Agenda
City Council
Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Ken McClure, Mayor

Zone Councilmembers	**General Councilmembers**
Monica Horton, Zone 1	Heather Hardinger, 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 8, 2022 6:30 p.m.

Speakers must sign up with the City Clerk to speak to a Council Bill on the agenda.

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 not 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 based on City Council's policy regarding the number of speakers.

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

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES, JULY 25, 2022, CITY COUNCIL MEETING**

2. **APPROVAL OF MINUTES: JULY 25, 2022, CITY COUNCIL MEETING.**

Documents:

07-25-22.PDF

3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**

4. **CEREMONIAL MATTERS.**

5. **CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**

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

7. **Council Bill 2022-183 (Schilling)**

A special ordinance authorizing the Department of Planning and Development to approve a $300,000 loan, with a reduced interest rate from the rate established in the Comprehensive Housing Assistance Program Rules, for the Nordic Landing development generally located at 810 West Catalpa Steet. (Staff and Loan Committee recommend approval.)

Documents:

2022-183.PDF

8. **Council Bill 2022-184 (Ollis)**

A general ordinance amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one full-time equivalent position in order to transition the position of National Incident-Based Reporting System ("NIBRS") Representative from a contract position to a full-time equivalent position.

Documents:

2022-184.PDF

9. **Council Bill 2022-185 (Ollis)**

A general ordinance amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one-half full-time equivalent position of Quartermaster in order to transition the position from a contract position to a part-time position.

Documents:

2022-185.PDF

10. **Council Bill 2022-186 (Hardinger)**

A general ordinance amending Chapter 36, Article XIII of the Springfield City Code, known as the Land Development Code, by repealing Article XIII, 'Residential Building Code,' in its entirety, and enacting in lieu thereof a new Article XIII, 'International Residential Code.'

Documents:

2022-186.PDF

11. **RESOLUTIONS.**

12. **EMERGENCY BILLS. Citizens May Speak. May Be Voted On.**

13. **Council Bill 2022-188 (Lear)**

A general ordinance amending the Springfield City Code, Section 2-92, known as the 'Salary Ordinance,' by incorporating certain premium pay for select, voluntary Sunday shifts within the Police Department that impact bargaining unit members, and which was negotiated and tentatively agreed to, and declaring an emergency.

Documents:

COUNCIL BILL 2022-188.PDF

14. **Council Bill 2022-189 (Ollis)**

A special ordinance approving the Fifth Amendment to the July 1, 2021 Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA"), the Exclusive Representative of a certain Bargaining Unit within the Springfield Police Department, representing changes requested by the City regarding certain discretionary premium pay for certain Sunday shifts; authorizing the City Manager, or his designee, on behalf of the City, to execute and deliver the Fifth Amendment to the Collective Bargaining Agreement to the Exclusive Representative; and declaring an emergency.

Documents:

COUNCIL BILL 2022-189.PDF

15. **PUBLIC IMPROVEMENTS.**

16. **GRANTS. Citizens May Speak. May Be Voted On.**

16. **GRANTS. Citizens May Speak. May Be Voted On.**

17. **Council Bill 2022-190 (Hardinger)**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the State of Missouri, Department of Economic Development, Division of Tourism, for the purpose of accepting funds appropriated by the General Assembly for a Route 66 festival in Springfield; amending the budget of the City of Springfield for Fiscal Year 2022-2023 in the amount of $250,000; and declaring that this bill qualifies for approval in one reading.

Documents:

COUNCIL BILL 2022-190.PDF

18. **AMENDED BILLS.**

19. **COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.**

20. **Council Bill 2022-191 (McGull)**

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 24 acres of private property, generally located at 3224 East Valley Water Mill Road, and referenced as Annexation A-3-2022, into the City of Springfield. (By: Valley Water Mill Prop, LLC; 3224 E. Valley Water Mill Road; A-3-2022.)

Documents:

COUNCIL BILL 2022-191.PDF

21. **Council Bill 2022-192 (McGull)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 24 acres of property generally located at 3224 East Valley Water Mill Road from County R-1, Suburban Residence District, to GR, General Retail District, with Conditional Overlay District No. 216; establishing Conditional Overlay District No. 216; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Valley Water Mill Prop, LLC; 3224 E. Valley Water Mill Rd.; Z-16-2022 w/COD #216.)

Documents:

COUNCIL BILL 2022-192.PDF

22. **Council Bill 2022-193 (Horton)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 24.8 acres of property generally located at 5100 West State Highway EE from County A-1, Agriculture District, to GI, Government and Institutional District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Greene County; 5100 W. State Highway EE; Z-13-2022.)

Documents:

COUNCIL BILL 2022-193.PDF

23. **Council Bill 2022-194 (Simpson)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District, to R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kimberly Steed; 6177 South Farm Road 189; Z-11-2022.)

Documents:

COUNCIL BILL 2022-194.PDF

24. **Council Bill 2022-195 (McGull)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District, to R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Courageous Church; 922 South Eastgate Avenue; Z-14-2022.)

Documents:

COUNCIL BILL 2022-195.PDF

25. **Council Bill 2022-196 (Simpson)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 8.71 acres of property generally located at 1436 East Erie Street from Planned Development No. 108 to Planned Development No. 381; and adopting an updated Official Zoning Map.

(Staff and Planning and Zoning Commission recommend approval.) (By: Venture Development Partnership; 1436 E. Erie Street; Planned Development No. 381.)

Documents:

COUNCIL BILL 2022-196.PDF

26. **Council Bill 2022-197 (Simpson)**

A special ordinance granting Conditional Use Permit No. 464 for the purpose of permitting a self-service storage facility as a conditional use within the GR –General Retail District, with Conditional Overlay District No. 146, generally located at 2960 East Allen Place. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: Township 28, LLC; 2960 E. Allen Place; Conditional Use Permit 464.)

Documents:

COUNCIL BILL 2022-197.PDF

27. **Council Bill 2022-198 (Schilling)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.47 acres of property generally located at 1015 South Grant Avenue and 1012, 1020, and 1024 South Douglas Avenue from Grant Avenue Parkway District, Subdistrict E, to Planned Development No. 382; and adopting an updated Official Zoning Map. (Planning and Zoning Commission recommends approval and Staff recommends denial.) (By: GDL Enterprises, LLC; 1015 S. Grant Avenue and 1012, 1020, and 1024 S. Douglas Avenue; Planned Development No. 382.)

Documents:

COUNCIL BILL 2022-198.PDF

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

29. **Council Bill 2022-199 (Hardinger)**

A general ordinance amending the Springfield City Code, Chapter 46, 'Elections,' Section 46-4, 'Nominating petitions,' to add a date that informational packets, which include nominating petitions for candidates for City Council, must be made available to candidates.

Documents:

COUNCIL BILL 2022-199.PDF

30. **Council Bill 2022-200 (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into an agreement with the Missouri Development Finance Board to obtain tax credits for contributions to benefit the Springfield Art Museum's 2028 Campaign and 30-Year Master Plan and to take other actions reasonably necessary to carry out the terms of such agreement.

Documents:

COUNCIL BILL 2022-200.PDF

31. **Council Bill 2022-206**

A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article V, 'Departments,' Division 2, 'Building Development Services,' by revising Section 2-311, 'Established; appointment and qualifications of director,' to amend the required qualifications for the director of Building Development Services.

Documents:

COUNCIL BILL 2022-206.PDF

32. **PETITIONS, REMONSTRANCES AND COMMUNICATIONS.**

33. **NEW BUSINESS.**

Referring City Code changes recommended by the Police Officers' and Fire Fighters' Retirement System Board of Trustees at their July 21, 2022, meeting relating to the Police Officers' and Fire Fighters' Retirement System to the Finance and Administration Committee.

34. **UNFINISHED BUSINESS.**

35. **MISCELLANEOUS.**

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

37. **Council Bill 2022-201 (Simpson)**

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Fountain Place, generally located at 1436 East Erie Street, 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

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.)

Documents:

COUNCIL BILL 2022-201.PDF

38. **Council Bill 2022-202 (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, as shown on the Preliminary Plat of Opal Sunset Subdivision, generally located at 3851 West University Street, 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.)

Documents:

COUNCIL BILL 2022-202.PDF

39. **Council Bill 2022-203 (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, as shown on the Preliminary Plat of RLC Sixty Subdivision, generally located at 2852 South Dayton Avenue, 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.)

Documents:

COUNCIL BILL 2022-203.PDF

40. **Council Bill 2022-204 (Simpson)**

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of The Irons at Millwood Subdivision, generally located at 6177 South Farm Road 189, 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.)

Documents:

Documents:

COUNCIL BILL 2022-204.PDF

41. **Council Bill 2022-205 (Horton)**

A special ordinance Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the renewal of the Preliminary Plat of Troy Acres 1st Addition, generally located at 520 South Troy Avenue, 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.)

Documents:

COUNCIL BILL 2022-205.PDF

42. **CONSENT AGENDA – ONE READING BILLS.**

43. **CONSENT AGENDA – SECOND READING BILLS.**

44. **BOARD CONFIRMATIONS.**

Confirm the following reappointment to the Art Museum Board: Calie Holden with term to expire June 1, 2025.

Confirm the following appointments to the Art Museum Board: Nora Cox and Mitzi Kirkland-Ives with terms to expire June 1, 2025.

Confirm the following appointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Jonathan Winn with term to expire April 30, 2025.

45. **END OF CONSENT AGENDA.**

46. **ADJOURN.**

Persons addressing City Council are asked to step to the microphone and 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 864-1651 at least three days prior to the scheduled meeting.

July 25, 2022
Springfield, Missouri

The City Council met in regular session July 25, 2022, in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. Mayor McClure acknowledged the passing of Ken Myers, Springfield broadcasting pioneer and philanthropist, and Dr. Tommy Macdonnell, Missouri State Representative and World War II hero.

Roll Call

Present: Mike Schilling, Matthew Simpson, Abe McGull, Craig Hosmer, Richard Ollis, Andrew Lear, Monica Horton, Heather Hardinger, and Ken McClure. Absent: None.

Minutes

The minutes of the July 11, 2022, City Council Meeting, July 12, 2022, Special City Council Meeting, and July 19, 2022, Special City Council Meeting were considered. Mayor Pro Tem Simpson moved to approve the minutes as presented. The motion was seconded by Councilwoman Horton and approved by the following vote: Ayes: Ollis, Lear, Hardinger, Horton, Hosmer, McGull, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Consent Agenda

The consent agenda was approved as presented by the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

CEREMONIAL MATTERS.

City Manager Report

Jason Gage, City Manager, noted the City of Springfield communicated political signage rules from the City Code to the public. Numerous complaints have been received, and offending signs have been removed. Mr. Gage further noted communication provided to the public and the political parties included location and size restrictions, as well requirements for removal and the process for retrieving signs from the Public Works compound.

Mr. Gage provided an update for Forward SGF. He noted a kickoff event for the Comprehensive Plan was held last week at Hammons Field. The draft plan and video messages from the event are located on the plan website at forwardsgf.com. He further noted additional public sessions will take place in all four City Council zones during the month of August.

Mr. Gage noted the 75th Police Academy will graduate 24 members on July 29, 2022, at 7p.m. The graduation will take place at the East Sunshine Church of Christ.

Mr. Gage noted Maurice S. Jones, Deputy City Manager, recently received the Credentialed Manager designation from the International City/County Management Association (ICMA). To receive the prestigious ICMA credential, a member must have significant experience as a senior management executive in local government, have earned a degree, preferably in

public administration or a related field, and demonstrated a commitment to high standards of integrity and to lifelong learning and professional development.

Mr. Gage noted construction on the first section of the Grant Avenue Parkway near Parkview High School continues this summer and is expected to reopen to traffic on schedule by the start of the upcoming school year.

Mayor McClure thanked Mr. Jones for his hard work and congratulated him on the achievement of the ICMA credential.

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

Amending the Springfield Land Development Code: 3018 West Battlefield Road

Sponsor: Schilling. Council Bill 2022-167

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.36 acres of property generally located at 3018 West Battlefield Road from GR, General Retail District, and GM, General Manufacturing District, to IC, Industrial Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Schelle Development Co, LLC; 3018 W. Battlefield Road; Z-4-2022.)

Council Bill 2022-167. General Ordinance 6731 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the Springfield Land Development Code: 3900 South Lone Pine Avenue; 2955 and 2957 East Allen Place

Sponsor: Simpson. Council Bill 2022-168

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.84 acres of property generally located at 3900 South Lone Pine Avenue and at 2955 and 2957 East Allen Place from R-MD, Medium-density Multifamily Residential District with Conditional Overlay District No. 17, and from R-SF, Single-family Residential District, to R-MD, Medium-density Multifamily Residential District, with Conditional Overlay District No. 212; establishing Conditional Overlay District No. 212; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: 3900 Lone Pine Apts LLC; 3900 South Lone Pine, 2955 and 2957 East Allen Place; Z-10-2022 w/COD #212.)

Council Bill 2022-168. General Ordinance 6732 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the Springfield Land Development Code: 404, 420, 424 East Sunshine Street

Sponsor: Simpson. Council Bill 2022-169

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1 acre of property generally located at 404, 420, and 424 East Sunshine Street from R-SF, Single-Family Residential District, to LB, Limited Business District, with Conditional Overlay District No. 207; establishing Conditional Overlay District No. 207; and adopting an updated Official Zoning Map. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: Reding Management and Redec, LLCs; 404, 420, & 424 E. Sunshine Street; Z-1-2022 w/COD #207.)

Anita Cotter, City Clerk, noted the applicant requested the bill be tabled until the August 8, 2022, City Council meeting, and a motion was placed at each of the City Council member's places if they desired to make the motion to table the proposed.

Mayor McClure clarified the options for action are to table the bill at the request of the applicant or to act on the bill. He noted if Council Bill 2022-169 failed, the companion Council Bill 2022-170 would also fail. Mayor McClure provided an example of a similar bill, Council Bill 2016-120, which due to City Council action, still sits vacant. He expressed his belief the action was a mistake. Mayor McClure noted Limited Business District is the most limited business use.

Councilman Ollis expressed his concern over the land remaining vacant. He expressed his opinion the area is conducive to business.

Councilman McGull noted he spoke with citizens in the area, and they were not opposed to the limited business but were opposed to the companion bill, Council Bill 2022-170. He expressed his belief the request of the applicant should be heard.

Councilman Lear noted the applicant has appeared before the Planning and Zoning Commission twice.

Mayor Pro Tem Simpson expressed his belief most of the issues are caused by the conditional use permit in Council Bill 2022-170. He expressed his opinion the proposed is appropriate for Limited Business. Mayor Pro Tem Simpson expressed his intention would be to remand Council Bill 2022-169 to the Planning and Zoning Commission.

Mayor McClure asked what happens next with Council Bill 2022-169 and Council Bill 2022-170 if the motion to remand would pass. Rhonda Lewsader, City Attorney, noted both Council Bills could be remanded. She further noted Council Bill 2022-170 is tied to the Limited Business District so the conditional use permit cannot apply until the Limited Business District is in place. Ms. Lewsader added no action could be taken on Council Bill 2022-170 until a decision has been made on the Limited Business District.

Mayor McClure asked if Council Bill 2022-169 would be back before City Council if a motion to remand failed. Ms. Lewsader answered affirmatively.

Councilman Hosmer asked if the protest petition applied if the proposed is remanded. Ms. Lewsader responded it does not; the protest petition would apply to whether zoning is granted or not. Councilman Hosmer asked if City Council can direct the Planning and Zoning Commission to look at certain issues. Ms. Lewsader responded City Council can direct on specific issues and provide guidance.

Jason Gage, City Manager, asked for clarification on the intent to remand. Mayor Pro Tem Simpson responded the conditions would apply to the conditional overlay, and his intent would be to remand Council Bill 2022-169 to the Planning and Zoning Commission.

Councilman Ollis expressed his concern that there are too many restrictions being placed on the use of the property.

Councilman Hosmer expressed his belief it is important to listen to the neighborhoods and expressed his opinion the Limited Business use is wrong for this property.

Councilman McGull asked if drive-throughs are allowed in Limited Business. Susan Istenes, Director of Planning and Development, responded they are not.

Mayor Pro Tem Simpson moved to remand Council Bill 2022-169 to the Planning and Zoning Commission. The motion was seconded by Councilman Lear and failed with the following vote: Ayes: Simpson, Hardinger, and Lear. Nays: Ollis, McGull, Horton, Hosmer, Schilling, and McClure. Absent: None. Abstain: None.

Anita Cotter, City Clerk, noted a protest petition was received and was found to be sufficient at 32.4%. A copy of the supplemental explanation was provided at City Council member's places and a supermajority, or six votes, would be required for passage.

Mayor McClure expressed his support for the bill.

Council Bill 2022-169. General Ordinance 6733 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Schilling, Simpson, and McClure. Nays: Hosmer and Horton. Absent: None. Abstain: None.

Conditional Use Permit No. 461: 404, 420, 424 East Sunshine Street

Sponsor: Simpson. Council Bill 2022-170

A special ordinance granting Conditional Use Permit No. 461 for the purpose of permitting an eating and drinking establishment use group, including drive-in, pick-up window, or drive-through facilities, as a conditional use within the LB – Limited Business District, generally located at 404, 420, and 424 East Sunshine Street. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: Reding Management and Redec, LLCs; 404, 420, & 424 E. Sunshine Street; Conditional Use Permit 461.)

Anita Cotter, City Clerk, noted the applicant requested the item be tabled until the August 8, 2022, City Council meeting.

Councilman Lear asked if there would be a time limit to when the issue can be presented again in a different form if the proposed failed. Rhonda Lewsader, City Attorney responded

there is not a time limit for the conditional use permit. Councilman Lear expressed his belief the proposed is suitable for a Limited Business District but not for a drive-through.

Council Bill 2022-170 failed with the following vote: Ayes: Ollis. Nays: Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Absent: None. Abstain: None.

Southwest Wastewater Treatment Plant and Primary Treatment Rehabilitation Project

Sponsor: Hosmer. Council Bill 2022-171

A special ordinance approving the plans and specifications for the Southwest Wastewater Treatment Plant: Plant 2 and Primary Treatment Rehabilitation Project; accepting the bid of Irvinbilt Constructors, Inc., in the amount of $3,682,640 and authorizing the City Manager to enter into contracts necessary for completion of said Project; and approving a budget adjustment to amend the Fiscal Year 2022-2023 Budget for the Department of Environmental Services, in the amount of $4,419,168, to appropriate retained earnings of the Clean Water Enterprise Fund.

Council Bill 2022-171. Special Ordinance 27725 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the budget: Springfield Art Museum: North Parking Lot

Sponsor: Ollis. Council Bill 2022-172

A special ordinance amending the budget of the Springfield Art Museum for Fiscal Year 2022-2023 in the amount of $150,000 to appropriate fund balance reserves from the Art Museum Special Project Fund to support construction of the Art Museum North Parking Improvements Project at the Springfield Art Museum.

Council Bill 2022-172. Special Ordinance 27726 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the budget: appropriate Public Health Fund balance

Sponsor: Lear. Council Bill 2022-173

A special ordinance amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2021-2022 in the amount of $3,300,000 to appropriate funds from the Public Health Fund balance for continued COVID-19 community response.

Council Bill 2022-173. Special Ordinance 27727 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the operating budget: City of Springfield General Fund: reimbursements and associated offsetting

Sponsor: Lear. Council Bill 2022-174

A special ordinance amending the Fiscal Year 2021-2022 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of $108,409, for the purpose of adjusting for certain reimbursements and associated offsetting expenses as well as adjusting the salary budget for retirement payouts.

expenses; adjusting the salary budget for retirement payouts

Council Bill 2022-174. Special Ordinance 27728 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending the operating budget: City of Springfield; Certain Reimbursements and associated offsetting expense items

Sponsor: Ollis. Council Bill 2022-175

A special ordinance amending the Fiscal Year 2021-2022 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of $129,739, in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

Council Bill 2022-175. Special Ordinance 27729 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Amending Special Ordinance 27550 and 27640: ARPA

Sponsor: Simpson, McGull, Lear, and Hardinger. Council Bill 2022-176

A special ordinance amending Special Ordinance 27550 to amend funding appropriated for continuing COVID-19 services; amending Special Ordinance 27640 to amend projected funds appropriated for retention payments; amending the budget for Fiscal Year 2022-2023 to appropriate funds from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, for certain projects as recommended by the City Council ARPA Review Committee; and authorizing the City Manager to enter into funding agreements as necessary with recipients of such funds. (The City Council ARPA Review Committee voted to recommend this appropriation to City Council.)

Councilman Ollis recused himself due to his association with Restore SGF.

Mayor Pro Tem Simson expressed his support for the proposed. He thanked staff and the City Council ARPA Review Committee members for their work. He noted the committee worked to make sure they were best utilizing one-time funds and expressed his belief the funds can benefit all citizens.

Council Bill 2022-176. Special Ordinance 27730 was approved with the following vote: Ayes: Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Amending the budget: ARPA

Sponsor: McGull, Lear, and Hardinger. Council Bill 2022-177

A special ordinance amending the budget for Fiscal Year 2022-2023 to appropriate $750,000 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, for an airframe and powerplant maintenance facility proposed by Ozarks Technical Community College and recommended for funding by the City Council ARPA Review Committee; and authorizing the City Manager to enter into a funding agreement with Ozarks Technical Community College regarding such funds. (The City Council ARPA Review Committee voted to recommend this appropriation to City Council.)

Mayor Pro Tem Simpson recused himself due to his employment with Ozarks Technical Community College.

Mayor McClure expressed his thanks to the City Council ARPA Review Committee for their work.

Council Bill 2022-177. Special Ordinance 27731 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, and McClure. Nays: None. Absent: Simpson. Abstain: None.

The following item appeared on the agenda under Resolutions.

Continuum of Care Grant Funds: Notice of Funding Opportunity to Address Unsheltered and Rural Homelessness

Council Bill 2022-180 (Hardinger)

A resolution authorizing the City Manager, or his designee, to apply for Continuum of Care grant funds associated with the Notice of Funding Opportunity to Address Unsheltered and Rural Homelessness from the Department of Housing and Urban Development for the purpose of addressing unsheltered homelessness.

Bob Atchley, Senior City Planner, provided a brief overview of the proposed. Mr. Atchley noted the proposed would allow the City to apply for grant funds to address unsheltered homelessness in partnership with the Community Partnership of the Ozarks and on behalf of the Ozarks Alliance to End Homelessness. He further noted the grant is a U.S. Department of Housing and Urban Development (HUD) competitive grant of just over $1 million. Mr. Atchley added this is a new funding opportunity featuring recaptured funds. The funding is based on a housing first model which could be used for permanent supportive housing, transitional housing, or supportive services.

Councilwoman Horton asked the amount of the grant and for an explanation of the housing first approach. Mr. Atchley responded the grant amount is $1,087,968. He explained the housing first model strives to house individuals first before working on other issues that would help the individual sustain housing.

Mayor Pro Tem Simpson asked if the proposed allows for flexibility if regulations change, such as in House Bill 1606. Mr. Atchley responded House Bill 1606 would affect state funding and should not have an impact on this funding source.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Council Bill 2022-180. Resolution 10644 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

The following items appeared on the agenda under Grants.

Workforce Innovation and Opportunity Act

Council Bill 2022-181 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept $18,000 from the Missouri Department of Higher Education for the purpose of supporting Workforce Innovation and Opportunity Act related programming and to enter into necessary agreements to carry out the acceptance of funds; amending the budget of the Department of Workforce Development for Fiscal Year 2022-2023 in the amount of $18,000 to appropriate the funding; and declaring that this bill qualifies for approval in one reading.

Sally Payne, Director of Workforce Development, provided a brief overview of the proposed. Ms. Payne noted the proposed would allow discretionary funding to be used for various needs. Ms. Payne further noted the proposed would support the Workforce Innovation Opportunity Act programming for indirect costs.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Council Bill 2022-181. Special Ordinance 27734 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Apprenticeship Building America Grant Program

Council Bill 2022-182 (Lear)

A special ordinance authorizing the City Manager, or his designee, to accept $3,000,000 in grant funds from the U.S. Department of Labor Employment and Training Administration in order to perform grant activities as approved for the Apprenticeship Building America grant program and to enter into necessary agreements to carry out the grant; amending the budget of the Department of Workforce Development for Fiscal Year 2022-2023 in the amount of $3,000,000 to appropriate the grant funds; and declaring that this bill qualifies for approval in one reading.

Sally Payne, Director of Workforce Development, provided a brief overview of the proposed. Ms. Payne noted the proposed grant would allow the department to perform grant activities as approved for the Apprenticeship Building America grant program. She further noted the department was the only awardee in the state for this grant. She added apprenticeships have a 94% retention rate and the proposed would also allow for supportive services. Apprenticeships for police and 911 would be included.

Mayor McClure congratulated Ms. Payne on the grant.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Council Bill 2022-182. Special Ordinance 27735 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

AMENDED BILLS.

PUBLIC HEARING.

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

Nordic Landing: 810 West Catalpa Street

Council Bill 2022-183 (Schilling)

A special ordinance authorizing the Department of Planning and Development to approve a $300,000 loan, with a reduced interest rate from the rate established in the Comprehensive Housing Assistance Program Rules, for the Nordic Landing development generally located at 810 West Catalpa Steet. (Staff and Loan Committee recommend approval.)

Brendan Griesemer, Assistant Director of Planning and Development, provided a brief overview of the proposed. Mr. Griesemer noted the proposed would approve a loan to provide affordable housing with 41, one-bedroom and two-bedroom units with seven units for youth aging out of foster care. He futher noted the loan terms are for $300,000 at .75% interest for twenty years. Mr. Griesemer added the U.S. Department of Housing and Urban Development (HUD) has conducted an environmental review.

Councilman Schilling asked what the $300,000 would be used for. Mr. Griesemer responded the funds are for acquisition.

Councilwoman Horton asked the name of the developer and what happens when HUD does an environmental review. Mr. Griesemer responded HUD looks at all environmental factors and conducts a review. He further noted the phase 1 and 2 reviews have been completed.

Councilwoman Hardinger expressed her enthusiasm for the affordable housing project and asked if the project is mixed income based. Mr. Griesemer responded the project will have approximately five market rate units, seven for youth aging out of foster care, and the remaining for affordable housing.

An opportunity was given for citizens to express their views.

Keith Ray Mackie addressed City Council. Mr. Mackie thanked City Council and expressed his concern regarding sense of place. He expressed his belief there may be traffic issues with the project. He asked the City to consider the issues of off-street parking and traffic flow in the area.

Mayor McClure asked for clarification on the traffic concern. Mr. Mackie responded his concern is with traffic flow on Broadway Street.

Councilman Schilling expressed his concern with traffic in the area and noted a need to review the traffic flow.

Debbie Hart addressed City Council. Ms. Hart noted she is the applicant. She further noted the project is a $9 million project and feels socioeconomic diversity is important. She added the HUD environmental release is ongoing. Ms. Hart noted the reason for asking for the loan was to provide a way for the City to show investment and support for the project.

Councilman Lear expressed his belief it is important for the City to be a partner in these types of projects. He noted cleaning up the blight near the parkway is important. Mr. Lear asked Ms. Hart if she has traffic concerns. Ms. Hart expressed her willingness to work with the City on any traffic concerns.

Councilman Ollis expressed his support for the affordable housing development. He expressed his belief the project will be a benefit to the area.

Councilman Schilling asked the acreage of the property. Ms. Hart responded the total property is six acres, the proposed development is on approximately two acres, and much of the acreage is in a flood plain.

Mayor Pro Tem Simpson expressed his support for the affordable and mixed-income project.

Councilman Hosmer asked the Average Median Income (AMI) for the area. Ms. Hart noted the proposed will allow for income of 30 to 80% AMI. Ms. Hart further noted the AMI is a sliding scale depending on family size. Councilman Hosmer expressed his belief the project is important as youth aging out of foster care are typically missing a support system.

With no further appearances, the public hearing was declared closed.

National Incident-Based Reporting System ("NIBRS")

Council Bill 2022-184 (Ollis)
A general ordinance amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one full-time equivalent position in order to transition the position of National Incident-Based Reporting System ("NIBRS") Representative from a contract position to a full-time equivalent position.

Paul Williams, Police Chief, provided a brief overview of the proposed. Chief Williams noted the proposed would transition one National Incident-Based Reporting System Representative from a contract to a full-time position. He further noted the position is necessary.

Mayor Pro Tem Simpson asked when the NIBRS program started. Chief Williams responded it started in 2020.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Police Department Quartermaster

Council Bill 2022-185 (Ollis)

A general ordinance amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one-half full-time equivalent position of Quartermaster in order to transition the position from a contract position to a part-time position.

Paul Williams, Police Chief, provided a brief overview of the proposed. Chief Williams noted the proposed would allow the department to transition one Quartermaster position from a contract to a part-time position.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was declared closed.

Residential Building Code

Council Bill 2022-186 (Hardinger)

A general ordinance amending Chapter 36, Article XIII of the Springfield City Code, known as the Land Development Code, by repealing Article XIII, 'Residential Building Code,' in its entirety, and enacting in lieu thereof a new Article XIII, 'International Residential Code.'

Brock Rowe, Interim Director of Building Development Services, provided a brief overview of the proposed. Mr. Rowe noted the proposed would allow the City to adopt the 2018 International Residential Code (IRC) effective January 1, 2023. Mr. Rowe further noted stakeholder input was considered. He provided data regarding what code has been adopted by nearby areas. Mr. Rowe noted Christian County adopted the 2012 IRC and Republic, Nixa, and Ozark adopted the 2018 IRC with modifications or various amendments for Chapter 11. Mr. Rowe further noted 50 cities have adopted the 2018 IRC, and no cities have adopted the 2021 IRC.

Mr. Rowe noted the following section modifications: Section R313 regarding Automatic Fire Sprinkler Systems was deleted and replaced; Insulation and Fenestration Requirements was revised to delete the Floor R-Value requirement as most heat loss is not through the floor, and floor insulation can exacerbate mold; Testing was revised to state a unit shall be tested and verified as having an air leakage rate of not exceeding five air changes per hour; Subsoil Drains Discharge notes the Subsoil drains, sumps, and pumps shall not be discharged to the building drain or sewer; Garage and Accessory Building Receptacles will have an exception that allows a single receptacle installed solely for electrical supply of a garage door opener; Arc-fault circuit-interrupter protection was revised to apply only to bedrooms; Tamper-resistant receptacles was modified to apply to bedrooms; Adoption of Appendices A, B, C, D, E, G, I, J, P, and Q was added.

Mayor McClure thanked Mr. Rowe for the presentation.

Councilman Ollis thanked Mr. Rowe for the presentation. He asked if there are provisions for remodeling older homes. Mr. Rowe responded those provisions fall under the existing building code, and the IRC applies only to new construction.

Councilman Lear asked if the Fire Department has reviewed the safety changes in the IRC. Mr. Rowe responded they have not, but safety changes have historically been adopted.

Councilwoman Horton asked where water would drain from a sump pump. Mr. Rowe responded the water would drain to the outside and eventually drain to the storm sewer.

Councilman Hosmer asked what code St. Louis, Kansas City, and Columbia have adopted. Mr. Rowe responded St. Louis and Columbia have adopted the 2018 IRC, and Kansas City adopted the 2012 IRC. Councilman Hosmer asked who recommended no insulation be used in flooring. Mr. Rowe responded he originally recommended the change due to mold issues. Councilman Hosmer asked for a description of an air exchange. Mr. Rowe responded air exchange shows how much leakage of air a house has through a blower test. Councilman Hosmer asked who is responsible for gaining a permit to remodel a home. Mr. Rowe responded builders are responsible for electrical, mechanical, and plumbing permits while the homeowner can pull other permits. Mr. Rowe futher noted there are building inspectors that patrol and will stop work from being conducted if the homeowner/contractor does not have a permit.

Councilman McGull expressed appreciation to Mr. Rowe for recommending adjustments to keep home price increases modest. He asked what percentage of the City still has septic tanks. Mr. Gage responded the information will be provided.

An opportunity was given for citizens to express their views.

Stephanie Stenger addressed City Council. Ms. Stenger expressed her appreciation for the work done by Mr. Rowe to present the information to stakeholders and gather input. Ms. Stenger expressed her belief the compromise is acceptable.

Myra Scroggs addressed City Council. Ms. Scroggs presented a statement on behalf of the Sierra Club. Ms. Scroggs noted their concern is to make houses more energy efficient. Ms. Scroggs expressed her appreciation for adoption of the 2018 code to meet today's changing climate. Ms. Scroggs noted the White River Group of the Sierra Club is in support of adoption of the proposed. Ms. Scroggs expressed her appreciation for Mr. Rowe.

Ben Shantz addressed City Council. Mr. Shantz expressed his support for the proposed on behalf of the Homebuilder's Association. He expressed his appreciation for the collaboration and presentation of the information.

With no further appearances, the public hearing was declared closed.

The following items appeared on the agenda under Petitions, Remonstrances, and Communications.

Dale Turner did not appear to address City Council.

Furb Johnson did not appear to address City Council.

Danny Henderson addressed City Council. Mr. Henderson expressed his belief there is an issue at the corner of Madison and Market streets. He noted cars going north on Market Street have damaged the retaining wall, and a drunk driver ran into his living room wall. He asked City Council to review the intersection and install a guard rail. Mr. Henderson thanked City Council for their time. Mayor McClure noted staff will review the issue.

Summer Massey addressed City Council. Ms. Massey noted she is a Senior Vice President at Arvest Bank. She thanked the City Council ARPA Review Committee members for their time, review of requests, and collaboration with community partners. Ms. Massey expressed her enthusiasm for the future.

The following items appeared on the agenda under New Business.

The City Manager recommends the follow reappointment to the Art Museum Board: Calie Holden with term to expire June 1, 2025.

The City Manager recommends the following appointments to the Art Museum Board: Nora Cox and Mitzi Kirkland-Ives with terms to expire June 1, 2025.

The Public Involvement Committee recommends the following appointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Jonathan Winn with term to expire April 30, 2025.

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.

UNFINISHED BUSINESS.

MISCELLANEOUS.

CONSENT AGENDA – FIRST READING BILLS.

The following item appeared under Consent Agenda – One Reading bills.

Southern Hills Community Improvement District Board of Directors

Council Bill 2022-187 (Simpson)

A resolution confirming the appointment of Chip McGeehan and Jason Hill to the Southern Hills Community Improvement District Board of Directors.

Council Bill 2022-187. Resolution 10645 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

The following items appeared under Consent Agenda – Second Reading bills.

Municipal Agreement: Cherry Street

Sponsor: McGull. Council Bill 2022-178

A special ordinance authorizing the City Manager or his designee to enter into a Municipal Agreement with the Missouri Highways and Transportation Commission to coordinate the construction and maintenance of improvements along Cherry Street.

Council Bill 2022-178. Special Ordinance 27732 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Municipal Agreement: Route 60

Sponsor: Simpson. Council Bill 2022-179

A special ordinance authorizing the City Manager or his designee to enter into a Municipal Agreement with the Missouri Highways and Transportation Commission to coordinate the construction and maintenance of improvements along Nature Center Way, the outer road of Route 60.

Council Bill 2022-179. Special Ordinance 27733 was approved with the following vote: Ayes: Ollis, Lear, McGull, Hardinger, Horton, Hosmer, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

Confirm the following reappointment to the Board of Equalization: Janet Blair with term to expire April 1, 2025.

Confirm the following appointments to the Landmarks Board: Jamille Jones with term to expire November 1, 2023; Erik Kiser, with term to expire November 1, 2022.

Confirm the following appointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: John Davis with term to expire April 30, 2025.

END OF CONSENT AGENDA.

Motion to Adjourn

Mayor Pro Tem Simpson moved to adjourn. Councilwoman Hardinger seconded the motion, and it was approved by the following vote. Ayes: Lear, Hardinger, Horton, McGull, Schilling, Simpson, Ollis, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Michelle Brown

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed: 07-19-22

Sponsored by: Schilling

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-183 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Department of Planning and Development to approve a $300,000 loan, with a reduced interest rate from the rate established in the Comprehensive Housing Assistance Program Rules, for the Nordic Landing development generally located at 810 West Catalpa Steet. (Staff and Loan Committee recommend approval.)

_____

WHEREAS, the Comprehensive Housing Assistance Program ("CHAP"), administered by the Department of Planning and Development, provides loans for affordable housing construction and rehabilitation funded by Community Development Block Grant ("CDBG") and HOME Investment Partnerships Program funds; and

WHEREAS, the Missouri Housing Development Commission ("MHDC") has selected the Nordic Landing project, developed by DHTC Development, LLC, and generally located at 810 West Catalpa Street, as a Low-Income Housing Tax Credit project; and

WHEREAS, the Nordic Landing project will include construction of new, affordable housing; and

WHEREAS, the current interest rate for loans made under CHAP is fixed at 5%, and the current interest rate for loans made under the MHDC HOME is very low; and

WHEREAS, to support the development of much needed affordable housing, and to provide an interest rate comparable to MHDC, the Loan Committee recommends a 0.75% fixed interest rate for the Nordic Landing project.

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

Section 1 – The Director of Planning and Development is authorized to approve a $300,000 loan for the Nordic Landing development at a fixed interest rate of 0.75%.

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 2022-183

FILED: 07-19-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To authorize the Department of Planning and Development to approve a $300,000 loan for the Nordic Landing development with a reduced interest rate from the rate established in the CHAP Rules. (Staff and Loan Committee recommend approval.)

BACKGROUND INFORMATION: The Comprehensive Housing Assistance Program ("CHAP"), administered by the Department of Planning and Development, provides loans for affordable housing construction and rehabilitation funded by CDBG and HOME program funds.

The project, Nordic Landing is located at 810 West Catalpa Street. Nordic Landing has been selected by the Missouri Housing Development Commission ("MHDC") as a Low-Income Housing Tax Credit ("LIHTC") project. DHTC Development, LLC is the developer. The development will consist of a three-story residential building containing forty-one, one and two-bedroom units and a community space. Seven units will be designated at 30 percent of Area Median Income ("AMI") for youth aging out of foster care. Twenty-three units will be designated for occupancy at 60 percent AMI under the LIHTC program. Six units will be at 60 percent AMI under the HOME program requirements. Five units will be market rate.

The current interest rate for loans made under the CHAP is fixed at 5%. The Missouri Housing Development Commission ("MHDC") HOME loans to finance affordable rental construction are made at a very low interest rate. To be comparable to MHDC and support the development of much needed affordable housing, the Loan Committee recommends a 0.75% fixed rate for this project.

Upon council approval of the loan as well as completion of the HUD Environmental Review and MHDC's final loan approval, the Department of Planning and Development will provide a HOME loan to fund the land acquisition. As a project with HOME funds, the property will remain an affordable rental property for the 20-year compliance period.

REMARKS: This project will provide much needed affordable housing to serve Springfield's population.

Submitted by:

Melissa Barton

Melissa Barton, CD Loan Officer

Recommended by:

Susan M. Istenes

Susan Istenes, Director

Approved by:

Jason A. Gage

Jason Gage, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed 07-19-22

Sponsored by Ollis

First Reading _____ Second Reading _____

COUNCIL BILL 2022-184 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one full-time equivalent position in order to transition the position of National Incident-Based Reporting System ("NIBRS") Representative from a contract position to a full-time equivalent position.

_____

WHEREAS, the Police Department currently participates in the National Incident-Based Reporting System ("NIBRS") which is essential to ensure accurate and timely statistics are available to the Police Department, City leaders, and citizens; and

WHEREAS, the Police Department currently uses a Contract NIBRS Representative to maintain the staffing required to address the department's crime reporting to NIBRS; and

WHEREAS, the Police Department desires to convert the Contract NIBRS Representative from a contract position to a full-time equivalent position of NIBRS Representative, PAT-5 (Professional, Administrative, and Technical).

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

Section 1 – The budget of the City for Fiscal Year 2022-2023 is hereby amended by changing the number of authorized job positions for the Police Department by adding one full-time equivalent ("FTE") position of NIBRS Representative, PAT-5.

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 2022-184

FILED: 07-19-22

ORIGINATING DEPARTMENT: Police Department

PURPOSE: Amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department to add one full-time equivalent ("FTE") position and to fund said position.

BACKGROUND INFORMATION: The Police Department desires to convert one Contract NIBRS Representative, PAT-5 position, to a full-time equivalent ("FTE") NIBRS Representative, PAT- 5 position. The recommended change will move this contract employee to a FTE employee and maintain the staffing required to address the department's crime reporting to the National Incident-Based Reporting System ("NIBRS").

SPD's NIBRS participation is essential to ensure accurate and timely statistics are available to the police department, City leaders, and our citizens. In addition, there are grant opportunities, at both the state and federal level, that require our continued participation and adequate staff and resources must be allocated to ensure our continued participation and compliance.

BUDGET NOTE: Funding for this FTE PAT-5 position would not result in an increase in costs for salary and benefits. This position, and related funding, is already included in the FY23 budget recently approved by City Council.

Submitted & Recommended by:

Paul F. Williams, Chief of Police

Approved by:

Jason Gage, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed 07-19-22

Sponsored by Ollis

First Reading _____ Second Reading _____

COUNCIL BILL 2022-185 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department by adding one-half full-time equivalent position of Quartermaster in order to transition the position from a contract position to a part-time position.

_____

WHEREAS, the Police Department currently utilizes a part-time contract position to supplement staffing needs in the Quartermaster's Office; and

WHEREAS, based on ongoing needs, the Police Department wishes to convert the part-time contract position to a one-half full-time equivalent position of Quartermaster, PAT-4 (Professional, Administrative, Technical).

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

Section 1 – The budget of the City for Fiscal Year 2022-2023 is hereby amended by changing the number of authorized job positions for the Police Department by adding one-half full-time equivalent ("FTE") position of Quartermaster, PAT-4.

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 2022- 185

FILED: 07-19-22

ORIGINATING DEPARTMENT: Police Department

PURPOSE: Amending the Fiscal Year 2022-2023 budget of the City to adjust the authorized employee positions in the Police Department to add one-half full-time equivalent ("FTE") position and to fund said position.

BACKGROUND INFORMATION: The Police Department desires to add one-half full-time equivalent ("FTE") Quartermaster, PAT-4 position to supplement the Quartermaster's Office. This position is currently filled with a contract employee. The recommended change will move this contract employee to a part-time equivalent employee.

The position will be responsible for coordinating the preventative maintenance of police vehicles, maintaining proper inventory and serviceability of commonly used items and equipment. The position also will handle all law enforcement equipment, including firearms, handcuffs, radios, etc. The position is also responsible for assisting with record keeping and officer inventory control. They will travel to off-site locations during the duty day to purchase, repair, and inspect police equipment including the movement of police vehicles to the Service Center or dealerships for repair.

BUDGET NOTE: Funding for the one-half FTE Quartermaster, PAT-4 position would not result in an increase in costs for salary and benefits. This position, and related funding, is already included in the FY23 budget recently approved by City Council.

Submitted & Recommended by:

Paul F. Williams, Chief of Police

Approved by:

Jason Gage, City Manager

One-rdg._____
P. Hrngs._____
Pgs.____8_____
Filed _07-19-22_____

Sponsored by _____Hardinger_____

First Reading_____ Second Reading_____

COUNCIL BILL____2022 -186_____ GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING Chapter 36, Article XIII of the Springfield City Code, known as the Land Development Code, by repealing Article XIII, 'Residential Building Code,' in its entirety, and enacting in lieu thereof a new Article XIII, 'International Residential Code.'

_____

WHEREAS, City Council previously adopted the 2018 International Residential Building Code as Article XIII of Chapter 36 of the Springfield City Code, known as the Land Development Code; declared the intent of the then-constituted City Council to adopt the 2018 or 2021 International Residential Code to take effect on January 1, 2023; and, instructed City staff to solicit input from stakeholders about whether minor amendments to the 2018 or 2021 Code should be adopted prior to such Code's adoption and to present a report regarding the input and staff's recommendations to the current City Council; and

WHEREAS, the adoption of this bill will align the 2018 International Residential Code ("IRC") with the other 2018 International Code Council codes currently adopted. The provisions contained within this Ordinance do not excessively and unnecessarily increase construction costs with a possible exception being the increased standards for Energy Conservation outlined in Chapter 11 Energy Efficiency; do not restrict the use of new materials, productions, or methods of construction; and do not give preferential treatment to types or classes of materials, products, or methods of construction; and

WHEREAS, City staff met with representatives of the local design and construction industry over the course of ten months to discuss the ramifications of adopting this new code. City staff met with several organizations, including the Growth and Development Advisory Committee, the Home Builders Association, and the Sierra Club, to receive their input on the minor amendments and adoption of this code.

NOW THERERFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – Springfield City Code, Chapter 36, Article XIII, 'Residential Building Code,' is repealed in its entirety and a new Article XIII is enacted in lieu thereof, to read as follows:

(Note: Language to be added is <u>underlined</u> and language being removed is ~~stricken~~.)

