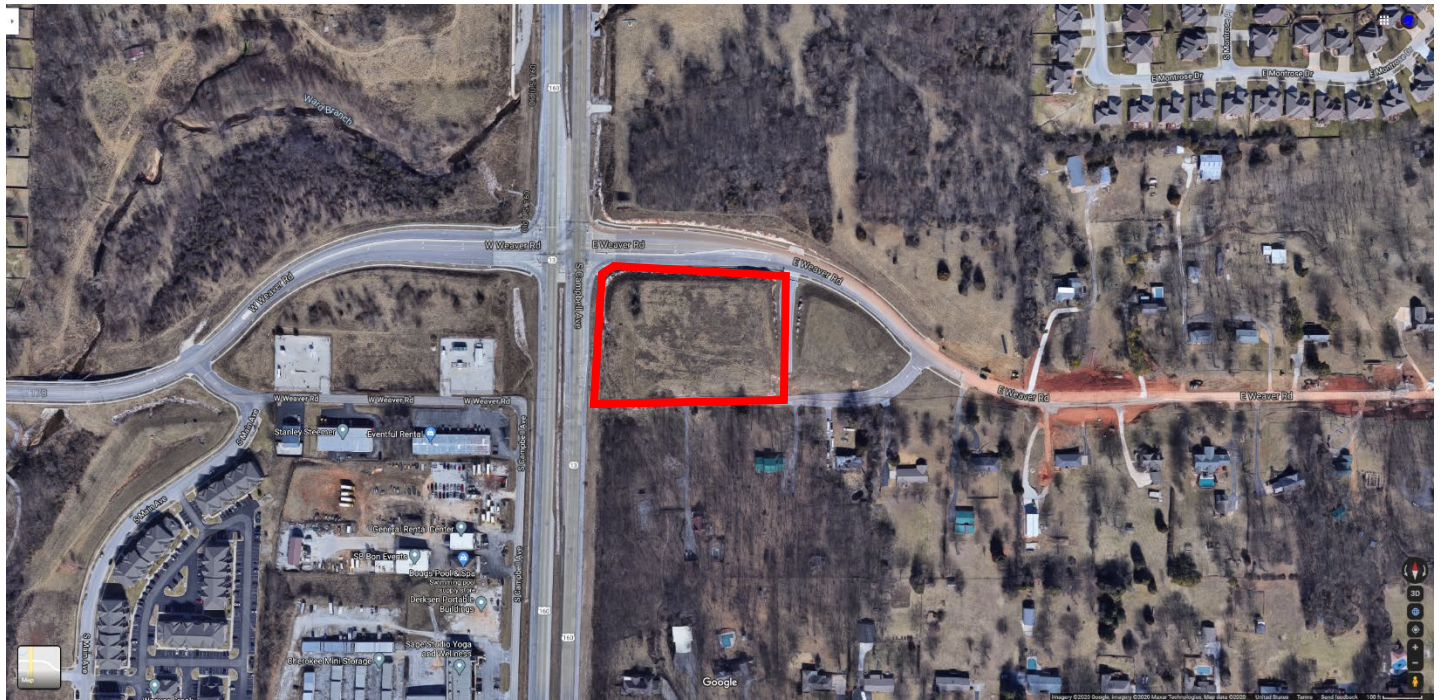
FINDINGS FOR STAFF RECOMMENDATIONS:

1. The applicant's proposal, with the conditions listed below, is consistent with the City's *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	County R-1	GR/R-SF	GR
LAND USE	Vacant	Single-Family Residential	Vacant	Vacant, Natural Gas Storage