ARTICLE XIII. – INTERNATIONAL RESIDENTIAL CODE

Sec. 36-1301. – Adoption of 2018 International Residential Code.

City Council hereby adopts the 2018 International Residential Code, as published by the International Code Council, and all referenced standards therein as if spelled out in this Ordinance, except such portions thereof as are hereinafter deleted, modified, or amended. This code shall be designated as Article XIII International Residential Code of Chapter 36, known as the Land Development Code. One (1) copy of said code is on file in the office of the City Clerk, Busch Municipal Building, 840 Boonville Avenue, Springfield, Missouri.

Sec. 36-1302. – Deletions, modifications, amendments, and additions.

The 2018 International Residential Code, as adopted, is hereby amended and changed as follows:

(a) Chapter 1 is repealed in its entirety because code enforcement is covered in Springfield City Code Chapter 36, Land Development Code, Article I, Administration and Enforcement of Codes and Article X, Uniform Enforcement.

(b) Because Chapter 1 is repealed in its entirety, any cross references to Chapter 1 in subsequent chapters are replaced by the provisions in Article I that correspond, in content, to such cross references.

(c) All adopted chapters and appendices include all errata hereafter published by the International Code Council after the date of the first printing of the 2018 International Residential Code.

All language referring to flood-hazard areas is repealed and replaced with:

All structures located within a designated flood-hazard area shall comply with Chapter 36 Land Development Code, Article XVII Floodplain Management.

The following table is adopted in lieu of the table with the same number and name in the International Residential Code.

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA	
Ground Snow Load	20 PSF
Wind Speed (mph)	115 MPH
Seismic Design Category	B
Weathering	Severe
Frost Line Depth	24 inches
Termite	Moderate to Heavy
Decay	Slight to Moderate
Ice Shield Underlayment Required	No
Flood Hazard	In accordance with Springfield MO City Code Chapter 36 Article XVII https://library.municode.com/mo/springfield/codes/code_of_ordinances Entry into National Flood Insurance Program 5/8/1989
Air Freezing Index	659
Winter Design Temp	9° F
Air Freezing Index	1500 or less
Mean Annual Temp	56° F
Elevation	1270 feet
Latitude	37° N
Winter Heating	11° F
Summer Cooling	92° F
Altitude Correction Factor	0.96
Indoor Design Temperature	70° F
Wind Velocity Heating	15 mph if site specific speed unknown
Wind Velocity Cooling	15 mph if site specific speed unknown
Coincident Wet Bulb	74° F
Daily Range	M

Section R313 Automatic Fire Sprinkler Systems is deleted in its entirety and replaced with: A builder of five (5) or more connected units shall comply with the design and installation requirements of the 2018 International Residential Code Section P2904. The builder of four (4) or less connected units shall comply with fire suppressant separation as provided in Section R317 of the 2006 International Residential Code or Section

P2904 of the 2018 International Residential Code at the builder or purchaser's cost and option.

The following table is adopted in lieu of the table with the same number and name in the International Residential Code

TABLE N1102.1.2 (R402.1.2) INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT	
FENESTRATION U- FACTOR[b]	0.32
SKYLIGHT[b] U- FACTOR	0.55
GLAZED FENESTRATION SHGC[b, e]	0.40
CEILING R-VALUE	49
WOOD FRAME WALL R-VALUE	20 or 13+5[h]
MASS WALL R- VALUE[i]	8/13
FLOOR R-VALUE	Not Required
BASEMENT[c] WALL R- VALUE	10/13[f]
SLAB[d] R-VALUE & DEPTH	10, 2 ft
CRAWL SPACE[c] R- VALUE	10/13

The following table is adopted in lieu of the table with the same number and name in the International Residential Code.

TABLE N1102.1.4 (R402.1.4) EQUIVALENT U-FACTORS	
FENESTRATION U- FACTOR	0.32
SKYLIGHT U- FACTOR	0.55
CEILING U-FACTOR	0.026
FRAME WALL U- FACTOR	0.060
MASS WALL U- FACTOR[b]	0.098
FLOOR U-FACTOR	Not Required
BASEMENT WALL U- FACTOR	0.059
CRAWL SPACE U- FACTOR	0.065

N1102.4.1.2 (R402.4.1.2) Testing.

The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding five air changes per hour in Climate Zones 1 and 2, and ~~three~~ five air changes per hour in Climate Zones 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2-inch w.g. (50 Pascals). Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

Table N1105.5.2(1*) Air* exchange rate *Climate Zones* 3 through 8: ~~3~~ 5 air changes per hour.

P3302.2 Subsoil drains discharge. Subsoil drains, sumps and pumps shall not be discharged to the building drain or sewer.

E3902.2 Garage and accessory building receptacles. 125-volt, single-phase, 15- or 20-ampere receptacles installed in garages and grade-level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protection for personnel. [210.8(A)(2)]

Exception: A single receptacle installed solely for electrical supply of a garage door opener.

E3902.16 Arc-fault circuit-interrupter protection. Branch circuits that supply 120-volt, single-phase, 15- and 20- ampere outlets installed in ~~kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens,~~ bedrooms, ~~sunrooms, recreation rooms, closets, hallways laundry areas~~ and similar rooms or areas shall be protected by any of the following: [210.12(A)]

E4002.14 Tamper-resistant receptacles. In bedrooms, ~~areas specified in Section E3901.1,~~ 15- and 20-ampere, 125- and 250-volt nonlocking-type receptacles shall be listed tamper-resistant receptacles. [406.12(A)]

Sec. 36-1303. – Adoption of Appendices.

Adoption of appendices: Only the following appendices, listed among others in the 2018 International Residential Code, are adopted.

Appendix A: Sizing and Capacities of Gas Piping
Appendix B: Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category-I Appliances, and Appliances Listed for use with Type B Vents
Appendix C: Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems
Appendix D: Recommended Procedure for Safety Inspection of an Existing

Appliance Installation
Appendix E: Manufactured Housing used as Dwellings
Appendix G: Piping Standards for Various Applications
Appendix I: Private Sewage Disposal
Appendix J: Existing Building and Structures
Appendix P: Sizing of Water Piping System
Appendix Q: Tiny Houses

Sec. 36-1304. – Penalty clause.

Punishment, as provided in section 1-7 of city code, may be imposed on any person convicted of: violating this article; failing to comply with any order issued under it; or, erecting, constructing, altering, or repairing a building, structure, or system in violation of an approved plan or directive of the code official or of a permit or certificate issued under these codes. A fine must be at least $200.00 for the first offense, $400.00 for the second offense, and $500.00 for every offense thereafter. Notice under section 36-166 is not necessary to prosecute a violation of any provision of this article or these codes, unless the violation involves failure to comply with an order. Each day a violation continues is a separate offense.

Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, any rights acquired or Liability incurred, any cause or causes of action accrued or existing under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, even if any one or more sections, subsections, sentences, clauses, or phrases were declared invalid.

Section 4 – This Ordinance shall be in full force and effect on January 1, 2023.

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 2022-186

FILED: 07-19-22

ORIGINATING DEPARTMENT: Building Development Services

PURPOSE: To amend Chapter 36, Article XIII of the Springfield City Code, known as the Land Development Code, by repealing Article XIII, 'Residential Building Code,' in its entirety, and enacting in lieu thereof a new Article XIII, 'International Residential Code' in order to provide the City of Springfield with the most recent and updated version of the International Residential Code.

BACKGROUND INFORMATION: City Council previously adopted the 2018 International Residential Building Code as Article XIII of Chapter 36 of the Springfield City Code, known as the Land Development Code; declared the intent of the then-constituted City Council to adopt the 2018 or 2021 International Residential Code to take effect on January 1, 2023; and, instructed City staff to solicit input from stakeholders about whether minor amendments to the 2018 or 2021 Code should be adopted prior to such Code's adoption and to present a report regarding the input and staff's recommendations to the current City Council.

The adoption of this bill will align the 2018 International Residential Code ("IRC") with the other 2018 ICC codes currently adopted. The provisions contained within this Ordinance do not excessively and unnecessarily increase construction costs with a possible exception being the increased standards for Energy Conservation outlined in Chapter 11 Energy Efficiency; do not restrict the use of new materials, productions, or methods of construction; and, do not give preferential treatment to types or classes of materials, products, or methods of construction.

City Staff met with representatives of the local design and construction industry over the course of 10 months to discuss the ramifications of adopting this new code. City Staff meet with several organizations including the Growth and Development Advisory Committee, the Home Builders Association, and the Sierra Club to receive their input on the minor amendments and adoption of this code.

Submitted by:

Brock Rowe, Interim Director
Building Development Services

Approved by:

Jason Gage,
City Manager

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed 08-02-22

Sponsored by Lear

First Reading _____ Second Reading _____

COUNCIL BILL 2022-188 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield City Code, Section 2-92, known as the 'Salary Ordinance,' by incorporating certain premium pay for select, voluntary Sunday shifts within the Police Department that impact bargaining unit members, and which was negotiated and tentatively agreed to, and declaring an emergency.

_____

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

NOTE: **Bold** language is being added and ~~stricken~~ language is being deleted.

Section 1 – Springfield City Code, Section 2-92, known as the "Salary Ordinance," and regarding premium pay within the Police Department shall be amended to reflect agreements reached through collective bargaining by adding the following provisions at a location the City Attorney deems appropriate:

Premium Pay Changes Impacting the Law Enforcement Bargaining Unit

A. Effective August 13, 2022, at the discretion of the Chief of the Police Department, premium pay may be paid to members of the current law enforcement bargaining unit (non-probationary Police Officers, Police Corporals, and/or Police Sergeants) who volunteer to staff certain two- or four-hour Sunday shifts within the Police Department's Uniform Operations Bureau.

B. When offered, "premium pay" for such Sunday shifts shall be equal to time and one-half of the eligible employee's normal hourly rate (as set forth in the applicable Law Enforcement Schedule Salary Schedule) and shall be paid for all time worked in such two- or four-hour Sunday shift, regardless of the total hours worked by the applicable employee in that work period.

Section 2 – City Council hereby finds that this bill relates to public safety and is

therefore concerning the immediate preservation of public peace, property, health, safety or morals and as such an emergency exists.

Section 3 – 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 2022-188

FILED: 08-02-22

ORIGINATING DEPARTMENT: Human Resources

PURPOSE: To amend Springfield City Code, Section 2.92, known as the "Salary Ordinance," to reflect an agreement to incorporate updates to the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA") Collective Bargaining Agreement dated July 1, 2021, by adding a new section to address premium pay for voluntary shift assignments in the Springfield Police Department, as requested by the City.

BACKGROUND: The current collective bargaining agreement ("The SPOA Collective Bargaining Agreement") was entered into on July 1, 2021. There is a companion special ordinance that is also being presented to City Council regarding a proposed Fifth Amendment to the SPOA Collective Bargaining Agreement. "Exhibit 1," of the proposed companion special ordinance, reflects the Fifth Amendment to the SPOA Collective Bargaining Agreement and amends Article 18-Wages by creating a new Section 18.10 "Premium Pay for Certain Voluntary Sunday Shifts". The Fifth Amendment is a result of a change requested by the City and agreed to by the SPOA. The change reflected in this general ordinance is to incorporate into the salary ordinance these Sunday premium pay provisions that were negotiated and tentatively agreed to between the City's collective bargaining team and the SPOA.

The change is requested by City management based on recommendations from police management to allow for premium pay to sworn personnel in the bargaining unit who voluntarily sign up for 2 or 4 hour shifts on Sunday to provide additional uniform patrol coverage in the Uniform Operations Bureau.

This is to be effective as of August 13, 2022.

REMARKS: The recommendations and explanations contained herein are consistent with Council's policies and this ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.12(1). It is respectfully requested that Council give consideration and approval to this update.

Submitted by:

Darla Morrison,
Director of Human Resources

Approved by:

Jason Gage,
City Manager

One-rdg. X
P. Hrngs. _____
Pgs. 5
Filed 08-02-22

Sponsored by Ollis

First Reading _____ Second Reading _____

COUNCIL BILL 2022-189 SPECIAL ORDINANCE _____

AN ORDINANCE

APPROVING the Fifth Amendment to the July 1, 2021 Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA"), the Exclusive Representative of a certain Bargaining Unit within the Springfield Police Department, representing changes requested by the City regarding certain discretionary premium pay for certain Sunday shifts; authorizing the City Manager, or his designee, on behalf of the City, to execute and deliver the Fifth Amendment to the Collective Bargaining Agreement to the Exclusive Representative; and declaring an emergency.

WHEREAS, the City of Springfield, Missouri (the "City") has an established framework for certain City employees to engage in collective bargaining, and this established framework is set forth in Springfield City Code Section 2-94; and

WHEREAS, the City and SPOA are the parties to a certain Collective Bargaining Agreement effective July 1, 2021 (the "CBA"); and

WHEREAS, the City established a team (the "City's team") for the purposes of collectively bargaining as the exclusive agent for the City; and

WHEREAS, the City has experienced some difficulty voluntarily staffing certain two to four hour shifts on Sundays and as a result the parties propose a Fifth Amendment to the CBA to amend Article 18 "Wages" to add a new section, 18.10 "Premium Pay for Certain Voluntary Sunday Shifts" so that premium pay may be offered to those who volunteer to cover these Sunday shifts, said proposal subject to ratification by the bargaining unit and approval by City Council; and

WHEREAS, the bargaining unit ratified the Fifth Amendment on July 31, 2022; and

WHEREAS, the proposed Fifth Amendment to the CBA is now submitted to City Council for consideration and approval.

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

Section 1 – Having reviewed and considered the proposed Fifth Amendment to the CBA, which is attached hereto and incorporated herein as “Exhibit 1,” City Council hereby approves entering into the Fifth Amendment as a binding amendment to the CBA.

Section 2 – City Council hereby authorizes and directs the City Manager, or his designee, to execute and deliver the Fifth Amendment to the CBA to the SPOA, as well as such other documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3 – City Council hereby finds that this bill relates to public safety and is therefore concerning the immediate preservation of public peace, property, health, safety or morals and as such an emergency exists.

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 2022-189

FILED: 08-02-22

ORIGINATING DEPARTMENT: Human Resources

PURPOSE: To approve the Fifth Amendment to the July 1, 2021, Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA"), the Exclusive Representative of a certain Bargaining Unit within the Springfield Police Department to provide for updates to the Collective Bargaining Agreement requested by the City regarding premium pay; and authorizing the City Manager, or his designee, on behalf of the City, to execute and deliver the Fifth Amendment to the Collective Bargaining Agreement to the Exclusive Representative.

BACKGROUND INFORMATION: The current collective bargaining agreement ("The SPOA Collective Bargaining Agreement") was entered into on July 1, 2021. "Exhibit 1," attached to the proposed ordinance, reflects the Fifth Amendment to the SPOA Collective Bargaining Agreement and amends Article 18-Wages by creating a new Section 18.10 "Premium Pay for Certain Voluntary Sunday Shifts". The Fifth Amendment is a result of a change requested by the City that the SPOA has agreed to. The change was requested due to current difficulty voluntarily staffing certain 2-to-4-hour Sunday shifts within the Police Department's Uniform Operations Bureau. The remainder of the Collective Bargaining Agreement shall remain unchanged. This Fifth Amendment is to be effective as of the date of execution by the parties and valid through the period of the CBA as set forth in Article 25 thereof.

REMARKS: The recommendations and explanations contained herein are consistent with Council's policies and this ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.12(1). It is respectfully requested that City Council approve this Fifth Amendment to the SPOA Collective Bargaining Agreement.

Submitted & Recommended by:

Paul F. Williams, Chief of Police

Approved by:

Jason Gage, City Manager

Exhibit 1

FIFTH AMENDMENT TO JULY 1, 2021, COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SPRINGFIELD, MISSOURI, AND THE SPRINGFIELD POLICE OFFICERS ASSOCIATION, FRATERNAL ORDER OF POLICE LODGE 22

Whereas, the City and SPOA are parties to a July 1, 2021, CBA regarding the bargaining unit defined in the CBA, and said CBA has previously been amended by First, Second, Third, and Fourth Amendments.

Whereas, the officers in the Springfield Police Department's (SPD) Uniform Operations Bureau are currently working scheduled 12-hour days, except on Sunday when bargaining unit members within the Uniform Operations Bureau work 8-hour days. Overtime compensation for these officers is determined based on a 14-day/80-hour work period and not a 7-day/40-hour work week.

Whereas, the SPD Uniform Operations Bureau has additional 2- or 4-hour overtime shifts (which supplement the current 8-hour shifts) that it needs to fill on Sundays and is having difficulty voluntary staffing these shifts and the City does not wish to force officers to work overtime and/or on their scheduled days off unless absolutely necessary. The parties are in agreement that, in order to attempt to avoid requiring officers to work these shifts, premium pay may be offered to those officers who volunteer to work these shifts.

Now therefore, in consideration of the foregoing and subject to ratification by the bargaining unit and approval and authorization by the Springfield City Council, the parties agree to amend Article 18 "Wages" of the CBA by adding a new section 18.10, as follows:

ARTICLE 18 – WAGES

18.10 Premium Pay for Certain Voluntary Sunday Shifts

For the benefit of the City, the bargaining unit, and for the betterment of public safety, the parties have agreed that the City may at its discretion offer certain 2- and 4-hour unfilled supplemental Sunday shifts within the SPD Uniform Operations Bureau to members of the bargaining unit in order of seniority. Any member of the bargaining unit who voluntarily accepts and works a supplemental Sunday shift under these circumstances (and only those members who voluntarily accept and work such a shift) will receive premium pay equal to time and one-half of their normal hourly rate for hours worked during the supplemental shift, regardless of their total hours worked for the work period in which the shift falls. The hours worked during the 2- and 4-hour supplemental Sunday shifts will be recorded on timecards/timesheets using the Guaranteed Overtime (GUAR OT) hours type category.

The City will amend its salary ordinance to incorporate the change associated with this discretionary, premium pay for certain voluntary shifts.

_____
Andrew Zinke, President
SPOA 22

_____
Date

_____
Jason Gage, City Manager

_____
Date

Certification that this Fifth Amendment to the July 1, 2021, SPOA CBA is within the purpose of any appropriation to which it is to be charged and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor:

_____
David Holtmann, Director of Finance

Approved as to form:

_____
City Attorney or designee

One-rdg. X
P. Hrngs. _____
Pgs. 5
Filed: 08-02-22

Sponsored by: Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 190 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or his designee, to enter into an agreement with the State of Missouri, Department of Economic Development, Division of Tourism, for the purpose of accepting funds appropriated by the General Assembly for a Route 66 festival in Springfield; amending the budget of the City of Springfield for Fiscal Year 2022-2023 in the amount of $250,000; and declaring that this bill qualifies for approval in one reading.

WHEREAS, the Missouri General Assembly appropriated funds to the Missouri Division of Tourism ("MDT") in House Bill 3007, Fiscal Year 2023, in the amount of $250,000 for a Route 66 festival in Springfield; and

WHEREAS, the intended recipient of the appropriated funds is the City of Springfield.

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

Section 1 – The City Manager, or his designee, is hereby authorized to enter into a "Memorandum of Understanding between The Missouri Division of Tourism and the City of Springfield, Fiscal Year 2023" for the purpose of accepting funds appropriated by the General Assembly for a Route 66 festival in Springfield, said Memorandum of Understanding to be substantially the same as the document attached hereto and incorporated herein by reference as "Exhibit A."

Section 2 – The budget of the City of Springfield for Fiscal Year 2022-2023 is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No.009, a copy of which is attached hereto and incorporated herein by reference as "Exhibit B."

Section 3 – City Council hereby finds that the budget adjustment made above has been recommended by the City Manager.

Section 4 – The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City.

Section 5 – City Council hereby finds and declares that this Ordinance may be passed as a one-reading ordinance under City charter Section 2.16 (25) as it relates to a contract for the acceptance of grant funds from a state or federal agency. Therefore, 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 2022-190

FILED: 08-02-22

ORIGINATING DEPARTMENT: Public Information

PURPOSE: To authorize the City Manager, or his designee, to enter into an agreement with the State of Missouri, Department of Economic Development, Division of Tourism ("MDT"), for the purpose of accepting funds appropriated by the General Assembly for a Route 66 festival in Springfield, a home rule city with more than 155,000 but fewer than 200,000 inhabitants; and amending the budget of the City of Springfield for Fiscal Year 2022-2023 in the amount of $250,000.

BACKGROUND INFORMATION: The Missouri General Assembly appropriated funds to MDT in House Bill 3007, Fiscal Year 2022, in the amount of $250,000 for a Route 66 festival in Springfield, a home rule city with more than 155,000 but fewer than 200,000 inhabitants.

Passage of the Council bill would authorize the City Manager to enter into the agreement with MDT.

Submitted by:

Cora Scott, Director of PIO

Approved by:

Jason Gage, City Manager

Exibit A

MEMORANDUM OF UNDERSTANDING BETWEEN
THE MISSOURI DIVISION OF TOURISM AND THE CITY OF SPRINGFIELD
FISCAL YEAR 2023

This Memorandum of Understanding (this "MOU") is entered into by and between the Missouri Division of Tourism (MDT) and the City of Springfield ("Recipient", and together with MDT, the "Parties" and each a "Party") in order to transfer funds appropriated by the Missouri General Assembly in the amount of $250,000 (such funds, the "Appropriation"). This MOU shall be effective as of July 1, 2022, and shall continue in force through June 30, 2023, unless amended by the Parties' mutual written consent or terminated in accordance with this MOU.

MDT and the Recipient agree to the following:

1. MDT has authorized the Appropriation to be distributed to the Recipient from the Division of Tourism Supplemental Revenue Fund (Fund Number 0274) as appropriated by the Missouri General Assembly pursuant to House Bill 3007 for Fiscal Year 2023 (the "Legislation").
2. Recipient understands and agrees that the Appropriation amount may be reduced unilaterally by the State of Missouri due to the unavailability of funds or reduced appropriation authority, including, but not limited to, withholdings made pursuant to MO. Const. Art. IV §27. Recipient further understands and agrees that neither MDT nor the State of Missouri shall be liable for any costs associated with termination caused by lack of funds, appropriations or withholdings.
3. Recipient agrees that the Appropriation shall be used solely for the purpose set forth in the Legislation.
4. Except as set forth in the Legislation, Recipient agreed that funding provided by this MOU shall not be used to pay for any current or future debts or deficits of the Recipient.
5. Recipient agrees that MDT and governmental auditors and representatives shall have access to any and all books, documents, papers, memoranda, and other records for the purpose of audit or examination of any information submitted to MDT by Recipient, and/or the receipts and disbursements of the Appropriation made available to Recipient from pursuant to this MOU. Recipient further agrees that costs to resolve or ameliorate any audit exception noted by governmental auditors or representatives shall not be reimbursed by MDT and shall be the sole responsibility of the Recipient. The Recipient agrees that it will maintain adequate records to substantiate all information reported for a period of no less than five (5) years after the MOU expires.
6. Recipient agrees to comply with all applicable laws including civil rights and anti-discrimination laws, and further agrees not to discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, national origin, sex, sexual orientation, age, or veteran or disability status.
7. Either Party may terminate this MOU without penalty by giving thirty (30) days advance written notice to the other Party at the address designated below. Recipient may not submit any invoices for expenses incurred after submission or receipt of a notice of termination. MDT, in its sole discretion, may require the Recipient to return any amount of the Appropriation distributed to Recipient prior to termination.
8. Recipient agrees to invoice MDT $250,000 before the event. The invoice will contain the following language as described in the Legislation, "For a Route 66 festival in a home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants." Along with the invoice, Recipient will provide MDT with a letter outlining the intended use of the funds.

Missouri Division of Tourism 301 West High Street – PO Box 1055 Jefferson City, MO 65101-1055	City of Springfield, Missouri 840 Boonville Avenue Springfield, MO 65802

DIRECTOR, MISSOURI DIVISION OF TOURISM	DATE
RECIPIENT'S AUTHORIZING SIGNATURE **(IN BLUE INK)**	DATE
PRINT NAME AND TITLE IN ORGANIZATION	

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
009

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
23640	19	20120	414110	000000	00000	$ 250,000	State of Missouri, Department of Economic Development
Net Revenue Adjustment						$ 250,000.00	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
23640	19	20120	504580	000000	00000	$ 250,000	Supplies and Services for Route 66 Festival
Net Expenditure Adjustment						$ 250,000	

Fund Balance Appropriation:

Fund		Title	Amount

Explanation: To amend the FY2022-23 budget by appropriating funds from the State of Missouri, Department of Economic Development, Tourism Marketing Fund for the Route 66 Festival.

Requested By:
8-02-2022
Department Head Date

Approved By:
8-02-2022
Director of Finance Date

8-02-2022
City Manager Date

Authorization:
Council Bill No. 2022-190
Ordinance No.
1st Reading
2nd Reading
Journal Imp No.

One-rdg. _____
P. Hrngs. X
Pgs. 16
Filed: 08-02-22

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 191 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING Section 1-9 of the Springfield City Code, ‘City Limits;’ and amending Section 46-1 of the Springfield City Code, ‘Boundaries of wards, precincts and council zones;’ for the purpose of annexing approximately 24 acres of private property, generally located at 3224 East Valley Water Mill Road, and referenced as Annexation A-3-2022, into the City of Springfield.

WHEREAS, a verified petition requesting annexation was filed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, as described in "Exhibit A," said area being generally located at 3224 East Valley Water Mill Road; and

WHEREAS, said petition was presented to City Council more than fourteen, but less than sixty days, prior to the public hearing thereon; and

WHEREAS, proper notice was published at least seven days prior to the public hearing; and

WHEREAS, City Council does find and determine that: (1) said annexation is reasonable and necessary to the proper development of the City; (2) the City is able to furnish normal municipal services to the area annexed herein within a reasonable time after annexation; and (3) the area annexed herein is contiguous and compact to the existing corporate boundaries of the City.

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

Section 1 – City Council, after holding a public hearing, hereby determines that Annexation A-3-2022 of the property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is reasonable and necessary to the proper development of the City, the City has the ability to furnish normal municipal services to the area annexed within a reasonable time, and the area is contiguous and compact to the existing boundaries of the City as shown in “Exhibit B,” which is attached hereto and

incorporated herein by this reference.

Section 2 – Pursuant to the provisions of Section 71.012 RSMo., the property described in “Exhibit A,” is hereby annexed into the City of Springfield, Missouri.

Section 3 – Section 1-9 of the Springfield City Code, ‘City Limits,’ is hereby amended by adding thereto the land described in "Exhibit A."

Section 4 – Section 46-1 of the Springfield City Code, ‘Boundaries of wards, precincts and council zones,’ is hereby amended by placing the property described in "Exhibit A" into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

Section 5 – The City Clerk is directed to: (1) file certified copies of this Annexation Ordinance with the Clerk of Greene County; (2) file certified copies of this Annexation Ordinance with the Assessor of Greene County; and (3) forward to the Missouri Director of Revenue, by certified mail, certified copies of this Ordinance, and any other information that the Director of Revenue may require. The City Clerk is further authorized and empowered to perform any other administrative acts which are consistent with the intent of this Ordinance.

Section 6 – 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: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022-191

FILED: 08-02-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to annex approximately 24 acres of private property into the City of Springfield, generally located at 3224 East Valley Water Mill Road and referenced as Annexation A-3-2022. (Staff recommends approval).

BACKGROUND INFORMATION: The owner(s) of the private property generally located at 3224 E. Valley Water Mill Road is requesting annexation into the City of Springfield. The owner(s) of the private property have signed a petition to request annexation of approximately 24 acres into the City of Springfield. The private property is within the City of Springfield's Urban Service Area and is immediately adjacent to the City of Springfield. There is no public right-of-way as a part of this annexation. The property currently has a barn on it but is otherwise vacant and undeveloped. The intent of this annexation and concurrent rezoning application is to allow for a new retail and residential development.

City Council is required to hold a public hearing to determine whether the annexation is reasonable and necessary for the proper development of the City and whether the City has the ability to furnish normal city services within a reasonable period of time. If no written objection is filed within fourteen (14) days of the public hearing, the City may annex the property by ordinance without further action.

REMARKS: The area to be annexed is contiguous to the City of Springfield. See "Exhibit B" for the location of the private property to be annexed.

RECOMMENDATIONS:

1. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.

2. The area to be annexed is contiguous and compact to the City of Springfield and all City services can be provided to the property.

3. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.

4. The property owner(s) have petitioned the City for annexation.

5. The City will receive property and sales tax revenue upon annexation of the private property.

Staff recommends the annexation of this private property.

Submitted by:

R. Daniel Neal, Senior Planner

Recommended by:

Susan Istenes, AICP
Director

Approved by:

Jason Gage, City Manager

EXHIBITS:
Exhibit A, Legal Description
Exhibit B, Development Review Staff Report

ATTACHMENTS:
Attachment 1, Department and Agency Review
Attachment 2, Annexation Schedule

EXHIBIT A

LEGAL DESCRIPTION
ANNEXATION A-3-2022

All of the East 1/2 of Lot (4), of the NE 1/ 4 of Section (4), Township (29)N, Range (21)W, Greene County, Missouri, except right of way for U.S. Highway 65 conveyed by an instrument recorded In Book 1601, Page 749, except any other part used for public roads.

Beginning at a point 592 feet west of the NE corner of the East 1/2 of Lot (3) of the NE 1/ 4 of Section (4), Township (29)N, Range (21)W thence East a distance of 264.4 feet to the Westerly right of way line of the New Highway 65 By-pass; thence Southeasterly and along the right of way line of said highway a distance of 208.1 feet to the center of the creek; thence Northwesterly a distance of 353 feet to the point of beginning, being a part of the East 1/2 of Lot (3) of the NE 1/4 of Section (4) , Township (29)N, Range (21)W, In Greene County, Missouri.

EXHIBIT B

Development Review Staff Report

CITY OF Springfield

CITY COUNCIL PUBLIC HEARING: AUGUST 8, 2022

CASE NUMBER:
Annexation A-3-2022

LOCATION:
3224 E. Valley Water Mill Road

ACRES:
Approximately 24 acres

EXISTING LAND USE:
Vacant/undeveloped land

APPLICANT:
Valley Water Mill Prop, LLC

STAFF:
Daniel Neal, Senior Planner
864-1036

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve the request to annex the subject property into the City of Springfield as submitted in the staff report

SUMMARY OF REQUEST:

Request to annex approximately 24 acres of private property generally located at 3224 E. Valley Water Mill Road into the City of Springfield.

FINDINGS FOR STAFF RECOMMENDATION:

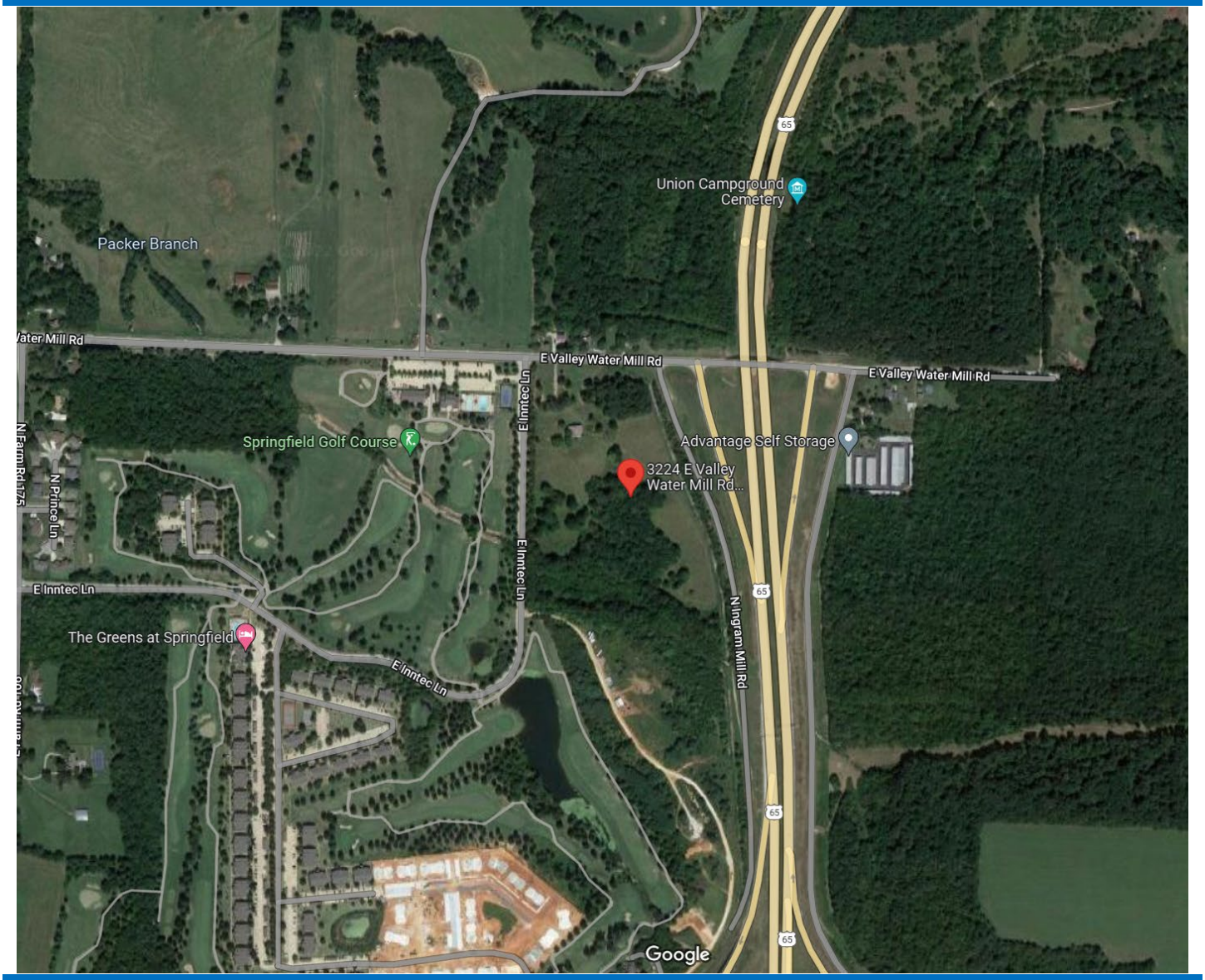
1. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.
2. The area to be annexed is contiguous and compact to the City of Springfield and is bounded on two sides by the City of Springfield.
3. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation because this annexation will enhance government efficiencies through a rational and simplified city boundary.
4. The City will receive property and sales tax revenue upon annexation of the private property.

SURROUNDING ZONING AND LAND USES:

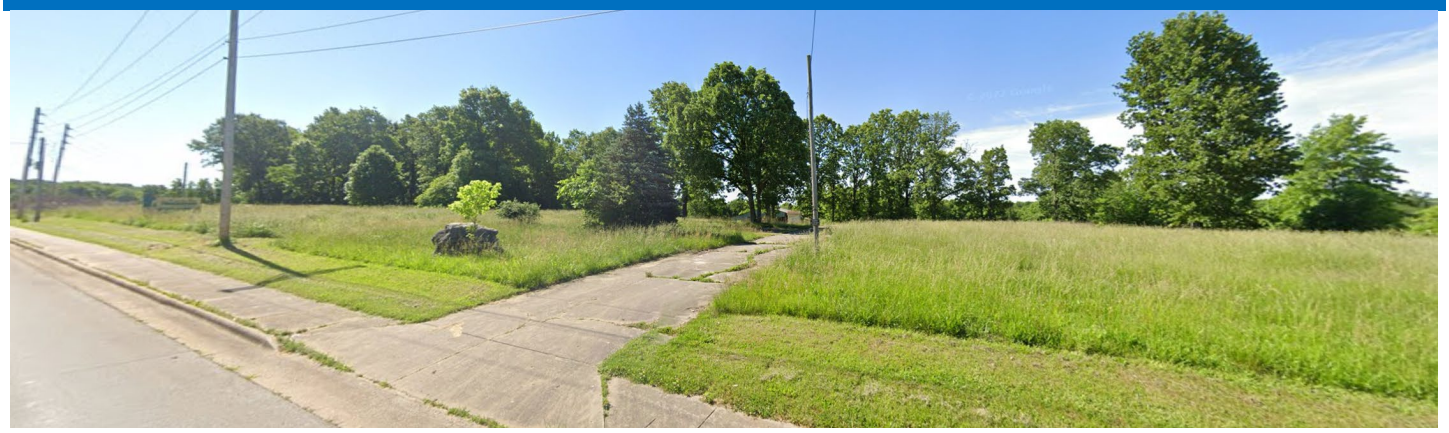
	NORTH	SOUTH	EAST	WEST
ZONING	County R-1	PD 234	US 65 Hwy & County R-1	PD 234
LAND USE	Single-family residential uses	Golf course	US Hwy ROW and single-family residential uses	Golf course

Development Review Staff Report

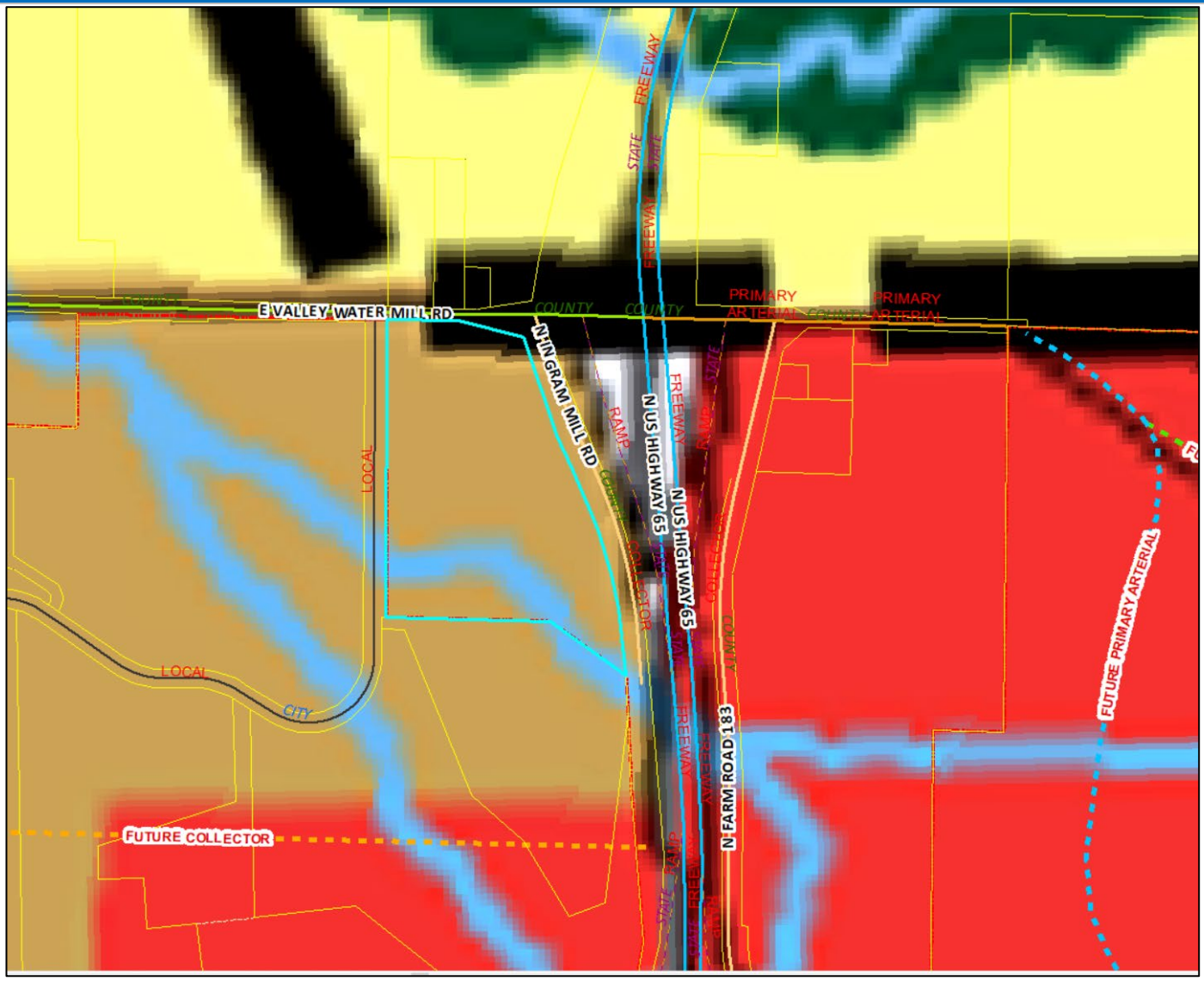
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:

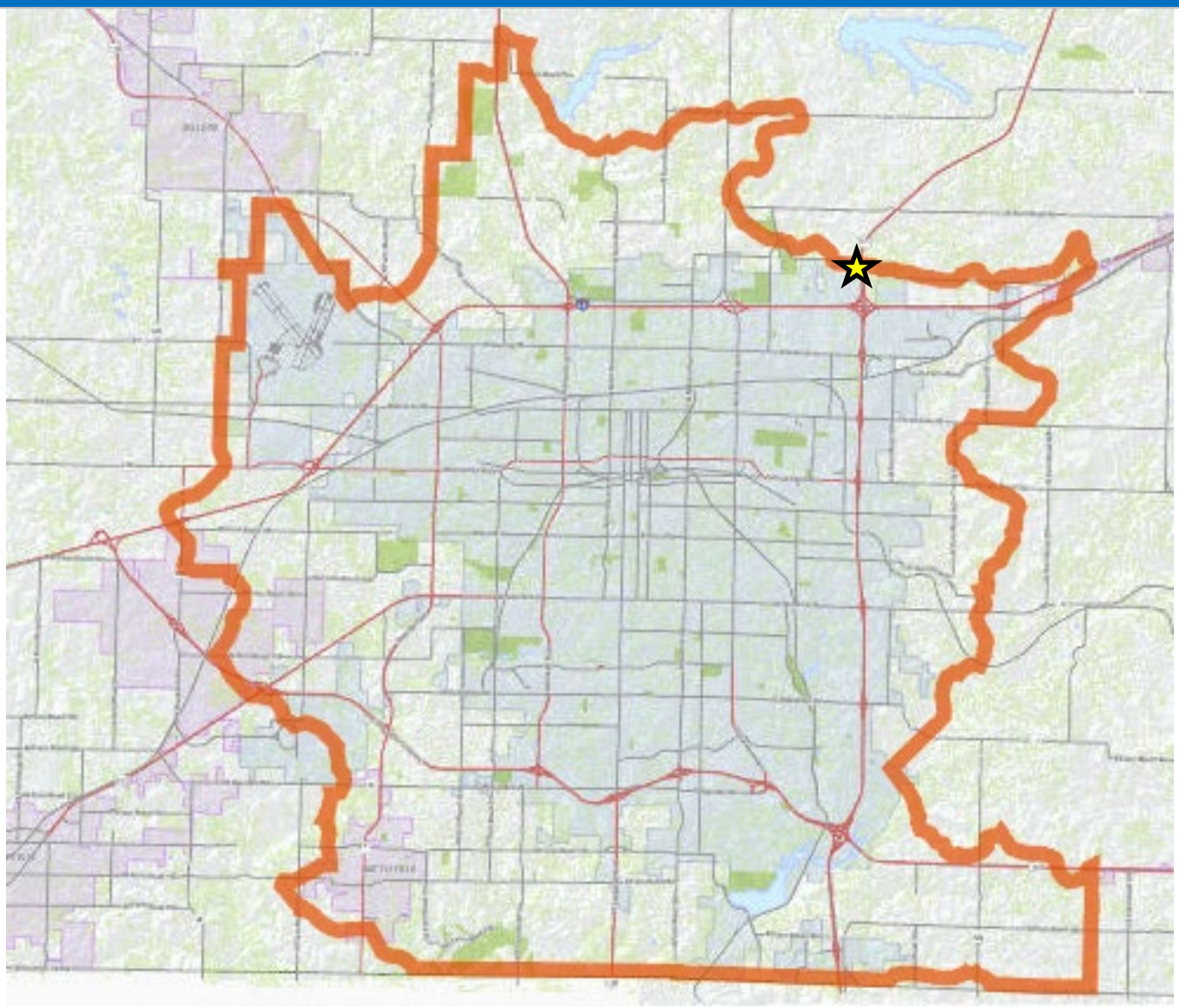


GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

URBAN SERVICE AREA:



Development Review Staff Report

PROPERTY HISTORY:

The subject property is currently outside the city limits in unincorporated Greene County. The subject property is currently zoned Greene County R-1, Suburban Residence District and has an old barn on it. The annexation is being processed concurrently with a rezoning of the same area and will have a public hearing at the same City Council meeting.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Medium to High Density Housing. The applicant is proposing a mixed-use development with a large multi-family component. The retail and office component would be justified by the subject property's proximity to a major intersection of a Freeway and Secondary Arterial roadways (U.S. Highway 65 and Valley Water Mill Road). It's also in proximity to the I-44 and U.S. 65 Emerging Activity Center. This area has potential to be significant regional Activity Center. Existing businesses and manufacturing activity, including nearby Partnership Industrial Center, make this area a major employment center. The area to the east of U.S. 65 and Valley Water Mill Road has been categorized as High Intensity Retail, Office or Housing for that very reason. The Plan states that" The land use plan map should not be taken too literally but should be used in conjunction with the guidelines from previously prepared neighborhood plans, the growth management and community physical character policies of this plan and good judgement." Despite the conflicting land use designation, Staff finds that the subject property is an appropriate location for the proposed GR, General Retail District.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* states that City annexations should enhance governmental efficiencies through rational and simplified City boundaries and reduce any potential inter-jurisdictional conflict.

STAFF COMMENTS:

1. The applicant is proposing to annex approximately 24 acres of property generally located at 3224 E. Valley Water Mill Road into the City of Springfield. A rezoning to GR, General Retail District for a new retail and residential development is being processed with this annexation and will have a public hearing at the same City Council meeting.

2. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.

3. The proposed annexation and rezoning will allow the subject property to be developed similarly to adjacent properties in the City.

4. The proposed annexation area does not contain any known sinkholes and is not located in a FEMA designated floodplain. The proposed annexation area does not contain a stream buffer area.

5. The proposed annexation does not contain any public right-of-way. Valley Water Mill is maintained by Greene County Highway Department, Ingram Mill Road is maintained by MODOT and Greens Avenue is a local City street.

6. The proposed annexation area is currently served by the Ebenezer Fire Protection District.

7. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1. The legal description of the private property involved in this annexation is attached as Exhibit A.

PUBLIC NOTIFICATION:

The public notice for annexation was advertised in the Daily Events at least 15 days prior to the public hearing. For the rezoning, the property was posted by the applicant at least 10 days prior to the public hearing. For the rezoning, 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: 6 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES:

No issues with annexation. 3 Phase Electric and Water are available to the property. Natural Gas could be extended to provide service if desired, per CU's Extension policy.

CLEAN WATER SERVICES COMMENTS:

No objection to annexation. Public sewer currently crosses the property.

E-911 COMMENTS:

No comments.

ECONOMIC DEVELOPMENT COMMENTS:

Additional sales and property tax will be collected if property is rezoned and developed as proposed.

FIRE DEPARTMENT COMMENTS:

1. **Service** – The primary Fire Station responding to this area would be Station #4 located at 2423 N. Delaware, which is approximately 4.3 miles from the northeast of the property. Fire Station #3 located at 205 N. Patterson, is the secondary station responding to this location, which is 5.1 miles from the northeast corner of the property.

2. **ISO area** – The proposed annexation is currently outside the recommended ISO 1.5-mile response distance by 2.5 miles for the 1st due unit. ***This will have a negative impact on our ISO rating for deployment.***

3. **Response times/Standards of Cover** – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 8 minutes, 45 seconds. The 2nd due company has an estimated total response time of 9 minutes, 8 seconds. It is unlikely the standard of coverage benchmark could be met for single company responses and unlikely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. ***The department expects that it will not meet the initial unit or effective response force benchmarks. This will negatively impact our accreditation standard of cover.***

		Estimated Total Response Time	Benchmark*	From 2021 Baseline**
1st Due Company	Station 4	8 Minutes 4 Seconds	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 4,2,3,12	11 Minutes 48 Seconds	10 minutes 20 seconds	13 minutes 18 seconds

4. **Water Supply** – Currently there is no water supply to service the proposed area to be annexed. There is a 12" water main with City Utilities maintained Development associated with this annexation is currently underway with planning for improved water supply included. ***All requirements and conditions of the Fire Code must be met for fire suppression water supply for the occupancy type and intended use. The Fire Department does have any concerns with the water supply for this proposed annexation after Fire Code requirements are satisfied.***

5. **Impact -** The Fire Department is unable to estimate the call activity due to the unique type of development. ***While the Fire Department is concerned about the potential for extended total response time to this address from existing stations, adherence to the provisions of the Fire Code for fire suppression water supply and fixed fire suppression systems.***

   Fire Department Recommendation: ***The Fire Department is supportive of this annexation.***

MODOT COMMENTS:

No comment.

GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:

Any access to Valley Water Mill must meet Greene County Access Management criteria. Specifically, the existing access would be better suited located on Greens Dr. At a minimum, better separation from the intersection with Greene Dr. (220') should be provided.

POLICE DEPARTMENT COMMENTS:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies E. Valley Water Mill Road as a Secondary Arterial roadway, N. Greens Drive as a Local-Commercial roadway and N. Ingram Mill Road as a Collector roadway. The standard right-of-way width for E. Valley Water Mill Road is 35-feet from the centerline, 30-feet from the centerline for N. Greens Drive and 30-feet from the centerline for N. Ingram Mill Road. It appears an additional 5-feet of right of way is required along E. Valley Water Mill Road. It appears no additional right-of-way is needed along N. Greens Drive or N. Ingram Mill Road. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way. E. Valley Water Mill Road is a County- maintained roadway, N. Greens Drive is a city-maintained roadway and N. Ingram Mill Road is a state-maintained roadway.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for E. Valley Water Mill Road, N. Greens Drive or N. Ingram Mill Road. On-street parking is not allowed along E. Valley Water Mill Road. On-street parking is allowed along N. Greens Drive and N. Ingram Mill Road.

DRIVEWAY ACCESS
There are currently two driveway access points onto the property from E. Valley Water Mill Road and no access points to the property from N. Greens Drive or N. Ingram Mill Road. Access to this property from E. Valley Water Mill Road will be permitted by Greene County Highway, access to the property from N. Greens Drive will be permitted by the City of Springfield and access to the property will be permitted by MoDOT.

SIDEWALK
There is existing sidewalk along the property frontage of E. Greens Drive. There is not existing sidewalk along the property frontage of E. Valley Water Mill Road or N. Ingram Mill Road. The developer is required to construct sidewalk at the time of development along the property frontage of E. Valley Water Mill Road and N. Ingram Mill Road. There is an option for the developer to apply to the ARC for approval to pay a fee in lieu of sidewalk construct. If approved, this fee must be 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 are no bus stops in the area pertaining to this zoning. 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 at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to issuance of a building permit.

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	E Valley Water Mill Rd	Secondary Arterial	No	30	35
Street 2	E. Greens Dr	Local - Commercial	Yes	50	30
Street 3	N Ingram Mill Rd	Collector	Yes	75	30

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	96	120	1,152	
***Proposed Trips Generated**	384	1,608	17,280	
Additional Trips Generated	288	1,488	16,128	

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **South Dry Sac** drainage basin. The property **is located in a FEMA designated Un-Numbered A Zone Floodplain**. Staff **is not** aware of flooding problems in the local or downstream area. **The**

city is aware of a Karst Feature item located on the property and will require a sinkhole evaluation report. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does have a stream buffer on site.**

PW Stormwater has no concerns with the proposed rezoning. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.
    a. A fee in lieu of detention for this development maybe permissible with upon further stormwater analysis of the downstream affects to the stream and culverts on adjacent property and E Greens Dr.
    b. Stormwater Report should show the downstream impacts and elevations.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
    a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)

Water Quality Requirements

3. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Stream and Stream Buffer Requirements

4. A Category B Small Stream is shown crossing the property on the SW part of the property. Chapter 8, Sec 2.1 has the general rule for development around/near natural channels is avoidance, minimize impacts, and mitigate impacts.
    a. Chapter 8, Sec 4.1.2; All applications subject to the stream buffer requirements herein shall submit a stream buffer plan for review and approval. Stream Buffer Plan requirements are found in the same Chapter/Sec.
    b. Chapter 8, Sec 4.1.3 Ownership and Recording: Stream buffers consisting of the stream and approved buffer zones shall be designated as a Stream Buffer Area on any replat, preliminary plat, or final plat in accordance with City Code Sec. 36-253 or recorded in a stream buffer easement.

Sinkhole and Karst Features on Property

5. The Site contains one karst feature will discharge to it. Per Ch. 11 Sec. 2.0 a sinkhole evaluation must be completed by a professional engineer or geologist. Located North of the Stream is what appears to be a spring.
    a. Chapter 11, Sec 3.2 No new development shall be within 100 feet of a spring unless a report prepared by a qualified engineer or geologist is submitted and approved by the Director of Public Works verifying that the quality and quantity of the spring flow will not be materially altered by the development.
    b. Project will require an evaluation report of the possible Karst Feature before approval of building permit.

ANNEXATION SCHEDULE:

ATTACHMENT 2
ANNEXATION SCHEDULE

ANNEXATION:

Initiate annexation.....July 11, 2022

City Council public hearing .....August 8, 2022

City Council second reading and vote .....August 22, 2022

One-rdg. _____
P. Hrngs. X
Pgs. 23
Filed: 08-02-22

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 192 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 24 acres of property generally located at 3224 East Valley Water Mill Road from County R-1, Suburban Residence District, to GR, General Retail District, with Conditional Overlay District No. 216; establishing Conditional Overlay District No. 216; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 3224 East Valley Water Mill Road from County R-1, Suburban Residence District, to GR, General Retail District, with Conditional Overlay District No. 216; and

WHEREAS, Conditional Overlay District No. 216 shall modify the requirements of the Springfield Land Development Code Section 36-421, GR, General Retail District, by requiring that the property described in "Exhibit B" comply with the requirements described in "Exhibit A;" and

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

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

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

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

SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – The property described in "Exhibit B," which is attached hereto and incorporated herein by this reference, is hereby rezoned from County R-1, Suburban Residence District, to GR, General Retail District, with Conditional Overlay District No. 216. 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 establishes Conditional Overlay District No. 216 which shall contain the requirements and standards provided in "Exhibit A," which is attached hereto and incorporated herein by this reference as though set forth herein. The requirements of Conditional Overlay District No. 216 shall modify the requirements of the Springfield Land Development Code Section 36-421, GR, General Retail District, by requiring the property described on "Exhibit B" comply with the requirements contained in "Exhibit A."

Section 3 – 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 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: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022 - 192

FILED: 08-02-22

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 24 acres of property generally located at 3224 East Valley Water Mill Road from County R-1, Suburban Residence District to GR, General Retail District and establishing Conditional Overlay District No. 216. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-16-2022/ CONDITIONAL OVERLAY DISTRICT NO. 216

The applicant is proposing to rezone approximately 24 acres of property generally located at 3224 E. Valley Water Mill Road from County R-1, Suburban Residence District to GR, General Retail District and establishing Conditional Overlay District No. 216. An annexation request is being processed concurrently with this rezoning application. The intent of this rezoning application is to allow for a new retail and residential development.

A Conditional Overlay District has been submitted to mitigate any potential impacts of the GR zoning. A Traffic Impact Study shall be submitted at the time of development; this study must be approved by Public Works and MODOT prior to permitting of the development. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. Any additional right-of-way required for Valley Water Mill Road shall be dedicated prior to the issuance of a building permit. Sidewalk is required to be constructed along the property frontage of Valley Water Mill Road and Ingram Mill Road or a fee in lieu of request submitted and approved by the ARC.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve, by a vote of 5 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 *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Medium to High Density Housing. The

applicant is proposing a mixed-use development with a large multi-family component. The retail and office component would be justified by the subject property's proximity to a major intersection of a Freeway and Secondary Arterial roadways (U.S. Highway 65 and Valley Water Mill Road). It's also within close proximity to the I-44 and U.S. 65 Emerging Activity Center. This area has potential to be significant regional Activity Center. Existing businesses and manufacturing activity, including nearby Partnership Industrial Center, make this area a major employment center. The area to the east of U.S. 65 and Valley Water Mill Road has been categorized as High Intensity Retail, Office, or Housing for that very reason.

2. The requested GR, General Retail zoning is consistent with other major commercial intersections in the vicinity. U.S. Hwy 65 and Kearney (to the south) has HC, Highway Commercial zoning on three corners of the intersection, I-44 and Mulroy Road (to the east) was recently rezoned to HC for a new convenience store and commercial subdivision, and I-44 and Glenstone (to the west) has HC zoning on three corners and a municipal golf course on the other.

3. A Conditional Overlay District has been submitted with the requested rezoning to mitigate potential negative impacts of the General Retail District to surrounding properties.

4. This area has not changed since the adoption of the Comprehensive Plan.

5. The subject property has existing City Utilities and public sewer to serve the property.

6. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

7. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

Submitted by:

Daniel Neal, Senior Planner

Recommended by:

Susan Istenes, AICP
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
Attachment 3: Neighborhood meeting summary & Correspondence

EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-16-2022 & CONDITIONAL OVERLAY DISTRICT NO. 216

The requirements of Section 36-421. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. A traffic study, in a format acceptable to the City and MoDOT, must be submitted at the time of development, and development shall be permitted only after this study is approved by the City's Public Works Department. The requirements of the study shall be incorporated in site plan, PIP, or other permits as applicable, and in accordance with City Code Section 36-250 and Section 9 of Public Works Design Standards. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. All public improvements must be constructed and approved, or funds escrowed prior to issuance of a building permit.

2. City's Transportation Plan classifies Valley Water Mill Road as a secondary arterial which requires 35 feet of right of way from the centerline. It appears approximately 10 feet is needed. Greens Drive is classified as a local roadway and Ingram Mill Road is classified as a collector roadway. It appears no additional right of way is needed along Greens Drive or Ingram Mill Road. A survey is recommended to determine the exact amount of existing right of way as nothing can be constructed within the required right of way. Access to the property must meet existing City of Springfield spacing standards for a Secondary Arterial on Valley Water Mill Road and for a Collector on Ingram Mill Road.

3. Per City Code Section 36-471, sidewalks are required to be constructed along the property frontage of Valley Water Mill and Ingram Mill Road at the time of development. If Public Improvement Plans are required for the project, the sidewalk must be included in the PIP. The developer has the option to request approval from the ARC to pay a fee in lieu of sidewalk construction. If approved, the fee must be paid prior to approval of a building permit.

EXHIBIT B

LEGAL DESCRIPTION
ZONING CASE Z-16-2022 & CONDITIONAL OVERLAY DISTRICT NO. 216

The South 20 acres of the NW 1/ 4 of the NW 1/ 4 of Section (34), Township (29), Range (24), in Greene County, Missouri. All of the East 1/2 of Lot (4), of the NE 1/ 4 of Section (4), Township (29)N, Range (21)W, Greene County, Missouri, except right of way for U.S. Highway 65 conveyed by an instrument recorded In Book 1601, Page 749, except any other part used for public roads. Beginning at a point 592 feet west of the NE corner of the East 1/2 of Lot (3) of the NE 1/ 4 of Section (4), Township (29)N, Range (21)W thence East a distance of 264.4 feet to the Westerly right of way line of the New Highway 65 By-pass; thence Southeasterly and along the right of way line of said highway a distance of 208.1 feet to the center of the creek; thence Northwesterly a distance of 353 feet to the point of beginning, being a part of the East 1/2 of Lot (3) of the NE 1/4 of Section (4), Township (29)N, Range (21)W, In Greene County, Missouri.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Z-16-2022 w/COD #216
3224 East Valley Water Mill Road
Applicant: Valley Water Mill Property, LLC

Mr. Hosmer states that this is a request to rezone approximately 24 acres of property generally located at 3224 E. Valley Water Mill Road from County R-1, Suburban Residence District to GR, General Retail District and establishing Conditional Overlay District No. 216. The Comprehensive Plan identifies this area as designates as appropriate for Medium to High Density Housing. Proposed mixed-use development with multi-family. Near Emerging Activity Center. The Transportation Plan classifies Eastgate Avenue and Lombard Street as Collector roadways. A Traffic Impact Study is required at time of development. Additional ROW, sidewalks. The property is located in a FEMA designated unnumbered floodplain. There is stream buffer area and sinkhole on the property. Stormwater detention is required. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity.The COD will require traffic, ROW, sidewalks and improvements if required. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jared Davis, 3213 S. West Bypass, here to answer any questions and the intent to do General Retail and multi-family.

Mr. Doennig closed the public hearing.

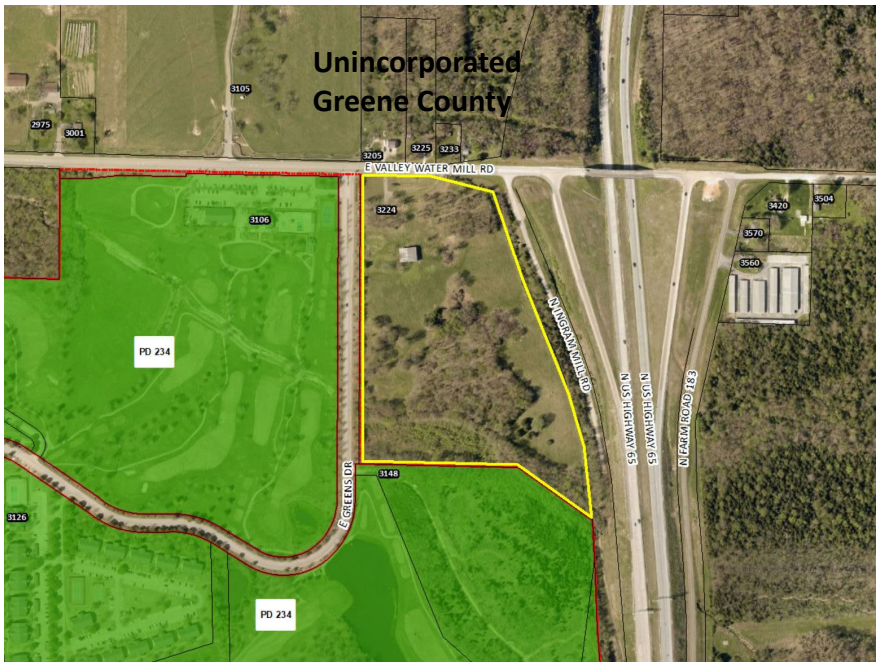
COMMISSION ACTION:
Mr. Jobe motioned to **approve** Z-16-2022 w/COD #216 (3224 East Valley Water Mill Road). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

Exhibit D

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	July 14, 2022
CITY COUNCIL PUBLIC HEARING:	August 8, 2022



CASE: Z-16-2022 w/COD #216

ACRES: Approximately 24 acres

LOCATION: 3224 E. Valley Water Mill Rd.

EXISTING LAND USE: Vacant/undeveloped land

APPLICANT: Valley Water Mill Prop, LLC

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

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION: Move to recommend approval as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 24 acres of property generally located at 3224 E. Valley Water Mill Road from County R-1, Suburban Residence District to GR, General Retail District and establishing Conditional Overlay District No. 216.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Medium to High Density Housing. The applicant is proposing a mixed-use development with a large multi-family component. The retail and office component would be justified by the subject property's proximity to a major intersection of a Freeway and Secondary Arterial roadways (U.S. Highway 65 and Valley Water Mill Road). It's also within close proximity to the I-44 and U.S. 65 Emerging Activity Center. This area has potential to be significant regional Activity Center. Existing businesses and manufacturing activity, including nearby Partnership Industrial Center, make this area a major employment center. The area to the east of U.S. 65 and Valley Water Mill Road has been categorized as High Intensity Retail, Office or Housing for that very reason.

2. The requested GR, General Retail zoning is consistent with other major commercial intersections in the vicinity. U.S. Hwy 65 and Kearney (to the south) has HC, Highway Commercial zoning on three corners of the intersection, I-44 and Mulroy Road (to the east) was recently rezoned to HC for a new convenience store and commercial subdivision, and I-44 and Glenstone (to the west) has HC zoning on three corners and a municipal golf course on the other.

3. A Conditional Overlay District has been submitted with the requested rezoning to mitigate potential negative impacts of the General Retail District to surrounding properties.

4. This area has not changed since the adoption of the Comprehensive Plan.

5. The subject property has existing City Utilities and public sewer to serve the property.

6. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

7. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

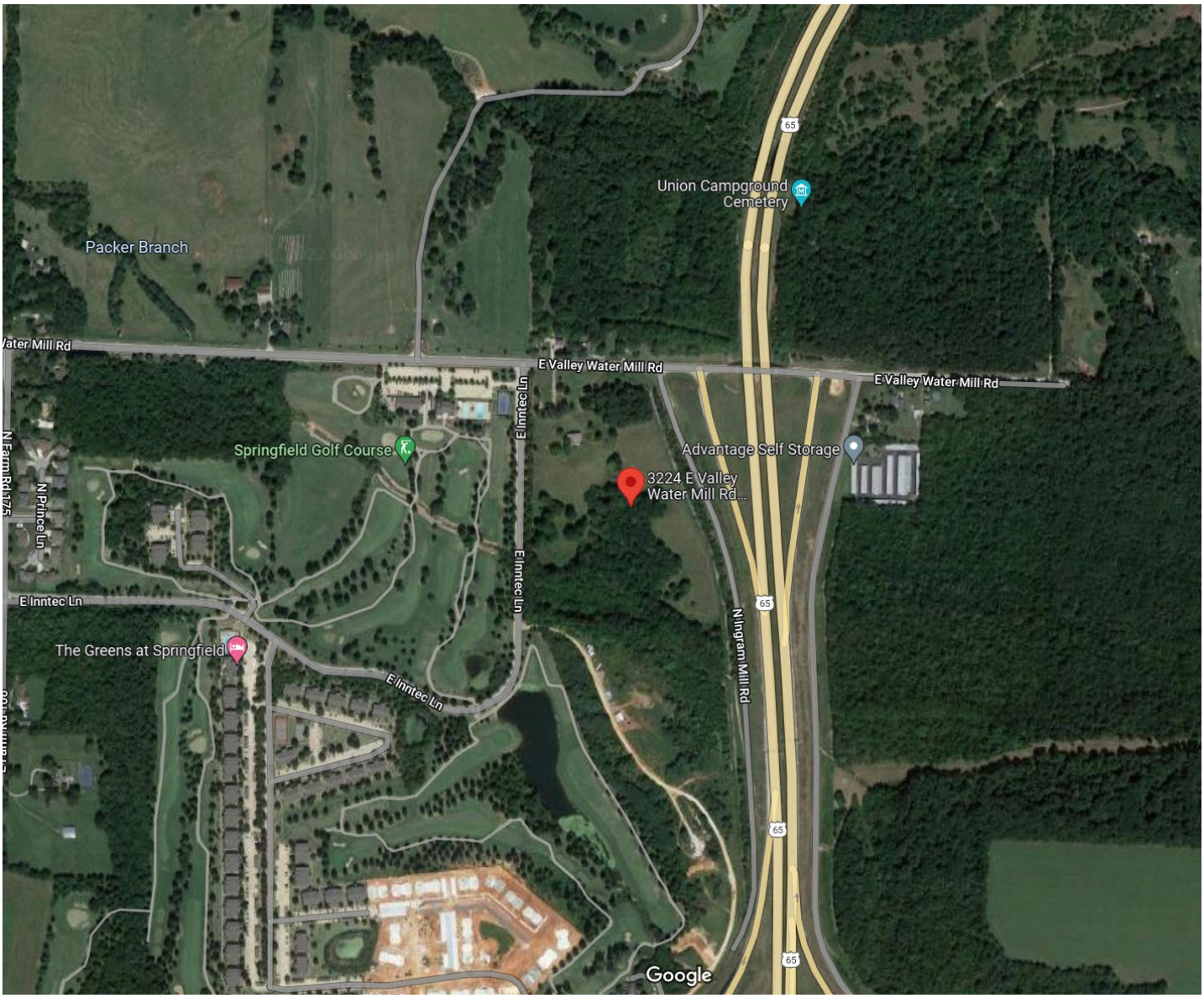
8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

SURROUNDING ZONING AND LAND USES:				
	NORTH	**SOUTH**	**EAST**	**WEST**
ZONING	County R-1	PD 234	US 65 Hwy & County R-1	PD 234
LAND USE	Single-family residential uses	Golf course	US Hwy ROW and single-family residential uses	Golf course

Development Review Staff Report

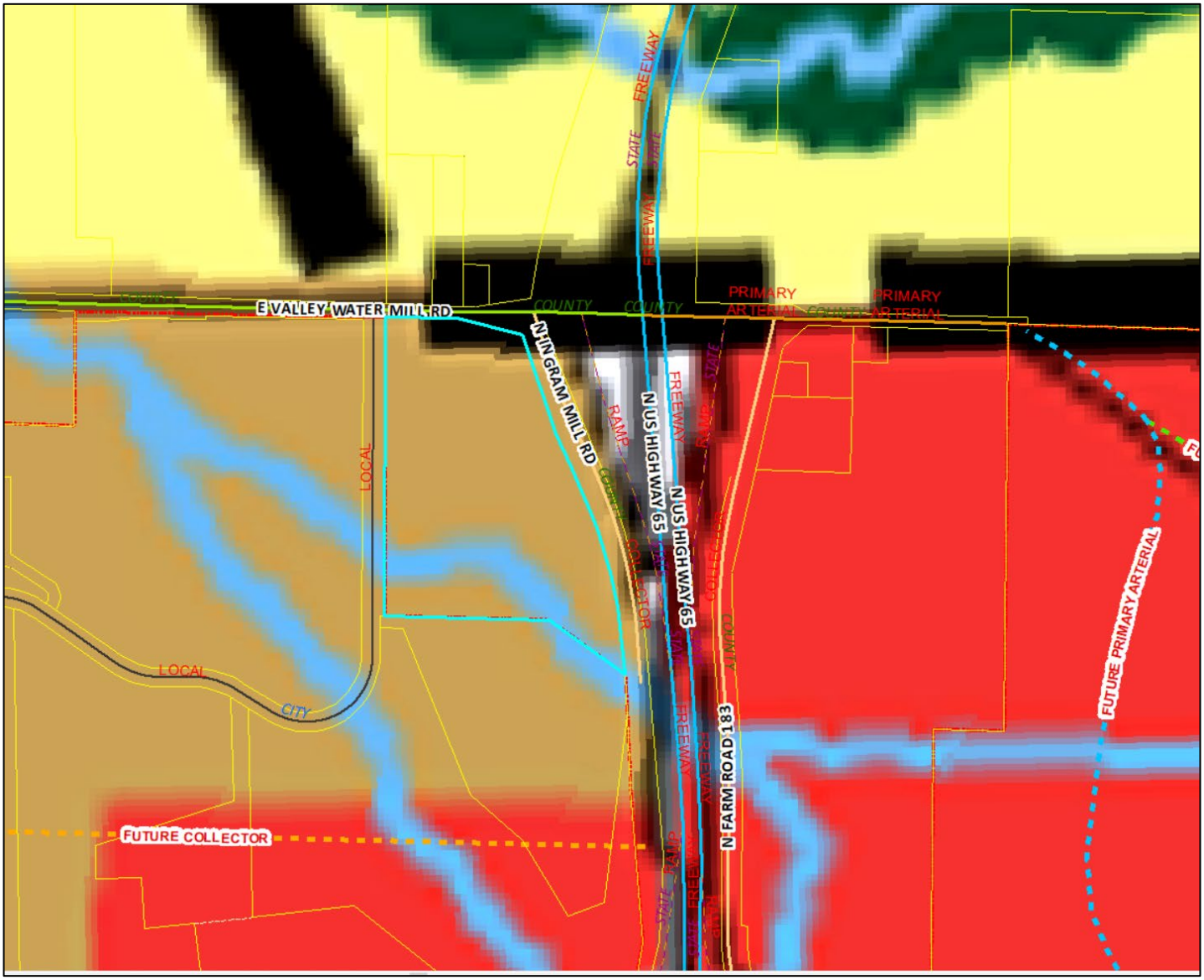
SURROUDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Low-Density Housing
Medium or High Density Housing
Medium Intensity Retail, Office or Housing
High Intensity Retail, Office or Housing
Greater Downtown
Business Park
Light Industrial, Office and Office-Warehouse
General Industry, Transportation and Utilities
Park
School
Golf
Community-Public
Urban Reserve Area
Rural Area
Greenway
Parkway
City Boundary
Urban Service Area Boundary, Year 2020
Urban Reserve Boundary, Year 2040

Development Review Staff Report

PROPERTY HISTORY:

The subject property is currently located in Greene County and zoned County R-1, Suburban Residence District. The rezoning is being processed concurrently with an annexation of the same 24 acres along Valley Water Mill Road and will have a public hearing at the same City Council meeting.

PLANNING AND ZONING COMMISSION AUTHORITY:

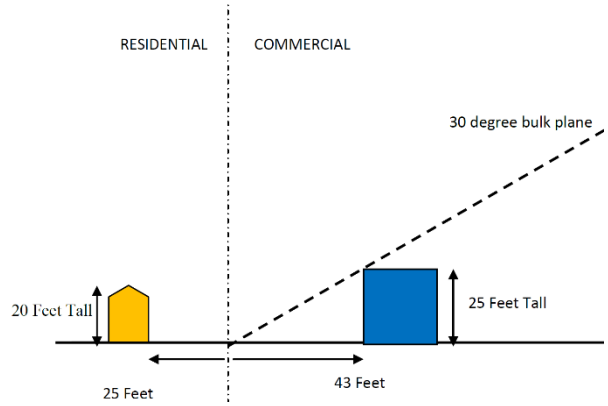
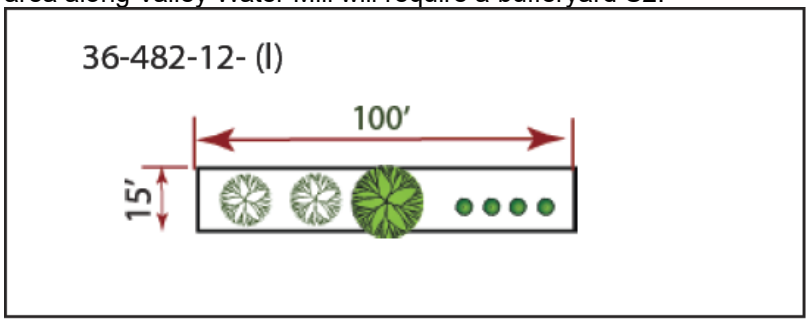
Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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 GR
Minimum Yard Requirements	*Front yard:* Twenty-five 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	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.
Minimum Open Space	Not less than 20 percent.
BULK PLANE	**BUFFERYARD AND LANDSCAPING**
The property to the north across Valley Water Mill Road is zoned County R-1, Suburban Residence District which is similar to the R-SF District. 	The PD to the west across N. Greens Ave. has existing non-residential uses so a bufferyard will not be required. The same PD to the south allows multi-family uses; however, the current GR proposal is for multi-family behind so multi-family uses against multi-family uses would not trigger a bufferyard, either. If the plans change and the entire site is developed as commercial uses, then a Bufferyard Type C would be required between the GR and PD. The area along Valley Water Mill will require a bufferyard S2. 

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Medium to High Density Housing. The applicant is proposing a mixed-use development with a large multi-family component. The retail and office component would be justified by the subject property's proximity to a major intersection of a Freeway and Secondary Arterial roadways (U.S. Highway 65 and Valley Water Mill Road). It's also in close proximity to the I-44 and U.S. 65 Emerging Activity Center. This area has the potential to be a significant regional Activity Center. Existing businesses and manufacturing activity, including nearby Partnership Industrial Center, make this area a major employment center. The area to the east of U.S. 65 and Valley Water Mill Road has been categorized as High Intensity Retail, Office or Housing for that very reason. The Plan states that" The land use plan map should not be taken too literally but should be used in conjunction with the guidelines from previously prepared neighborhood plans, the growth management and community physical character policies of this plan and good judgement." Despite the conflicting land use designation, Staff finds that the subject property is an appropriate location for the proposed GR, General Retail District.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 24 acres of property generally located at 3224 E. Valley Water Mill Road from County R-1, Suburban Residence District to GR, General Retail District and establishing Conditional Overlay District No. 216. An annexation request is being processed concurrently with this rezoning application. The intent of this rezoning application is to allow for a new retail and residential development.

2. The requested GR, General Retail zoning is consistent with other major commercial intersections in the vicinity. U.S. Hwy 65 and Kearney (to the south) has HC, Highway Commercial zoning on three corners of the intersection, I-44 and Mulroy Road (to the east) was recently rezoned to HC for a new convenience store and commercial subdivision, and I-44 and Glenstone (to the west) has HC zoning on three corners and a municipal golf course on the other.

3. The proposed General Retail zoning district is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. Areas zoned GR are intended to be at least five acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme. It also allows for residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level. When a lot has multiple street frontages, first-floor nonresidential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.

4. A Conditional Overlay District has been submitted to mitigate any potential impacts of the IC zoning. A Traffic Impact Study shall be submitted at the time of development; this study must be approved by Public Works and MODOT prior to permitting of the development. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. Any additional right-of-way required for Valley Water Mill Road shall be dedicated prior to building permit. Sidewalk is required to be constructed along the property frontage of Valley Water Mill Road and Ingram Mill Road or a fee in lieu of request submitted and approved by the ARC.

5. The GR District has Use Limitations to limit potentially negative uses:

   (a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows:

      1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services.

2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services.

(b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses.

(c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards.

(d) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

(e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).

(f) Streets through an adjacent residential area 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.

6. The proposed rezoning was reviewed by City departments, these comments are contained in Attachment 1.

NEIGHORHOOD MEETING:

The applicant held a neighborhood meeting on June 23, 2022, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

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: 6 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITIES:

No issues with re-zoning. 3 Phase Electric and Water are available to the property. Natural Gas could be extended to provide service if desired, per CU's Extension policy.

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to rezoning. Public sewer currently crosses the property.

FIRE DEPARTMENT:

No issues with zoning. Installation of fire hydrants & fire access lanes shall comply with 2018 IFC when developed.

GREENE COUNTY HIGHWAY DEPARTMENT:

Future change in use may require relocation of the drive on Valley Water Mill Road.

MISSOURI DEPARTMENT OF TRANSPORTATION:

The main concern MoDOT would have with rezoning to GR and Multifamily would be to have a traffic study done to determine the transportation impacts of the more intensive uses, and then require the developer to construct improvements justified by the traffic study as a condition of rezoning/annexation.

MoDOT ROW includes the outer road, so I think we would be concerned about the impacts to Ingram Mill, the Ingram Mill/Valley Water Mill intersection, and the ramp intersections on the interchange.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **South Dry Sac** drainage basin. The property **is located in a FEMA designated Un-Numbered A Zone Floodplain**. Staff **is not** aware of flooding problems in the local or downstream area. **The city is aware of a Karst Feature item located on the property and will require a sinkhole evaluation report.** A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does have a stream buffer on site.**

PW Stormwater has no concerns with the proposed rezoning. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.

a. A fee in lieu of detention for this development maybe permissible with upon further stormwater analysis of the downstream affects to the stream and culverts on adjacent property and E Greens Dr.
b. Stormwater Report should show the downstream impacts and elevations.

2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.

a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)

Water Quality Requirements

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Stream and Stream Buffer Requirements

1. A Category B Small Stream is shown crossing the property on the SW part of the property. Chapter 8, Sec 2.1 has the general rule for development around/near natural channels is avoidance, minimize impacts, and mitigate impacts.

a. Chapter 8, Sec 4.1.2; All applications subject to the stream buffer requirements herein shall submit a stream buffer plan for review and approval. Stream Buffer Plan requirements are found in the same Chapter/Sec.
b. Chapter 8, Sec 4.1.3 Ownership and Recording: Stream buffers consisting of the stream and approved buffer zones shall be designated as a Stream Buffer Area on any replat, preliminary plat, or final plat in accordance with City Code Sec. 36-253 or recorded in a stream buffer easement.

Sinkhole and Karst Features on Property

1. The Site contains one karst feature will discharge to it. Per Ch. 11 Sec. 2.0 a sinkhole evaluation must be completed by a professional engineer or geologist. Located North of the Stream is what appears to be a spring.

a. Chapter 11, Sec 3.2 No new development shall be within 100 feet of a spring unless a report prepared by a qualified engineer or geologist is submitted and approved by the Director of Public Works verifying that the quality and quantity of the spring flow will not be materially altered by the development.
b. Project will require an evaluation report of the possible Karst Feature before approval of building permit.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies E. Valley Water Mill Road as a Secondary Arterial roadway, N. Greens Drive as a Local-Commercial roadway and N. Ingram Mill Road as a Collector roadway. The standard right-of-way width for E. Valley Water Mill Road is 35-feet from the centerline, 30-feet from the centerline for N. Greens Drive and 30-feet from the centerline for N. Ingram Mill Road. It appears an additional 5-feet of right of way is required along E. Valley Water Mill Road. It appears no additional right-of-way is needed along N. Greens Drive or N. Ingram Mill Road. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way. E. Valley Water Mill Road is a County- maintained roadway, N. Greens Drive is a city-maintained roadway and N. Ingram Mill Road is a state-maintained roadway.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for E. Valley Water Mill Road, N. Greens Drive or N. Ingram Mill Road. On-street parking is not allowed along E. Valley Water Mill Road. On-street parking is allowed along N. Greens Drive and N. Ingram Mill Road.

DRIVEWAY ACCESS

There are currently two driveway access points onto the property from E. Valley Water Mill Road and no access points to the property from N. Greens Drive or N. Ingram Mill Road. Access to this property from E. Valley Water Mill Road will be permitted by Greene County Highway, access to the property from N. Greens Drive will be permitted by the City of Springfield and access to the property will be permitted by MoDOT.

SIDEWALK
There is existing sidewalk along the property frontage of E. Greens Drive. There is not existing sidewalk along the property frontage of E. Valley Water Mill Road or N. Ingram Mill Road. The developer is required to construct sidewalk at the time of development along the property frontage of E. Valley Water Mill Road and N. Ingram Mill Road. There is an option for the developer to apply to the ARC for approval to pay a fee in lieu of sidewalk construct. If approved, this fee must be 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 are no bus stops in the area pertaining to this zoning. 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 at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to issuance of a building permit.

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	E Valley Water Mill Rd	Secondary Arterial	No	30	35
Street 2	E. Greens Dr	Local - Commercial	Yes	50	30
Street 3	N Ingram Mill Rd	Collector	Yes	75	30

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	96	120	1,152	
***Proposed Trips Generated**	384	1,608	17,280	
Additional Trips Generated	288	1,488	16,128	

*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
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-16-2022 & CONDITIONAL OVERLAY DISTRICT NO. 216

The requirements of Section 36-421. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. A traffic study, in a format acceptable to the City and MoDOT, must be submitted at the time of development, and development shall be permitted only after this study is approved by the City's Public Works Department. The requirements of the study shall be incorporated in site plan, PIP, or other permits as applicable, and in accordance with City Code Section 36-250 and Section 9 of Public Works Design Standards. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. All public improvements must be constructed and approved, or funds escrowed prior to issuance of a building permit.

2. City's Transportation Plan classifies Valley Water Mill Road as a secondary arterial which requires 35 feet of right of way from the centerline. It appears approximately 10 feet is needed. Greens Drive is classified as a local roadway and Ingram Mill Road is classified as a collector roadway. It appears no additional right of way is needed along Greens Drive or Ingram Mill Road. A survey is recommended to determine the exact amount of existing right of way as nothing can be constructed within the required right of way. Access to the property must meet existing City of Springfield spacing standards for a Secondary Arterial on Valley Water Mill Road and for a Collector on Ingram Mill Road.

3. Per City Code Section 36-471, sidewalks are required to be constructed along the property frontage of Valley Water Mill and Ingram Mill Road at the time of development. If Public Improvement Plans are required for the project, the sidewalk must be included in the PIP. The developer has the option to request approval from the ARC to pay a fee in lieu of sidewalk construction. If approved, the fee must be paid prior to approval of a building permit.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Suburban Residence (R-1) -GC to General Retail (GR)
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Thursday - June 23, 2022 4p-6:30p
3. Meeting Location: Springfield Golf Club - 3106 E Valley Water Mill Rd. Spfd MO 65803
4. Number of invitations that were sent: 12
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 5
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).

   No comments - just questions

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

   Hearing dates sent to attendee (Joe Costello) by request

I, Jared Davis (*print name)*, attest that the neighborhood meeting was held on 07/14/2022 (*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

Jared Davis

Printed name of person completing affidavit

Neighborhood Meeting Sign-in

3224 E. Valley Water Mill Road

June 23, 2022

Name	Phone Number	Address
Nathan Adams	417-866-2741	3213 S. West Bypass
Steven Crawford	417-234-1111	Drimmara - counsel
David Switzer	3143706382	2733 E. Battlefield 65804
Joe Costello	(417) 866-7100	4112 N. FR 189 Springfield, MO 65803
joe@joecostello.com		(send hearing date)

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:	6/27/2022	**Telephone No.**	1-417-459-6375
YOUR NAME:	Norma Whitehead & Kevin Whitehead		
YOUR ADDRESS:	3205 E. Valley Watermill rd. Spfld. MO		
PROJECT ADDRESS:	3224 E. Valley Watermill rd.		

COMMENTS:

THE Traffic that will need access will be the biggest issue utilizing the Greens ACCESS is NOT IDEAL use of Ingram mill would Be preferred.

THIS will be too MANY Residents for the parcel of Land. One way ACCESS off Co Rd 102 overpass cannot be changed without HIGH COST.

THE Greens road intersection is Already dangerous as NO one Stops coming out of it onto Co.Rd. 102 /

One-rdg. _____
P. Hrngs. X
Pgs. 16
Filed: 08-02-22

Sponsored by: Horton

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-193 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 24.8 acres of property generally located at 5100 West State Highway EE from County A-1, Agriculture District, to GI, Government and Institutional District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 5100 West State Highway EE from County A-1, Agriculture District, to GI, Government and Institutional District; and

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

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

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from County A-1, Agriculture District, to GI, Government and Institutional 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: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022 - 193

FILED: 08-02-22

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 24.8 acres of property generally located at 5100 West State Highway EE from County A-1, Agriculture District to GI, Government, and Institutional District (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-13-2022

The applicant is requesting to rezone approximately 24.8 acres of property generally located at 5100 W. State Highway EE from County A-1, Agriculture District to GI, Government, and Institutional District. The use of the property is not being changed with this rezoning application but rather will accommodate the existing Greene County Sheriff's Office and Jail use which was established prior to annexation.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve, by a vote of 5 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 *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Light Industrial, Office and Office-Warehouse uses; however, the Greene County Sheriff's Office and Jail are an existing use and the proposed GI, Government and Institutional District accommodates it.

2. The requested GI, Government and Institutional District zoning will allow the existing use to be conforming.

3. This area has not changed since the adoption of the Comprehensive Plan.

4. The subject property has existing City Utilities and public sewer to serve the property.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

6. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

7. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

8. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

Submitted by:

Daniel Neal, Senior Planner

Recommended by:

Susan Istenes, AICP
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-13-2022

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 23 WEST, GREENE COUNTY, MISSOURI, BEING DESCRIBED AS:

COMMENCING AT AN EXISTING SURVEY MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 13; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, S02°19'28"W, A DISTANCE OF 76.30 FEET TO THE POINT OF BEGINNING, SAID POINT BEING AN EXISTING SURVEY MONUMENT (COTTON SPINDLE) ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY “EE”; THENCE CONTINUING S02°19'28"W, A DISTANCE OF 1725.66 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BURLINGTON NORTHERN RAILROAD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N77°46'46"W, A DISTANCE OF 687.25 FEET TO SURVEY MONUMENT (CAPPED "J-MARK") MARKING THE SOUTHEAST CORNER OF A TRACT OF LAND DEEDED TO STONEMOR MISSOURI LLC IN BOOK 2011, AT PAGE 23136-11 IN THE GREENE COUNTY RECORDER'S OFFICE IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE ALONG THE EAST LINE OF SAID TRACT OF LAND, N00°12'43"E, A DISTANCE OF 820.56 FEET TO AN EXISTING SURVEY MONUMENT (1/2" IRON REBAR); THENCE N03°55'40"E, A DISTANCE OF 340.71 FEET TO A SURVEY MONUMENT (5/8" IRON REBAR CAPPED "LS-267D"); THENCE S89°48'36"E, A DISTANCE OF 216.28 FEET TO A SURVEY MONUMENT (5/8" IRON REBAR CAPPED "LS-267D") ON THE EAST LINE OF SAID TRACT OF LAND; THENCE ALONG THE EAST LINE OF SAID TRACT OF LAND, N00°13'02"E, A DISTANCE OF 469.26 FEET TO A SURVEY MONUMENT (CAPPED "LC 62") ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY "EE"; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S88°21'34"E, A DISTANCE OF 348.85 FEET TO A SURVEY MONUMENT (CAPPED "LC 62"); THENCE S71°17'23"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 125.16 FEET TO A SURVEY MONUMENT CAPPED “LC 62”; THENCE S89°49’00”E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 29.98 FEET TO THE POINT OF BEGINNING, CONTAINING 24.8 ACRES.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Z-13-2022
5100 West State Highway EE
Applicant: Greene County

Mr. Hosmer states that this is a request to rezone approximately 24.8 acres of property generally located at 5100 W. State Highway EE from County A-1, Agriculture District to GI, Government and Institutional District. The property was recently annexed into the City of Springfield. The Plan designates this area as appropriate for Light Industrial, Office and Office-Warehouse uses; however, the Greene Co Sheriff's Office and Jail are an existing use and the proposed GI, Government and Institutional District. The requested GI, Government and Institutional District zoning will allow the existing use to be conforming use. The Transportation Plan classifies State Highway EE as a Primary Arterial and Haseltine Road as a Collector Roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area. Stormwater detention is provided. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Kevin Barnes, Greene County and noted that City Council asked that this be rezoned to match the property and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Colony motioned to **approve** Z-13-2022 (5100 West State Highway EE). Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

Exhibit C

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	July 14, 2022
CITY COUNCIL PUBLIC HEARING:	August 8, 2022

CASE: Z-13-2022

ACRES: Approximately 24.8 acres

LOCATION: 5100 W. State Highway EE

EXISTING LAND USE: Greene County Sheriff's Office and Jail

APPLICANT: Greene County

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

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION: Move to recommend approval as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 24.8 acres of property generally located at 5100 W. State Highway EE from County A-1, Agriculture District to GI, Government and Institutional District.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Light Industrial, Office and Office-Warehouse uses; however, the Greene County Sheriff's Office and Jail are an existing use and the proposed GI, Government and Institutional District accommodates it.