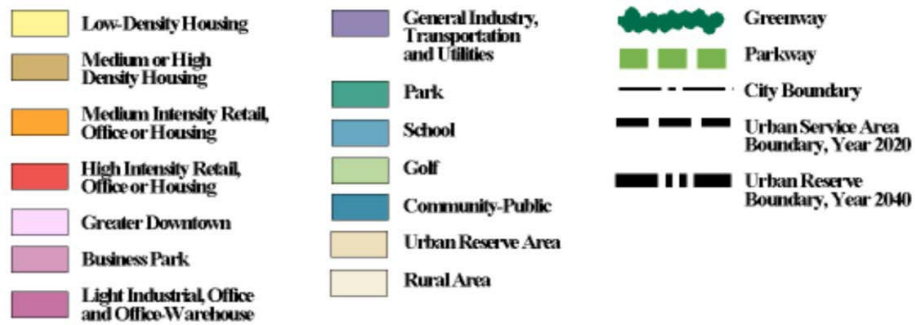
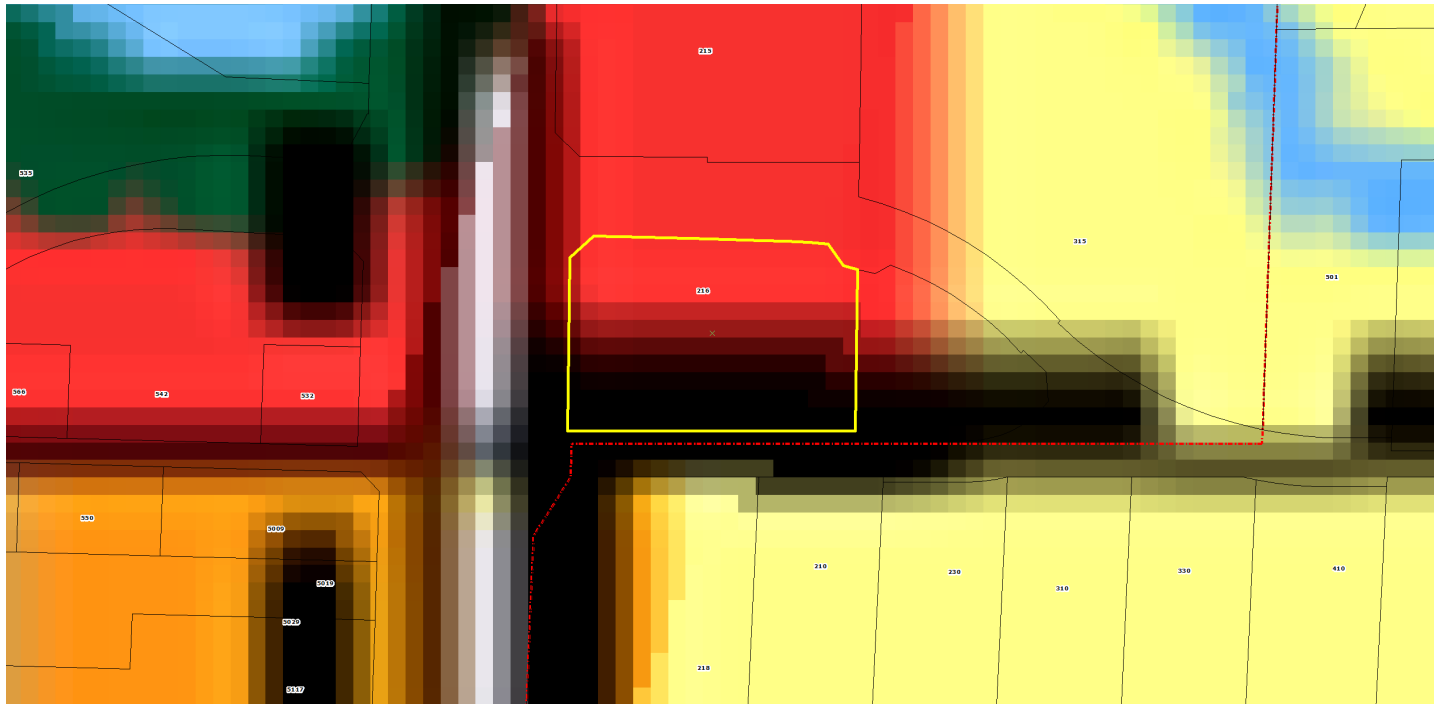
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

The subject property was annexed into the City in 1998 and was rezoned to General Retail in the same year. A Conditional Use Permit (CUP 441) was recently approved for this property on February 24th, 2020 to allow an automotive service garage to operate in the General Retail District.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-226. - Major subdivision review procedure.

(3) Preliminary plat.

- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
- (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.
- (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.
- (e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.
- (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.
- (g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.
- (h) Effective period of preliminary approval.
 1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
 2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

ZONING ORDINANCE AND SUBDIVISION REGULATION STANDARDS:

CODE ITEM	REQUIREMENTS FOR GENERAL RETAIL DISTRICT
Minimum Lot Size	None
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Front Yard Setback	25 feet
Side and Rear Setbacks	None, subject to bufferyard requirements
Street Classification	Weaver – Secondary Arterial Campbell - Expressway
Sidewalks (Per Sec.36-471)	There is existing sidewalk along the property frontage of W. Weaver Road. The existing infrastructure meets current City Standards.
Open Space Requirement	Not less than twenty (20) percent of the gross site area. No individually platted lot shall have less than ten (10) percent open space.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for High Intensity Retail, Office or Housing. The subdivision divides the property in a way that will facilitate commercial development which is consistent with the comprehensive plan and current zoning district. The Major Thoroughfare Plan classifies Campbell Avenue as an Expressway and Weaver Road as a Secondary Arterial which supports the proposed land use.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 2.8 acres into a two-lot subdivision named "Firestone Springfield Addition" to facilitate development of the site.
2. Proposed "Lot 1" will utilize a road access easement running through "Lot 2" to access public right of way.
3. All proposed lots meet the requirements of the City's Subdivision Regulations.
4. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
5. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1. Conditions of Approval are provided in Attachment 2.