2. The requested GI, Government and Institutional District zoning will allow the existing use to be conforming.

3. This area has not changed since the adoption of the Comprehensive Plan.

4. The subject property has existing City Utilities and public sewer to serve the property.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

6. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

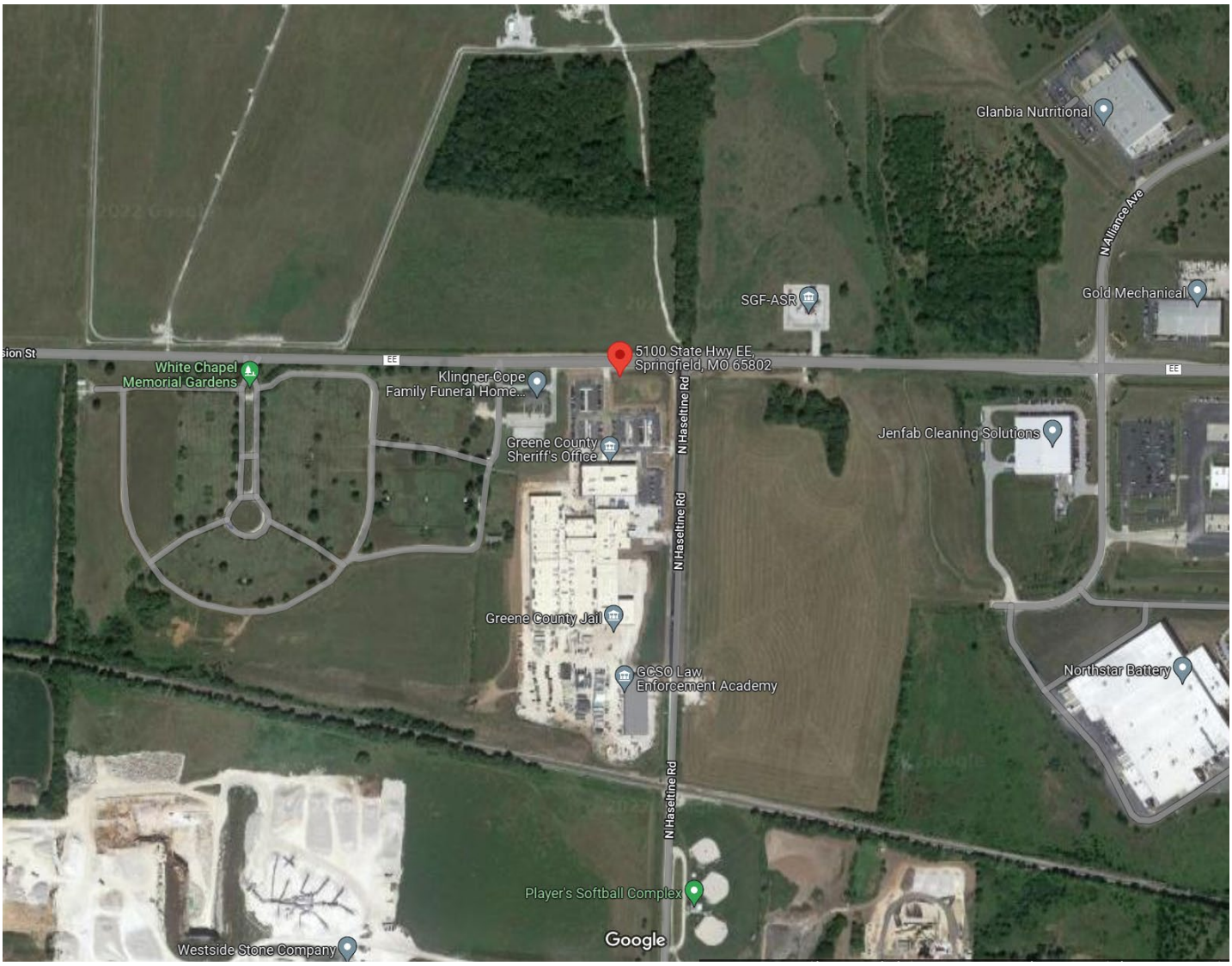
7. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

8. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

SURROUNDING ZONING AND LAND USES:				
	NORTH	**SOUTH**	**EAST**	**WEST**
ZONING	GM	PD 295	HM	County A-1
LAND USE	Airport	Quarry	Vacant/undeveloped	Cemetery and funeral home

Development Review Staff Report

SURROUDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)

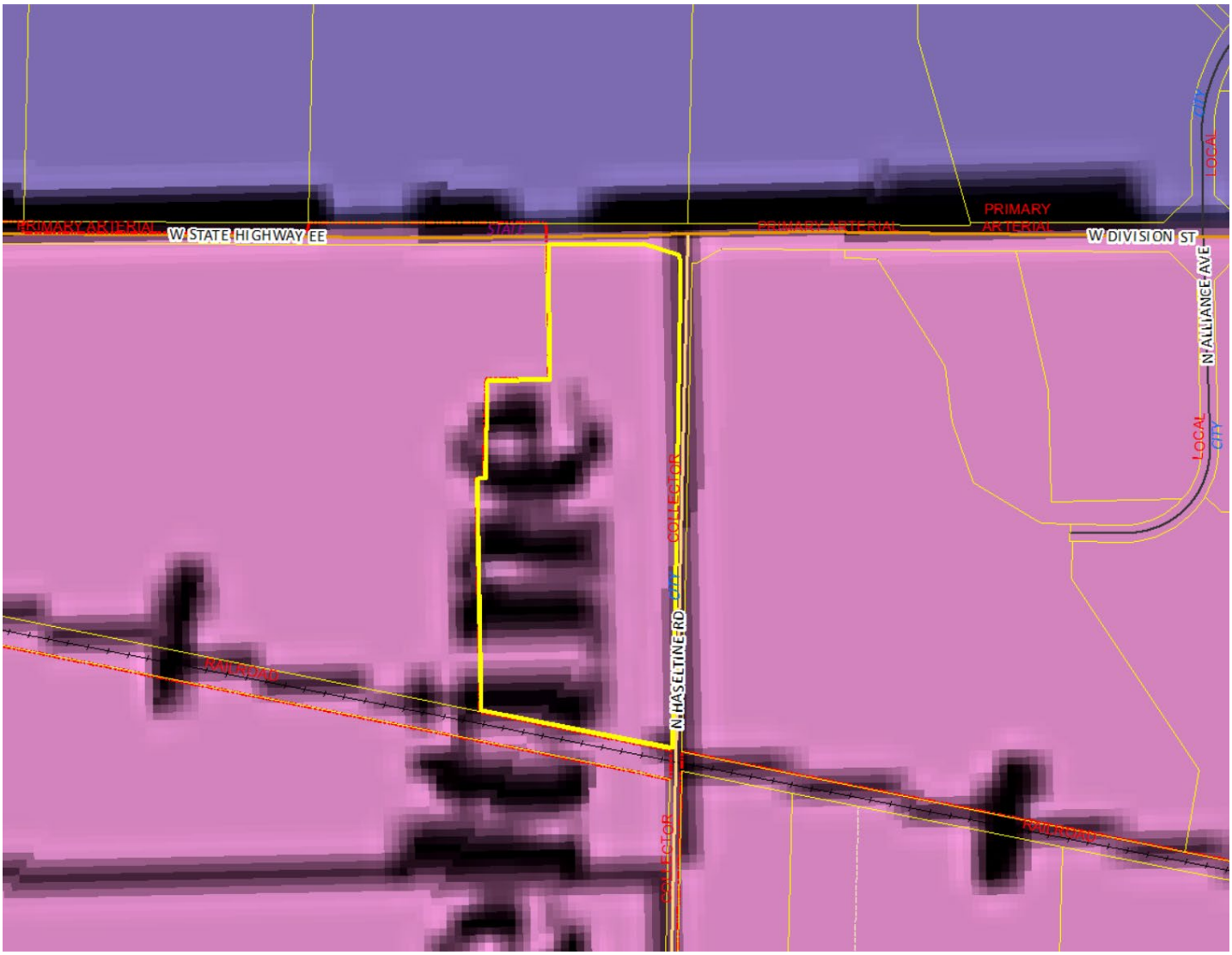


GOOGLE MAPS STREET VIEW:

Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

Development Review Staff Report

CITY OF Springfield

PROPERTY HISTORY:

The subject property is currently zoned County A-1, Agriculture District. The property was annexed into the City on May 16, 2022 with the existing Greene County Sheriff's Office and Greene County Jail.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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 GI
Minimum Yard Requirements	*Front yard:* Twenty-five 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	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.
Minimum Open Space	Not less than 15 percent.
BULK PLANE	**BUFFERYARD AND LANDSCAPING**
N/A	N/A

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the City's *Comprehensive Plan* designates this area as appropriate for Light Industrial, Office and Office-Warehouse uses; however, the existing Greene County Sheriff's Office and Jail uses are allowed in the proposed GI, Government and Institutional District.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 24.8 acres of property generally located at 5100 W. State Highway EE from County A-1, Agriculture District to GI, Government and Institutional District. The intent of this rezoning application is to accommodate the existing Greene County Sheriff's Office and Jail use.

2. The requested GI, Government and Institutional District zoning will allow the existing use to be conforming.

3. The GI, Government and Institutional District, was established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. This district is also intended to classify land that is vacant but has been designated for the activities listed above in an adopted plan. It is not intended to classify all lands owned by government into this district, but only those uses that are comparatively intensive or which require substantial buildings.

4. A traffic impact study is not required because all improvements have been made to the site and adjacent streets to accommodate the existing use.

5. The proposed rezoning was reviewed by City departments, these comments are contained in Attachment 1.

NEIGHORHOOD MEETING:

The applicant held a neighborhood meeting on June 23, 2022, regarding the rezoning request. 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: 5 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to rezoning. Public sewer has been extended to this site.

FIRE DEPARTMENT:

No comments.

MODOT COMMENTS:

No comments.

GREENE COUNTY HIGHWAY DEPARTMENT:

The Greene County Highway Dept. supports the proposed rezoning located at 5100 W. State Hwy EE from A-1, Agricultural county zoning to GI, Governmental/Institutional zoning within the City of Springfield.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Rainer Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided.** The property **is not in a stream buffer area.**

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

Traffic has no objections.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies W. State Highway EE as a Primary Arterial roadway and N. Haseltine Road as a Collector Roadway. The standard right-of-way width for W. State Highway EE is 50-feet from the centerline and for N. Haseltine Road is 30-feet from the centerline. W. State Highway EE is under MoDOT jurisdiction. They may have different right of way requirements. It appears additional right of way is needed for N. Haseltine Road.

TRAFFIC COUNTS & ON-STREET PARKING
The most recent traffic count for this section of W. State Highway EE is 3,642 vehicles per day. There are no recent traffic counts for N. Haseltine Road.

DRIVEWAY ACCESS
There is one existing driveway access point onto the property from N. Haseltine Road. Any additional access will be approved based on access standards set forth in City Code Chapter 98. There is no existing access to this property from W. State Highway EE. Access to this property from W. State Highway EE will be approved and permitted by MoDOT.

SIDEWALK

There is not existing sidewalk along the property frontage of W. State Highway EE or N. Haseltine Road. Sidewalks are required at the time of development along N. Haseltine Road or a fee in lieu of approved by the ARC.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are no bus stops in the area along W. State Highway EE or N. Haseltine Road. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS
Any improvements to W. State Highway EE is determined by MoDOT. Improvements are not required for N. Haseltine Road.

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	W. State Highway EE	Primary Arterial	No	30	50
Street 2	N. Haseltine Road	Collector	No	20	30
		AM Peak	**PM Peak**	**Weekday**	**Weekend**
Existing Trips Generated					
***Proposed Trips Generated**					
Additional Trips Generated					

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Greene County Agriculture (A-1) to Government/Institutional (GI)
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: June 23, 2022 from 4:00 pm to 6:00 pm
3. Meeting Location: Greene County Sheriff's Office
4. Number of invitations that were sent: Eleven (11)
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 0
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).

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

I, Kevin R. Barnes *(print name)*, attest that the neighborhood meeting was held on 6/23/22 *(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

Kevin R. Barnes
Printed name of person completing affidavit

One-rdg. _____
P. Hrngs. X
Pgs. 17
Filed: 08-02-22

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 194 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District, to R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at located at 6177 South Farm Road 189 from County R-1, Suburban Residence District, to R-SF, Residential Single-family District; and

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

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

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from County R-1, Suburban Residence District, to R-SF, Residential Single-family 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: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022 - 194

FILED: 08-02-22

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 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF, Residential Single-family (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-11-2022

The applicant is requesting to rezone approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF, Residential Single-family District. The applicant intends to develop a single-family residential development.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve, by a vote of 5 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 *Growth Management and Land Use Plan* designates this area as appropriate for low-density housing. The R-SF district is listed as the appropriate zoning district for the land use category.

2. There has been minimal change in the conditions in the area affected by the proposed rezoning.

3. The requested R-SF zoning is consistent with the existing residential zoning in this area.

4. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

6. The proposed zoning will not correct an error in the application of this article rather provide a viable use of the property subject to the provisions of the zoning district.

7. A reasonably viable economic use of the subject property will not be precluded if the proposed zoning is denied.

Submitted by:

Michael Sparlin

Michael Sparlin, Senior Planner

Recommended by:

Susan M. Istenes

Susan Istenes, AICP
Director

Approved by:

Jason A. Gage

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-11-2022

A TRACT OF LAND LOCATED IN SECTION TWENTY—SEVEN (27), TOWNSHIP TWENTY—EIGHT (28) NORTH, RANGE TWENTY— ONE (2I) WEST, ALL BEING IN GREENE COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION TWENTY-SEVEN (27); THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE1/4), NORTH 88’29’28“ WEST A DISTANCE OF I322.94 FEET TO AN EXISTING IRON PIN FOR CORNER: THENCE AL0NG THE WEST LINE OF THE SOUTHEAST QUARTER (SE1/4) OF SAID NORTHEAST QUARTER (NE1/4), NORTH 00’13’56“ EAST A DISTANCE OF I324.19 FEET TO AN IRON PIN SET FOB CORNER; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUAPTEP (NE1/4) OF SAID NORTHEAST QUARTER (NE1/4). NORTH 00’I2’37” EAST A DISTANCE OF 164.95 FEET TO AN IRON PIN SET FOR CORNER; THENCE SOUTH 88"27’31” EAST A DISTANCE OF I32O.96 FEET TO AN IRON PIN SET CORNER; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAIDE NORTHEAST QUARTER (NE1/4), SOUTH 00°06’09 WEST A DISTANCE OF 164.96 FEET TO AN EXISTING IRON PIN FOR CORNER; THENCE A LONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST QUARTER (NE1/4), SOUTH 00°09’33” WEST, A DISTANCE OF 1323.48 FEET TO THE POINT OF BEGINNING, ALL IN GREENE COUNTY, MISSOURI.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Z-11-2022
6177 South Farm Road 189
Applicant: Steed Communities

Mr. Hosmer states this is a request to rezone approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF, Residential Single-family. The Comprehensive Plan identifies this area as appropriate for low-density housing. R-SF is appropriate land use category. The Transportation Plan classifies South Farm Road 189 as a secondary arterial roadway and Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Stormwater detention is required onsite. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Luke O'Gary, 5233 S. Sterling Way and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Colony motioned to **approve** Z-11-2022 (6177 South Farm Road 189). Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

Exhibit C

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: JULY 14, 2022

CITY COUNCIL PUBLIC HEARING: August 8, 2022

CASE: Z-11-2022

ACRES: Approximately 6.68 acres

LOCATION: 6177 South Farm Road 189

EXISTING LAND USE: Undeveloped, agricultural uses

APPLICANT: Kimberly Steed

STAFF: Michael Sparlin, Senior Planner 864-1091

STAFF RECOMMENDATIONS: Approve

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF, Residential Single-family.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Growth Management and Land Use Plan* designates this area as appropriate for low-density housing. The R-SF district is listed as the appropriateness zoning district for the land use category.

2. There has been minimal change in the conditions in the area affected by the proposed rezoning.

3. The requested R-SF zoning is consistent with the existing residential zoning in this area.

4. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic or impact traffic safety in the vicinity. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

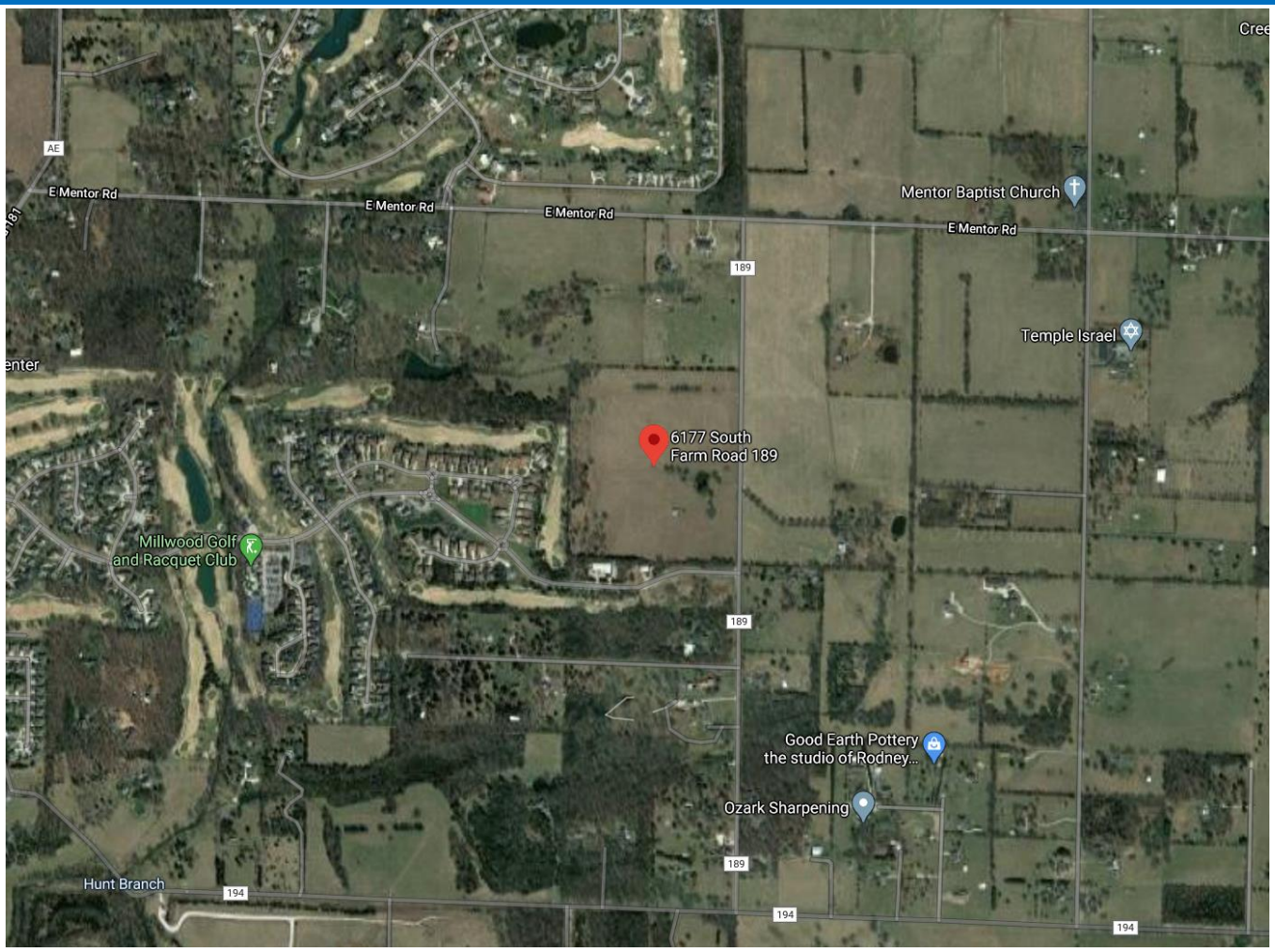
6. The proposed zoning will not correct an error in the application of this article rather provide a viable use of the property subject to the provisions of the zoning district.

7. A reasonably viable economic use of the subject property will not be precluded if the proposed zoning is denied.

SURROUNDING ZONING AND LAND USES:				
	NORTH	**SOUTH**	**EAST**	**WEST**
ZONING	R-SF	R-SF	R-SF	County A-1 and PAD 1033
LAND USE	Single-family and agricultural uses	Cemetery and golf course uses	Single-family and agricultural uses	Single-family, golf course and agricultural uses

Development Review Staff Report

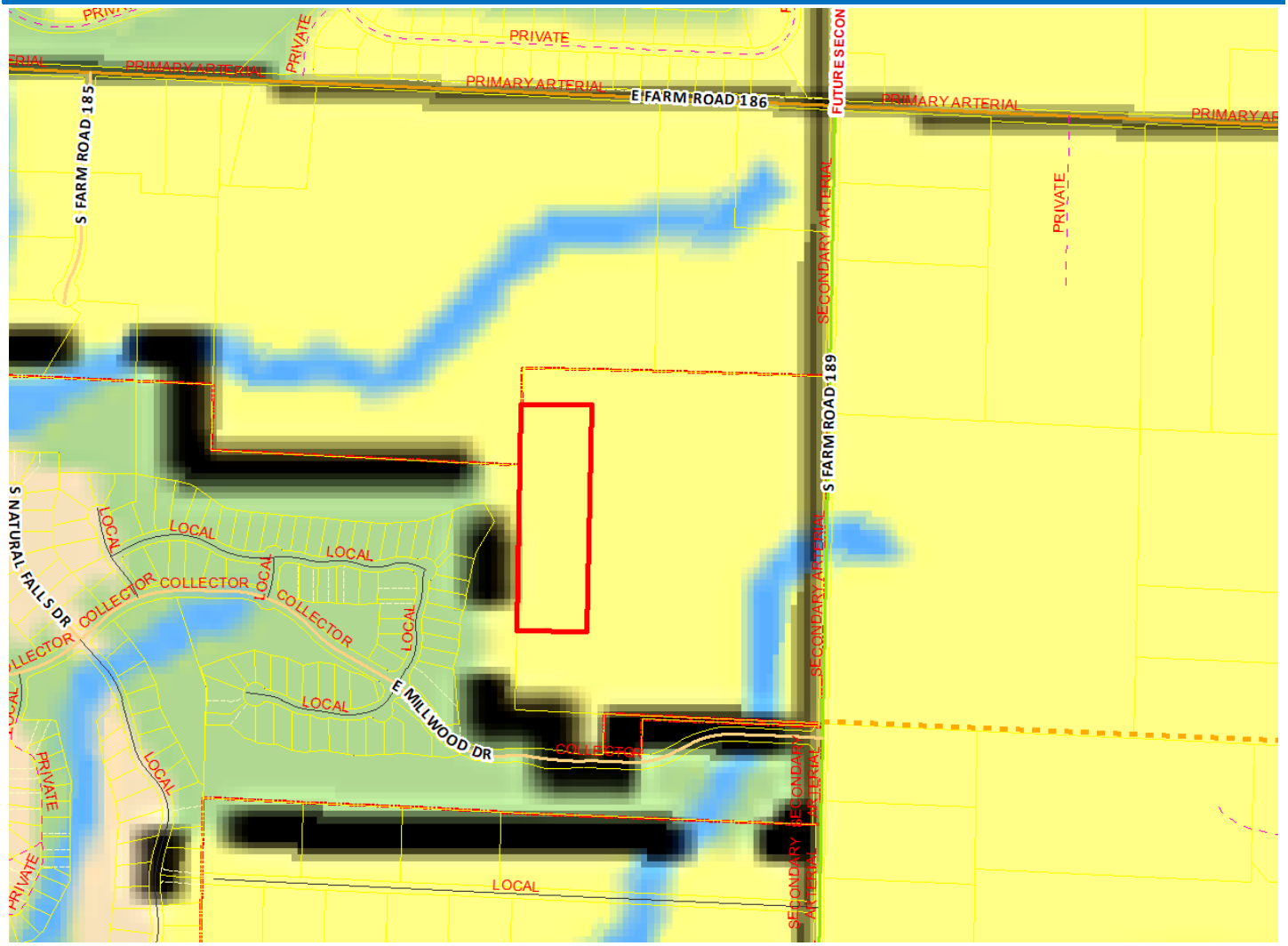
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

Development Review Staff Report

PROPERTY HISTORY:

The subject property was annexed in October 2020. A rezoning to R-TH district for the subject property was denied by City Council. Although, it was annexed by the City the County zoning remained.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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 R-SF
Use limitations	There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling unit.
Lot size requirements	Minimum lot area: 6,000 square feet. Minimum lot width: 50 feet. Minimum lot depth: 80 feet.
Maximum structure height	1.When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2.When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Minimum open space	Not less than 30 percent
Maximum impervious area	Shall not exceed 70 percent of total lot area
BULK PLANE	**BUFFERYARD AND LANDSCAPING**
None.	None.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management & Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for Low Density Housing.

The *Plan* encourages that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached, townhouses, and apartments. It discourages large housing projects that consist of a single building type. It is recommended that some portion of each type of housing should, ideally, be available for occupancy on either an ownership or lease basis.

The Transportation Plan classifies South Farm Road 189 as a Secondary Arterial roadway.

Development Review Staff Report

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF, Residential Single-family. The applicant intends to develop a single-family residential development.

2. The R-SF district is intended primarily for single-family detached dwellings at low residential densities of approximately seven units per acre. Certain other structures and uses necessary to serve governmental, educational, religious, recreational, and other needs of neighborhood areas are allowed as permitted or conditional uses subject to restrictions intended to preserve and protect the single-family residential character of the district. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and by consideration of the proper functional relationship and arrangement of the different uses permitted in this district.

3. The development will take primary vehicular access to Farm Road 189 which is classified as a Secondary Arterial roadway and will remain outside the city limits in unincorporated Greene County for maintenance purposes.

4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for this request on May 23, 2022. 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: 3 Returned: 0

Development Review Staff Report

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTERWATER MANAGEMENT DIVISION:

No objection to the rezoning however we have the following comments regarding development of the site; 1. Public sewer not currently available for the proposed site and will require offsite and onsite sewer improvements. According to city code section 120.72.a, public sewer must be adjacent to the lot. This will require public improvement plans designed and constructed to city specs. Submit public improvement plans for both onsite and offsite sewer for review. Engineering and inspection fees of 5.34% of the approved contract amount must be paid prior to filing the plans. If the onsite and offsite sewer are submitted under separate project numbers, the offsite sewer should be approved before the onsite improvements are approved. 2. There is a $0.0075 per square foot trunkline fee required for the area of the subdivision. This fee will be added to the engineering and inspection fees. 3. The public improvements must be approved and constructed or escrowed before any building permits or plats can be approved according to city code section 98-12(b)(c) Private Construction of Public Improvements and section 98-14. - Assurance for completion of Public Improvements. If escrow of offsite sewer is allowed, it is at the developers risk and understand that a C/O cannot be issued until said sewer is complete and accepted. 4. The horizontal alignment for the onsite sewer is acceptable. Additional review will be done when the public improvement plans are submitted. 5. The project requires a lengthy offsite sewer extension. All easements must be acquired, recorded and labeled on the plans before the plans can be approve. 6. The City of Springfield worked with a previous developer and engineer to determine the viability of a public lift station versus a trunkline. Please contact ES staff to discuss the requirements for serving the property. 7. The parent tract has already been annexed into the City of Springfield so a consent to annexation will not be required.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies both E. Millwood Drive as a Collector roadway and S. Farm Road 189 as a Secondary Arterial roadways. The standard right-of-way width for E. Millwood Drive is 30-feet from the centerline and S. Farm Road 189 is 35-feet from the centerline. It appears no additional right-of-way is needed along E. Millwood Drive. S. Farm Road 189 is under jurisdiction of Greene County. They are not requiring additional right of way. A survey is recommended to determine the exact amount of existing right-of-way. E. Millwood Drive is a city-maintained street and S. Farm Road 189 is a county-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for E. Millwood Drive or S. Farm Road 189. On-street parking is not allowed along E. Millwood Drive or S. Farm Road 189.

DRIVEWAY ACCESS

There is currently no driveway access points onto the property from E. Millwood Drive or S. Farm Road 189. Access to this property will be allowed from E. Millwood Drive based on existing City of Springfield standards for a Collector. Access to this property from S. Farm Road 189 must be approved and permitted by Greene County.

SIDEWALK

There is existing sidewalk along the property frontage of E. Millwood Drive. Sidewalk does not exist along the property frontage of S. Farm Road 189 and is not required by the county.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are no bus stops along E. Millwood Drive or S. Farm Road 189. 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 zoning did not generate an additional 1,000 vehicles per day or 100 vehicles in the a.m. or p.m. peak periods.

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	E. Millwood Drive	Collector	No	45	30
Street 2	S. Farm Road 189	Secondary Arterial	No	20	35

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	28	35	336	
***Proposed Trips Generated**	35	42	420	
Additional Trips Generated	7	7	84	

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Farmer Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required as a proposed subdivision.** The property **does not have a stream buffer on site.**

Please note that development of the property will be subject to the following conditions at the time of development. All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.

a. A fee in lieu of detention for this development will not be permitted: The proposed Preliminary Plat is for a large Subdivision that will greatly increase runoff to adjacent and downstream properties if detention is not provided.
b. Subdivision stormwater detention requires to be shown in a common area and done on public improvement plans. Drainage easements need to be provided for drainage crossing multiple lots.
c. Stormwater infrastructure serving more than one property shall be submitted on public improvement plans.
d. Escrow of Public Improvement Plans for Stormwater Improvements would not be allowed and detention would need to be roughed-in prior to the issuance of any Building Permits.

2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

3. Detention must be built and approved prior to issuance of the building permit. If this is not possible submit a temporary stormwater plan with your plan submittal. If it is an above ground basin then as-builts will be required. The as-builts must be submitted and approved prior to release of the certificate of occupancy.
a. Include the following note for as-builts on the plans submitted for permitting:
b. “The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.”

Water Quality Requirements

4. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Additional Stormwater Standards to be met

5. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City’s Flood Control and Water Quality Protection Manual.
6. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

7. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

FIRE DEPARTMENT:

No issues.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: County R-1 to R-SF
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: May 23rd at 6:30 PM
3. Meeting Location: E Millwood Dr
4. Number of invitations that were sent: 25
5. How the mailing list was generated: City
6. Number of neighbors in attendance (attach a sign-in sheet): _____
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).

   Main point of discussion was traffic. Told individuals present that a traffic study was being prepared, and the developer will act according to recommendations.

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

   No written comments or questions were provided

I, Michael Stalzer (*print name*), attest that the neighborhood meeting was held on 05/23/2022 (*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

Printed name of person completing affidavit

Planning & Zoning Commission Page 10 of 10

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 08-02-22

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 195 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District, to R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District, to R-SF, Residential Single-family District; and

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

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

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from R-MD, Medium-Density Multi-family Residential District, to R-SF, Residential Single-family 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: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022 - 195

FILED: 08-02-22

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 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District to R-SF, Residential Single-family (Staff and Planning and Zoning Commission both recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-14-2022

The applicant is requesting to rezone approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District to R-SF, Residential Single-family The applicant intends to develop a single-family residential development. The applicant intends to further develop the property under one zoning district as opposed to the current split-zone.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve, by a vote of 5 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 *Growth Management and Land Use Plan* designates this area as appropriate for low-density housing. The R-SF district is listed as an appropriate zoning district for the land use category.

2. There has been minimal change in the conditions in the area affected by the proposed rezoning.

3. The requested R-SF zoning is consistent with the existing residential zoning in this area. This rezoning request will bring the Church property under one consistent zoning district.

4. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact vehicular traffic safety in the vicinity.

6. The proposed zoning will not correct an error in the application of this article rather provide a viable use of the property subject to the provisions of the zoning district. This application will bring the Church property under one zoning.

7. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

Submitted by:

Michael Sparlin

Michael Sparlin, Senior Planner

Recommended by:

Susan M. Istenes

Susan Istenes, AICP
Director

Approved by:

Jason A. Gage

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-14-2022

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST IN SPRINGFIELD, GREENE COUNTY, MISSOURI AS DESCRIBED IN BOOK 2021, PAGE 038962-21 OF THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 22, THENCE ALONG THE WEST LINE OF SAID QUARTER SECTION, NORTH 01°56'44” EAST, 278.45 FEET; THENCE LEAVING SAID QUARTER SECTION, SOUTH 88°03'15” EAST, 30.00 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF EASTGATE AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 01°05'06” EAST, 69.64 FEET; THENCE NORTH 02°15'12” EAST, 242.91 FEET; THENCE NORTH 03°15'19” EAST, 326.34 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF THE ST. LOUIS & SAN FRANCISCO RAILROAD; THENCE LEAVING SAID EAST RIGHT-OF-WAY AND ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 84°09'17” EAST, 340.54 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 15, CATALPA EAST FIRST ADDITION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE ALONG THE WEST LINE OF SAID LOT 15, SOUTH 02°34'15” WEST, 468.60 FEET; THENCE CONTINUING ALONG SAID WEST LINE SOUTH 03°02'21” WEST, 152.25 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT-OF-WAY OF LOMBARD STREET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY 186.64 FEET ALONG A 330.53 FOOT CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 75°52'36” WEST, 184.17 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY 137.74 FEET ALONG A 284.60 FOOT CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 73°53'51” WEST, 136.40 FEET; THENCE NORTH 44°22'19” WEST, 42.09 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST IN SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Z-14-2022
922 South Eastgate Avenue
Applicant: Courageous Church

Mr. Hosmer states that this is a request to rezone approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District to R-SF, Residential Single-family. The church property is currently split into R-SF zoning on the north and R-MD the south. This will bring the property under one zone. The Comprehensive Plan identifies this area as designates as appropriate for Low Density Housing. The Transportation Plan classifies Eastgate Avenue and Lombard Street as Collector roadways. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain or stream buffer area. There is a sinkhole on the property. Stormwater detention is required. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Staff recommends approval.

Mr. Doennig opened the public hearing

Mr. Billy Kimmons, 400 South Avenue is representing the owner and this one lot, but currently split zoning and trying to clean up the property regarding zoning.

Mr. Colony asked about the intent.

Mr. Kimmons said that the intended purpose is the current church.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Z-14-2022 (922 South Eastgate Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

Exhibit C

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: JULY 14, 2022

CITY COUNCIL PUBLIC HEARING: August 8, 2022

CASE: Z-14-2022

ACRES: Approximately 0.40 acres

LOCATION: 922 South Eastgate Avenue

EXISTING LAND USE: Church

APPLICANT: Courageous Church

STAFF: Michael Sparlin, Senior Planner 864-1091

STAFF RECOMMENDATIONS: Approve

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District to R-SF, Residential Single-family.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Growth Management and Land Use Plan* designates this area as appropriate for low-density housing. The R-SF district is listed as an appropriate zoning district for the land use category.

2. There has been minimal change in the conditions in the area affected by the proposed rezoning.

3. The requested R-SF zoning is consistent with the existing residential zoning in this area. This rezoning request will bring the Church property under one consistent zoning district.

4. The subject property has existing City Utilities and must provide public sewer to serve the property prior to development.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic or impact vehicular traffic safety in the vicinity.

6. The proposed zoning will not correct an error in the application of this article rather provide a viable use of the property subject to the provisions of the zoning district. This application will bring the Church property under one zoning.

7. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

SURROUNDING ZONING AND LAND USES:				
	NORTH	**SOUTH**	**EAST**	**WEST**
ZONING	R-SF	R-SF	R-SF	County A-1 and PAD 1033
LAND USE	Single-family and agricultural uses	Cemetery and golf course uses	Single-family and agricultural uses	Single-family, golf course and agricultural uses

Development Review Staff Report

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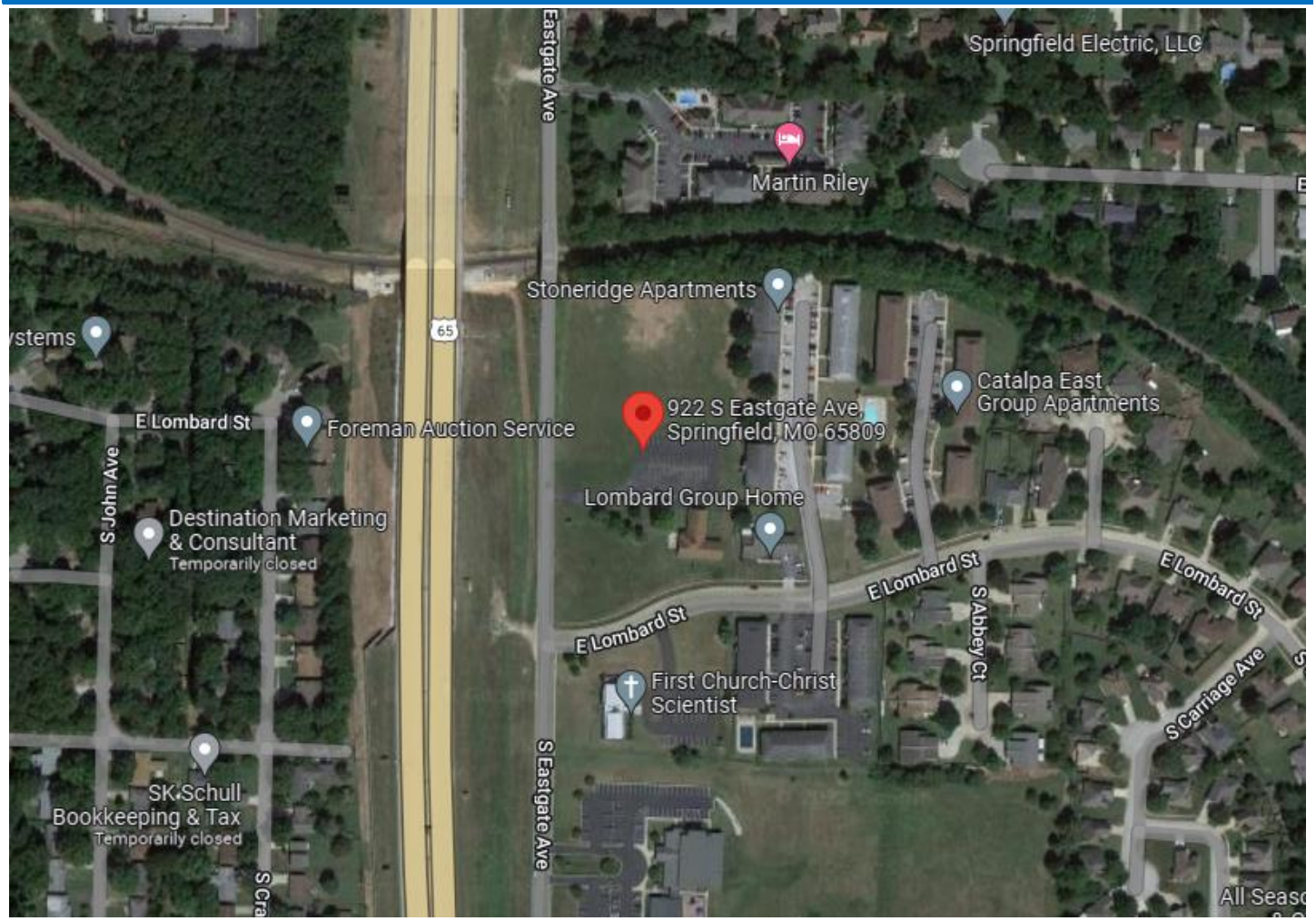
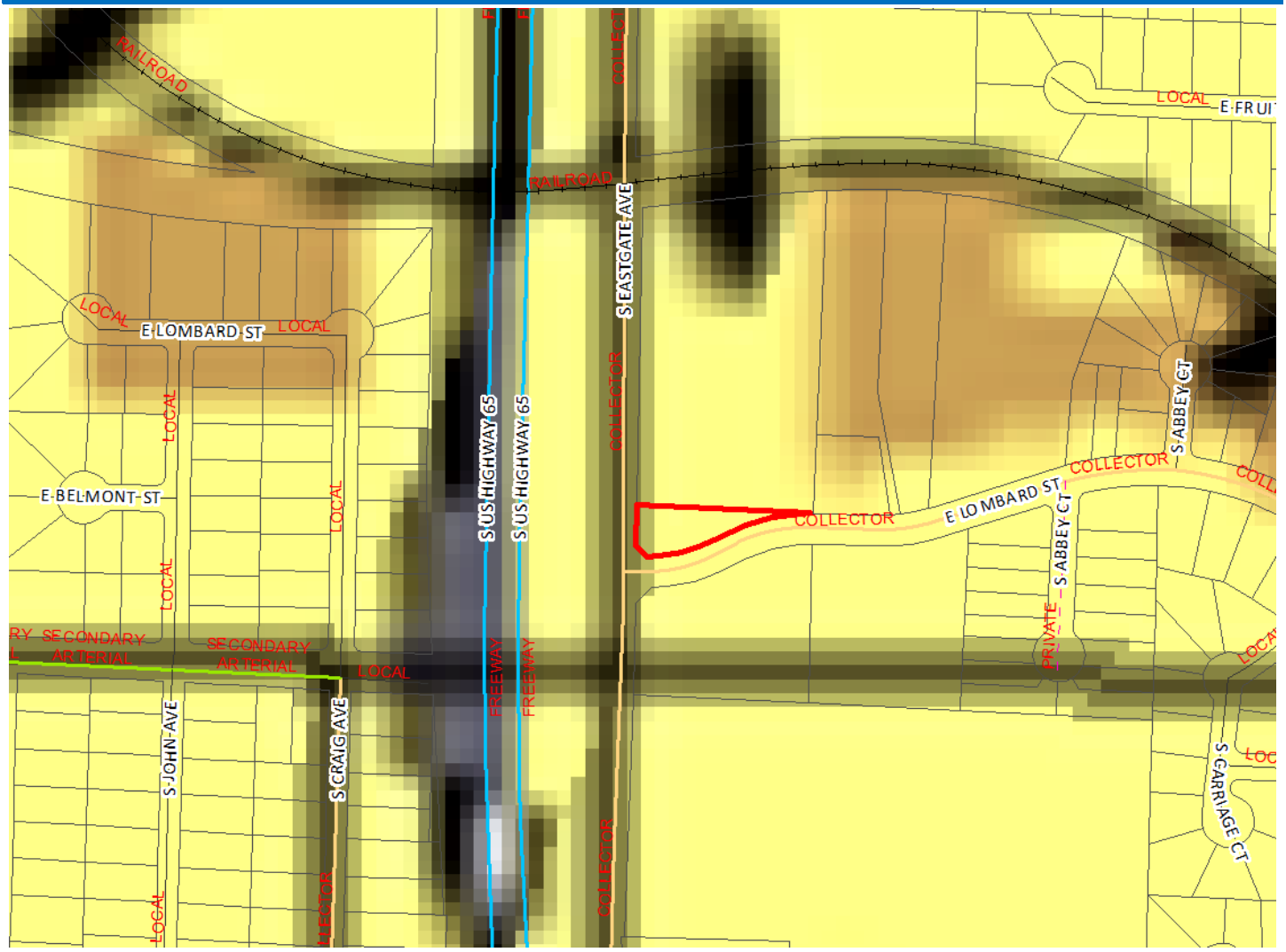


GOOGLE MAPS STREET VIEW:

Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



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- Medium or High Density Housing
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- Golf
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- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

Development Review Staff Report

PROPERTY HISTORY:

The subject property has been zoned R-MD since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezonings. 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 R-SF
Use limitations	There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling unit.
Lot size requirements	Minimum lot area: 6,000 square feet. Minimum lot width: 50 feet. Minimum lot depth: 80 feet.
Maximum structure height	1.When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2.When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Minimum open space	Not less than 30 percent
Maximum impervious area	Shall not exceed 70 percent of total lot area
BULK PLANE	**BUFFERYARD AND LANDSCAPING**
None.	Bufferyard not required. A landscaping plan meeting the requirements of Sec. 36-482 shall be submitted and approved for all uses except single-family-detached dwellings.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management & Land Use Plan* element of the *Comprehensive Plan* identifies the subject property as appropriate for Low Density Housing.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.40 acres of property generally located at 922 South Eastgate Avenue from R-MD, Medium-Density Multi-family Residential District to R-SF, Residential Single-family. The applicant intends to further develop the property under one zoning district as opposed to the current split-zone.

2. The subject property is currently a split-zoned lot with R-SF zoning on the North portion and R-MD on a small southern portion. This application will bring the property under one zoning and facilitate the development of the property so that a bufferyard is not required between the zoning districts.

3. The R-SF district is intended primarily for single-family detached dwellings at low residential densities of approximately seven units per acre. Certain other structures and uses necessary to serve governmental, educational, religious, recreational, and other needs of neighborhood areas are allowed as permitted or conditional uses subject to restrictions intended to preserve and protect the single-family residential character of the district. Internal stability, harmony, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and by consideration of the proper functional relationship and arrangement of the different uses permitted in this district.

4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for this request on June 23, 2022. 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: 5 Returned: 0

Development Review Staff Report

DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTERWATER MANAGEMENT DIVISION:

No issues with proposed rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Eastgate Avenue and E. Lombard Street as Collector roadways. The standard right-of-way width for both S. Eastgate Avenue and E. Lombard Street is 30-feet from the centerline. It appears no additional right-of-way is needed along S. Eastgate Avenue or E. Lombard Street. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right-of-way. S. Eastgate Avenue is a state-maintained roadway and E. Lombard Street is a city-maintained roadway.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic counts for S. Eastgate Avenue is 6,891 vehicles per day and for E. Lombard Street is 1,374 vehicles per day. On-street parking is allowed along S. Eastgate Avenue and E. Lombard Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from S. Eastgate Avenue. Access to Eastgate is under MoDOT jurisdiction. MoDOT must approve and permit any access to S. Eastgate Avenue. There are no driveway access points onto the property from E. Lombard Street. Access to this property from E. Lombard Street will be allowed based on existing City of Springfield standards.

SIDEWALK

There is currently no sidewalk along the property frontage of S. Eastgate Avenue. Sidewalk is required to be constructed at the time of development or a fee in lieu of approved by the Administrative Review Committee. If fee in lieu of is approved, the fee must be paid prior to approval of a building permit. There is existing sidewalk along the property frontage of E. Lombard Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are no bus stops in the area of the property.

IMPROVEMENTS

A Traffic Impact Study is not required. **Please note, trips generated in the table below are based on the highest most intense use for the existing and proposed zoning.**

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. Eastgate Avenue	Collector	Yes	30	30
Street 2	E. Lombard Street	Collector	Yes	30	30

	AM Peak	PM Peak	Weekday	Weekend
Existing Zoning Trips Generated	70	85	900	
*Proposed Zoning Trips Generated	20	25	240	
Additional Zoning Trips Generated	-50	-60	-660	

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Pierson Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. There is a sinkhole at this location and additional city regulations will apply. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does not have a stream buffer on site.**

PW Stormwater has no concerns with the proposed rezoning. Please note that development of the property will be subject to the following conditions at the time of development:

Sinkhole and Karst Features on Property

1. The Site contains one known sinkhole and will discharge to majority of the site stormwater to it. Per Ch. 11 Sec. 2.0 a sinkhole evaluation must be completed by a professional engineer or geologist.
   a. A sinkhole permit from the Department of Public Works is required prior to any land disturbance, placement of fill or any object, discharge of any substance, or any construction including the operation of any motorized equipment within 100 feet of a cave, spring, or losing stream, or within 25 feet of a sinkhole rim, as defined by the most restrictive of the following:
      i. Geologic rim as determined by a qualified professional engineer or geologist
      ii. Topographic rim as determined by a qualified professional engineer or geologist
      iii. Sinkhole rim shown on City sinkhole maps
      iv. Other best available data

Detention Requirements

2. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.

a. A fee in lieu of detention will not be permitted and detention is required based on erosion and capacity concerns for the sinkhole.

3. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
   a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
   b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

4. Stormwater infrastructure serving more than one property shall be submitted on public improvement plans.

Water Quality Requirements

5. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Additional Stormwater Standards to be met

6. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

7. As-builts of the detention and water quality improvements are required.

8. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

9. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

10. We would like the following as-built notes on the plans:
    The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

All chapter and section references above are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

FIRE DEPARTMENT:

No issues.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-MD to R-SF
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: June 23, 2022, 4:00pm to 6:30pm
3. Meeting Location: 922 S. Eastgate Avenue
4. Number of invitations that were sent: 41
5. How the mailing list was generated: City staff
6. Number of neighbors in attendance (attach a sign-in sheet): 0
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).

   We did not have any neighbors attend the meeting.

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

   N/A

I, Billy Kimmons (*print name)*, attest that the neighborhood meeting was held on June 23, 2022 (*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

Billy Kimmons

Printed name of person completing affidavit

ATTENDANCE LOG

PROJECT	PROJECT #	MEETING DATE	MEETING PURPOSE
The Courageous Church Rezoning	21-133	June 23, 2022	Neighborhood meeting

NAME	ORGANIZATION	TYPE OF CONTRACTOR	PHONE	EMAIL
Devon Grengler	Hoodrich			dgengler@hoodrich.com
Jay Hayes	Courageous Church			jhayes@courageouschurch.cc
Cameron Hole	Anderson Engineering			chole@ae-inc.com

One-rdg. _____
P. Hrngs. X
Pgs. 39
Filed: 08-02-22

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-196 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 8.71 acres of property generally located at 1436 East Erie Street from Planned Development No. 108 to Planned Development No. 381; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 1436 East Erie Street, and more fully described in "Exhibit A," from Planned Development No. 108 to Planned Development No. 381; and

WHEREAS, following proper notice, a public hearing was held before the Planning and Zoning Commission on July 14, 2022, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit B," and said Commission made its recommendation; and

WHEREAS, the City has reviewed the applicant's request and prepared a staff report concerning the application; and

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from Planned Development No. 108 to Planned Development No. 381. 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 – The property described in "Exhibit A" of this Ordinance shall be

subject to the requirements and standards included in “Exhibit C – Exhibit 1,” with said “Exhibit C” being attached hereto and incorporated herein in its entirety by this reference; and these requirements and standards shall govern and control the use and development of the land in Planned Development No. 381.

Section 3 – 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 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: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022-196

FILED: 08-02-22

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 8.71 acres generally located at 1436 E. Erie Street from Planned Development No. 108 to Planned Development No. 381. (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:

PLANNED DEVELOPMENT DISTRICT NO. 381

The applicant is proposing to rezone the property from Planned Development No. 108 to Planned Development No. 381. Planned Development No. 108 currently permits office uses (professional or medical), financial institutions, and certain uses deemed business support services, such as copying and blueprint services. This property has remained undeveloped since the Planned Development's approval in 1989.

Planned Development No. 381 intends to amend this mix of uses to permit retail sales, offices (professional or medical), personal services, eating and drinking establishments, and limited residential uses. Within these permitted use groups, certain uses will be prohibited; for instance, while eating and drinking establishments will be permitted, drive-in, pick-up, or drive-thru facilities will be prohibited. Residential uses will be limited to a maximum density of eleven (11) dwelling units per acre and must be located above or behind first-floor nonresidential uses.

All buildings within Planned Development No. 381 will be required to meet specific design requirements intended to elevate the architectural aesthetic of the development, and several public amenities have been proposed to beautify the development and encourage pedestrian activity, including paved and landscaped walkways adorned with benches, ornamental lighting, and trash receptacles, a picnic area with tables and seating, and lit fountains within the existing detention area.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve the proposed Planned Development No. 382, by a vote of 5 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 applicant is proposing a development featuring a mix of commercial, office, and residential uses with certain design requirements and public amenities.

2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan*, designates this property as appropriate for a mix of Low- to High-Density Housing; however, the property's current zoning designation – Planned Development No. 108 – only supports the development of office uses (professional or medical), financial institutions, and certain uses deemed business support services, and is therefore not in alignment with the *Comprehensive Plan*, either. The proposal is more closely comparable to the *Plan's* Medium-Intensity Retail, Office, or Housing designation, which is intended to allow for a mix of commercial, office, and residential uses along certain corridors at major intersections. Development within this designation is meant to increase the compactness of urban development and to provide housing either in the same building as commercial uses or closely integrated with retail or office space on the same site.

3. Recognizing this conflict with the Plan, staff has encouraged the applicant to incorporate certain use limitations, design requirements, and public amenities into the proposed Planned Development No. 381 so that it might better complement the existing office, multifamily, and single-family uses in the area. Refer to Exhibit 1 for more details.

4. The subject property has existing City Utilities and public sewer to serve the property.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

6. The subject property is served by existing stormwater facilities and will not substantially impact the adjacent area.

7. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

8. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

Submitted by:

Kyle McGinnis
Senior Planner

Recommended by:

Susan Istenes, AICP
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 and Comments
Attachment 3, Neighborhood Correspondence

PLANNED DEVELOPMENT 382 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text
Exhibit 2, Preliminary Development Site Plan

EXHIBIT A

LEGAL DESCRIPTION
PLANNED DEVELOPMENT 381

PARCEL 1
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST: THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER Of SAID SECTION SOUTH 00'53'16" WEST A DISTANCE Of 1040.92 FEET: THENCE LEAVING SAID WEST LINE SOUTH 89'06'44”- EAST A DISTANCE OF 83.14 FEET TO A 5/8" LS2334 PIN FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ERIE STREET FOR THE POINT OF BEGINNING.
THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 8S'34'30" EAST A DISTANCE OF 426.25 FEET TO A 5/8" LS124D IRON PIN FOUND; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 01'14'47" WEST A DISTANCE Of 754:11 FEET TO A 5/8" IRON PIN FOUND; THENCE SOUTH 1’11’53” WEST A DISTANCE OF 199.87 FEET TO A 5/8" IRON" PIN FOUND ON THE NORTH LINE Of SOUTHVALE TERRACE SUBDIVISION; THENCE ALONG SAID NORTH LINE NORTH 88'18'05" WEST A DISTANCE OF 2053.46 FEET TO A 5/8” LS124D IRON PIN FOUND ON THE EAST LINE OF DELAWARE HEIGHTS FOURTH ADDITION SUBDIVISION; THENCE ALONG SAID EAST LINE NORTH 01'9'22" EAST A DISTANCE OF 201.10 FEET TO 5/8" LS124D IRON PIN FOUND ON THE NORTH LINE OF DELAWARE HEIGHTS FOURTH ADDITION SUBDIVISION; THENCE LEAVING SAID EAST LINE ALONG SAID NORTH LINE NORTH 88"25'43" WEST A DISTANCE OF 252.71 FEET TO A 5/8” LS2334 IRON PIN WITH A 2” ALUMINUM CAP FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF FREMONT AVENUE: THENCE ALONG SAID RIGHT-OF-WAY LINE THE NEXT 4 CALLS; NORTH 01'12'46" EAST A DISTANCE OF 295.69 FEET TO A 5/8” LS2334 IRON PIN FOUND: SOUTH 88'36'56" EAST A DISTANCE OF 13.00 FEET TO A 5/8” LS2334 IRON PIN FOUND; NORTH 01’12'51" EAST A DISTANCE OF 436.60 FEET TO A 5/8” LS2334 IRON PIN FOUND: NORTH 46’14'40” EAST A DISTANCE Of 26.72 FEET TO THE POINT OF BEGINNING, CONTAINING 8.71 ACRES.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Planned Development 381
1436 East Erie Street
Applicant: Township 28, LLC

Mr. Hosmer states that this is a request to rezone approximately 8.71 acres generally located at 1436 E. Erie Street from Planned Development No. 108 to Planned Development No. 381. The Comprehensive Plan designates this property as appropriate for Low Density Housing, however, the current zoning Planned Development No. 108 allows for office uses (professional or medical), financial institutions and business support services. The Transportation Plan classifies Weller and Bradford as Local roadways. A Traffic Impact Study is required to be submitted at the time of development. The property is not located in a FEMA designated floodplain or a sinkhole. There is a stream buffer area on the property. Stormwater detention is already provided. Planned Development No. 381 intends to amend the mixture of uses to retail sales, offices (professional or medical), personal services, eating and drinking establishments, and limited residential uses i.e., Eating and drinking establishments will be permitted, drive-in, pick-up, or drive-thru facilities are prohibited. Multi-Family will be limited to 11 du/ac located above or behind first-floor nonresidential uses. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jared Davis, 3213 S. West Bypass and here to answer any questions.

Mr. Jesse Mathenia, 1369 E. Rockwood and has lived there for 20 year and voiced his concern of surrounding business and noted that Fremont is a very active street and gave out information on accidents and worried about the value of his property.

Mr. Doennig closed the public hearing.

Mr. Colony asked about the green space and ducks and if the existing pond will remain. Mr. Davis said they it will remain, but they will have to maintain water quality.

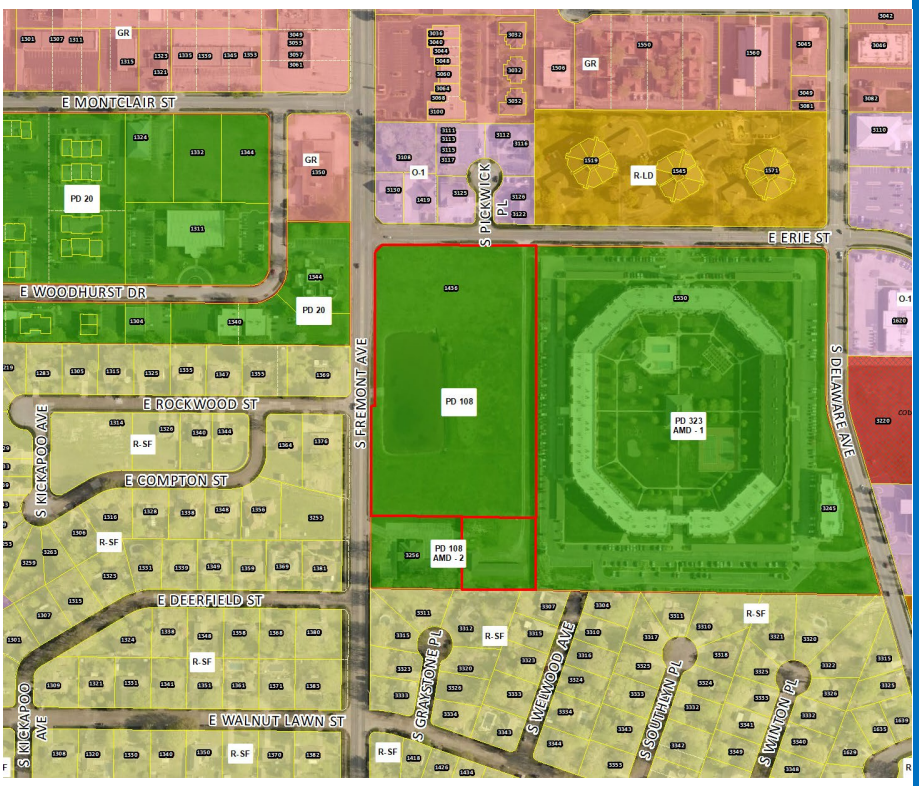
COMMISSION ACTION:
Mr. Jobe motioned to **approve** Planned Development 381 (1436 East Erie Street). Mr. Colony seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

EXHIBIT C

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	AUGUST 8, 2022



CASE NUMBER: Planned Development No. 381

LOCATION: 1436 E. Erie Street

ACRES: 8.71 acres

EXISTING LAND USE: Undeveloped land, regional detention, and maintenance facilities

APPLICANT: Venture Development Partnership

STAFF: Kyle McGinnis, Senior Planner 864-1615

STAFF RECOMMENDATIONS: Approve

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 8.71 acres generally located at 1436 E. Erie Street from Planned Development No. 108 to Planned Development No. 381.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan*, designates this property as appropriate for a mix of Low- to High-Density Housing; however, the property's current zoning designation – Planned Development No. 108 – only supports the development of office uses (professional or medical), financial institutions, and certain uses deemed business support services, and is therefore not in alignment with the *Comprehensive Plan*, either. The proposal is more closely comparable to the *Plan's* Medium-Intensity Retail, Office or Housing designation, which is intended to allow for a mix of commercial, office, and residential uses along certain corridors at major intersections. Development within this designation is meant to increase the compactness of urban development and to provide housing either in the same building as commercial uses or closely integrated with retail or office space on the same site.

2. Recognizing this conflict with the *Plan*, staff has encouraged the applicant to incorporate certain use limitations, design requirements, and public amenities into the proposed Planned Development No. 381 so that it might better complement the existing office, multifamily, and single-family uses in the area. Refer to Exhibit 1 for more details.

3. Approval of this application will facilitate the development of this property and promote infill development where investments have already been made in public services and infrastructure.

4. The subject property has existing City Utilities and public sewer to serve the property.

5. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.

6. The subject property is served by existing stormwater facilities and will not substantially impact the adjacent area.

7. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

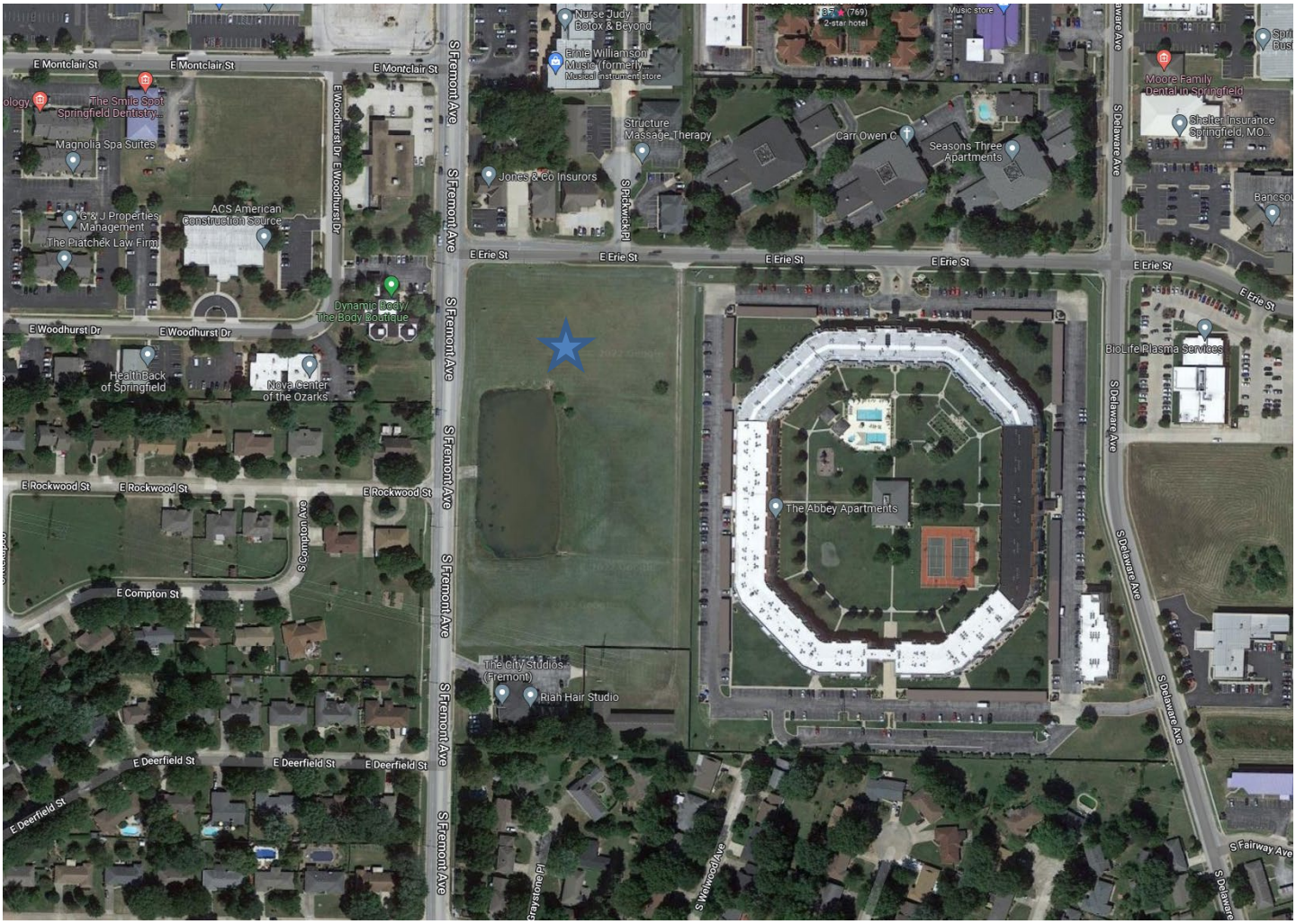
8. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	O-1, Office district	Planned Development No. 108, 2nd Amendment and R-SF, Single-family residential district	Planned Development No. 323, 1st Amendment	Planned Development No. 20 and R-SF, Single-family residential district
LAND USE	Professional offices and dental clinics	Salon, spa, and wellness studios and single-family homes	Multifamily dwellings (The Abbey Apartments)	Fitness and wellness center and single-family homes

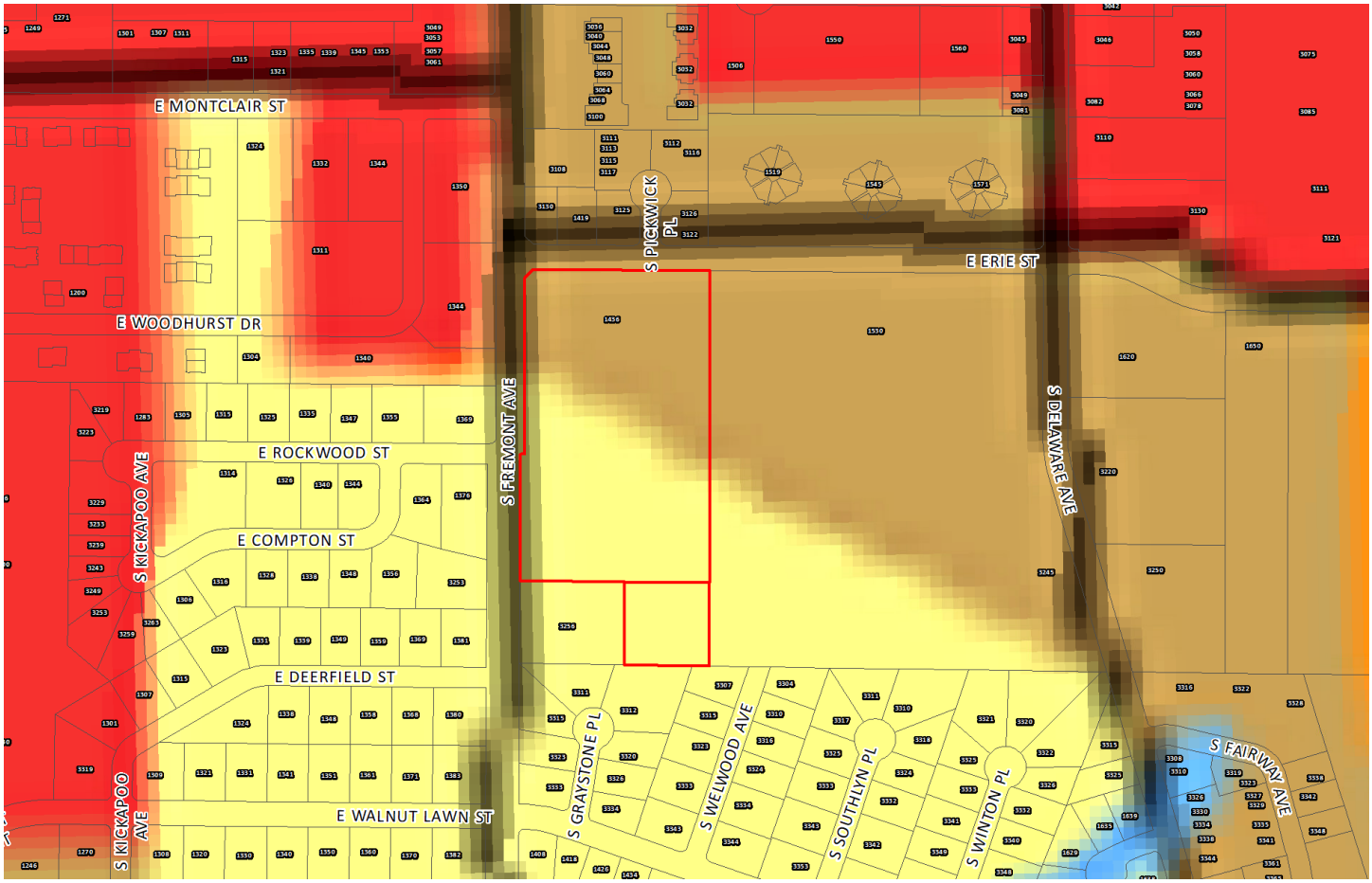
Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

Planned Development No. 108 was approved by City Council in 1989. This property has remained undeveloped since that time.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR PD 381
Use Limitations	Residential uses above or behind first-floor nonresidential frontage. Hours of operation limitations. Noise and nuisance standards.
Maximum Structure Height	None, as the bulk plane limitation described below will limit the height of all development.
Front Yard Setback	A twenty-five (25) foot setback for buildings and parking along S. Fremont Avenue. A twenty-five (25) foot setback for buildings along E. Erie Street.
Side and Rear Setbacks	As determined by any required bufferyard landscaping.
Open Space Requirement	Minimum open space equal to at least 20% of the total lot area.
Design Requirements	Refer to Exhibit 1.
BULK PLANE	**LANDSCAPING**
A 30-degree bulk plane as measured from the district boundary of any property zoned R-SF or R-TH.	Bufferyard C, 25 feet wide, along the entirety of the east property line. Plantings include one (1) canopy tree, two (2) understory trees, two (2) evergreen trees, and six (6) shrubs for every one hundred (100) feet of bufferyard length.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

This request is not consistent with the *Growth Management and Land Use Plan* of the *Comprehensive Plan*, which designates this property as appropriate for a mix of Low- to High-Density Housing; however, the property's current zoning designation – Planned Development 108 – only supports the development of office uses (professional or medical), financial institutions, and certain uses deemed business support services, and is therefore not in alignment with the *Comprehensive Plan*, either.

The proposal is more closely comparable to the *Plan's* Medium-Intensity Retail, Office or Housing designation, which is intended to allow for a mix of commercial, office, and residential uses along certain corridors at major intersections. Development within this designation is meant to increase the compactness of urban development and to provide housing either in the same building as commercial uses or closely integrated with retail or office space on the same site.

Development Review Staff Report

CITY OF Springfield

STAFF COMMENTS:

1. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this property as appropriate for Low- to High-Density Housing, though such uses have yet to develop at this location. The disconnect between the Plan's land use designation and the development patterns in the area is also present north of E. Erie Street along S. Fremont Avenue, where properties classified by the Plan as appropriate for high-density housing have since been rezoned to permit a mix of office and commercial uses. This may be explained by the fact that the area is located within the Battlefield-Glenstone-James River Freeway Activity Center, as identified by Figure 18-8 of the Plan. Development within an Activity Center is meant to promote additional or new employment and intensified retail business while emphasizing mixed- and multiple-use development, attractive public spaces, and high-quality planning and architecture. Furthermore, Activity Centers are intended to be linked to bicycle infrastructure and open space networks. Given the scope of uses proposed, the design requirements to be enforced, and the public amenities to be provided, staff believes the proposed Planned Development No. 381 is appropriate for this area.

2. The applicant is proposing to rezone the property from Planned Development No. 108 to Planned Development No. 381. Planned Development No. 108 currently permits office uses (professional or medical), financial institutions, and certain uses deemed business support services, such as copying and blueprint services. This property has remained undeveloped since the Planned Development's approval in 1989. Planned Development No. 381 intends to amend this mix of uses to permit retail sales, offices (professional or medical), personal services, eating and drinking establishments, and limited residential uses. Within these permitted use groups, certain uses will be prohibited; for instance, while eating and drinking establishments will be permitted, drive-in, pick-up, or drive-thru facilities will be prohibited. Residential uses will be limited to a maximum density of eleven (11) dwelling units per acre and must be located above or behind first-floor nonresidential uses.

3. All buildings within Planned Development No. 381 will be required to meet specific design requirements intended to elevate the architectural aesthetic of the development, and several public amenities have been proposed to beautify the development and encourage pedestrian activity, including paved and landscaped walkways adorned with benches, ornamental lighting, and trash receptacles, a picnic area with tables and seating, and lit fountains within the existing detention area.

4. Approval of this application will facilitate the development of this property and promote infill development where investments have already been made in public services and infrastructure.

5. The proposed rezoning was reviewed by City departments whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 13, 2022. A summary of the meeting and sign-in sheet is attached (Attachment 2). Neighborhood correspondence by email and comment cards are also attached (Attachment 3).

PUBLIC NOTIFICATION:

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: 48 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS
PLANNED DEVELOPMENT 381

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the Planned Development's site plan or language. Electric, gas, water, and fiber can be provided per City Utilities' extension policy.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Public sewer was provided for the parent tract by 1PW2171 in 1981 and is in Sewer District 53 of Section 15.

FIRE DEPARTMENT:

No issues.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
The City's Transportation Plan classifies S. Fremont Avenue as a Secondary Arterial Roadway and E. Erie Street as a Collector Roadway. The standard right-of-way width for S. Fremont Avenue is 35-feet from the centerline. The standard right-of-way width for E. Erie Street is 30-feet from the centerline. It appears additional right-of-way is not required. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right-of-way. Both S. Fremont Avenue and E. Erie Street are city-maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING
The most recent traffic count for S. Fremont Avenue is 16,000 vehicles per day. The most recent traffic count for E. Erie Street is 3,826 vehicles per day. On-street parking is not allowed along S. Fremont Avenue. On-street parking is allowed along E. Erie Street.

DRIVEWAY ACCESS
There is currently one driveway access point onto the property from S. Fremont Avenue and one from E. Erie Street. The access points hown in the preliminary development plan appear to meet existing city spacing requirements and will be allowed.

SIDEWALK
There is existing sidewalk along the property frontage on S. Fremont Avenue and E. Erie Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are no bus stops along the property frontage of this development on either S. Fremont Avenue or E. Erie Street. 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 at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to approval of a building permit.

TRAFFIC - TABLE 1: PLANNED DEVELOPMENT/CONDITIONAL USE PERMIT DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	S. Fremont Avenue	Secondary Arterial	No	40	35
Street 2	E. Erie Street	Collector	Yes	30	30

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	265.2	343.2	1,872	
***Proposed Trips Generated**	124.8	522.6	5,616	
Additional Trips Generated	-140.4	179.4	3,744	

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided.** The property **does have a stream buffer on site.**

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

1. For any increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3 of the City's Flood Control and Water Quality Protection Manual. This site primarily drains to the West. A fee in lieu of constructing onsite stormwater detention will not be permitted.
2. Water quality will be required per Chapter 10 Sec. 2.0 if greater than one acre of land is disturbed. Water quality is also required for less than one acre of disturbance if part of a larger common plan.
3. As-builts of the detention and water quality improvements are required.
4. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the ProjectDox process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0. More details at the following link: https://www.springfieldmo.gov/2120/Resources.
5. The stream through the center portion of the property has been previously converted to an engineered channel and therefore stream buffer requirements do not apply.
6. The FEMA Floodplain 2010 1% Chance Hazard area is located on the western edge of the property inside of the drainage easement.
7. A land disturbance permit will be required if disturbing 1 acre or greater per Chapter 4 Section 5 of the City's *Flood Control and Water Quality Protection Manual*.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 108 to PD 108 3rd Amendment
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: April 13, 2022 4:00 - 6:30 p.m.
3. Meeting Location: The Abbey Apartments Clubhouse 1530 E. Erie, Springfield, Mo. 65804
4. Number of invitations that were sent: 117
5. How the mailing list was generated: Labels provided by City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 38 attended 23 signed sheet
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).

   Please see exhibit "A"

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

   Please see exhibit "B"

I, Jackie L. Joy-Eoff *(print name)*, attest that the neighborhood meeting was held on 4-13-2022 *(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."

Jackie L. Joy-Eoff
Signature of person completing affidavit

Jackie L. Joy-Eoff
Printed name of person completing affidavit

Meeting Summary

On April 13, 2022 4:00-6:30 pm, a neighborhood meeting was conducted at The Abbey Apartments located at 1530 E. Erie, Springfield, Missouri 65804. The applicant's representatives in attendance were 1). DuWayne Eoff, applicant, 2). Jackie Joy-Eoff, applicant and 3). James O'Donnell, architect. Thirty-eight (38) members of the community attended the meeting. In attendance were five business owners, a dozen residential landowners and over 50 percent of the all attendees were tenants of The Abbey Apartments. We were aware that The Abbey's tenants weren't recorded title holders, but we didn't mind sharing the information with them. Jackie Joy-Eoff started meeting with an explanation that the applicant would like to change the zoning classification of the 7 acre parcel of land located at 1436 E. Erie from PD108 to PD108 3rd Amendment. James O'Donnell explained to community what differences between the zoning classification were. An enlarged proposed site plan and handouts were presented to the community. After a brief explanation on the future plans, the floor was opened for questions. Both the developer DuWayne Eoff and the architect James O'Donnell answered question for over an hour.

SIGN IN SHEET

4/13/2022

NAME	ADDRESS	EMAIL	PHONE #
Joyce Eoff	540 W. Rivendale	joyeoff@aol.com	417-839-9005
DuWayne Eoff	540 W. Rivendale	eoffassociates@aol.com	417-839-8880
Kathy Combs	1530 E. Erie St Apt G101	Kcombs181@gmail.com	207-891-3013
[illegible]	1376 E [illegible]	[illegible]	417 889 337[illegible]
Shawn Chgent	ABBEY	Sheronwicks@yahoo.com	
Susan Schultz	3126 Pickwick	office 865-4333	
ELIZABETH SCHULTZ	"	"	
Ken Schultz			
Kathy [illegible]	Marshfield	417-872-6270	
Terry Winton			
Julie Jones 1530 E Erie			
Debra H. Briant	ABBEY E211	dbriant3@gmail.com	417-848-7166
Linda Ogan	Abbey D108		417-509-4438
DERIN SCHEFFNER			
Rachel [illegible]	1530 E Erie F-305	RachelKusho13@gmail.com	
Dylan Kayston			
Rose Smith - 1530 E Erie			
[illegible]			

SIGN IN SHEET

4/13/2022

NAME	ADDRESS	EMAIL	PHONE #
Kayne A. Cunningham			
Terry Burghardt			
Jim & Linda McMillan			
Leann Earnwood	3315 S. Wellwood		
William Elliott		elliott1660@sbcglobal.net	

Exhibit "A"

7). List the verbal comments and how you plan to address any issues:

a). Their main concern was how would the future plans of the parcel located at 1436 E. Erie impact the traffic in the area.

As the applicant/developer, we can't predict how this will affect the area. Logically, we would expect the traffic flow to increase. The proposed site plan gives 4 new accesses into the parcel. The applicant/developer has an agreement with the City of Springfield to consult a professional like Anderson Engineering to do a traffic study to determine the impact. After the study is complete, the applicant/developer and the City of Springfield will address the recommendations of the study.

b). The second concern was future storm water volume issues. To the applicant/developer's knowledge, there aren't current issues. The proposed site plan will continue to have the detention area to gather the storm water volumes off from adjoining properties and itself. The applicant/developer plans to repair and maintain the existing detention area. After the meeting, applicant/developer visited the detention area and did not see any issues. Springfield got heavy rain on April 13th that accumulated to over .61 inches. The applicant/developer has been assured by his engineer that the existing basin is sized for the existing and future storm water volumes.

c). Tenants of The Abbey Apartments were concerned about their view of the storm water detention area. Applicant/developer explained that the two proposed office/lofts might be multi-leveled.

d). One residential landowner wanted to know why we couldn't just leave it alone. He preferred it as it is. Applicant/developer explained that location of the parcel is very desirable. Future development is inevitable. The current PD classification allows multi-family which would have more traffic impact to the community.

Exhibit "B"

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

To the applicant's knowledge, we only have one email letter sent to the City of Springfield dated April 11, 2022 from Terry Winton. I have attached the email. Here is how we address his opposition concerns:

1). Taking away the greenspace. Due to continued expansion in Springfield the available greenspace is diminishing.

Response: We understand the concern. We enjoy the greenspace too. In our proposed site plan, we have purposely added greenspaces to make the area beautiful.

2). The effect it will have on the ducks and geese that frequent the drainage pond.

Response: The proposed site plan will keep the storm water detention that the ducks and geese enjoy.

3). The increased traffic that this development will bring. How will this be addressed? Will a stoplight be installed at the intersection of Erie and Fremont? Seems like that is always the solution. Traffic is congested enough without additional apartments and retail establishments.

Response: As the applicant/developer, we can't predict how this will affect the area. Logically, we would expect the traffic flow to increase. The proposed site plan gives 4 new accesses into the parcel. The applicant/developer has an agreement with the City of Springfield to consult a professional like Anderson Engineering to do a traffic study to determine the impact. After the study is complete, the applicant/developer and the City of Springfield will address the recommendations of the study.

4). I do not want a drinking establishment at the end of my road.

Response: The proposed site plan includes a restaurant. There is a good chance that this restaurant will sell alcohol along with food.

5). The old Heritage Cafeteria is already being used to build a 5-story apartment building which I also oppose. How many apartment buildings does Springfield need?

Response: We can not answer how many apartment buildings Springfield needs. There are several people and families who need these apartments.

6). There is already space zoned on Battlefield Road for retail. The old Gordman's, Mardels, and Hobby Lobby are sitting vacant and would be ideal for what Venture is proposing.

Response: The building mentioned are fine building. They just don't fit our needs.

7). The Bradford Park neighborhood is changing. Many of the long-term residents are selling their homes for various reasons and families with children are moving to the neighborhood. I do not believe a drinking establishment needs to be this close.

Response: The Bradford Park neighborhood is a desirable area. The proposed parcel will only enhance the area. Families will enjoy the development.

8). The letter said a restaurant and drinking establishment. What assurances will there be that there won't just be a club on the property?

Response: We and our tenants will stay within the guidelines of the zoning.

9). The letter is not specific as to what is going to be built on the site. It's just asking for rezoning.

Response: The future of the parcel is flexible. We will stay within the guidelines of the zoning when selecting future tenants.

From: Terry Winton <terryw1961@yahoo.com>
Sent: Monday, April 11, 2022 7:51 AM
To: Zoning@springfieldmo.gov
Subject: 1436 E. Erie Springfield, MO

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

Dear Mr. Hosmer,

I would like to express my opposition to the proposed change in zoning proposed by Venture Development Partnership at the address in the subject line.. My opposition is due the following reasons:

1. Taking away the greenspace. Due to continued expansion in Springfield the available greenspace is diminishing.
2. The effect it will have on the ducks and geese that frequent the drainage pond.
3. The increased traffic that this development will bring. How will this be addressed? Will a stoplight be installed at the intersection of Erie and Fremont? Seems like that is always the solution. Traffic is congested enough without additional apartments and retail establishments.
4. I do not want a drinking establishment at the end of my road.
5. The old Heritage Cafeteria is already being used to build a 5 story apartment building which I also appose. How many apartment buildings does Springfield need?
6. There is already space zoned on Battlefield Road for retail. The old Gordman's, Mardels, and Hobby Lobby are sitting vacant and would be ideal for what Venture is proposing.
7. The Bradford Park neighborhood is changing. Many of the long term residents are selling their homes for various reasons and families with children are moving to the neighborhood. I do not believe a drinking establishment needs to be this close.
8. The letter said a restaurant and drinking establishment. What assurances will there be that there won't just be a club on the property?
9. The letter is not specific as to what is going to be built on the site. It's just ask for rezoning.

My name is Terry Winton at E. Rockwood Springfield, MO 65804
417-840-0806

I hope these points will be taken into consideration when making the decision on changing this zoning for this property.

Thank you for your time and I look forward to expanding on these points at the proposed meeting.

Terry Winton

Sent from Mail for Windows

From: Terry Winton
To: Zoning@springfieldmo.gov
Subject: 1436 E. Erie Springfield, MO
Date: Monday, April 11, 2022 7:50:58 AM

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

Dear Mr. Hosmer,

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3. The increased traffic that this development will bring. How will this be addressed? Will a stoplight be installed at the intersection of Erie and Fremont? Seems like that is always the solution. Traffic is congested enough without additional apartments and retail establishments.
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Thank you for your time and I look forward to expanding on these points at the proposed meeting.

Terry Winton

Sent from Mail for Windows

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:	04-28-2022	**Telephone No.**	417 872 6270
YOUR NAME:	Kathy Trantham		
YOUR ADDRESS:	9707 E FR 44, MARSHFIELD MO 65706		
PROJECT ADDRESS:	1436 E. Eric, Springfield, Mo. 65804		

COMMENTS: See attached.

My disabled son lives in a house we bought in Bradford Park subdivision.

April 28, 2022

FROM: Kathy Trantham

RE: 1426 E ERIE, 65804

The neighborhood meeting was held at the ABBEY office instead of the clubhouse because Ms Eoff said the way to the the clubhouse was muddy. There were complaints of too much water west of my house before the ABBEY built the last building on the small amount of grass on their property. With a new EOFF development next door will my street also flood? Will more trash trucks bang lids closed loud enough to wake us for the ABBEY and the EOFF development?

There is an over 55 apartment at the end of the affected block of Erie. Several seniors showed up at the development review meeting and they live in the ABBEY. IF EOFF's project is built with 2 more entry drives off Erie the seniors may realize too late the problems with their street congestion.

My first thought of hiking and biking trails around the water retention is people there all night with increased theft.

The developer is looking at potential extra profits for himself. The residences within 500 ft of the EOFF new buildings and maybe parking just want to maintain the home they live in and the home is probably one of their biggest assets.

When Mr Eoff realized our table at the meeting did not want his development he told us we could either have him build or a new 360 unit apartment. Mr Eoff repeated this several times.

Please do not change zoning for one developer to the detriment of residents and citizens driving and living in the area.

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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:	4/7/2023	**Telephone No.**	417-827-2752
YOUR NAME:	Ashley Coats		
YOUR ADDRESS:	3925 WESTWIND DR OZARK MO 65721		
PROJECT ADDRESS:	1436 E. Eric, Springfield, Mo. 65804		

COMMENTS: I APPROVE THE CHANGE TO ADD A RETAIL USE AND AN EATING AND DRINKING ESTABLISHMENT AND RESIDENTAL USE. TO THE EXISTING PD.

REQUIREMENTS FOR APPROVAL:

EXHIBIT 1
Requirements and Standards Applicable
To Planned Development District No. 381

A. APPLICATION

Building or other permits may not be issued for development permitted by this Planned Development nor can any changes be made to this property until the Final Development Plan has been approved in the manner described at the end of this exhibit.

All requirements of the *Springfield Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

B. INTENT

The intent of this Planned Development is to promote infill office, commercial, and residential uses on a vacant, developable property with certain use limitations, design requirements, and amenities which complement existing residential development in the area.

C. DEFINITIONS

The definitions contained in the *Springfield Zoning Ordinance* shall apply to this ordinance.

D. USES PERMITTED

(1) *Office use group.*

a. *Characteristics.* Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals. General office uses are characterized by activities that generally focus on business, government, professional, or financial services. General office uses also include some activities that are less service-oriented and focus on the development, testing, production, processing, packaging, or assembly of goods and products, which may include digital products such an internet home pages, media content, designs and specifications, computer software, advertising materials, and others.

b. *Accessory uses.* Accessory uses may include cafeterias, health facilities, parking or other amenities primarily for the use of employees in the firm or building.

c. *Examples.* Examples include uses from the two subgroups listed below:

i. *General office:* Professional services such as lawyers or accountants; financial businesses such as lenders, brokerage houses, banks, or real estate agents; sales offices; government offices and public utility offices; blood collection facilities; software and internet content development and publishing; computer systems design and programming; graphic and industrial design; engineers, architects; telecommunications service providers; data processing; television, video, radio, internet, and recording

studios and broadcasting; scientific and technical services; and medical and dental labs.

ii. *Medical office:* Medical and dental offices and clinics.

d. *Certain uses prohibited.* Banks and financial institutions with automatic teller machines and drive-thru facilities.

e. *Exceptions.*

i. Offices that are part of and are located with a firm in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a primary use in another category, are considered part of the other category.

ii. Contractors and others who perform services off-site are included in the general office category if equipment and materials are note store on the site and fabrication, services, or similar work is not carried on at the site.

iii. Medical and dental laboratories and research facilities do not include the manufacture of pharmaceutical or other products for general sale or distribution. In addition, no toxic substances, explosives, radioactive material, highly flammable substances or other materials that pose a threat to public health and safety, due to their quantities or location, shall be utilized in the research operations.