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

BDS has no issues with the plat.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

1. Need to show the proposed sanitary sewer on the preliminary plat and needs to match sheet C500.
2. The new manhole for the proposed sewer extension on sheet C500 needs to extend at least 15 feet past the proposed lot line.
3. Note that by tying the proposed 6 inch sewer lateral into the proposed sewer main, the sewer permit cannot be issued until the sewer extension is actually constructed even if the improvements are escrowed. A sewer permit hold will need to be placed on the plumbing final inspection which means that it has to be completed before issuing the Cert. of Occupancy.
4. The public sewer extension will need to be completed or escrowed before the final plat and the building permit can be issued.

CITY UTILITIES:

No issues with prelim plat. 3 Phase Elec is available from Old Weaver/Campbell. Water is available from Old Weaver. Lot 1 will need a short Gas main extension to provide service.

FIRE DEPARTMENT:

No issues with plat.

E-911:

No edits are needed for this address on MSAG.

DEPARTMENT OF PUBLIC WORKS DIVISION CONSTRUCTION INSPECTION DIVISION:

IF public improvements are required they will have to be constructed or, if allowed, securities placed before approval of the final plat.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

Please note that all labelled "proposed" access easements will need to be dedicated as a part of the final plat. See Traffic Template for additional information.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Campbell Avenue as an expressway, W. Weaver Road as a secondary arterial, and W. Old Weaver Road as a local roadway. The standard right-of-way widths for S. Campbell Avenue, W. Weaver Road, and W. Old Weaver Road are 65 feet from centerline, 35 feet from centerline, and 25 feet from centerline, respectively. It appears additional right-of-way is not needed along any of the streets bordering this property. A survey is recommended to determine the exact amount of existing right-of-way. S. Campbell Avenue is under MODOT jurisdiction, while W. Weaver Road and W. Old Weaver Road are under City of Springfield jurisdiction.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from W. Weaver Road. Because the lot is being proposed to be split as a part of this preliminary plat, a north/south access easement will be needed along the existing private drive, and an east/west access easement will be needed to connect Lot 1 with the existing private drive. No additional driveway access points will be permitted to S. Campbell Avenue, W. Weaver Road, or W. Old Weaver Road.

SIDEWALK

There is existing sidewalk along the property frontage of W. Weaver Road. The existing infrastructure meets current City Standards.

IMPROVEMENTS

None required. Traffic Impact Studies are not required as a part of the platting process. Please be aware that improvements are planned along S. Campbell Avenue just north of the property in question. These improvements are a part of a larger development near the intersection of Campbell and Lakewood. Public Works has no other planned improvements in the area.

TRAFFIC - TABLE 1: PLATTING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	S. Campbell Avenue	Expressway	No	158	65
Street 2	W. Weaver Road	Secondary Arterial	No	Varies	35
Street 3	W. Old Weaver Road	Local	Yes	46	25

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

1. The calculations need to be stamped by someone licensed in the state of Missouri. Resubmit with correct stamp.
 2. These preliminary calculations are fine for now but the following will need to be included with the formal project submittal:
 3. The critical duration analysis provided in the calculations needs to have the all durations to determine the critical duration. 30 min, 1 hour, 2 hour, and 24 hour. Please revise and resubmit
 4. You will need to provide the drain down time for your water quality.
- The following notes will need to be included on your final plat:
5. Provide surface water drainage statement: "The area shown hereon is not located in a storm sewer district as of the date of recording and may be subject to future assessment cost if included in future storm water benefit district deemed necessary resulting from problems created by surface water runoff. This is due to the fact that the surface water runoff is presently being accommodated by street and open drainage facilities."
 6. Per Chapter 12 Section 3.1 of the Stormwater Design Criteria Manual
"All common areas shall be considered drainage easements. All Common Areas are to be maintained by the property owners associated. All drainage easements are to be maintained by the property owner."

The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing, detention is required according to Chapter 96. A fee in lieu of on-site stormwater detention is not allowed and detention will be required. Water quality is required if disturbing more than one acre. The property is not located in a stream buffer area.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. If disturbing 1 acre or greater, water quality will also have to be provided.
3. Drainage easements must be provided for this conveyance.

4. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.
5. A land disturbance permit will be required if disturbing 1 acre or greater.