(2) *Commercial and services use group.*

a. *Retail sales use group.*

i. *Characteristics.* Retail sales firms are involved in the sale, lease, or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods.

ii. *Accessory uses.* Accessory uses may include offices, storage of goods, manufacture or repackaging or goods for on-site sale, and parking. Restricted production and repair of goods sold on site or similar goods is also permitted as an accessory use.

iii. *Examples.* Examples include but are not limited to: pawn shops; stores selling, leasing, or renting consumer, home, and business goods, including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; and food sales.

iv. *Certain uses prohibited.* Sales, rental, or leasing of consumer vehicles, including passenger vehicles, motorcycles, light and medium trucks, and other recreational vehicles.

v. *Exceptions.*

1. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales, a part of the industrial use group.

2. Sales, rental, or leasing of heavy trucks and equipment is classified as wholesale sales, a part of the industrial use group.

b. *Personal services use group.*

i. *Characteristics.* Personal service uses are establishments for the sale of personal services or establishments engaged in providing services involving the care of a person or his or her personal goods or apparel, but not including personal storage.

ii. *Accessory uses.* Accessory uses may include offices, storage of goods and parking.

iii. *Examples.* Examples include but are not limited to: locksmiths; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; dance or music classes; and animal grooming.

(3) *Eating and drinking establishments use group.*

a. *Characteristics.* The eating and drinking establishments use group includes uses that are involved in the preparation and sale of food and drink primarily for consumption as a meal on premises; however, this use group also includes uses that offer the sale of food for consumption off premises.

b. *Accessory uses.* Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, and parking.

c. *Examples.* Examples include but are not limited to: restaurants; cafes; delicatessens; taverns; bars; and coffee shops.

d. *Certain uses prohibited.* Drive-in, pick-up window and drive-thru facilities.

(4) *Residential uses.*

a. *Characteristics.* Residential uses are those used exclusively by individuals for no less than 30-day residential occupancy with complete cooking and sanitary facilities.

b. *Accessory uses.* Accessory uses may include clubhouses, noncommercial, not-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners' associations and maintenance facilities operated by a neighborhood or community organization or a property owners' association in accordance with the provisions of *Section 36-467*, noncommercial, not-for-profit neighborhood facilities.

c. *Exceptions.* Residential uses do not include: hotels; motels; boarding, rooming, and lodging houses; bed and breakfasts; and institutional care facilities.

(5) *Other uses.*

a. Accessory uses, as permitted by *Section 36-450*, accessory structures and uses.

b. Temporary uses, as permitted by *Section 36-452*, temporary uses.

c. Tier I wireless facilities in accordance with *Section 36-466*, telecommunication towers.

E. USE LIMITATIONS

(1) *Location of residential uses.* Residential uses must be located above or to the rear of first-floor nonresidential uses so as to create a continuous nonresidential façade on the first-floor level. When a lot has multiple frontages, first-floor nonresidential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.

(2) *Noise standards.* All uses shall operate in accordance with the noise standards contained in *Section 36-485* of the *Springfield Zoning Ordinance.*

(3) *Nuisance.* No use shall emit an odor that creates a nuisance as determined by the *Springfield City Code.*

F. INTENSITY OF DEVELOPMENT

(1) *Maximum residential density.* Residential uses are not to exceed a maximum density of eleven (11) dwelling units per acre.

G. BULK, AREA AND HEIGHT REQUIREMENTS

(1) *Maximum structure height.* There shall be no maximum height limitation for structures, except that all structures shall remain below a thirty (30) degree bulk plane as measured from any R-SF or R-TH district.

(2) *Property line setbacks.* The following minimum property line setbacks shall be required:

a. A twenty-five (25) foot setback shall be required for all buildings and vehicular use areas, except for access drives, from the west property line along S. Fremont Avenue.

b. A twenty-five (25) foot setback shall be required for all buildings from the north property line along E. Erie Street.

c. There are no required side or rear yard setbacks, except as required by *Section 36-482*, landscaping and bufferyards.

H. DESIGN REQUIREMENTS

(1) *Building exterior finishes.* Exterior finishes for all structures shall be limited to architectural glazing systems, exterior insulation finishing system (EIFS), and brick or rock (natural or cultured).

(2) *Façades which face public right-of-way.* Building façades which face S. Fremont Avenue or E. Erie Street shall include a combination of at least three (3) of the permitted exterior finishes. Brick or rock (natural or cultured) shall cover, at a minimum, twenty (20) percent of

the façade area, exclusive of architectural glazing systems. In addition, street-facing walls greater than fifty (50) feet in length must be articulated with bays, projections, and/or recesses at least every twenty-five (25) feet. Such articulations must result in a difference in the vertical plane of such wall by at least eighteen (18) inches or more.

(3) *Façades which face pedestrian circulation areas.* Building façades which face pedestrian circulation areas and are greater than twenty-five (25) feet in length shall be subdivided and proportioned using at least one or more of the following features: windows; entrances; arcades; arbors; and/or awnings (over windows or doors).

(4) *Service and loading areas.* Off-street loading shall be regulated in accordance with *Sections 36-456* and *36-483* of the *Springfield Zoning Ordinance* in effect at the time of development. The following requirements are supplementary:

a. All service and loading areas shall be located in the side or rear yard of buildings; and

b. Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized to the greatest extent feasible.

(5) *District amenities.* The following amenities shall be provided:

a. Concrete pedestrian walkways, a minimum of four (4) feet wide, shall be constructed around the perimeter of the existing detention facility in general conformance with the preliminary development plan provided. Such walkways shall connect to the existing public sidewalk along S. Fremont Avenue. Such walkways shall be enhanced with park benches, ground and/or pedestrian-scale lighting, and decorative trash receptacles.

b. An open-air picnic area shall be provided east of the existing detention facility in general conformance with the preliminary development plan provided. This facility shall connect with the pedestrian walkways in the area, and shall be enhanced with seating, tables, ground lighting, and decorative trash receptacles. The design of such elements shall match or complement the design of those elements found along the pedestrian walkways.

c. Lit fountains shall be installed within the existing detention facility to improve water quality and aesthetics.

d. The pedestrian walkways and picnic area shall be landscaped in order to enhance the development's natural aesthetics by providing, at a minimum, one (1) canopy tree, one (1) understory, ornamental, or evergreen tree, and four (4) shrubs for every 100 linear feet of length, or fraction thereof, along such path or picnic area. All plantings intended to meet this requirement must be located within 20 feet of the pedestrian walkways or picnic area. Such plantings in and adjacent to the existing detention facility are meant to enhance the basin's performance and aesthetics, as well as improve the water quality of stormwater runoff, by selecting species of vegetation suitable for wet conditions. These plantings shall be in addition to the minimum landscape plantings specified in the **OPEN SPACE, LANDSCAPING & SCREENING** section below.

e. The operation and maintenance of these district amenities shall be the responsibility of a duly authorized property owners' association.

f. The construction and installation of the district amenities shall be phased in accordance with the **PHASING** section below.

I. OPEN SPACE, LANDSCAPING & SCREENING

(1) *Open space requirements.*

a. Each lot must maintain at least 20% of its total area as open space.

b. Each lot's impervious surface area shall be limited to a maximum of 80% of the total lot area.

(2) *Bufferyard requirements.*

a. A 25-foot wide bufferyard C shall be provided along the entirety of the east property line.

i. The minimum plantings for this bufferyard shall be one (1) canopy tree, two (2) understory trees, two (2) evergreen trees, and six (6) shrubs for every 100 feet of bufferyard length.

(3) *Vehicular use area requirements.*

a. *Interior landscaping.* The requirements and standards of *Section 36-482 (9) (a)* of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

b. *Perimeter landscaping.* The requirements and standards of *Section 36-482 (9) (b)* of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

(4) *Open space landscaping.*

a. In all open space areas required for this district not already regulated by the landscaping provisions above, the following landscaping shall be planted and maintained for each 500 square feet of such open space area.

i. One (1) canopy tree accompanied by 200 square feet of native grasses, sedges, or flowering plants; or

ii. Two (2) understory, ornamental, or evergreen trees accompanied by 100 square feet of native grasses, sedges, or flowering plants.

(5) *Landscaping standards.*

a. All plantings shall be provided using species of vegetation native to or naturalized within the state of Missouri, as identified by the Missouri Department of Conversation.

b. The preservation of healthy, existing trees of an approved species at 4 ½ inches caliper shall count as two (2) trees when considering the fulfillment of the tree planting requirements of this district.

c. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this ordinance.

(6) *Screening and fencing.*

a. The requirements and standards of *Section 36-480* of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

J. EXTERIOR LIGHTING

The requirements and standards of *Section 36-484* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply. Light fixtures selected shall match or complement the design of the ground and/or pedestrian-scale lighting provided along the pedestrian walkways and around or within the picnic area.

K. ACCESS TO PUBLIC THOROUGHFARES

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.

L. OFF-STREET PARKING

The requirements and standards of *Sections 36-455, 36-456* and *36-483* of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

M. SIGNS

The requirements and standards of *Section 36-454* of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply, except as follows:

(1) *Monument signs.* No more than two (2) monument signs shall be erected along S. Fremont Avenue. Such signs shall be limited to a maximum height of twenty-four (24) feet above finished grade and shall have finishes matching or complementing the building exterior finishes permitted by this district.

(2) *Electronic message center signs prohibited.* The use of electronic message center signs is strictly prohibited in this district.

N. REQUIRED IMPROVEMENTS

All utilities and utility connections within the district shall be located underground, including but not limited to electrical and telephone cables, security and other telecommunication systems, and wire. Transformers, meters of any type (including electric, gas, or other meters), and other apparatus must be adequately screened and landscaped.

(1) *Sanitary sewer.*

a. The entire development has access to sanitary sewer. When building plans are submitted, the point of connection to the public sewer will be specified. Sewer impact permit fees will be accessed for each building in the Development District based on the size of the water meter required to the service the facility.

(2) *Traffic.*

a. The Development District will increase trip generation by more than five hundred (500) trips daily, and more than fifty (50) trips in the AM/PM peak traffic hours. A traffic impact study shall be prepared in accordance with the *Springfield Code*

Section 9 of the *Public Works Design Standards.*

b. All driveway approaches shall comply with *Public Works Standard Drawing ST-9* and *City Code Section 98.*

c. On-site parking and circulation shall comply with *Public Works Standard Drawing ST-6* and *City Code Sections 36-455* and *36-483*.

(3) *Stormwater.*

a. Stormwater detention for the Development District is provided in the regional detention basin constructed as part of the public improvements for the Delaware Heights, 2nd Addition Subdivision (6PW2847).

b. The Development District will be adding more than one (1) acre of impervious surface; as a result, water quality improvements must be design and constructed in accordance with *Chapter 10, Section 2* of the *City's Flood Control and Water Quality Protection Manual.*

c. Operation and maintenance agreements shall conform with *Chapter 12, Section 3.0* of the *City's Flood Control and Water Quality Protection Manual.*

d. The Development District will be adding more than one (1) acre of impervious surface; as a result, a City Land Disturbance Permit and Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with *City Code Section 96-44*.

(4) *Utilities.*

a. Water, gas, and electric service, as well as SpringNet fiber, are all available along S. Fremont Avenue and E. Erie Street.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities shall be assumed by a duly authorized property owners' association meeting all legal requirements prescribed by the City Attorney.

P. PHASING

Development shall be phased. All public improvements directly related to each phase will be completed at the time of the phase's development. The improvements serving the District as a whole and the adjoining areas are to be completed in a sequence assuring full utility of the District as a whole and all areas within the District so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

Q. FINAL DEVELOPMENT PLAN

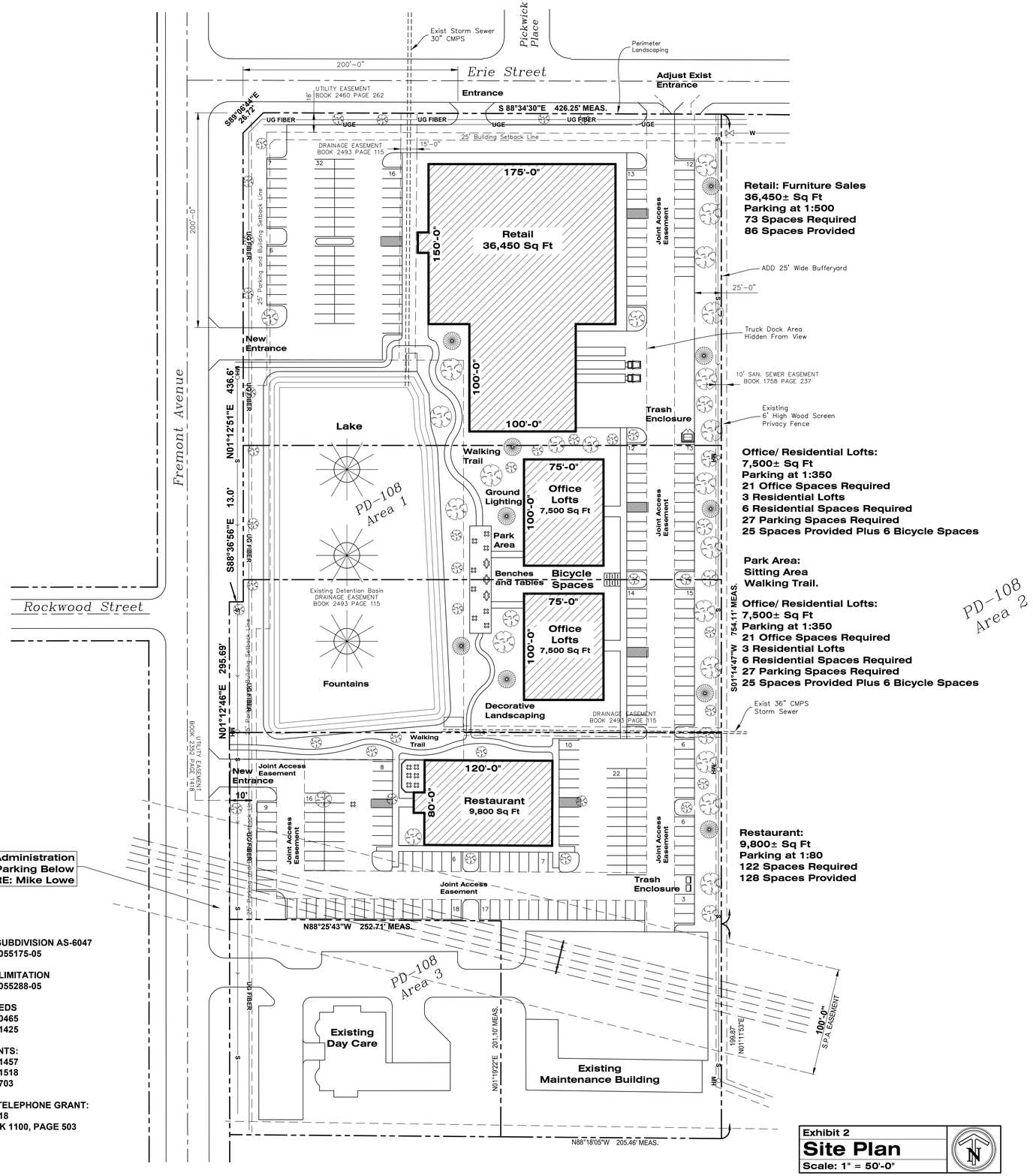
A Final Development Plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this Exhibit. Development in this District shall be in accordance with the approved final development plan.

A Final Development Plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by *Section 36-405 (9) (c)* of the *Springfield Zoning Ordinance.*

The Final Development Plan shall be submitted to the Administrative Review Committee for final action, either as a whole or in phases. The Administrative Review Committee is hereby authorize, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

(1) Any uses within the District other than those specifically prescribed by the ordinance; or

(2) Any increase in the intensity of the use permitted within the District.



THE SITE SURVEY USED FOR THIS DOCUMENT WAS PREPARED BY GARY JOHN BOCKMAN LS-2334, DATED OCTOBER 24, 2005 BOCKMAN ENGINEERING SERVICES, LLC 2015 WEST WOODLAND SPRINGFIELD, MO 65807

ADMINISTRATIVE SUBDIVISION AS-6047
BOOK 2005, PAGE 055175-05

DEED OF ACCESS LIMITATION
BOOK 2005, PAGE 055288-05

RIGHT-OF-WAY DEEDS
BOOK 2283, PAGE 0465
BOOK 2352, PAGE 1425

RECORD DOCUMENTS:
BOOK 2397, PAGE 1457
BOOK 2451, PAGE 1518
BOOK 2031, PAGE 703

TELEGRAPH AND TELEPHONE GRANT:
BOOK 569, PAGE 618
RELEASED IN BOOK 1100, PAGE 503

Exhibit 2
Site Plan
Scale: 1" = 50'-0"

Revisions

Notes:

Scope of Project:

Modifications to PD-108, Area 1

Proposed Uses:
Retail Furniture Sales: 36,450 Sq Ft
Office: 15,000 Sq Ft
Restaurant: 9,800 Sq Ft
Park Area: Sitting Area, Walking Trail

General Building Design:
Building materials and architectural styles throughout the development will be consistent and complementary with one another, as well as complementary to the existing architecture in the area.
Exterior materials, such as vinyl siding or corrugated sheet metal will be prohibited.

Building facades which face public right-of-way will be articulated and dynamic, utilizing bays, projections, or recesses with relative frequency

Signs:
Monument and wall signs only, using exterior materials mirroring or complementing those used for the structures. Sign heights will be limited so as to not diminish the residential character of the area to the west, and either prohibit or severely limit the use of electronic signs

Intensity of Development:
Floor Area Ratio shall not exceed 0.35%
The Maintenance Building will not change

Bulk Area and Height Requirements:
A. A twenty five foot building and parking lot setback along Fremont Avenue.
B. A twenty five foot building setback along Erie Street

Structure Heights:
All buildings will be less than 65 feet.

Impervious Surfaces Ratio:
Maximum Impervious Surfaces below 0.80

Entrances:
Two points of access to Fremont Avenue and Erie Street. Each of these entrances will be more than 200 feet from the intersection of Fremont Avenue and Erie Street.

Off Street Parking:
Parking will meet the City of Springfield Standards.

Perimeter Treatment:
Existing Bufferyard D along the southern property line.
Dumpster areas will be enclosed
Add 25 foot Bufferyard to the east line of Area 1

Architect's Seal

STATE OF MISSOURI
JAMES BURTIC O'DONNELL III
NUMBER A-007750
ARCHITECT
3/24/22

JAMES B. O'DONNELL III
ARCHITECT

203 North Main Avenue
Republic, Mo 65738
(417) 732-9697
jboarchitect@cablemo.net

Project:
Third Amendment to Planned Development PD-108 1436 East Erie Street Springfield, Missouri

Sheet Description: **Exhibit 2**

Date: **March 24, 2022**

Drawing: **21-146 SP PD 108**

The Drawings, Design, Specifications and other documents prepared by the Architect for the Project are instruments of the Architect's service, and shall retain all common law, statutory & other reserved rights, including the copyright, and shall not be, in any part, duplicated and used on other projects, additions, or alteration.

Job Number: **21-146**

Sheet Number: **Exhibit 2**

One-rdg. _____
P. Hrngs. X
Pgs. 51
Filed: 08-02-22

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 197 SPECIAL ORDINANCE _____

AN ORDINANCE

GRANTING Conditional Use Permit No. 464 for the purpose of permitting a self-service storage facility as a conditional use within the GR – General Retail District, with Conditional Overlay District No. 146, generally located at 2960 East Allen Place. (Planning and Zoning Commission recommends denial and staff recommends approval.)

_____

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

WHEREAS, the Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended denial of Conditional Use Permit No. 464 for the property generally located at 2960 East Allen Place and zoned GR – General Retail District, with Conditional Overlay District No. 146; and

WHEREAS, City Council finds that sufficient evidence has been presented to satisfy all applicable standards of the Land Development Code for issuance of Conditional Use Permit No. 464; and

WHEREAS, the granting of such permit is deemed proper, and it is not found to harm the community or injure the value, lawful use, and reasonable enjoyment of properties in the vicinity of 2960 East Allen Place.

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

Section 1 – City Council adopts the City staff's specific findings of fact on the proposed conditional use as set forth in "Exhibit D – Attachment 3." "Exhibit D" is attached hereto and incorporated herein by this reference in its entirety. Conditional Use Permit No. 464 is hereby granted in accordance with and subject to the provisions of Section 36-363 of the Land Development Code. Conditional Use Permit No. 464 is granted for the purpose of permitting a self-service storage facility to operate as a conditional use within the GR – General Retail District, with Conditional Overlay District

No. 146, located at the property described in “Exhibit B,” which is attached hereto and incorporated herein by this reference, and which is generally located at 2960 East Allen Place.

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 464” 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 land described in “Exhibit B,” in a manner consistent with the attached site plan and elevations depicted on “Exhibit D – Attachments 5 and 6.”

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, other applicable City regulations or Ordinances, and this Ordinance.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022- 197

FILED: 08-02-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To permit a self-service storage facility with a Conditional Use Permit in a GR, General Retail District, with Conditional Overlay District No. 146 generally located at 2960 East Allen Place. (Planning and Zoning Commission recommends denial and staff recommends approval).

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NUMBER 464

The applicant is requesting approval of a Conditional Use Permit on approximately 0.55 acre in a GR, General Retail District, for a new two story, climate-controlled self-service storage facility with approximately 200 units of various sizes.

CONDITIONS:

1. The regulations and standards listed on Exhibit D - Attachments 2 and 3 shall govern and control the use and development of the land within Conditional Use Permit No. 464 in a manner consistent with the attached site plan and elevations (Exhibit D - Attachment 5 & 6).

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit.

2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Low Density Housing; however, the property was recently rezoned to GR with a CUP for single-story self-service storage facilities in 2018 (Attachment 9). The adjacent property to the south and west is zoned Planned Development 351 which also allows self-service storage facilities (Attachment 10).

3. The subject property was rezoned to GR and a CUP for self-service storage facilities was approved in 2018; however, since construction was never started or the building permit was never issued, the CUP expired after 18 months. The self-storage facilities approved in 2018 were typical single-story automobile accessible units most likely with a primary metal exterior. Additionally, the adjacent Planned Development 351 for Quarry Town allows for self-storage units in the northeast corner adjacent to this property. The applicant is proposing a new two story, climate-controlled self-service storage facility with approximately 200 units of various sizes.

4. The subject property is located at the end of a short local street, Allen Place, which is planned to be extended to the east and reclassified as a collector roadway. This area has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area.

5. The Galloway Redevelopment Area recommendations were accepted by City Council in 2019. These are development policies for the area and are to be used in reviewing applications for rezoning and subdivisions. These items have been addressed by the applicant in the development of this project (Attachment 4).

6. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic, or impact vehicular traffic safety in the vicinity.

REMARKS: The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended denial, by a vote of 3 to 2 of the proposed Conditional Use Permit (see the attached "Exhibit C," Record of Proceedings).

The Planning and Development staff recommends the application be approved with the conditions (see attached Exhibit A).

Submitted by:

Daniel Neal, Senior Planner

Recommended by:

Susan Istenes, AICP
Director

Approved by:

Jason Gage, City Manager

EXHIBITS:
Exhibit A, Requirements for Conditional Use Permit
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
- Attachment 3, Standards and Responses for Conditional Use Permits
- Attachment 4, Galloway Recommendations
- Attachment 5, Proposed CUP Site Plan
- Attachment 6, Elevations
- Attachment 7, Affidavit of Neighborhood Notification and Meeting Summary
- Attachment 8, Neighborhood Correspondence
- Attachment 9, Approved 2018 CUP Site Plan
- Attachment 10, Approved PD 351 Quarry Town Preliminary Development Plan

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 464

1. A self-service storage facility, as defined in Section 36-363 of the Zoning Ordinance, is permitted in conformance with Attachment 5 (site plan) and Attachment 6 (elevations).

2. Self-service storage facilities, as defined in Section 36-363 of the Zoning Ordinance, shall comply with all the standards listed in Attachment 3.

3. The standard right-of-way width is 30-feet from the centerline for E. Allen Place. To meet these requirements, it appears an additional 10-ft of right-of-way is needed along E. Allen Place. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way.

4. E. Allen Place is required to be extended to the eastern property line and must be constructed to Collector roadway standards as set forth in the City of Springfield Design Standards for Public Improvements. Access will be allowed based on existing spacing standards set forth in Chapter 98 of City Code.

5. An emergency vehicle turnaround is required to be constructed at the end of E. Allen Place or a driveway constructed to Public Works standards and dedicated as an emergency turnaround easement shall be provided.

6. Sidewalk is required to be constructed along the property frontage of E. Allen Place at the time of the platting/development of this property or an application made to the ARC for approval to pay a fee in lieu of construction of sidewalk. If the applicant chooses to seek approval for a fee in lieu of and the request is approved, the fee must be paid prior to approval of the plat/building permit.

7. Encourage design elements compatible with historic development pattern and existing structures. Appropriate design elements include articulation of building faces and compatible ratios of glass in windows, doors, and walls. Restrict glazing ratios to no more than 40% of exterior surface.

8. Limit size, illumination, placement, and number of signs, and prohibit digital signage in order to maintain the village aesthetic.

9. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 464

A TRACT OF LAND AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE LYING IN LOTS 10 AND 11 OF GALLOWAY HEIGHTS, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY MISSOURI IN PLAT BOOK S, PAGE 80 AND ALSO IN DESCRIBED IN BOOK 2020, PAGE 010624-20 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 11 OF GALLOWAY HEIGHTS, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF ALLEN DRIVE, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 86°47'30" EAST, 77.16 FEET; THENCE 102.17 FEET ALONG A 40.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 73°25'33" EAST FOR 76.58 FEET TO THE NORTHEAST CORNER OF LOT 10; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE EAST LINE OF LOT 10 SOUTH 00°57'36" WEST, 187.65 FEET TO A POINT ON THE SOUTH LINE OF GALLOWAY HEIGHTS; THENCE ALONG SAID SOUTH LINE SOUTH 89°26'35" WEST, 149.94 FEET TO THE SOUTHWEST CORNER OF LOT 11; THENCE ALONG THE WEST LINE OF LOT 11 NORTH 00°55'58" EAST, 162.94 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

CONTAINING 0.55 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Conditional Use Permit 464
2960 East Allen Place
Applicant: Township 28, LLC

Mr. Hosmer states that this is a request to allow self-service storage facilities with a Conditional Use Permit in a GR, General Retail District with Conditional Overlay District No. 146 generally located at 2960 E. Allen Place. The property is currently zoned GR, General Retail. General Retail District allows self-service storage facilities only with a Conditional Use Permit. A site plan is required for a CUP. The Transportation Plan classifies Allen Place as a local roadway. A Traffic Impact Study is not required as the trips generated by the use do not exceed the thresholds. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area. A fee in lieu of stormwater detention is allowed. In 2018, the subject property was rezoned to GR with a CUP for self-service storage facilities. The CUP expired after 18 months. This self-storage was a typical single-story automobile accessible facility; most likely with a primary metal exterior. Planned Development 351 Quarry Town (2016) to the south allows self-storage. The Galloway Redevelopment Area recommendations were accepted by City Council in 2019. These development policies are be used in reviewing applications for rezoning and subdivisions. The Galloway plan states that self-storage uses shall be limited but not prohibited in the area. The applicant is preserving the village feel through complimentary architectural styles among other elements of the GRA. The CUP will require the following:

- Dedication of right of way for 30 from center of Allen.
- No digital signage, restricting glazing ratios no more than 40%, limiting building height 2 stories, and bufferyards.
- Developed per site plan using complimentary architectural styles. The application meets approval standards for the conditional use permit and the Galloway Redevelopment Area recommendations. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Harlan Hill, 3811 S. Weller, representing the owner and shows the elevation and to be carried through all sides facing Quarry Town and clarifies the rendering that is being shown and keep with the architecture of the area. Noted the Galloway Association and they will vote on it on July 19, 2022 and will be making a presentation at the meeting. Believes that they have been successful in meeting the associations concerns.

Ms. Jamie Thomas, 1428 N. Benton, Director of Operations of Quarry Town and opposed to the development and went over the Galloway guidelines and believes the parcel can be put to better use.

Mr. Colony asked about the existing PD 351 and show allowing storage units and wants clarification and in the meantime the Galloway guidelines were completed.

Ms. Thomas says that Quarry Town is not opposed to storage units but believes the parcel can be put to a better use and wants to protect the area.

Ms. Meagan Burns, 210 E. Commercial Street, property manager for Quarry Town and strongly oppose the project and does not feel that this is a good fit and noted the surrounding uses next to it. She also noted the possible light pollution and causes concerns to the neighbor and the neighbors do not want this type of development in their community. The neighborhood association has reached out to the Quarry Town people and said that they were not aware that storage units were listed as allowable, and they may not approve of the conditional use permit.

Mr. Doennig closed the public hearing.

Mr. Randall Doennig asked about self-storage and Mr. Hosmer noted that it is approved to be built and the earlier conditional use permit has expired.

Ms. Natalie Broekhoven asked if the guidelines were approved prior to the request and Mr. Hosmer gave out the timeline.

Mr. Bruce Colony asked about Allen Drive and Mr. Hosmer said it is slated to be a collector with the Major Thoroughfare Plan and possible moving Allen Drive to the north.

Ms. Dawne Gardner said that Allen Drive is to continue east, and they will do a review of the Major Throughfare Plan.

Mr. Bruce Colony noted that it is an odd location and ask Mr. Hill why to build there.

Mr. Hill said that it is being developed for Township 28 as they do not have any current storage and are for the residents in local area. He also noted the village feel and, but historical maps show it was industrial and was a dumping ground and have taken steps to preserve the feel of the village.

Mr. Eric Pauly asked about the scale and mapping and Mr. Hill showed a hand model the current structure and proposed storage facility and went over the specifications/layout.

Mr. Bruce Colony commented on the neighborhood association and the developer and should we wait for their comments.

Mr. Eric Pauly went over the information presented in the packet and stated that the neighborhood association will not approve it and the other responses are negative.

Mr. Britton Jobe asked when this was posted, and Mr. Hosmer noted that it was previously postponed to this date.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Conditional Use Permit 464 (2960 East Allen Place). Ms. Broekhoven seconded the motion. Ayes: Doennig and Jobe. Nays: Broekhoven, Colony, and Pauly. Abstain: None. Absent: Bruce, Knuckles, and Lebeck. **Motion Failed**

Bob Hosmer, AICP
Planning Manager

Exhibit D

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	AUGUST 8, 2022

CASE NUMBER:
Conditional Use Permit 464

LOCATION: 2960 E. Allen Place

ACRES: Approximately 0.6 acre

EXISTING LAND USE:
Vacant/undeveloped land

APPLICANT: Township 28, LLC

STAFF: Daniel Neal, Senior Planner

STAFF RECOMMENDATIONS:
Approve w/Conditions

PROPOSED MOTION:
Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

This is a request to allow self-service storage facilities with a Conditional Use Permit in a GR, General Retail District with Conditional Overlay District No. 146 generally located at 2960 E. Allen Place.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit.

2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Low Density Housing; however, the property was recently rezoned to GR with a CUP for single-story self-service storage facilities in 2018 (Attachment 9). The adjacent property to the south and west is zoned Planned Development 351 which also allows self-service storage facilities (Attachment 10).

3. The subject property was rezoned to GR and a CUP for self-service storage facilities was approved in 2018; however, since construction was never started or the building permit was never issued, the CUP expired after 18 months. The self-storage facilities approved in 2018 were typical single-story automobile accessible units most likely with a primary metal exterior. Additionally, the adjacent Planned Development 351 for Quarry Town allows for self-storage units in the northeast corner adjacent to this property. The applicant is proposing a new two story, climate-controlled self-service storage facility with approximately 200 units of various sizes.

4. The subject property is located at the end of a short local street, Allen Place, which is planned to be extended to the east as and reclassified as a collector roadway. This area has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area.

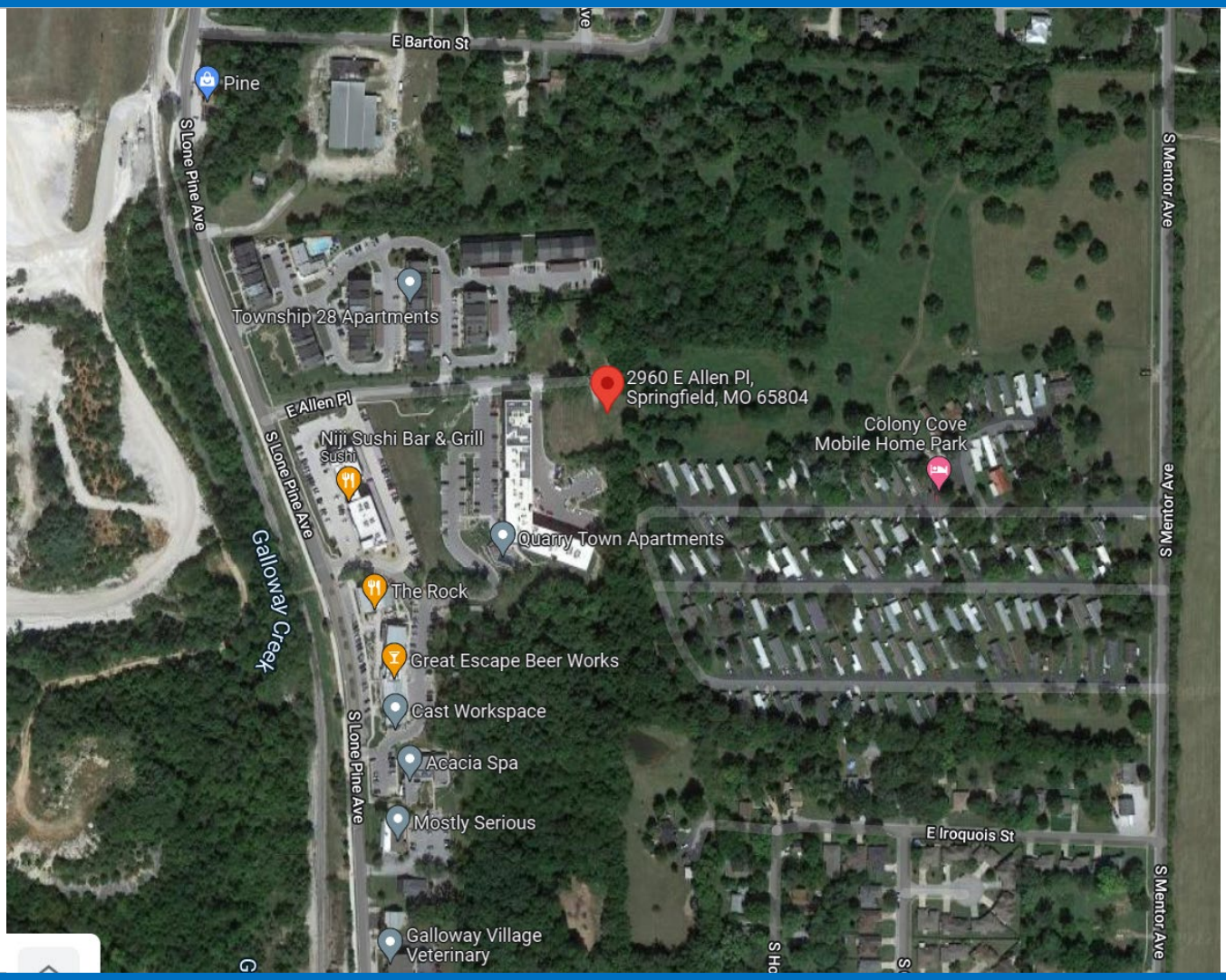
5. The Galloway Redevelopment Area recommendations were accepted by City Council in 2019. These are development policies for the area and are be used in reviewing applications for rezoning and subdivisions. These items have been addressed by the applicant in the development of this project (Attachment 4).

6. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact vehicular traffic safety in the vicinity.

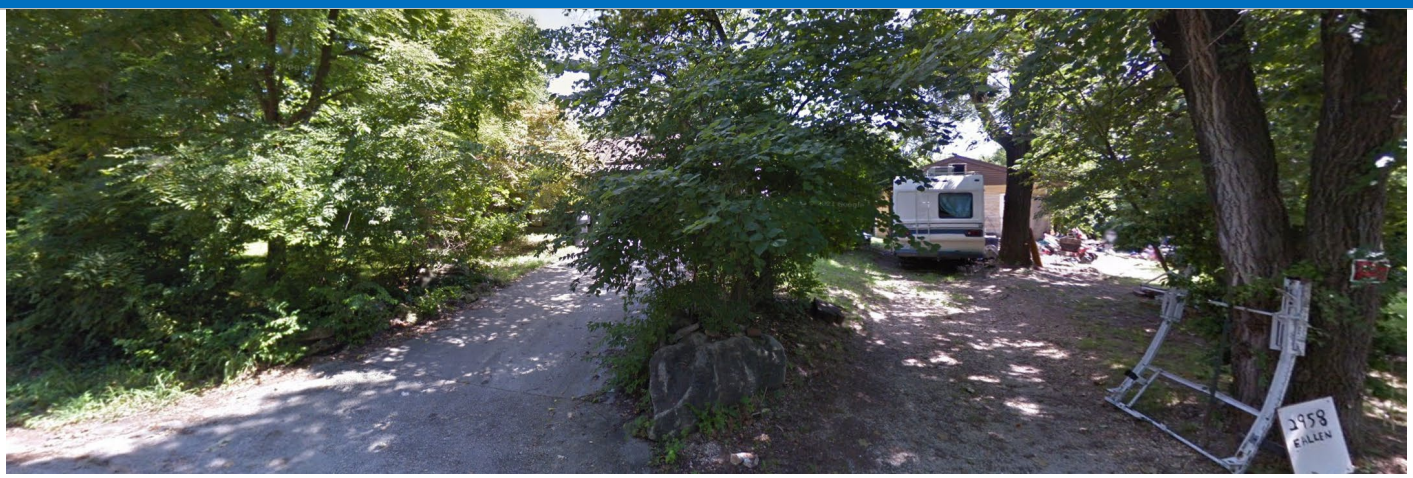
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD 351	PD 276	PD 351
LAND USE	Single-family uses	Multi-family and commercial uses	Manufactured home community	Multi-family and commercial uses

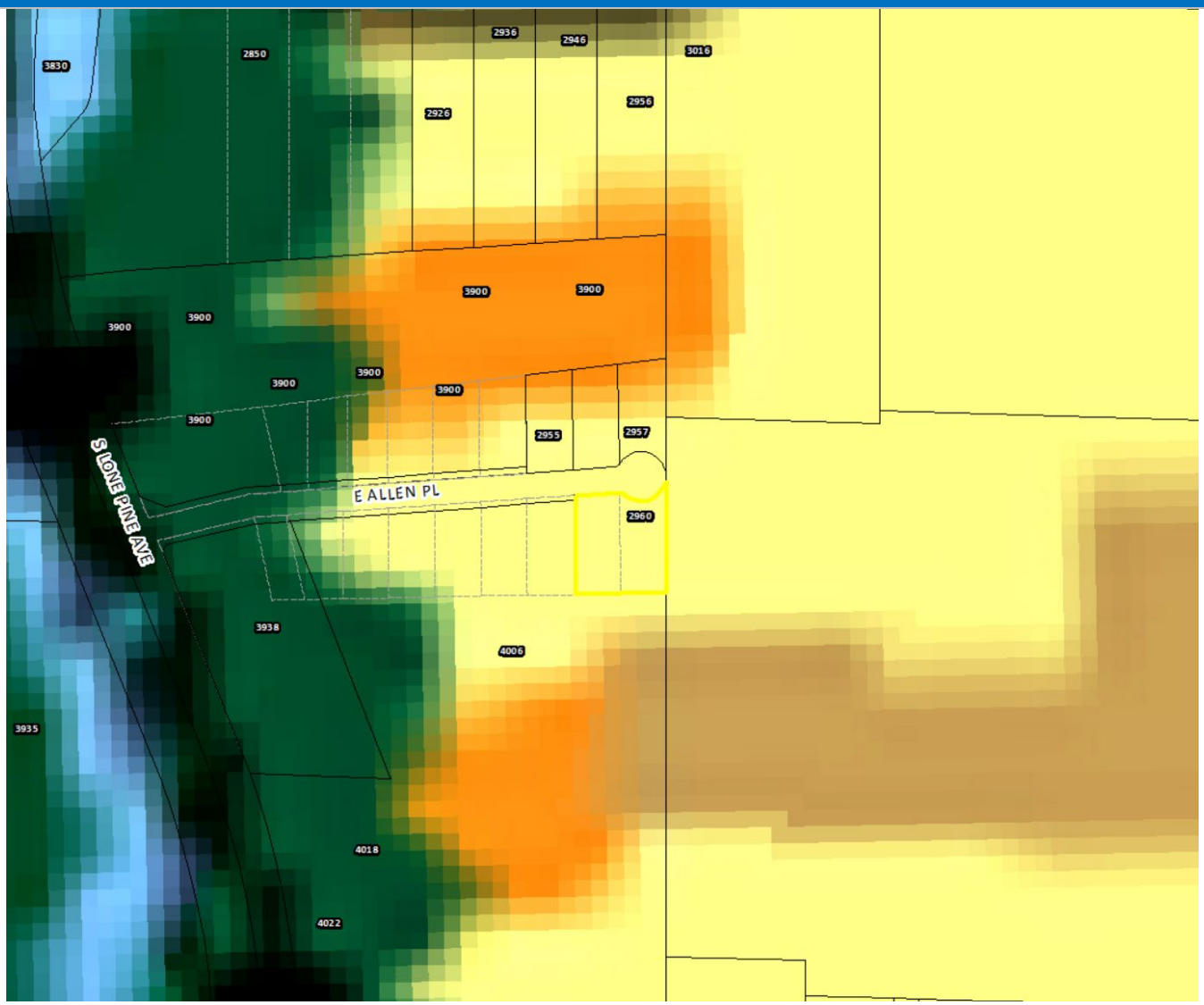
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

The subject property was annexed into the City in 1969 and was zoned R-SF until 2018 when it was rezoned to GR, General Retail District with a Conditional Use Permit for self-service storage facilities. The CUP for self-storage facilities expired after 18 months of inactivity. The subject property, which is all of Lots 10 & 11 of Galloway Heights Subdivision, was approved and recorded by Greene County in 1959. Additionally, the adjacent Planned Development 351 for Quarry Town allows for self-storage units in the northeast corner adjacent to this property

ZONING ORDINANCE REQUIREMENTS:

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.

(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-month 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.

d. *Damage or destruction.* In the event that the principal building or structure on the property is damaged or destroyed, by any means, to the extent of more than 75 percent of the replacement cost of the building or structure at the time such damage occurred, such building or structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located and the property shall not continue to be used for the uses permitted by the provisions of this section.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Low Density Housing; however, the property was recently rezoned to General Retail District with a Conditional Use Permit for self-service storage facilities in 2018.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit to allow self-service storage facilities with a Conditional Use Permit in a GR, General Retail District generally located at 2960 E. Allen Place. The applicant is proposing a new two story, climate-controlled self-service storage facility with approximately 200 units of various sizes.

2. 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) (Attachment 3) of the Zoning Ordinance. Any development of this property must also follow the GR, General Retail District requirements.

3. The Galloway Redevelopment Area recommendations were accepted by City Council in 2019. These are development policies for the area and are be used in reviewing applications for rezoning and subdivisions. The plan states that self-storage uses shall be limited but not prohibited in the area. The applicant is preserving the village feel through complimentary architectural styles. They are promoting a high-quality streetscape experience that is supported by the Galloway CID and Multi-Family Development Guidelines by providing brightly colored doors or building accents and attractive landscaping and plantings. The applicant already has a Conditional Overlay District and the applicant is limiting signage types in the CUP, restricting glazing ratios, limiting building height, retaining walls and excessive grading and rock blasting. These items have been addressed by the applicant in the development of this project (Attachment 4).

4. The subject property is located at the end of a short local street, Allen Place, that has recently experienced a resurgence of redevelopment and reinvestment of multi-family and mixed-use developments that have affected the character of this area. Allen Place is currently on the Major Thoroughfare Plan as a Collector roadway that will eventually connect Lone Pine Avenue and Mentor Avenue.

5. A Traffic Impact Study is not required as the trips generated by the conditional use permit do not exceed the threshold of 1,000 trips per day or 100 trips in the a.m. or p.m. peak.

6. Upon development of the property a bufferyard is required along the south and west property line adjacent to the PD 351 zoning district. The minimum bufferyard required between GR and multi-family zoning is a Bufferyard "Type C" at least fifteen (15) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. Upon development of the property a bufferyard is required along the east property line adjacent to the PD 276 zoning district. The minimum bufferyard required between GR and manufactured home community uses is a Bufferyard "Type E" at least twenty (20) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, two (2) understory trees, two (2) evergreen trees and sixteen (16) shrubs with a six-foot solid wood fence or solid masonry/brick wall, or six-foot solid evergreen hedge.

7. Based on the property's relatively small dimensions, this development will receive reduced bufferyard widths and plantings along its east, south, and west property lines, as described in Section 36-482 (16). Along the east and west lines, this bufferyard must be at least 10 feet wide and include one understory tree, two evergreen trees, and 10 shrubs for every 100 feet of length. Along the south property line, the bufferyard must be at least 15 feet wide and include one canopy tree, one understory tree, two evergreen trees, and 10 shrubs for every 100 feet of length. Because these bufferyards are narrower and less intense than would be typical of commercial development adjacent to residential areas, a form of approved screening must be included within the east, south, and west bufferyard areas.

8. The property across Allen Place to the north is currently zoned R-SF but is being rezoned to R-MD concurrently with this request. Whether the property is rezoned or not, the normal bufferyard required between GR and R-SF or R-MD with public street right-of-way 70 feet or less would be a Bufferyard "Type S2" at least fifteen (15) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, two (2) understory trees and four (4) shrubs.

9. There is not existing sidewalk along the property frontage of E. Allen Place. Sidewalk must be constructed at the time of development or a fee in lieu of sidewalk construction applied for, approved by the Administrative Review Committee (ARC) and fees paid prior to issuance of a building permit.

10. Approval of this request will provide for the redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

11. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for this request on April 14, 2022. A summary of the meeting is attached (Attachment 7).

PUBLIC NOTIFICATION:

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: 4 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1
CONDITIONAL USE PERMIT 464

CITY UTILITIES:

No issues with proposed CUP. Offsite utility improvements may be needed depending on utility services requested.

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objections to CUP. Proposed development has access to public sewer in Allen Place.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Galloway Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention would not be allowed out right and will be dependent on analysis of possible downstream improvements. The property **is not in a stream buffer area.**

PW Stormwater has no concerns about the proposed Rezoning. Please note that development of the property will be subject to the following conditions at the time of development:

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. Two courses of action (COA) to meet detention requirements in accordance with Springfield City Code are as follows.

    a. COA 1 – Detention is designed and built for the development at 2960 E Allen Place according to the Flood Control and Water Quality Protection Manual with available space in the yardage along Allen Place. If the additional impervious surface area detention is minimal, then a fee in lieu of detention may be allowed for the partial remaining detention.
    b. COA 2 – Downstream improvements are made as a part of public improvement plans along E Allen Place to convey stormwater to the Galloway Creek according to Springfield Stormwater standards. These downstream improvements would be used in place of a fee in lieu of detention, but the site would have to discharge into the public right of way along E Allen Place.

2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

3. As-builts of the detention and water quality improvements are required before the stormwater permit can be complete.

4. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies E. Allen Place as a Local-Commercial roadway. The standard right-of-way width is 30-feet from the centerline for E. Allen Place. To meet these requirements, it appears an additional 10-ft of right-of-way is needed along E. Allen Place. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way. E. Allen Place is a city-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING
There are no recent traffic counts for E. Allen Place. On-Street parking is allowed on E. Allen Place.

DRIVEWAY ACCESS
There is currently two driveway access point onto the property from E. Allen Place. Access will be allowed based on existing spacing standards set forth in Chapter 98 of City Code.

SIDEWALK
There is not existing sidewalk along the property frontage of E. Allen Place. Sidewalk is required to be constructed along the property frontage of E. Allen Place at the time of the platting/development of this property or an application made to the ARC for approval to pay a fee in lieu of construction of sidewalk. If the applicant chooses to seek approval for a fee in lieu of and the request is approved, the fee must be paid prior to approval of the plat/building permit. The current fee is $31.46 per linear foot.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
The Galloway Greenway Trail is in the area of the property pertaining to this zoning. There are no bus stops along the property frontage of this development. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

IMPROVEMENTS
E. Allen Place is required to be extended to the eastern property line and must be constructed to Collector roadway standards as set forth in the City of Springfield Design Standards for Public Improvements. An emergency vehicle turnaround is required to be constructed at the end of E. Allen Place or a driveway constructed to Public Works standards and dedicated as an emergency turnaround easement that can only be relinquished with the City's consent.

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	E. Allen Place	Local-Commercial	Yes	20	30

	AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated	5	5	39	
***Proposed Trips Generated**	5	5	39	
Additional Trips Generated	0	0	0	

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

FIRE DEPARTMENT:

No comments.

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2
CONDITIONAL USE PERMIT 464

1. A self-service storage facility, as defined in Section 36-363 of the Zoning Ordinance, is permitted in conformance with Attachment 5 (site plan) and Attachment 6 (elevations).

2. Self-service storage facilities, as defined in Section 36-363 of the Zoning Ordinance, shall comply with all the standards listed in Attachment 3.

3. The standard right-of-way width is 30-feet from the centerline for E. Allen Place. To meet these requirements, it appears an additional 10-ft of right-of-way is needed along E. Allen Place. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way.

4. E. Allen Place is required to be extended to the eastern property line and must be constructed to Collector roadway standards as set forth in the City of Springfield Design Standards for Public Improvements. Access will be allowed based on existing spacing standards set forth in Chapter 98 of City Code.

5. An emergency vehicle turnaround is required to be constructed at the end of E. Allen Place or a driveway constructed to Public Works standards and dedicated as an emergency turnaround easement shall be provided.

6. Sidewalk is required to be constructed along the property frontage of E. Allen Place at the time of the platting/development of this property or an application made to the ARC for approval to pay a fee in lieu of construction of sidewalk. If the applicant chooses to seek approval for a fee in lieu of and the request is approved, the fee must be paid prior to approval of the plat/building permit.

7. Encourage design elements compatible with historic development pattern and existing structures. Appropriate design elements include articulation of building faces and compatible ratios of glass in windows, doors, and walls. Restrict glazing ratios to no more than 40% of exterior surface.

8. Limit size, illumination, placement and number of signs, and prohibit digital signage in order to maintain the village aesthetic.

9. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

STANDARDS FOR CONDITIONAL USE PERMIT 464

ATTACHMENT 3

36-363 (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:	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 Permit appears to be consistent with the adopted policies in the Springfield Comprehensive Plan.	The property was recently rezoned to GR with a CUP for self-service storage facilities in 2018. The adjacent property to the south and west is zoned PD 351 which also allows self-service storage facilities.
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.	The proposed 3-level Storage building will not adversely affect motoring public and pedestrian. This is because the proposed building is sited to take advantage of all the setbacks to allow for the future expansion of E. Allen Street.	Public Works Traffic Division has reviewed the application and has determined that conditional use will not adversely affect safety of the motoring public and of pedestrians. Traffic comments are provided in Attachment 1.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	The proposed Conditional Use Permit for the new storage building poses no fire hazard because it is located on its own lot observing all the requirements for a GR zoning district and adequate provisions have been made for the fire trucks to reach the building with fire apparatus. Proposed design adheres to the requirements of the City adopted building code and fire code.	The Fire Department has reviewed this request and has no concerns with regard to safety from fire hazards and fire controls. Fire comments are provided in Attachment 1.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	Proper setbacks are maintained from adjacent property and additional runoff generated as a result of this Conditional Use Permit will be piped to the area detention basin and will not impact adjacent property.	Public Works Stormwater Division has reviewed this request and provided comments in Attachment 1. A fee in lieu of on-site stormwater detention would not be allowed out right and will be dependent on analysis of possible downstream improvements. The property is not in a stream buffer area.
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.	The activities at self-storage building proposed for this Conditional Use Permit generate low noise and the sound levels will not exceed what are typical for this type of use.	It is not anticipated that the proposed use will have noise characteristics that exceed Zoning Ordinance standards in Section 36-485.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to	The use of bufferyard and fence screening will be employed to mitigate glare resulting from	Off-street parking must shield vehicular and stationary lights

36-363 (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:	Applicant's Response:	Staff response:
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.	motor vehicles. In addition, the proposed site layout orients vehicle parking and head lights toward the building, thus shielding adjacent property.	from residential uses following Zoning Ordinance requirements.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	The exterior lighting for the development will be designed to meet the lighting standards as adopted by the City of Springfield and will be equipped with shields and cut-off devices to limit glare from crossing the property line. A photometric analysis will be submitted during the permitting review process showing compliance. Any sign used on the building shall comply with Section 36-454 of the City Signs Ordinance.	The development will be subject to the signage requirements of the Zoning Ordinance.
8. Such signs will not have an adverse effect on any adjacent properties.	Signs used on the property will not have adverse effect on the adjacent properties.	The development will be subject to the signage standards on the Zoning Ordinance and is not expected to have an adverse effect on any adjacent properties.
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 pavement width is adequate, and the traffic generated as a result of the new development will not impact traffic in the vicinity. Public improvements are planned for Allen Place as directed by the Dept. of Public Works and Traffic Division.	Public Works Traffic Division has reviewed the application and has determined that the existing infrastructure is adequate; however, sidewalk is required to be constructed along the property frontage on W. Plainview Rd. to current City Standards as a part of this development/rezoning or an application to the ARC to pay a fee in lieu of. If approved, the fee must be paid prior to issuance of a building permit.
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.	The proposed Conditional Use Permit will not impact the health, safety and welfare of the general public nor the adjacent properties. The design and use of the facility will be compatible and complimentary to the existing multi-family developments in the area and providing an essential support service to neighboring residents.	It is not anticipated that the proposed self-storage facility will have an adverse effect or be incompatible with the adjacent and surrounding properties. A bufferyard is required along the east, south and west property boundaries.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate	The structure for the Conditional Use Permit will be designed and constructed to be in scale with the	The standards of the Zoning Ordinance adequately address these issues. A narrow lot

36-363 (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:	Applicant's Response:	Staff response:
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.	surrounding structures. In addition, bufferyards will be used along the property lines between the adjacent zoning districts to separate the proposed development. Furthermore, landscaping and screening as required for the GR Zoning district shall be utilized to further mitigate the impact of this development to the surrounding property	bufferyard is required along the east property boundary. A solid fence is also required to provide screening.
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.	There are no physical features at or around the current site for the Conditional Use Permit that will be adversely impacted.	The applicant's response adequately addresses this standard.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	The proposed Conditional use will not result in the loss, damage or destruction of any natural or scenic feature of historic significance.	The applicant's response adequately addresses this standard.
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.	The design of the Conditional use appears to comply with all applicable regulations regarding lot size, bulk regulations, use limitations and performance standards.	The proposed use appears to comply with applicable regulations.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The proposed Conditional use at the location will promote the welfare and or convenience of the public by providing an essential support service to the adjacent residents.	The applicant's response adequately addresses this condition.
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	Off-street parking and loading areas will be designed to comply with the design standards of Sections 36-455, 36-456 and 36-483, and this areas will be screened from the adjoining residential uses from any injurious effect.	The applicant appears to meet the off-street parking requirements and provide bicycle parking.
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 proposed Conditional use is provided with adequate ingress and egress to and from the site without additional burden to the existing traffic. As mentioned	Public Works Traffic Division has reviewed the proposed site plan and has determined that it meets this standard.

36-363 (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:	Applicant's Response:	Staff response:
	previously, Public Improvements are planned for Allen Place.	
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 vehicular circulation for the proposed Conditional use will not create hazards to traffic and pedestrian use.	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards. Sidewalk is required to be constructed along the property frontage W. Plainview Rd. to current City Standards as a part of this development/rezoning or an application to the ARC to pay a fee in lieu of. If approved, the fee must be paid prior to issuance of a building permit
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.	As surveyed and depicted on the proposed plans, the proposed use and design does not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	The applicant's response adequately addresses this standard.
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.	Not applicable.	The development is required to adhere to all standards of the Zoning Ordinance and other applicable ordinances.
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 proposed Conditional use will be adequately served by essential public facilities, which includes police, fire protection, drainage, etc.	This request will provide for the productive use of the subject property which is already served with public infrastructure and services.

ATTACHMENT 4
GALLOWAY RECOMMENDATIONS

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. Link to the recommendations: https://www.springfieldmo.gov/DocumentCenter/View/44509/Galloway-Recommendations-July-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)
2 out of 2 recommendations were addressed. Recommendation #2 does not apply since there is not a stream buffer on the property.

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 (4/5)
5 out of 5 recommendations were addressed. Recommendations #1 & #2 are not applicable to the proposed development since it is not adjacent to Galloway Trail. Recommendation #5 is not applicable because this is not a mixed-use development.

1) Plant trees along the Galloway Trail.
2) Develop pocket parks along the Galloway Trail.
3) Preserve village feel through:
    a. Small businesses (retail, food and beverage and services)
    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

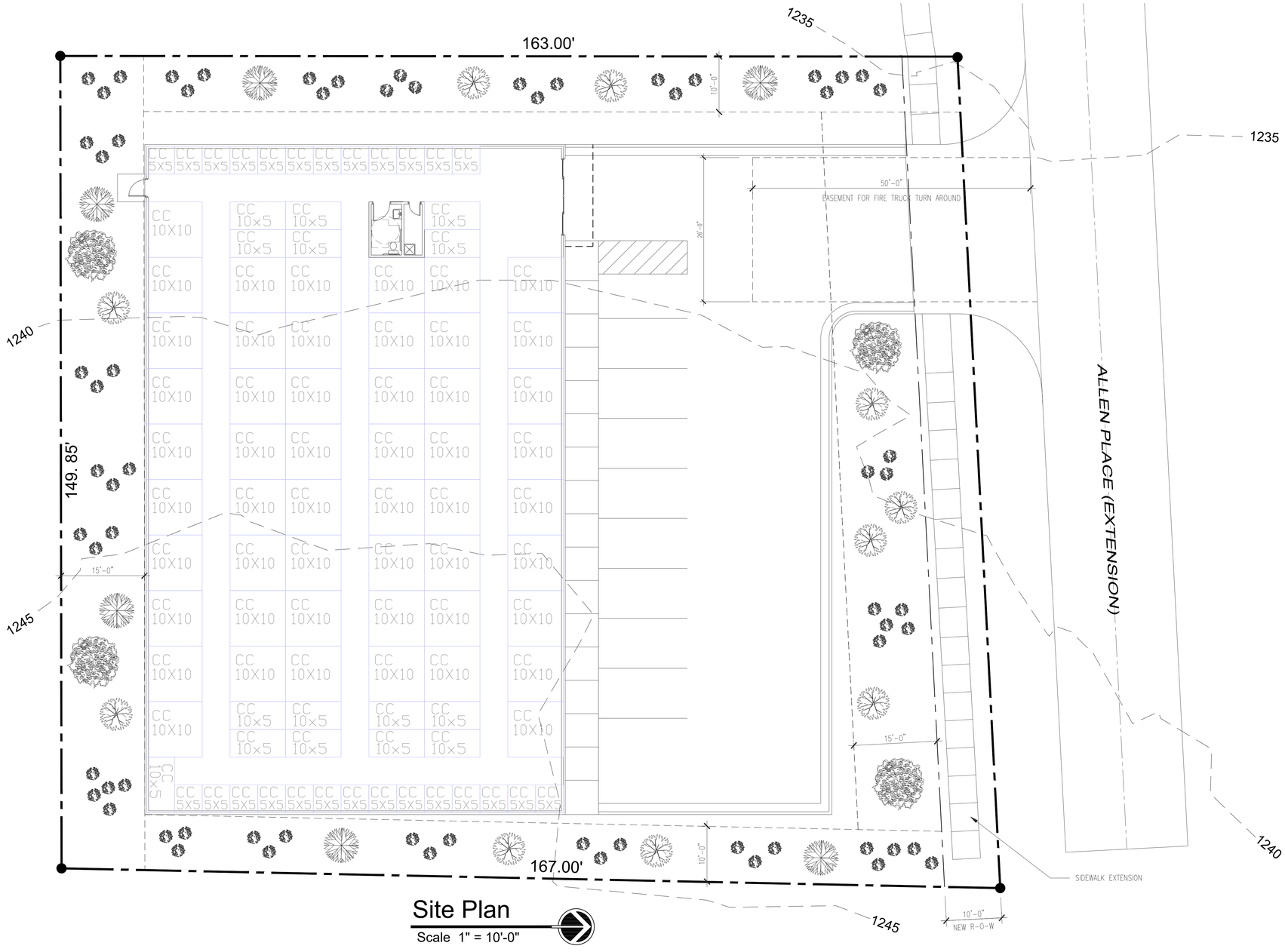
e. Fountains
f. Dog watering stations
g. Outdoor seating
h. Street trees
i. Decorative lighting

5) Developments with a mix of uses
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 (applicant met with neighborhood and is naming the site Sequiota Storage).

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.



Site Plan

Scale 1" = 10'-0"

Under Article III, Division 6, Section 36-482, Exception 16, where lot dimensions are greater than 100' to 150' wide the buffer yard may be 10'-0" - With 0 canopy trees, 1 understory tree, 2 evergreen trees & 10 shrubs per 100'

Under Article III, Division 6, Section 36-482, Exception 16, where lot dimensions are greater than 150' to 200' wide the buffer yard may be 15'-0" - With 1 canopy tree, 1 understory tree, 2 evergreen trees & 10 shrubs per 100'

TOTAL BUILDING STORAGE UNIT MIX				TOTALS
UNIT SIZE	10X10	10X5	5X5	
SF EACH UNIT	100	50	25	
TOTAL # UNITS	102	30	52	184 UNITS
TOTAL SF ALL UNITS	10200	1500	1300	13,000 SF
				18,000 SF

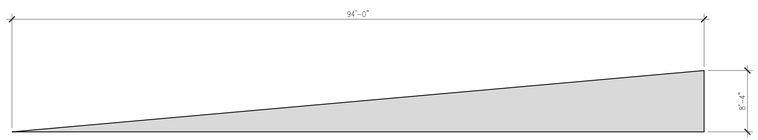
EFFICIENCY 72.2%

Canopy Tree

Understory Tree

Evergreen Tree

Shrub



LOCATION SKETCH

SECTION 9, T-28-N, R-21-W

SCALE: 1" = 2000'

SITE STATISTICS

TABULAR AREAS

TOTAL LAND AREA =	24,448 sq. ft.	(100%)
BUILDING COVERAGE =	9,000 sq. ft.	(37%)
PAVED SURFACE =	6,240 sq. ft.	(26%)
DEVELOPED AREA =	15,240 sq. ft.	(63%)
GREEN SPACE =	9,208 sq. ft.	(37%)

BUILDING SQ.FT. (2 FLOORS) = 18,000 sq. ft.

FLOOR AREA RATIO= 0.74

APPLICABLE CODES

ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE 2018 INTERNATIONAL BUILDING CODE

ALL ELECTRICAL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE 2017 NATIONAL ELECTRIC CODE

ALL MECHANICAL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE 2018 INTERNATIONAL MECHANICAL CODE

ALL PLUMBING DESIGN AND CONSTRUCTION SHALL CONFORM TO THE 2018 INTERNATIONAL PLUMBING CODE

ALL LOCAL AMMENDMENTS TO THESE AND ANY OTHER PERTINENT CODES SHALL APPLY

CODE REVIEW NOTES

PROPOSED DEVELOPMENT:

THE PROPOSED DEVELOPMENT IS THE CONSTRUCTION OF A NEW 18,000 SQ FT BUILDING FOR A CLIMATE CONTROLLED SELF STORAGE BUILDING (2 STORY – 9,000 SQ FT ± PER FLOOR).

CONSTRUCTION TYPE:	2B
USE GROUP:	S-1
ALLOWABLE PER FLOOR	12,000 SQ FT
ALLOWABLE FLOORS	2 FLOORS

ZONING NOTES

ZONING DESCRIPTION:

ZONING:	GR GENERAL RETAIL
USE:	S-1 – SELF STORAGE UNITS
FRONT YARD SETBACK:	15'
SIDE YARD SETBACK:	NONE
REAR YARD SETBACK:	NONE
BUFFERYARD ON EAST & WEST SIDE	10'
BUFFERYARD ON NORTH & SOUTH SIDE	15'

PARKING CALCULATIONS:

REQUIREMENTS:

PARKING REQUIRED BASED ON 1 SPACE PER EACH 50 STORAGE UNITS

PARKING REQUIRED.....4 SPACES

PARKING PROVIDED.....9 SPACES

PROPERTY OWNER

TOWNSHIP 28, LLC

LEGAL DESCRIPTION

ALL OF LOTS TEN (10) AND ELEVEN (11), IN PLAT OF GALLOWAY HEIGHTS, A SUBDIVISION IN GREENE COUNTY, MISSOURI.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

STORMWATER DETENTION NOTE:

OWNER HEREBY REQUESTS THAT THEY BE ALLOWED TO PAY INTO THE REGIONAL STORM WATER DETENTION FUND IN LIEU OF PROVIDING ON SITE DETENTION. THE TOTAL SITE DEVELOPMENT OF 14,687 SQ FT WOULD REQUIRE 3,900± CUBIC FEET OF DETENTION.

DERINGTON ARCHITECTS, L.L.C.

BILL DERINGTON - ARCHITECT - A-4061
MIKE DERINGTON - ARCHITECT - A-2004029792
1837 EAST KIRKWOOD STREET - SUITE 107
SPRINGFIELD, MO. 65804
PH 417.883.3760 CELL 417.849.4856

MISSOURI CERTIFICATE OF AUTHORITY NO. A-2013038640

CONSULTANTS

Preliminary Only
Not for Construction

ALLEN PLACE SELF STORAGE
FOR THE CORYELL GROUP
A NEW CLIMATE CONTROLLED SELF STORAGE FACILITY
2960 EAST ALLEN PLACE
SPRINGFIELD, GREENE COUNTY, MISSOURI

ISSUE DATE

03-31-2022

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REVISIONS

NO.	DATE	TYPE

PROJECT NO.

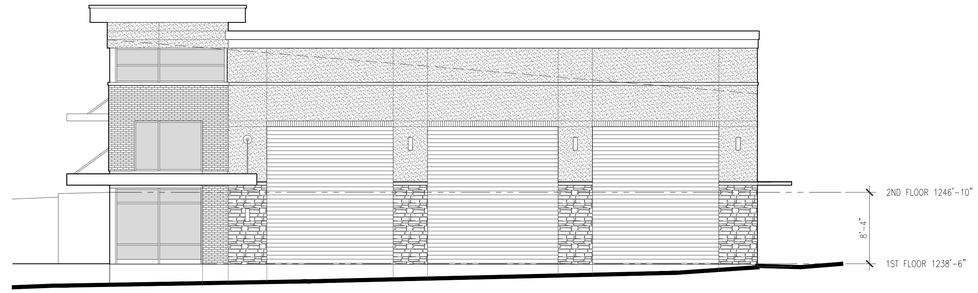
DRAWING TITLE

PRELIMINARY SITE PLAN

DRAWING NO.

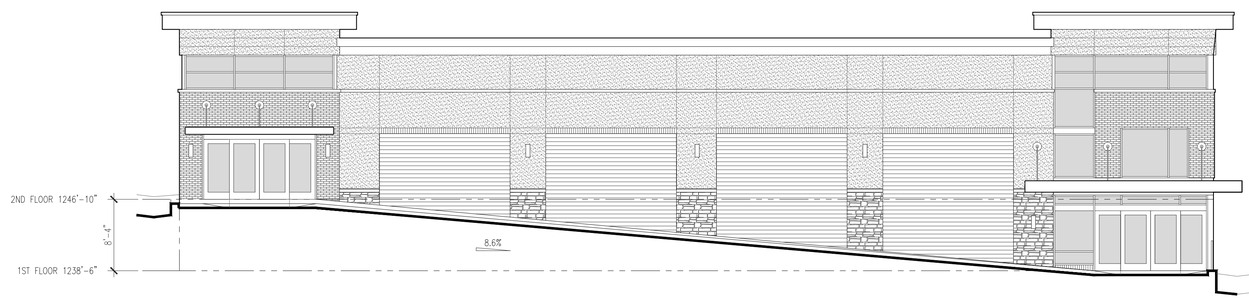
USE PERMIT SKETCH PLAN

UPSP 1.0



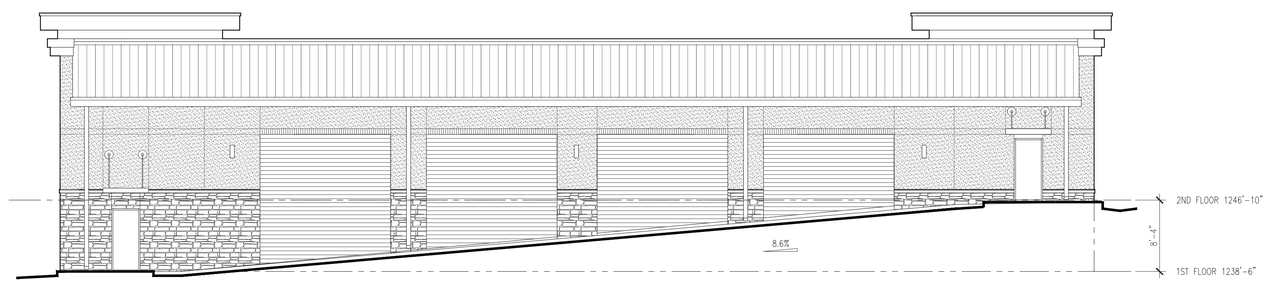
West Elevation

Scale 1/8" = 1'-0"



North Elevation

Scale 1/8" = 1'-0"



South Elevation

Scale 1/8" = 1'-0"

SEQUIOTA STORAGE

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: 2960 E Allen Place for a Self-Storage Facility
2. Meeting Date & Time: April 14 4:00 pm to 6:30 pm
3. Meeting Location: 3900 S Lone Pine Township 28 Clubhouse
4. Number of invitations that were sent: 21 City Staff to confirm mailing
5. How was the mailing list generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 15
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

   See attached

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

   No written comment cards received at time of Neighborhood meeting. Additional cards were made available during the meeting. None returned to date.

I, Harlan Hill *(print name)*, attest that the neighborhood meeting was held on 4/14/2022 *(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

HARLAN HILL

Printed name of person completing affidavit

Neighborhood Meeting Record: Rezoning and CUP Combined

Regarding Properties at 2955, 2957 and 2960 E. Allen Place, Springfield MO

April 14, 2022
4:00 PM
Hosted at Township 28. Clubhouse, 3900 S. Lone Pine, Springfield, MO

Meeting Notes:

Harlan Hill, Managing Corporate Architect and Owner's Representative introduced himself and welcomed the citizens to the meeting. Mr. Hill gave an overview of the two projects and stated that he is requesting to rezone the property at 2955 and 2957 E. Allen Place, currently zoned as R-SF (Residential-Single) to R-MD (Residential-Medium Density) to build two multifamily buildings to expand the existing Township 28 development. In addition, Mr. Hill stated that Ownership is seeking to build a 3-story interior climate-controlled storage facility on the lot at 2960 E. Allen Place, currently zoned as GR (General Retail).

Q: Are two projects opposite each other?
A: No, the driveways are not aligned, and the storage building is sited a little further east from the apartment buildings.

Q: How far is the apartment building from the east property line?
A: The apartment building is setback as required by the City Ordinance to allow for a bufferyard between R-MD and R-SF zoning districts.

Q: Will Lone Pine be widened and how will the new development handle runoff?
A: No. Both developments will drain to the existing stormwater drainage system. Existing capacity will be verified by Civil Engineer and improved as required to meet City Standards as necessary to carry any additional increase in stormwater runoff.

Q: Are the apartments to be used as transitional homes?
A: No, the apartments will not be used as transitional homes. They are high-end apartments and will be like the existing Township 28 development.

Q: What is the height of the storage building and how many units are in the building?
A: The Storage building is 3-story high and contains 200 units of various sizes. All storage will be inside in a climate-controlled environment. Building will comply with height and bulk plane requirements set forth by the Zoning Ordinance.

Q: Are the lots for the two projects designated as blighted?
A: Yes, the two lots are in the Galloway Redevelopment area and are designated as blighted.

Q: Who will use the storage building?
A: The storage building will be available to the residents of Township 28 and the public in the surrounding area.

Q: Will Allen Place be widened?
A: Yes, The City Department of Public Works is requiring additional Right of Way and improvements to Allen Place.

Q: Would it be possible to make the exterior of the storage facility look like the existing Township 28 apartments and blend with surrounding architecture?
A: That is a possibility that will be taken into consideration and presented to ownership.

Q: What is the number of added apartments in the new development?
A: A total of 30 apartments will be added in compliance with the Multi-family Matrix results conducted by City staff.

Q: Are there plans for additional development phases?
A: No. Adjacent properties are not under the developer's ownership. The two lots and proposed developments are the final phase to the existing development.

Q: What are the plans for Barton Street?
A: We are unaware of plans for improvement of Barton Street. That question will have to be addressed by City staff.

Q: How was the need for storage determined?
A: A formal market study was not conducted. Residents have expressed a need for additional storage, and it has been observed that self-service storage facilities are not conveniently located near Township 28 and adjacent multi-family developments.

Q: Will there be installation of security cameras?
A: Yes. Exterior and interior cameras will be installed. Controlled access system will be installed allowing only authorized personnel and lease holders to enter the building. Installation of a perimeter fence with a drive access-controlled gate is being considered.

Q: What is the current zoning of the lots?
A: 2955 and 2957 E. Allen Place is zoned Residential Single Family (RSF). An application has been submitted to the City requesting to rezone these lots to Residential Medium Density (RMD) to match zoning of existing Township 28. The Allen Place Storage development at 2960 E. Allen Place is zoned General Retail (GR). A Conditional Use Permit is required for self-service storage facilities.

Q: Are proposed development properties designated as blighted and eligible for tax abatement?
A: Yes.

Combined Neighborhood Meeting

April 14, 2022

Z-10-2022 COD #212
2955 and 2957 E Allen Place
Springfield, Missouri 65804

Conditional Use Permit 464
2960 E Allen Place
Springfield, Missouri 65804

Please Sign-In

Name	Address
Jay Bartell	KY3
Joyce Tolliver	3231 E. Manitoo 04
Jeannie Ellis	2149 E. Mac's. Ct.
Wendy Hucher	3417 S. Lone Pine
Melanie Bach	3734 S. Elmview
SCOTT GUSTAVESON	2640 E. REPUBLIC RD.
Randy Black	2717 E Galloway 04
Brian + Cirree Jones	3131 E Cardinal Ct 04
Ron Boles	3119 E Cardinal CT. 65804
Chuck + Helen Fernandez	3545 S. Berbett Ave
Jacque Thummel	2907 E. Park
Sue Sisco	3635 S. OAK
Duane Johnson	3766 S. Bradley
Dayna Aust	3429 S. Elmview Ave
GREGORY HARRISON	3900 S. Lone Pine #102
C Brandon Stine	3510 S Horseshoe Ave

ADJOURNED 6:32

GREEN CIRCLE PROJECTS
community • building

2960 E Allen Place

Case Number: Conditional Use Permit 464

Zoning

Parcel 881909307015 is zoned General Retail. Under General Retail zoning, storage facilities are not permitted by right.

Self-service storage is listed under Conditional Use: *"A use permitted in a particular zoning district **only upon showing that such use in a specific location will comply with all the conditions and standards for the location** or operation of such use as specified in this article and authorized by the city council."* Article III, Sec. 36.321.

Self-service storage does NOT comply with the conditions and standards and therefore should not be allowed.

While a self storage conditional use permit was originally granted in 2018, since that time the Galloway Recommendations were adopted and specifically **discourage storage facilities.**

Galloway Recommendations

In November 2018, a resolution was passed for an administrative delay for the area north of East Lacuna Street and south to East Republic Road along South Lone Pine, including parcel 881909307015. This administrative delay had the intent of gathering input and developing recommendations with the Stakeholder Committee.

This committee met over the course of 5 months with city officials to develop the Galloway Guidelines, which were later approved by the Planning and Zoning Commission and City Council. The Guidelines were adopted at the end of 2019.

In the Galloway Recommendations under IMAGE ENHANCEMENT - B. Preserve and enhance the "village feel" of the area, subsection 4.1 clearly states: *"Limit uses that are i**ncompatible with the village character of the area, such as storage units,** gas stations, drive-through restaurants or other drive-through businesses, car washed, cell towers, and uses requiring new manufacturing zoning."* (Galloway Recommendations attached)

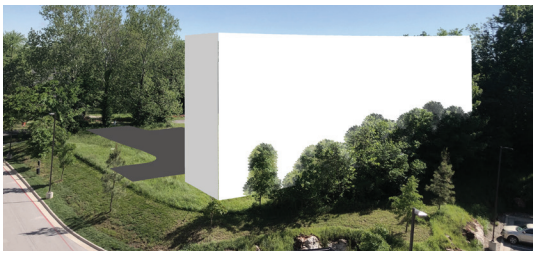
Approving this project to move forward would disregard all the work and time city staff, the stakeholder commission members, planning and zoning commission, and city council put into it and would open the door for more projects that do not meet the Galloway Guidelines to move forward.

Use Compatibility

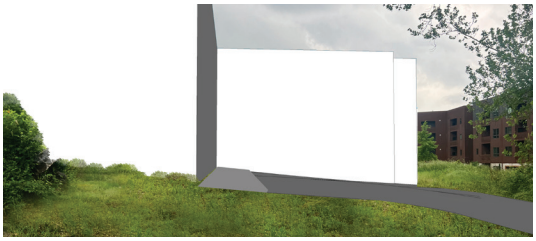
The above mentioned parcel is fully surrounded by residential development: to the north is Colony Cove Mobile Home Park, to the south and east Quarry Town Apartments, and to the west Township 28. Nowhere else in Springfield, a project of these characteristics (multi-story self-storage facility) surrounded by residential use on all sides can be found given the incompatibility of use.

The only other multi-story storage unit in town that we were able to find, was **Sixty 5 Self Storage** (2107 S Eastgate Ave). Unlike the proposed project, this self-storage business is located along a major highway, Highway 65, and surrounded by commercial/office uses. The amount of light pollution and scale of the building if not compatible with the intent for the Galloway Neighborhood.

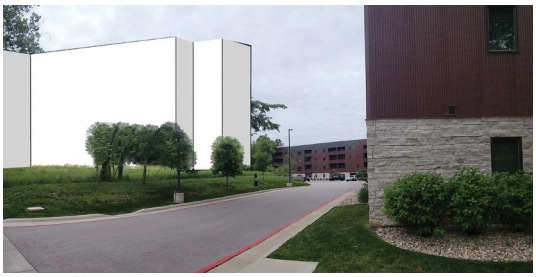
Aerial View of Surrounding Uses



Schematic View from adjacent MFR



Schematic View from E Allen Pl



Schematic View from E Allen Pl

Sixty 5 Self-Storage - Comparable Project along Hwy 65

From: Galloway Village
To: Zoning@springfieldmo.gov
Subject: Additional Comments for Allen Place Matter
Date: Sunday, June 12, 2022 8:41:11 PM

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

Daniel,

It was brought to our attention by a member of the GVNA after we sent our email in support of the Allen Place zoning matters set for hearing this Thursday 6/16 that storage units are specifically prohibited by the Our Galloway guidelines. We are disappointed this plan was even recommended for approval by the Planning Department without having been checked for compliance with the guidelines. We had assumed that the City would be responsible for checking compliance rather than relying on the neighborhood to ensure the guidelines are enforced. This oversight will undoubtedly cause Harlan Hill considerable time, expense, and frustration. We had such a positive experience in our interactions with Harlan, and wanted to be able to support a plan we had all compromised to achieve, but we cannot support a plan that violates the Our Galloway guidelines. We still support the expansion of Township 28 for the two new apartment buildings and the vacation of Allen Place, but we withdraw our support of the storage facility due to it not being consistent with the Our Galloway guidelines. In the future, we expect the Planning Department to ensure any plan complies with the Our Galloway guidelines before reaching the stage of the neighborhood meeting.

Please attach this communication with our previous email to the record for this agenda item.

Melanie Bach

GVNA President

From: Elizabeth Satterfield
To: Zoning@springfieldmo.gov
Subject: Proposed Galloway Storage Facility
Date: Monday, June 13, 2022 1:52:02 PM

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

To Whom it may concern:
We've recently become aware of a proposed storage facility adjacent to the Township and Quarrytown apartment complexes.
This is a really bad idea on so many levels. As a Quarrytown resident for the past 2 1/2 years , I am very familiar with the traffic flow of the area, and this small access lane most definitely CANNOT handle the type of vehicles or traffic flow for such a business.
Allen Place is a narrow and dead end access street for limited use at best. There is not ample room for moving trucks, loading, unloading or additional chaos this would create.
Storage may be a good idea somewhere in East Springfield but this residential location is NOT it.
Thank you,
Elizabeth Satterfield

Sent from my iPhone

From: Melanie Gray
To: Zoning@springfieldmo.gov
Subject: Proposed Galloway Storage Unit
Date: Monday, June 13, 2022 10:49:51 AM

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

To the Springfield Planning and Zoning Commission:

I am writing in reference to the proposed zoning change to allow a large storage building to be constructed in the center of a residential area in Galloway Village. There are several issues that are of deep concern to me, and I would appreciate your consideration of these when making your decision.

*This is a quiet residential area with only businesses conducive to this residential feel.

*The property of focus is on the Galloway Trail greenway which attracts adults, children, and pets for walking and biking along the two-lane street and enjoying the nearby parks. There is no room to accommodate the added commercial traffic and it could prove to be very dangerous to their safety.

*Storage units attract criminal activity such as use, manufacture and storage of drugs and stolen goods and weapons and operate at all hours. This is not something we want to attract to this quiet area.

*This large storage facility would be an eyesore to Galloway Village and would require a great deal of added bright lighting and security in extremely close proximity to where people live and sleep. No one wants this huge commercial building mere feet from their windows.

*The construction in Galloway has a village feel and respects the history of this area as a tribute to our Springfield heritage.

*Because of this, a zoning recommendation was previously established that strictly prohibits storage units and other commercial construction that do not preserve and enhance the village feel of the area.

I would greatly appreciate your remaining true to these previously established zoning guidelines and protect this very special area of our city for our citizens now and in the future. Thank you for your consideration.

Melanie Gray
Galloway Village resident

From: rneville723@mchsi.com
To: Zoning@springfieldmo.gov
Subject: proposed Galloway Village storage unit
Date: Sunday, June 26, 2022 9:05:38 AM

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

We oppose the construction of an unsightly storage facility in the beautiful unique Galloway Village area. Such buildings belong near major thoroughfares. Even then they are complete eyesores, like the one on Highway 65 near Sunshine Street. They do not belong in lightly traveled areas. Planning and Zoning should work to preserve the character of neighborhoods.

Thank you.

Cathy and Ron Neville

From: Jeffrey Basnett
To: Zoning@springfieldmo.gov
Subject: Storage Building Proposal East of Quarry Town Apartments
Date: Monday, June 13, 2022 7:45:21 AM
Attachments: Elevations.png

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

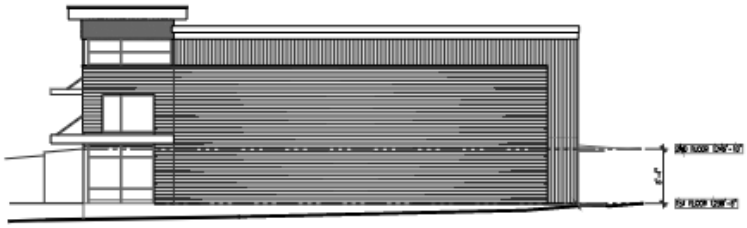
Hello,

Attached please find information on the proposed storage unit facility for the property directly to the east of Quarry Town.

The property is currently zoned General Retail, which requires a Conditional Use Permit in order to allow for a self-storage facility. We are opposed to the applicant's request for a Conditional Use Permit for this property, because the Galloway Guidelines adopted in 2019 specifically state that storage units are a prohibited use.

By allowing a Conditional Use Permit for this property to construct storage units, the city would be disregarding the Galloway Guidelines. We want to protect the Galloway Guidelines, if they are disregarded now, that will set the precedent for the guidelines to be disregarded in future developments.

As a resident of Quarry Town, I do not want the additional traffic, potential light pollution, and the overall misfit of having this commercial storage building in the middle of a bunch of residential development.



West Elevation
Scale 1/8" = 1'-0"

North Elevation
Scale 1/8" = 1'-0"

Regards,
Jeffrey Basnett
(417) 718-4793

From: William Lemery
To: Zoning@springfieldmo.gov
Subject: Storage units
Date: Monday, June 13, 2022 4:02:51 PM

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. We are opposed to the applicants request for this permit for a multitude of reasons. Primarily because the Galloway Guidelines adopted in 2019 specifically prohibit storage units. Additionally, this development would bring a significant amount of light pollution and traffic to our corner of Galloway, not to mention an eye sore for our residents who have patios overlooking the area.
We moved into Quarry Town Apartments May 2019… we love it here it is quiet and peaceful.. we share this with t he abundance of wildlife. I grew up on Lone Pine and would hate to see ugly storage buildings in this area
Thank you Bill Lemery

Sent from my iPhone

Sent from my iPhone

From: Bill Lemery
To: Zoning@springfieldmo.gov
Subject: Storage units in Galloway
Date: Tuesday, June 14, 2022 3:36:48 PM

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

We live in Quarrytown apartments and we are very opposed to building storage units behind and beside us. Right now our view is of nature including a family of deer. Those would be horrible to look at not to mention the unwanted traffic it would incur. Not to mention if they cut down trees that are so beautiful! Please don't allow this. Thanks, Ms. V Lemery

Sent from my iPhone

From: Connor Barnes
To: Zoning@springfieldmo.gov
Subject: Zoning issue in Galloway
Date: Monday, June 13, 2022 4:14:38 PM

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

Hello,

I am a resident at Quarry Town in Galloway. I got wind of a proposal for some storage units going up directly to the east of the apartment building I love in. I can tell you that this will a complete eye sore for the residents of Quarry Town including myself and for those with balconys that face that direction. If storage units are placed here this will completely take away from the "in the nature" vibe as QT is. People are drawn to this place from the greenery that surrounds us. I am a physician at Cox Health and enjoy my evenings after a long day of work watching in to the woods and green that is around and even the occasional wildlife. We are blessed to be able to work so close to town and still have this greenery around us. Please do not allow these storage units to pass. If you need more information please let me know.

Connor Barnes

From: Galloway Village
To: Hosmer, Bob; Neal, Daniel
Subject: Re: Additional Comments for Allen Place Matter
Date: Tuesday, June 28, 2022 1:43:07 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 Afternoon!

I just wanted to update the commission that the GVNA has been in communication with Harlan Hill and other representatives of Coryell Collaboratives, and are planning to bring the approval of the Conditional Use Permit to our quarterly meeting for a formal vote on July 19th. Harlan is scheduled to make another presentation at that meeting before the vote. I will update you and City Council on the outcome of that vote, which will represent our formal position on the item. I want to emphasize again how much we appreciate Harlan's sincere desire to earn the approval of the neighborhood and his willingness to offer compromise.

Melanie Bach
GVNA President

Sender notified by
Mailtrack

On Thu, Jun 16, 2022 at 8:56 AM Galloway Village <gallowayvillage@gmail.com> wrote:

> Thank you for letting us know.

Sender notified by
Mailtrack

> On Thu, Jun 16, 2022 at 7:49 AM Hosmer, Bob <bhosmer@springfieldmo.gov> wrote:
>
> > This agenda item has been postponed to the July 14 meeting.
> >
> > Bob Hosmer, AICP
> > Planning Manager
> > Development Review Office
> > City of Springfield, Missouri
> > Department of Planning and Development
> > 417.864.1834 or 417.864.1611
> > General Information: http://www.springfieldmo.gov/DevelopmentReview
> > Zoning Map: http://maps.springfieldmo.gov/zoning/
> > Zoning Code: https://library.municode.com/mo/springfield
> > eCity

https://ecity.springfieldmo.gov

From: Galloway Village <gallowayvillage@gmail.com>
Sent: Sunday, June 12, 2022 8:40:55 PM
To: Zoning@springfieldmo.gov <Zoning@springfieldmo.gov>
Subject: Additional Comments for Allen Place Matter

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

Daniel,

It was brought to our attention by a member of the GVNA after we sent our email in support of the Allen Place zoning matters set for hearing this Thursday 6/16 that storage units are specifically prohibited by the Our Galloway guidelines. We are disappointed this plan was even recommended for approval by the Planning Department without having been checked for compliance with the guidelines. We had assumed that the City would be responsible for checking compliance rather than relying on the neighborhood to ensure the guidelines are enforced. This oversight will undoubtedly cause Harlan Hill considerable time, expense, and frustration. We had such a positive experience in our interactions with Harlan, and wanted to be able to support a plan we had all compromised to achieve, but we cannot support a plan that violates the Our Galloway guidelines. We still support the expansion of Township 28 for the two new apartment buildings and the vacation of Allen Place, but we withdraw our support of the storage facility due to it not being consistent with the Our Galloway guidelines. In the future, we expect the Planning Department to ensure any plan complies with the Our Galloway guidelines before reaching the stage of the neighborhood meeting.