Public Works Stormwater Division	Response
Drainage Basin	Ward Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is property located in a stream buffer?	No
Is stormwater fee in lieu an option?	No

REQUIREMENTS FOR APPROVAL:

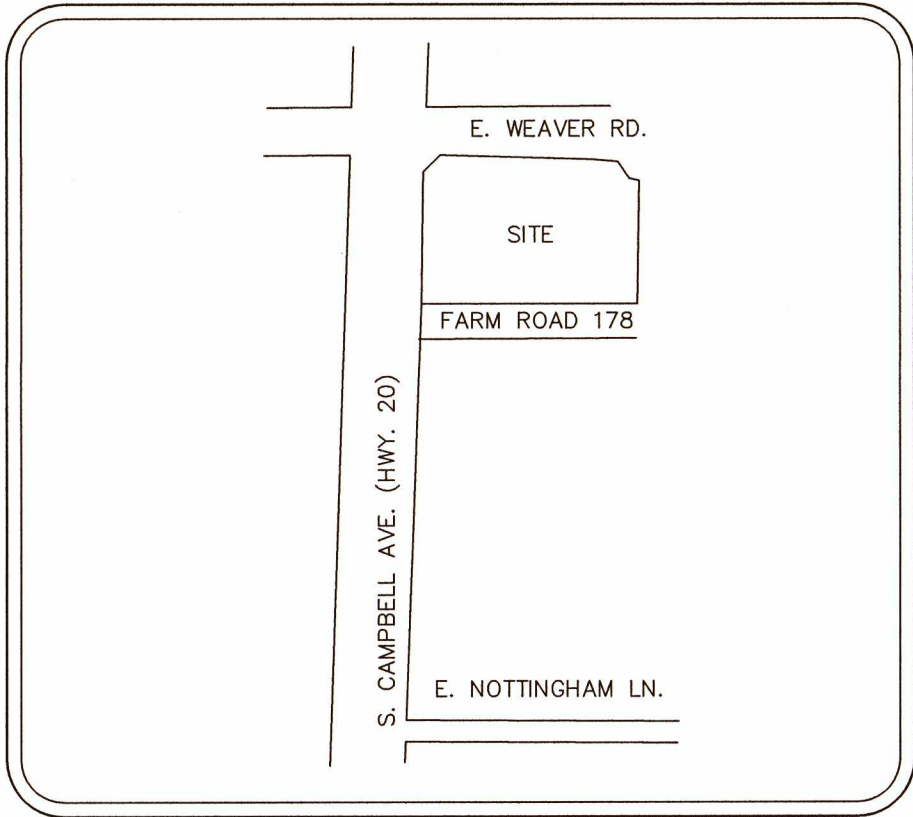
ATTACHMENT 2

Staff recommends the Planning and Zoning Commission approve the Preliminary Plat, with the conditions listed below:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill

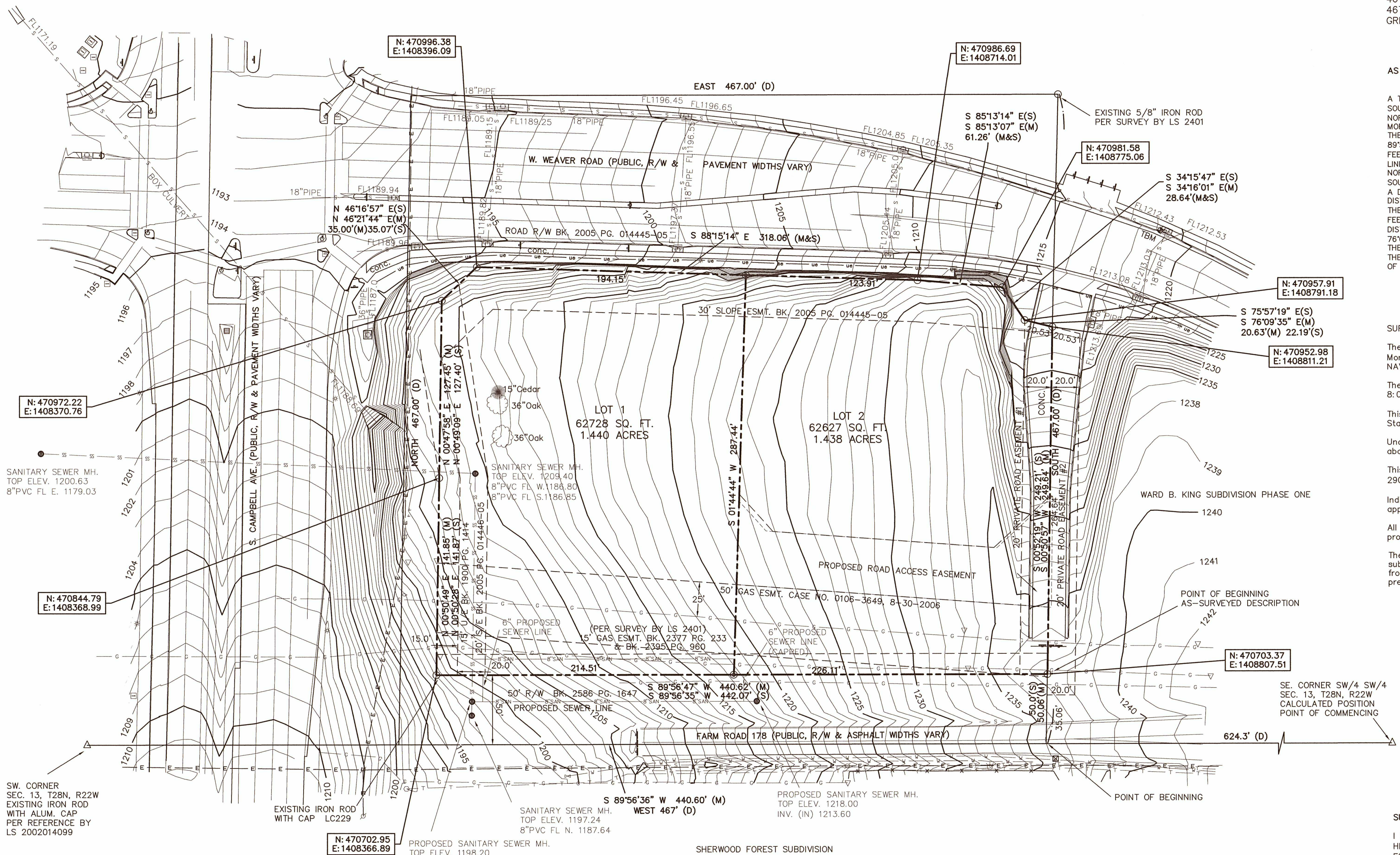
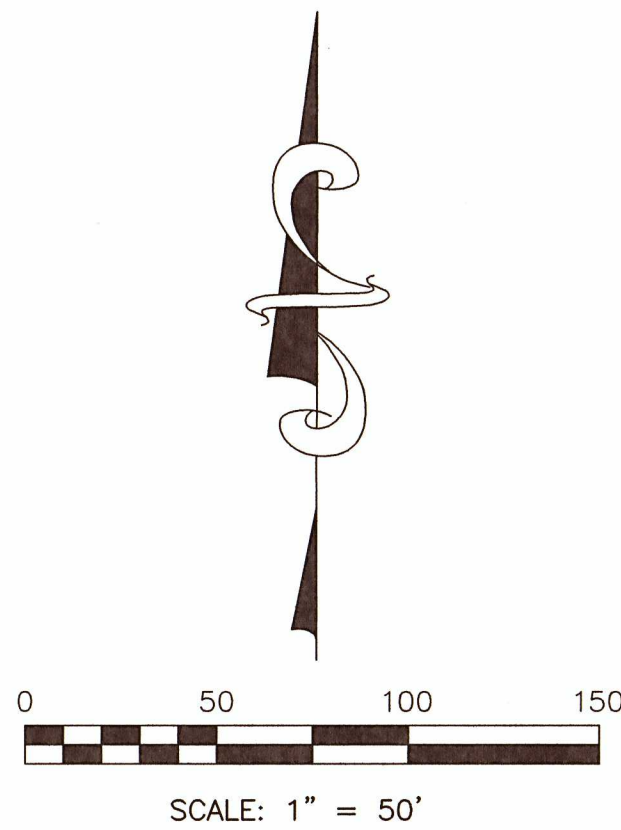
PRELIMINARY PLAT
FIRESTONE SPRINGFIELD ADDITION
in the City of Springfield
located in a portion of SECTION 13,
TOWNSHIP 28 NORTH, RANGE 22 WEST of the 5th P.M.
GREENE COUNTY, MISSOURI



Vicinity Map
Not To Scale

LEGEND

○	Existing Iron Rod With Cap LC229 (unless noted)	(M)	Measured Dimension
●	Set 1/2"x24" Iron Rod/Cap (unless otherwise noted)	(D)	Deed Dimension
△	Section Corner Origin Unknown (unless noted)	(S)	Survey Dimension LS 2401
---	Boundary Line	R/W	Right of Way
---	Setback Line	Conc.	Concrete
---	Fence	⊗	Water Meter
---	Overhead Electric Line	⊗	Guy Wire
---	Water Line	⊗	Gas Meter
---	Gas Line	⊗	Gas Valve
---	Underground Telephone	⊗	Telephone Riser Box
---	Sanitary Sewer Line	⊗	Undetermined Manhole
---	Underground Electric Line	⊗	Sanitary Sewer Cleanout
---	Bollard	⊗	Sanitary Sewer Manhole
---	Area Inlet	⊗	Sign
---	Curb Inlet	⊗	Light Pole
---	Fire Hydrant	⊗	Power Pole
---	Handicap Parking	⊗	Water Valve
---	Electric Cabinet	⊗	Electric Meter
---	Gas Line Marker	⊗	Storm Drain Manhole
		⊗	Traffic Signal Post
		⊗	Mailbox



DEVELOPER
GBT Realty
9010 Overlook Boulevard
Brentwood, Tennessee 37027
Owner Contact: Jason Horowitz
Email: jhorowitz@gbtrealty.com
Phone: (615) 370-0670

OWNER:
McKeen Trust
255 Turners Station
Turners MO 65765



CORNERSTONE
Regional Surveying, LLC
Serving Kansas, Missouri & Oklahoma
1921 North Penn, Independence, KS 67301 Ph:620-331-6767

William A. Booe, LS 2002010970, w.booe@cornerstone-rs.com

Project No. 1-2002060PLAT-M

TITLE DESCRIPTION:

FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 13868STL DATED NOVEMBER 6, 2019, AT 8:00 AM

BEGINNING 624.3 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTEEN (13), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-TWO (22), THENCE WEST 467 FEET, THENCE NORTH 467 FEET, THENCE EAST 467 FEET, THENCE SOUTH 467 FEET, TO THE POINT OF BEGINNING; EXCEPT ANY PART USED FOR ROADS, IN GREENE COUNTY, MISSOURI.

AS SURVEYED DESCRIPTION:

A TRACT OF LAND LOCATED IN A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTEEN (13), TOWNSHIP TWENTY-EIGHT (28) NORTH, RANGE TWENTY-TWO (22) WEST OF THE 5TH P.M., GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13; THENCE S 89°56'36" W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 624.30 FEET; THENCE N 00°50'57" E, A DISTANCE OF 50.06 FEET TO THE NORTH RIGHT-OF-WAY LINE OF FARM ROAD 178 FOR THE POINT OF BEGINNING; THENCE S 89°56'47" W. ALONG SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 440.62 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH CAMPBELL AVENUE; THENCE N 00°50'49" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 141.85 FEET; THENCE N 00°47'58" E, ALONG THE EAST RIGHT-OF-WAY, A DISTANCE OF 127.45 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF W. WEAVER ROAD; THENCE FOLLOWING THE SOUTH RIGHT-OF-WAY LINES, N 48°21'44" E, A DISTANCE OF 35.00 FEET; THENCE S 88°15'14" E, A DISTANCE OF 318.06 FEET; THENCE S 85°13'07" E, A DISTANCE OF 61.26 FEET; THENCE S 34°16'01" E, A DISTANCE OF 28.64 FEET; THENCE S 76°09'35" E, A DISTANCE OF 20.63 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 1876 AT PAGE 1445; THENCE S 00°50'57" W. ALONG SAID EAST LINE, A DISTANCE OF 249.64 FEET TO THE POINT OF BEGINNING. CONTAINING 2.878 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

The bearings shown hereon are based upon the Missouri State Plane Coordinate System, Central Zone. NGS Monument NO. AC7144, in the South R/W of W. Plainview Road. N: 468043.874, E: 1405566.712. ELEV: 1245.08 NAVD88 Site Benchmark: Found square cut on curb inlet. ELEV: 1219.24

The Title report was furnished by Fidelity National Title commitment no. 13868STL, dated November 6, 2019 at 8:00 a.m. No noted oil or gas wells per commitment or observed in the field.

This survey meets the accuracy requirements for "Urban" property as defined by the Missouri Minimum Standards. Closure 1 in 295964.

Underground utilities are shown per One call ticket 200582762, dated 3-3-2020. Utilities are shown by the above ground markings provided by others and this locations should be considered approximate.

This property is in no Special Flood Hazard Zone according to Flood Insurance Rate Map, Community Number 29077C0456E, effective date December 17, 2010. Zone "X"

Individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots unless specific application is made and approved by the city engineer.

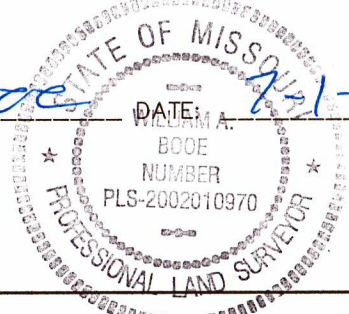
All common areas shall be considered drainage easements. All common area are to be maintained by the property owners associated. All drainage easements are to be maintained by the property owner.

The area shown hereon is not located in a storm sewer district as of the date of recording and may be subject to future assessment cost if included in future storm water benefit district deemed necessary resulting from problems created by surface water runoff. This is due to the fact that the surface water runoff is presently being accommodated by street and open drainage facilities.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE PREMISES DESCRIBED HEREIN WHICH MEETS OR EXCEEDS THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGICAL SURVEY AND RESOURCE ASSESSMENT AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

William A. Booe
WILLIAM A. BOOE, LS 2002010970



One-rdg. _____
P. Hrngs. _____
Pgs. 8
Filed: 08-04-20

Sponsored by: Ollis

First Reading: _____

Second Reading: _____

COUNCIL BILL 2020- 193

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Joint Funding
2 Agreement with the United States Department of the Interior for the
3 purpose of operating and maintaining four streamgages.
4 _____

5
6 WHEREAS, the U.S. Geological survey ("USGS"), which is part of the
7 Department of the Interior, maintains over 8,000 streamgages across the country; and
8

9 WHEREAS, these gauges provide real-time, continuous data of water-surface
10 elevation and stream flow; and
11

12 WHEREAS, this data is used when designing highways and bridges, mapping
13 floodplains, issuing flood warnings due to major storm events, water-quality monitoring
14 studies, watershed planning purposes, and for education and research; and
15

16 WHEREAS, the City has shared in the costs of at least three streamgages since
17 1998, with a fourth streamgage added in 2004; and
18

19 WHEREAS, the proposed Joint Funding Agreement would authorize the City and
20 USGS to share in the cost of four streamgages located on Wilson's Creek at Scenic
21 Avenue, Wilson's Creek at Farm Road 156, South Creek at Highway FF, and Pearson
22 Creek at Farm Road 148; and
23

24 WHEREAS, the total annual cost to operate and maintain these four gauges is
25 \$57,600.00, with fifty percent (50%) of the total cost, or \$28,800, funded through the
26 City's already budgeted Fiscal Year 2020-2021 General Fund Budget for the
27 Department of Public Works.
28

29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
31

32 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
33 a Joint Funding Agreement with the U.S. Department of the Interior for the purpose of

operating and maintaining four streamgages; said Agreement to be in substantially similar form as that document attached hereto and incorporated herein by reference as "Exhibit A."

Section 2 – This Ordinance shall be in full force and effect from and after passage.

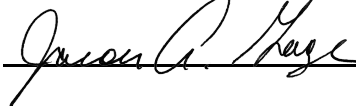
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: , Assistant City Attorney

Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2020-193

FILED: 08-04-20

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Joint Funding Agreement with the United States Department of the Interior for the purpose of operating and maintaining four streamgages.

BACKGROUND INFORMATION: Streamgages are an important tool for various public entities when it comes to water resources. The United States Geological Survey ("USGS") operates and maintains over 8,000 streamgages across the country. More than 280 are located in Missouri. Streamgages provide real-time, continuous data of gauge height (water-surface elevation) and stream flow which provides multiple benefits to the public. The data is used when designing highways and bridges, mapping floodplains, issuing flood warnings during major storm events, water-quality monitoring studies, watershed planning purposes, and for education and research. The City of Springfield has shared in the cost of three streamgages since 1998. These streamgages are located on Wilsons Creek at Scenic Avenue, Wilsons Creek at Farm Road 156, and South Creek at Highway FF. A fourth streamgage was added in 2004 on Pearson Creek at Farm Road 148. The data from these four streamgages are also used by the National Weather Service to create river forecasts at each location during times of flooding.

The Joint Funding Agreement is for the one-year period of October 1, 2020, to September 30, 2021, and will continue the operation and maintenance of four existing streamgages. The total annual cost to operate and maintain these four gauges is \$57,600 with \$28,800 (50%) funded by the City of Springfield. Funding for this agreement is already budgeted as part of the Fiscal Year 2020-2021 General Fund Budget for the Department of Public Works Stormwater Services Division, and no budget adjustment is needed. The Missouri Department of Transportation is also sharing in the cost of the streamgage on Pearson Creek and has contributed \$7,200. The remaining \$21,600 is funded by the USGS. See "Exhibit B" for a breakdown of the annual costs.

Supports the following City Council Priorities:

- Public Safety

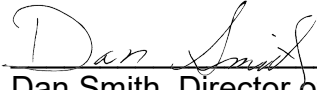
REMARKS: Public Works recommends approval of this Council bill.

Submitted by:



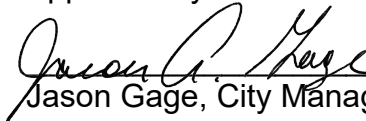
Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Jason Gage, City Manager

Exhibit A



United States Department of the Interior

U.S. GEOLOGICAL SURVEY

CENTRAL MIDWEST WATER SCIENCE CENTER

MISSOURI	ILLINOIS	IOWA
1400 Independence Rd. MS100	405 N. Goodwin Ave.	400 S. Clinton St. Rm 269
Rolla, MO 65401	Urbana, IL 61801	Iowa City, IA 52240

July 15, 2020

Chris Dunnaway
Principal Engineer
City of Springfield - Public Works
P.O. Box 8368
Springfield, MO 65802

Dear Mr. Dunnaway:

Attached is our standard joint-funding agreement for the operation and maintenance of four (4) streamgages; Wilson Creek at Scenic Drive; Wilson Creek at FR 156 near Springfield; South Creek near Springfield; and Pearson Creek near Springfield, for the period October 1, 2020 through September 30, 2021, in the amount of \$28,800 from your agency. U.S. Geological Survey contributions for this agreement are \$21,600 for a combined total of \$50,400. Please sign and return one fully-executed original to Julie A. Asher via e-mail.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **October 1, 2020**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact me by phone number (573) 308-3674 or email csbarks@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed quarterly via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Julie Asher at phone number (573) 308-3558 or email at jasher@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. We look forward to continuing this and future cooperative efforts in these mutually beneficial water resources studies.

Sincerely,

C. BARKS

Digitally signed by C.
BARKS
Date: 2020.07.15
06:43:19 -05'00'

C. Shane Barks
Deputy Director, Central Midwest WSC

Enclosure
21NEJFA212

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000001460
Agreement #: 21NEJFA212
Project #: NE009KT
TIN #: 44-0553154
Match Pair Code: X2

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2020, by the U.S. GEOLOGICAL SURVEY, Central Midwest Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the City of Springfield - Public Works party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation, the **operation and maintenance of four (4) streamgages; Wilson Creek at Scenic Drive; Wilson Creek at FR 156 near Springfield; South Creek near Springfield; and Pearson Creek near Springfield**, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$21,600 by the party of the first part during the period
October 1, 2020 to September 30, 2021
- (b) \$28,800 by the party of the second part during the period
October 1, 2020 to September 30, 2021
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000001460
Agreement #: 21NEJFA212
Project #: NE009KT
TIN #: 44-0553154

9. Billing for this agreement will be rendered quarterly. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: C. Shane Barks
Deputy Director for Networks
Address: 1400 Independence Road
Rolla, MO 65401
Telephone: (573) 308-3674
Fax: (573) 308-3645
Email: csbarks@usgs.gov

Customer Technical Point of Contact

Name: Chris Dunnaway
Principal Engineer
Address: P.O. Box 8368
Springfield, MO 65802
Telephone: (417) 864-1876
Fax: (417) 864-1907
Email: cdunnaway@springfieldmo.gov

USGS Billing Point of Contact

Name: Julie Asher
Budget Analyst
Address: 1400 Independence Road
Rolla, MO 65401
Telephone: (573) 308-3558
Fax: (573) 308-3645
Email: jasher@usgs.gov

Customer Billing Point of Contact

Name: Chris Dunnaway
Principal Engineer
Address: P.O. Box 8368
Springfield, MO 65802
Telephone: (417) 864-1876
Fax: (417) 864-1907
Email: cdunnaway@springfieldmo.gov

U.S. Geological Survey
United States
Department of Interior

City of Springfield - Public Works

Signature

By C. BARKS Digitally signed by C. BARKS
Date: 2020.07.15 06:45:27
-05'00' Date: 07/15/2020
Name: Amy Beussink
Title: Director, Central Midwest WSC

Signatures

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

Exhibit B

Springfield Department of Public Works - U.S. Geological Survey

Cooperative Streamgaging Program

October 1, 2020 - September 30, 2021

Station Number	Station Name	Cost			
		Springfield	USGS	MoDOT	Total
07050690	Pearson Creek near Springfield, MO	\$7,200	\$0	\$7,200	\$14,400
07052000	Wilson Creek at Scenic Drive in Springfield	\$7,200	\$7,200	\$0	\$14,400
07052100	Wilson Creek at FR 156 near Springfield	\$7,200	\$7,200	\$0	\$14,400
07052120	South Creek at Highway FF near Springfield	\$7,200	\$7,200	\$0	\$14,400
Total		\$28,800	\$21,600	\$7,200	\$57,600