Please attach this communication with our previous email to the record for this agenda item.

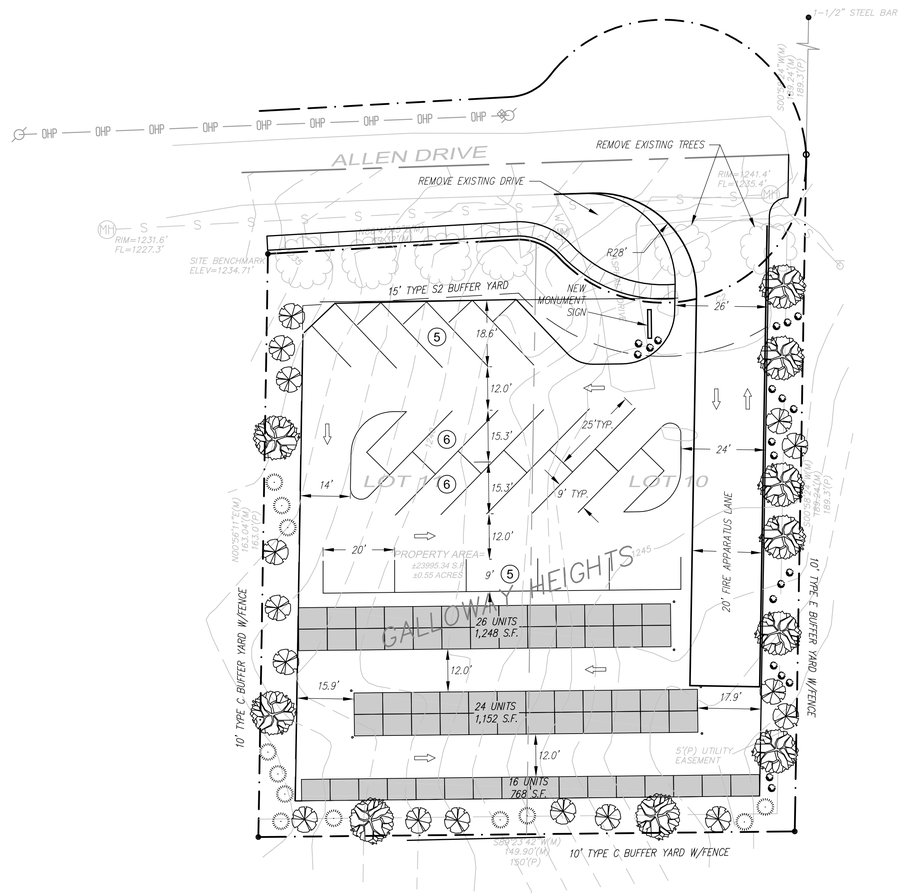
Melanie Bach

GVNA President

N

20' 10' 0' 20'

SCALE : 1 INCH = 20 FEET



OWNER

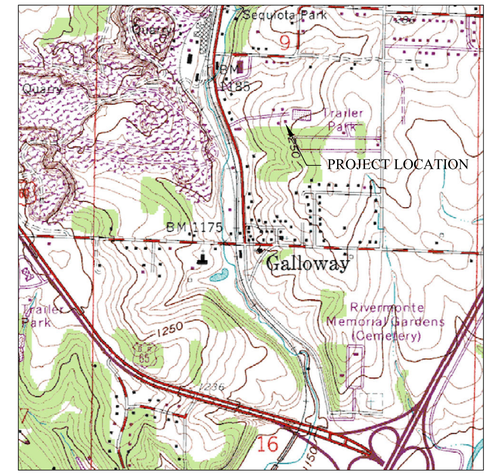
GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721

PROJECT ADDRESS

2960 E ALLEN PLACE
SPRINGFIELD, MO 65804

DEVELOPER

GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721



LOCATION MAP
1" = 1000'

DESCRIPTION OF PROPERTY

WARRANTY DEED BY LIMITED LIABILITY CORPORATION – BOOK 2017, PAGE 035511-17

ALL OF LOTS TEN (10) AND ELEVEN (11), IN PLAT OF GALLOWAY HEIGHTS, A SUBDIVISION IN GREENE COUNTY.

SOURCES

1. WARRANTY DEED BY LIMITED LIABILITY CORPORATION – BOOK 2017, PAGE 035511-17
2. PLAT OF GALLOWAY HEIGHTS
3. ELEVATIONS BASED ON THE CITY OF SPRINGFIELD BENCHMARK "D 64", ELEVATION = 1185.74

SITE ANALYSIS

SITE AREA = 0.55 ACRES
EXISTING ZONING = R-SF
PROPOSED ZONING = GR W/CUP FOR SELF-STORAGE
NUMBER OF UNITS = 66 UNITS

PARKING REQUIRED PER ORDINANCE
66 UNITS @ 1 SPACE/25 UNITS = 3 SPACES, PLUS
0 EMPLOYEES @ 1 SPACE/EMPLOYEE, PLUS
2 SPACES AT OFFICE (OFFICE AT 3938 S LONE PINE)
TOTAL REQUIRED ON SITE = 3 SPACES
OFF-STREET PARKING PROVIDED = 22 CAR SPACES

COOPERATIVE PARKING AGREEMENT TO BE EXECUTED WITH 3938 S LONE PINE AVE

BICYCLE @ 2 SPACES PER 0-50 CAR SPACES
BICYCLE PARKING PROVIDED = 2 SPACES

IMPERVIOUS AREA ANALYSIS
MAXIMUM ALLOWED = 80%

PRE-PROJECT IMPERVIOUS AREA = 3,570 SF
= 0.082 AC.

POST-PROJECT IMPERVIOUS AREA = 17,520 AC.
= 0.40 AC.
= 73%

GREEN SPACE = 0.15 ACRES. = 27% (20% REQUIRED)

BUILDING AREA = 3,168 SF

SYMBOL	TYPE	SIZE
	DECIDUOUS CANOPY TREE	1-1/2" CALIPER AT TIME OF PLANTING MINIMUM 30' HEIGHT AT MATURITY
	DECIDUOUS UNDERSTORY TREE	1" CALIPER AT TIME OF PLANTING MAXIMUM 30' HEIGHT AT MATURITY
	EVERGREEN/CONIFER	6' TALL AT TIME OF PLANTING MINIMUM 20' HEIGHT AT MATURITY
	SHRUB	MINIMUM 18" HEIGHT AT TIME OF PLANTING
	HEDGE	MINIMUM 18" HEIGHT AT TIME OF PLANTING MINIMUM 3' HEIGHT ONE YEAR AFTER PLANTING

GREENWAY STUDIOS, LLC
4820 N TOWNE CENTRE DR
OZARK, MO 65721
417-887-6897

WHITLOCK ENGINEERING, LLC
9648 E North View Road
Strafford, Missouri 65757
Phone: 417-379-0640
C.E. Certificate/License No. 2012000438

STATE OF MISSOURI
R. GREGORY WHITLOCK
NUMBER E-28639
REGISTERED PROFESSIONAL ENGINEER
5/2/18

R. Gregory Whitlock
C.E. License No. 028639

No.	Revision/Issue	Date

GALLOWAY SELF STORAGE
2960 E ALLEN PLACE

CONDITIONAL USE PERMIT
SITE PLAN

Project	00107
Date	05/01/18
Scale	1" = 20'
Sheet	SP

PLANNED DEVELOPMENT 351 EXHIBIT 2
GALLOWAY VILLAGE
4018 S. LONE PINE AVE.
SPRINGFIELD, GREENE COUNTY, MISSOURI

60 0 30 60 120
(IN FEET)
1 inch = 60 ft.

NOTES:

ALL UTILITIES TO BE PROVIDED BY:
CITY UTILITIES OF SPRINGFIELD
301 E. CENTRAL
SPRINGFIELD, MO 65802
(417)863-9000

TOTAL AREA OF PROPERTY: 10.85 ACRES
MINIMUM OPEN SPACE REQUIRED: 30%
MAXIMUM IMPERVIOUS SURFACE ALLOWED: 70%
PARKING REQUIREMENTS PER ZONING ORDINANCE

TRACT A: GENERAL RETAIL USES

MAXIMUM – 15,000 S.F. RETAIL OF WHICH 7,000 CAN BE RESTAURANTS
MAXIMUM – 13,000 S.F. OFFICE OR
MAXIMUM – 13,000 S.F. RESIDENTIAL
BUILDING HEIGHT: MAXIMUM – 3 STORY
PARKING:

OFFICE	1 SP/350 SF	= 24
RETAIL	1 SP/200 SF	= 30
RESTAURANT	1 SP/80 SF	= 88
RESIDENTIAL	2–4BR 2 SP/UNIT	= 4
TOTAL		= 146
LESS 10% ALLOWED BICYCLE REDUCTION		15
LESS 10% REDUCTION PER PD		15
REQUIRE		116

126 PARKING SPACES PROPOSED

TRACT B: RESIDENTIAL SINGLE FAMILY USES

MAXIMUM – 22 SINGLE FAMILY UNITS OR
BUILDING HEIGHT: MAXIMUM – 2 STORY

RESIDENTIAL 2/UNIT = 44

44 PARKING SPACES PROVIDED BY 2–CAR GARAGE AT EACH RESIDENCE.

LOCATION OF RESIDENTIAL UNITS IS APPROXIMATE AND MAY CHANGE WITH FINAL DESIGN.

TRACT C: RESIDENTIAL MEDIUM DENSITY USES

MAXIMUM – 100 MULTI–FAMILY RESIDENTIAL UNITS (MIXTURE OF 1, 2, AND 3 BEDROOM UNITS)
MAXIMUM – 10,000 S.F. SELF SERVICE STORAGE SPACE
MAXIMUM – 10,000 S.F. OFFICE SPACE (OFFICE SPACE CAN BE SUBSTITUTED FOR THE RESIDENTIAL UNITS BASED ON PARKING REQUIREMENTS).
BUILDING HEIGHT: MAXIMUM – 3 STORY
PARKING:

2–4 BR UNITS	2 SP/UNIT * 56 UNITS+1.5 SP/UNIT * 38 UNITS	= 169
2 FOR SELF–SERVE STORAGE		= 2
TOTAL		171
LESS 10% ALLOWED BICYCLE REDUCTION		17
LESS 10% REDUCTION PER PD		17
REQUIRE		137

137 PARKING SPACES PROPOSED

GENERAL NOTES:

THIS PD EXHIBIT 2 IS INTENDED TO MEET PD GUIDELINES FOR A FINAL DEVELOPMENT PLAN SUBMITTED ADMINISTRATIVELY.

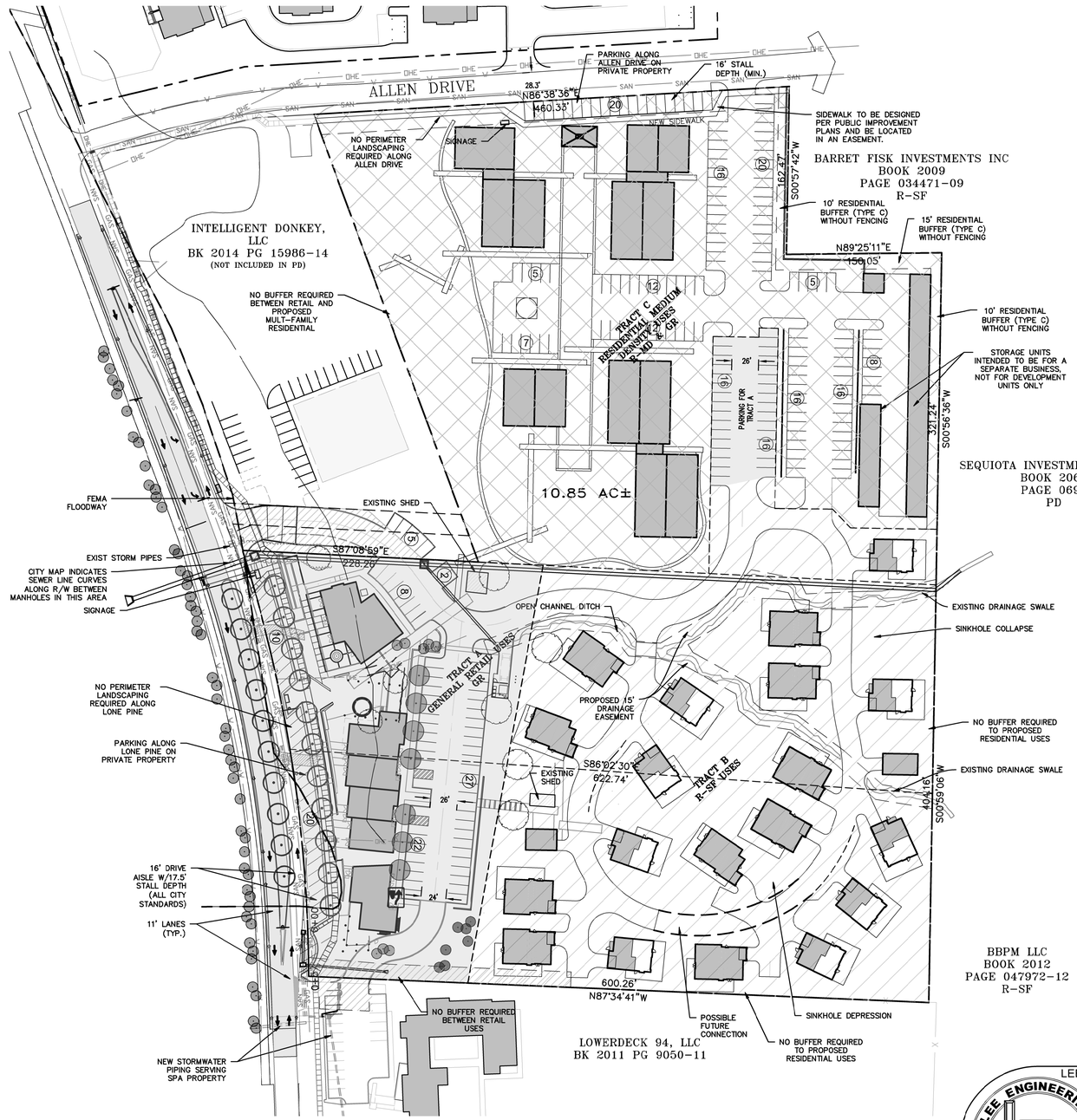
A TEN FOOT BUFFER ZONE IS REQUIRED BETWEEN TRACT C AND THE PROPERTIES OWNED BY BARRET–FISK AND SEQUIOTA. NO OTHER BUFFERS REQUIRED.

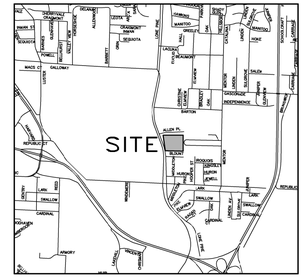
IMPERVIOUS AREA SHALL NOT EXCEED 70% OF DEVELOPMENT.

DETENTION & WATER QUALITY NOTES:

DETENTION WILL BE BOUGHT OUT AT THE TIME OF DEVELOPMENT.

WATER QUALITY WILL BE PROVIDED VIA A LID DESIGN AND TREATMENT OF THE SEQUIOTA INVESTMENTS PROPERTY IMPERVIOUS AREA IN LIEU OF GALLAOWAY VILLAGE IMPERVIOUS AREA.





VICINITY MAP
NOT TO SCALE

LEGEND

- FOUND IRON PIN (3/4" IP UNLESS NOTED)
- SET 5/8" IRON PIN "LSC 2009028050"
- R/W MARKER
- BOUNDARY LINE
- R/W LINE
- EASEMENT LINE
- SETBACK LINE
- (M) MEASURED
- (P) PLAT
- (D) DEED
- (R) RECORD
- LIGHT POLE
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- SAN — SANITARY SEWER LINE
- UTILITY POLE
- ELECTRIC METER
- OHE — OVERHEAD ELECTRIC
- UGE — UNDERGROUND ELECTRIC
- GUY WIRE
- TELEPHONE/COMMUNICATION MANHOLE
- TELEPHONE PEDESTAL
- CABLE TV RISER
- CATV — CABLE TV LINE
- PHONE — PHONE/COMMUNICATION LINE
- F/O — FIBER OPTIC LINE
- WV — WATER VALVE
- WM — WATER METER
- W — WATER LINE
- FH — FIRE HYDRANT
- GV — GAS VALVE
- GM — GAS METER
- GAS — GAS LINE
- X — FENCE LINE (AS NOTED)
- ROAD SIGN (STOP, SPEED LIMIT, ETC)

ABBREVIATIONS:

XFMR	TRANSFORMER
ICV	IRRIGATION CONTROL VALVE
CI	STORMWATER CURB INLET

MISSOURI ONE CALL SYSTEM, INC.
1-800-344-7483
STOP-CALL BEFORE YOU DIG!

LEE Engineering & Associates, L.L.C.
1200 E. Woodhurst, Suite D200
Springfield, MO 65804
417-886-9100 (phone)
417-886-9336 (fax)
Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050
dlee@leeengineering.biz
"Engineering with Integrity"

DWG: 536 – Lone Pine PD Sketch Plan 3.dwg
DATE: 07/08/2016
PROJECT NO.: 536

PD 351 EXHIBIT 2
GALLOWAY VILLAGE

4018 S. LONE PINE AVE.
SPRINGFIELD, GREENE COUNTY, MISSOURI

SURVEY BY	DESIGN LEE	SCALES	SHEET 1
	DRAWN RRS	HOR 1"=60'	OF 1 SHEETS
FIELD BK	CHECKED LEE	VERT N/A	FILE NO.
LEVEL BK			

One-rdg. _____
P. Hrngs. X
Pgs. 81
Filed: 08-02-22

Sponsored by: Schilling

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-198 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.47 acres of property generally located at 1015 South Grant Avenue and 1012, 1020, and 1024 South Douglas Avenue from Grant Avenue Parkway District, Subdistrict E, to Planned Development No. 382; and adopting an updated Official Zoning Map. (Planning and Zoning Commission recommends approval and Staff recommends denial.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 1015 South Grant Avenue and 1012, 1020, and 1024 South Douglas Avenue, and more fully described in "Exhibit A," from Grant Avenue Parkway ("GAP") District, Subdistrict E, to Planned Development No. 382; and

WHEREAS, following proper notice, a public hearing was held before the Planning and Zoning Commission on July 14, 2022, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit B," and said Commission made its recommendation; and

WHEREAS, the City has reviewed the applicant's request and prepared a staff report concerning the application; and

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

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

Section 1 – The property described in "Exhibit A," which is attached hereto and incorporated herein by this reference, is hereby rezoned from GAP District, Subdistrict E, to Planned Development No. 382. 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 – The property described in “Exhibit A” of this Ordinance shall be subject to the requirements and standards included in “Exhibit C – Exhibit 1,” with said “Exhibit C” being attached hereto and incorporated herein in its entirety by this reference; and these requirements and standards shall govern and control the use and development of the land in Planned Development No. 382.

Section 3 – 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 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: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022 – 198

FILED: 08-02-22

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 1.47 acres generally located at 1015 South Grant Avenue and 1012, 1020 and 1024 South Douglas Avenue from Grant Avenue Parkway District (GAP) Subdistrict E to Planned Development No. 382. (Planning and Zoning Commission recommends approval and Staff recommends denial).

BACKGROUND INFORMATION:

PLANNED DEVELOPMENT DISTRICT NO. 382

The applicant is proposing to rezone approximately 1.47 acres generally located at 1015 South Grant Avenue and 1012, 1020, and 1024 South Douglas Avenue from GAP Subdistrict E to Planned Development No. 382. The applicant is proposing a coffee shop with indoor seating and drive-thru, food truck parking area with outdoor canopy-covered seating, green space for yard-games and seating, pickle ball courts, outdoor walk-up yard bar, and off-street parking.

The adopted GAP Corridor Plan designates this as Subarea E. Subarea E Mixed-Use: Is intended for Neighborhood-scale commercial, with multi-family located above and behind commercial structures and a development form that will complement the greenway and parkway design, with more walkable, pedestrian-orientated design.

Subarea E (generally surrounding the Grant and Grand and Grant and Catalpa intersections) is made up of two distinct areas of similar desired development and intensity. Both areas are intended to be local-serving, mixed-use neighborhood centers that benefit from traffic along Grand Street and the connection of Fassnight Park at Catalpa Street. The intersection of Grant and Catalpa is a unique location with entrance to Fassnight Park and connection to the Fassnight Creek Greenway trail and offers a unique development opportunity for a mixed-use node to develop.

Compact, mixed-use development should be encouraged at key intersections including College Street, Mt. Vernon Street, Grand Street, and Catalpa Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents. Complementary transportation improvements such as improved or extended side streets, rear access drives, and mid-block crossings should be implemented alongside new development to create compact, easy-to-walk blocks. The intensity of mixed-use

areas should vary depending on their location along the corridor with smaller scale, local-serving centers at Mt. Vernon Street and Grand Street.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 14, 2022, and recommended to approve the proposed Planned Development No. 382, by a vote of 5 to 0.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is proposing a drive-thru coffee shop with indoor seating, food truck parking area with outdoor canopy-covered seating, green space for yard-games, pickle ball courts and outdoor walk-up yard bar.

2. The request is inconsistent with the recommendations of the *Grant Avenue Parkway Corridor Plan* and the GAP zoning district. The purpose of the GAP District is to regulate the development of the parcels along Grant Avenue Parkway between College Street and Fassnight Park to ensure consistency with the Plan. The GAP Plan and the GAP District both support a compact mixed use (upper story multifamily neighborhood scale commercial, retail, services and/or office uses) and is intended to provide greater flexibility in use by requiring high-quality design that fosters sense of place to promote reinvestment and redevelopment that leverages the new Parkway as an asset.

3. In November 2019, the City of Springfield received notice of award of a 21-million-dollar federal Better Utilizing Investments to Leverage Development ("BUILD") grant to design and build the Grant Avenue Parkway which linked Downtown and the Wonders of Wildlife/Bass Pro Shops complex along Grant Avenue.

4. On March 16, 2021, City Council, by Resolution No. 10565, adopted the Grant Avenue Parkway Corridor Plan as an element of the Springfield Comprehensive Plan to guide the development decisions in the neighborhoods and public spaces along the Grant Avenue Corridor.

5. The plan recommends compact, mixed-use development should be encouraged at key intersections including College Street, Mt. Vernon Street, Grand Street, and Catalpa Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents.

6. Approximately one year ago, on June 28, 2021, City Council amended the zoning

code to create the Grant Avenue Parkway District which was adopted by General Ordinance No. 6661. This district is now in effect and governs the permitted uses and design standards to implement the vision of the Plan.

7. The subject property is within the GAP Subdistrict E. The Subdistrict E district does not allow drive thru restaurants and package liquor stores. In Subdistrict E, all new development shall utilize a mixed use or multifamily building type. A mixed-use building type is characterized as a multi-story building which accommodates nonresidential uses on the ground floor and residential or nonresidential uses on upper floors. A multifamily building type is a building with multiple dwelling units that are vertically arranged and accessed by shared/common entrances. The plan states that as redevelopment occurs, additional mixed-use neighborhood centers are envisioned at key cross streets including Mt. Vernon and Grand Street. Therefore, the requested rezoning to Planned Development, (PD) with the proposed drive thru, package liquor store and single use is inconsistent with the zoning code and the Grant Avenue Parkway Corridor Plan and the Growth Management and Land Use Plan.

8. The Planned Development District is intended to encourage more creative and imaginative design than generally is possible under conventional zoning. The applicant has not proposed any unique building or site design characteristics as part of their request. Section 36-405 notes that the suitability of a tract for the PD district designation shall be determined by and shall be made in accordance with the comprehensive plan and designed to lessen congestion in the streets and promote health and safety. The proposed uses in the PD are inconsistent with both the Plan and the allowable uses set forth in GAP Subdistrict E zoning district. The proposed use of a drive through is contrary to the purpose of the PD district to lessen vehicular congestion in the streets and is contrary to promoting pedestrian access and safety. The proposed land uses are allowable in the General Retail (GR) District which can be found in multiple areas of the city which are not part of the Grant Avenue Master Plan.

9. The subject property has existing City Utilities and public sewer to serve the property.

10. A traffic study will be required at the time of development. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. All public improvements must be constructed and approved, or funds escrowed prior to issuance of a building permit.

11. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The current zoning will not deny the property owner of any reasonable viable economic use since Grant Avenue Parkway

District currently allows other commercial uses

Submitted by:

Daniel Neal
Senior Planner

Recommended by:

Susan Istenes, AICP
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 and Comments
Attachment 3, Neighborhood Correspondence and Presentation Materials

PLANNED DEVELOPMENT 382 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text
Exhibit 2, Preliminary Development Site Plan

EXHIBIT A

LEGAL DESCRIPTION
PLANNED DEVELOPMENT 382

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTEROF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 29 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2015 AT PAGE 010539-15, BOOK 2019 AT PAGE 034940-19 AND BOOK 2019 AT PAGE 009097-19 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF GRANT AVENUE AND GRAND STREET, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF GRANT AVENUE AND ON THE SOUTHERLY RIGHT-OF-WAY OF GRAND STREET; THENCEALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 02°09'42” WEST, 232.12 FEET TO A POINT LYING ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2019 AT PAGE 040845-19 OF THE GREENE COUNTY RECORDER'S OFFICE; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY AND ALONG SAID NORTH LINE, NORTH 89°03'02” WEST, 134.33 FEET TO A POINT LYING ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2018 AT PAGE 034326-18; THENCE ALONG SAID EAST LINE, NORTH02°02'03” EAST, 94.25 FEET TO A POINT AT THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2020 AT PAGE 027930-20; THENCE ALONG THE NORTH LINE OF SAID TRACT NORTH 88°52'33” WEST, 186.57 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF DOUGLAS AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY, NORTH 01°40'38” EAST, 136.18 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF GRAND STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, SOUTH 88°54'24” EAST, 22.00 FEET; THENCE SOUTH 01°05'36” WEST, 15.00 FEET; THENCE SOUTH 88°54'24” EAST, 50.00 FEET; THENCE NORTH 01°05'36” EAST, 15.00 FEET; THENCE SOUTH 88°54'24” EAST, 115.42 FEET; THENCE SOUTH 89°42'56” EAST, 134.88 FEET TO THE POINT OF BEGINNING CONTAINING 55,850 SQUARE FEET OR 1.28 ACRES, MORE OR LESS. ALL LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Planned Development 382
1015 South Grant Avenue and 1012, 1020, & 1024 South Douglas Avenue
Applicant: GDL Enterprise, LLC

Mr. Hosmer states that this is a request to rezone approximately 1.47 acres generally located at 1015 S. Grant Avenue and 1012, 1020, and 1024 S. Douglas Avenue from Grant Avenue Parkway District Subdistrict E to Planned Development No. 382. In 2019, the City of Springfield received a 21-million-dollar U.S. Department of Transportation; Better Utilizing Investments to Leverage Development ("BUILD") grant to design and build the Grant Avenue Parkway linking Downtown to the Wonders of Wildlife/Bass Pro Shops along Grant Avenue. The city is required to provide a 20% local match, roughly $5 million. In August of 2020 Housel Lavigne, a professional planning consulting firm, developed a plan for the area. On March 16, 2021, City Council, adopted the Grant Avenue Parkway Corridor Plan as an element of the Springfield Comprehensive Plan to guide the development decisions in the neighborhoods and public spaces along the Grant Avenue Corridor. The adopted GAP Corridor Plan designates this area as Subarea E. Subarea E Mixed-Use: Neighborhood-scale commercial, with multi-family above and behind. A development form that will complement the greenway and parkway design, with more walkable, pedestrian-orientated design. The plan recommends compact, mixed-use development encouraged at key intersections including Grand Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents. Complementary transportation improvements such as improved or extended side streets, rear access drives, and mid-block crossings should be implemented alongside new development to create compact, easy-to walk blocks. The intensity of mixed-use areas should vary depending on their location along the corridor with smaller scale, local-serving centers at Grand Street. The Grant Avenue Parkway Placemaking Master Plan was developed by our consultants using the plan as their framework, highlights Opportunity Nodes along Grant Avenue and Grand Street. It mentions that the intersection of Grant Avenue and Grand Street has the second highest volume of vehicular traffic (after Sunshine Street) within the study area. On June 28, 2021, City Council approved the Grant Avenue Parkway District zoning code. The purpose of the code is to regulate the development of parcels along Grant Avenue Parkway between College Street and Fassnight Park. The GAP district is intended to provide greater flexibility in use by requiring high-quality design that fosters sense of place to promote reinvestment and redevelopment that leverages the new parkway as an asset. The property is currently zoned GAP Subdistrict E. Subdistrict E recommends multifamily, mixed uses, and nonresidential uses. The code requires that building siting be located at the corner of two streets, shall be sited to connect or anchor the corner with prominent architectural features and site treatments. The district definition of mix use is: "A mixed-use building type is a multi-story building which accommodates

nonresidential uses on the ground floor and residential or nonresidential uses on upper floors." Section 36-490. The applicant is proposing a drive-thru coffee shop, and outdoor walk-up yard bar. The district does not allow drive-thru, or package liquor uses. The proposed project is a single story, single use and does not conform to Subdistrict E requirements. Planned Developments are intended to encourage more creative and imaginative design than generally are possible under conventional zoning. The proposed coffee drive-thru is allowed in General Retail, Highway Commercial, Center City, and other Zoning Districts. The Transportation Plan classifies Grand as a Primary and Grant as a Secondary roadways. A Traffic Impact Study is required at time of development. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Stormwater detention will be required. Grant Avenue Parkway Corridor Plan was adopted as an element of the Springfield Comprehensive Plan. The request is inconsistent with the recommendations of the Grant Avenue Parkway Corridor Plan. The request is inconsistent with the requirements of the Grant Avenue Parkway District (GAP). The proposal is inconsistent with the intent of the Planned Development code. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The GAP-E Subdistrict allows for other commercial and residential uses (mixed uses). Staff recommends denial.

Mr. Colony asked about the timing and is excited about the Grant Avenue Project (GAP) and if the developer purposed their plans before the GAP. Mr. Hosmer noted that staff has been working with the developers and noted that the district requires a mixture of uses.

Mr. Colony asked about the drive-thru and the liquor business and lack of mixture of uses.

Mr. Doennig opened the public hearing.

Mr. Andrew Doolittle, 3131 E. Wilshire Drive representing the developer and noted that the Fassnight and Westside neighborhoods are in support and showed a presentation of the company (Loose Goose) and amenities that will be available.

Mr. Colony asked about the name/brand and if they were aware of the concept that apparently is not in line with the GAP-E.

Mr. Doolittle stated that they bought the property two years ago and said that they were exploring the development at the same time as the GAP was incorporated and does not consider it as a drive-thru and believes pickleball is a good incentive.

Mr. Brandon Biskup, 800 E. Portland Street presented a slide and handout and noted that they support the GAP and wants this to be looked at as simple rezoning and gave examples of how this will launch the revitalization of the corridor.

Mr. Colony asked food trucks and Mr. Biskup stated they will be in the service area and asked if this still does not meet the mixed uses and would like to find a way to support

this project.

Mr. Hosmer stated anything above the Loose Goose (multi-story/office). Various discussion on plan presented and what is permissible in order to get in compliance with the GAP-E.

Mr. Biskup stated that they have worked with the City regarding the restrictions on the GAP-E and was not aware of the problems and went over their plans and their concerns.

Mr. Colony noted that he likes what is being presented and wants to find a way that it will work for everyone.

Mr. Pauly asked about the drive thru for the coffee shop. Mr. Biskop noted that they tried to hide it behind the building.

Ms. Broekhoven asked about the right-of-way and setback from Grand Street. Mr. Biskop noted that the setback was negotiated through the plan development process. How is the developer to engage the corner due to the right-of-way and setbacks? Mr. Hosmer went over different options and Mr. Biskop noted that the corner becomes the feature of the mixed use.

Mr. Colony asked what is the “cabana structure,” Mr. Biskop noted that it is a shade pergola.

Ms. Jill Burris stated that the handout (rules of procedure 4.5) from Mr. Biskup was not given in the minimum amount of prior time (10 days in advance) of the hearing and will need a majority vote (good faith that they were not reasonably possible to submit) from the Commission Members.

Mr. Jobe noted that this has happened in the past and not sure why it is required now. Ms. Burris stated that this is the first time it has happened since she was assigned to the Commission.

COMMISSION ACTION:
Mr. Colony motioned to **affirm** that the handout was not received within the minimum time and is reasonable to accept it as evidence. Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Mr. Jared Davis, 3213 S. West Bypass noting that it is not feasible to shove the building into the corner and would not be able to get this site to meet the GAP (E) plan and have had many text amendments adjusted and this is one that has not been able to negotiate and also went over several different scenarios.

Ms. Broekhoven asked about “parking heavy” and if the city talked with the developers

about any parking support. Mr. Davis said that they have not discussed parking support.

Ms. Debbie Hart, 1520 E. Meadowmere, thinks that this is an asset to the area and thinks that the city would be very short sided to disallow this development.

Mr. Philip Herzod, 416 W. Minota, went over another presentation and gave his vision for the project and noted that they have received letters of support and hope that this is approved and mentions the logo and stated that it is “booming with heart.”

Mr. Doennig closed the public hearing.

Mr. Jobe wants to remind us that the city is not building this parkway but the people in this room are building the parkway. It provides flexibility, spur development, and connect two major components of tourism and people need a reason to visit and will not change until we get people to invest in this project and will supporting it.

Mr. Doennig compared the proposed project at Jefferson/Sunshine and feels that it is ironic that it is recommended for denial and this one serves the neighborhood versus the other project and again noting that a multistory building will not fit

Ms. Broekhoven will support the development and is a high-profile development where neighborhoods abutting commerce, and this is an integral way to place community next to business and these owners know how to have a successful business and I will be in support.

Mr. Colony seconds everyone comments and will also be supporting this development.

Mr. Pauly also noted that he supports this project and believes that the developers have worked hard with the neighborhood.

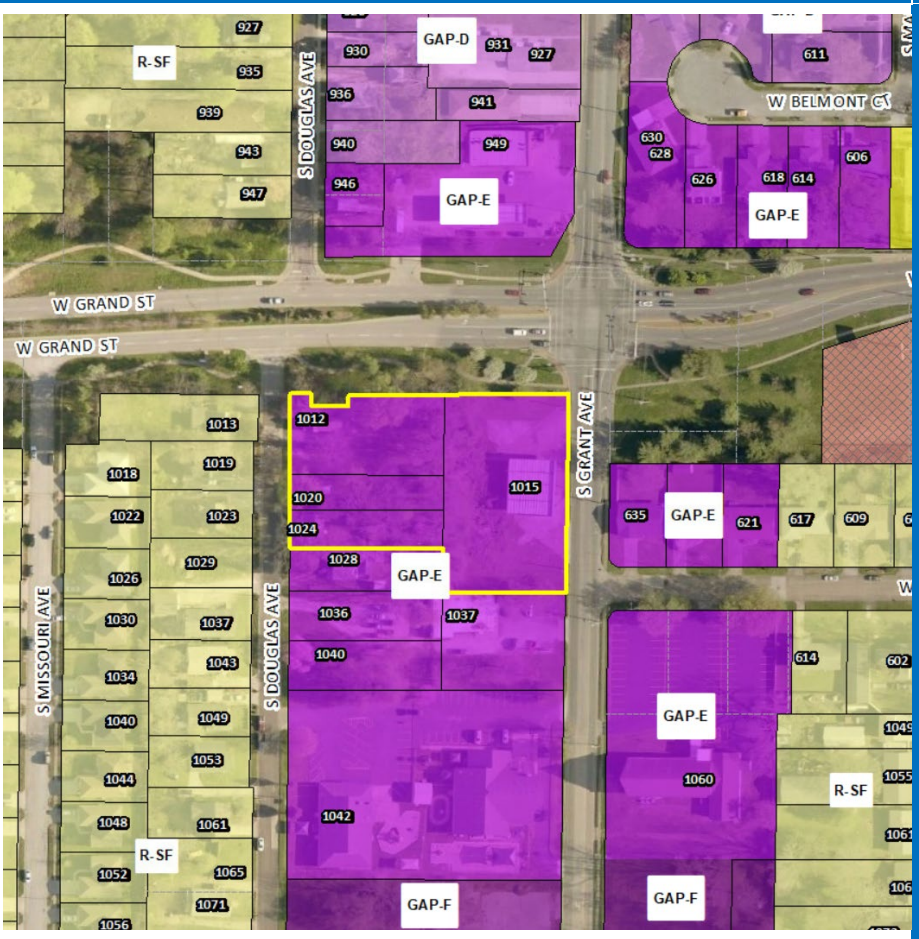
COMMISSION ACTION:
Mr. Colony motioned to **approve** Planned Development 382 (1015 South Grant Avenue and 1012, 1020, & 1024 South Douglas Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

Exhibit C

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	AUGUST 8, 2022



CASE NUMBER:
Planned Development No. 382

LOCATION:
1015 S. Grant Avenue and 1012, 1020, and 1024 S. Douglas Avenue

ACRES:
1.47 acres

EXISTING LAND USE:
Vacant/undeveloped lots and commercial canopy

APPLICANT:
GDL Enterprises, LLC

STAFF: Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:
Deny

PROPOSED MOTION:
Move to recommend approval as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone approximately 1.47 acres generally located at 1015 S. Grant Avenue and 1012, 1020, and 1024 S. Douglas Avenue from Grant Avenue Parkway District Subdistrict E to Planned Development No. 382.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is proposing a drive-thru coffee shop with indoor seating, food truck parking area with outdoor canopy-covered seating, green space for yard-games, pickle ball courts and outdoor walk-up yard bar.

2. The request is inconsistent with the recommendations of the *Grant Avenue Parkway Corridor Plan* and the Grant Avenue Parkway District (GAP). The purpose of the GAP District is to regulate the development of the parcels along Grant Avenue Parkway between College Street and Fassnight Park to ensure consistency with the Plan. The GAP Plan and the GAP District both support a compact mixed use (upper story multifamily neighborhood scale commercial, retail, services and/or office uses and is intended to provide greater flexibility in use by requiring high-quality design that fosters sense of place to promote reinvestment and redevelopment that leverages the new Parkway as an asset.

3. In November 2019, the City of Springfield received notice of award of a 21-million-dollar federal Better Utilizing Investments to Leverage Development ("BUILD") grant to design and build the Grant Avenue Parkway which linked Downtown and the Wonders of Wildlife/Bass Pro Shops complex along Grant Avenue.

4. On March 16, 2021, City Council, by Resolution No. 10565, adopted the Grant Avenue Parkway Corridor Plan as an element of the Springfield Comprehensive Plan to guide the development decisions in the neighborhoods and public spaces along the Grant Avenue Corridor.

5. The plan recommends compact, mixed-use development should be encouraged at key intersections including College Street, Mt. Vernon Street, Grand Street, and Catalpa Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents.

6. Approximately one year ago, on June 28, 2021, City Council amended the zoning code to create the Grant Avenue Parkway District which was adopted by General Ordinance No. 6661. This district is now in effect and governs the permitted uses and design standards to implement the vision of the Plan.

7. The subject property is within the Grant Avenue Parkway (GAP) Subdistrict E. The Subdistrict E district does not allow drive thru restaurants and package liquor stores. In Subdistrict E, all new development shall utilize a mixed use or multifamily building type. A mixed-use building type is characterized as a mixed-use building type that is a multi-story building which accommodates nonresidential uses on the ground floor and residential or nonresidential uses on upper floors. A multifamily building type is a building with multiple dwelling units that are vertically arranged and accessed by shared/common entrances. The plan states that as redevelopment occurs, additional mixed-use neighborhood centers are envisioned at key cross streets including Mt. Vernon and Grand Street. Therefore, the requested rezoning to Planned Development, (PD) with the proposed drive thru, package liquor store and single use is inconsistent with the zoning code the Grant Avenue Parkway Corridor Plan and the Growth Management and Land Use Plan.

8. The Planned Development District is intended to encourage more creative and imaginative design than generally is possible under conventional zoning. The applicant has not proposed any unique building or site design characteristics as part of their request. Section 36-405 notes that the suitability of a tract for the PD district designation shall be determined by and shall be made in accordance with the comprehensive plan and designed to lessen congestion in the streets and promote health and safety. The proposed uses in the PD are inconsistent with both the Plan and the allowable uses set forth in GAP Subdistrict E zoning district. The proposed use of a drive through is contrary to the purpose of the PD district to lessen vehicular congestion in the streets and is contrary to promoting pedestrian access and safety. The proposed land uses are allowable in the General Retail (GR) District which can be found in multiple areas of the city which are not part of the Grant Avenue Master Plan.

9. The subject property has existing City Utilities and public sewer to serve the property.

10. A traffic study will be required at the time of development. Any necessary improvements that are identified in the traffic study shall be constructed at the expense of the developer. All public improvements must be constructed and approved, or funds escrowed prior to issuance of a building permit.

11. The subject property will construct stormwater facilities to serve the property and will not substantially impact the adjacent area.

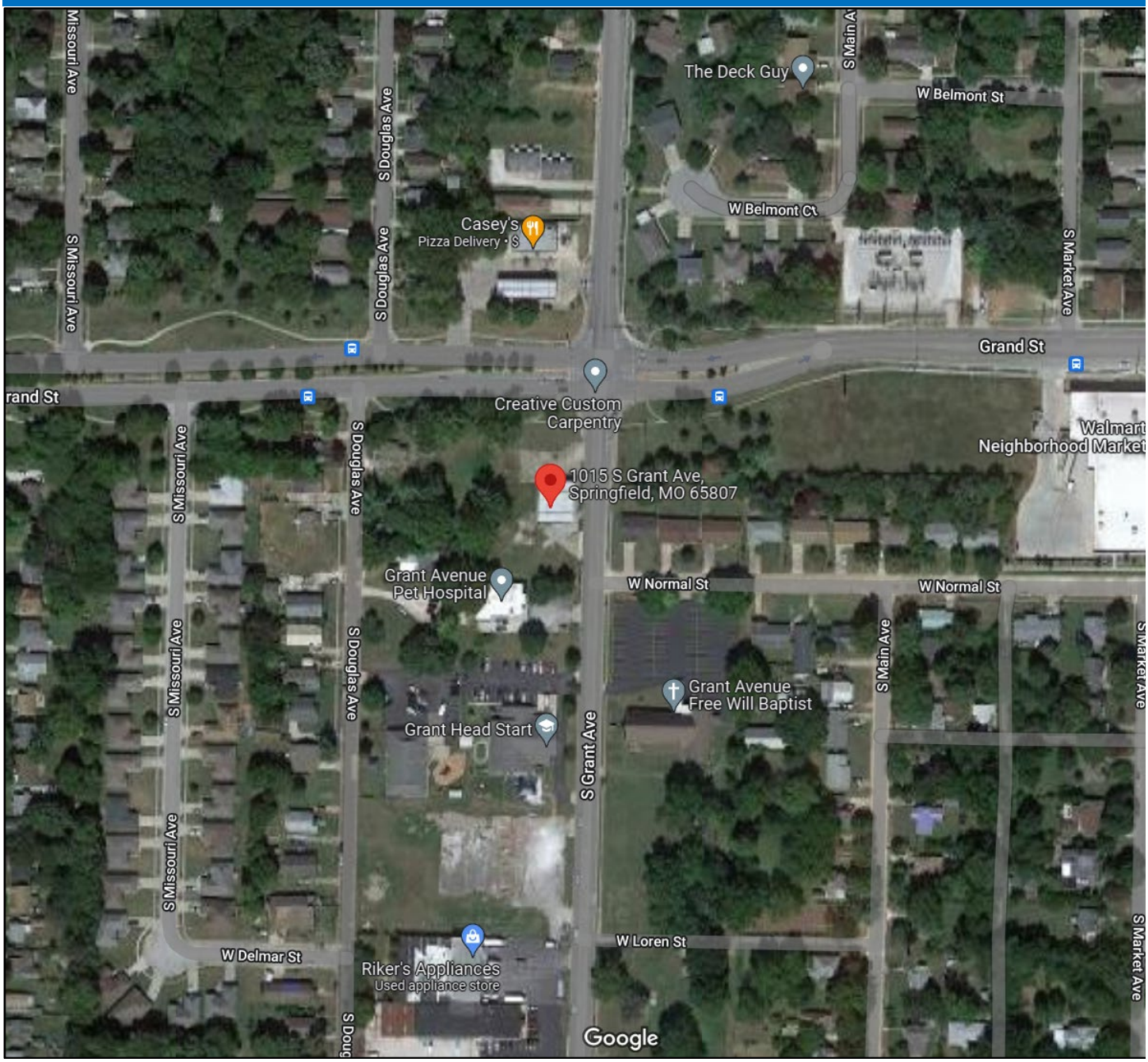
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The current zoning will not deny the property owner of any reasonable viable economic use since Grant Avenue Parkway District currently allows other commercial uses.

SURROUNDING ZONING AND LAND USES:

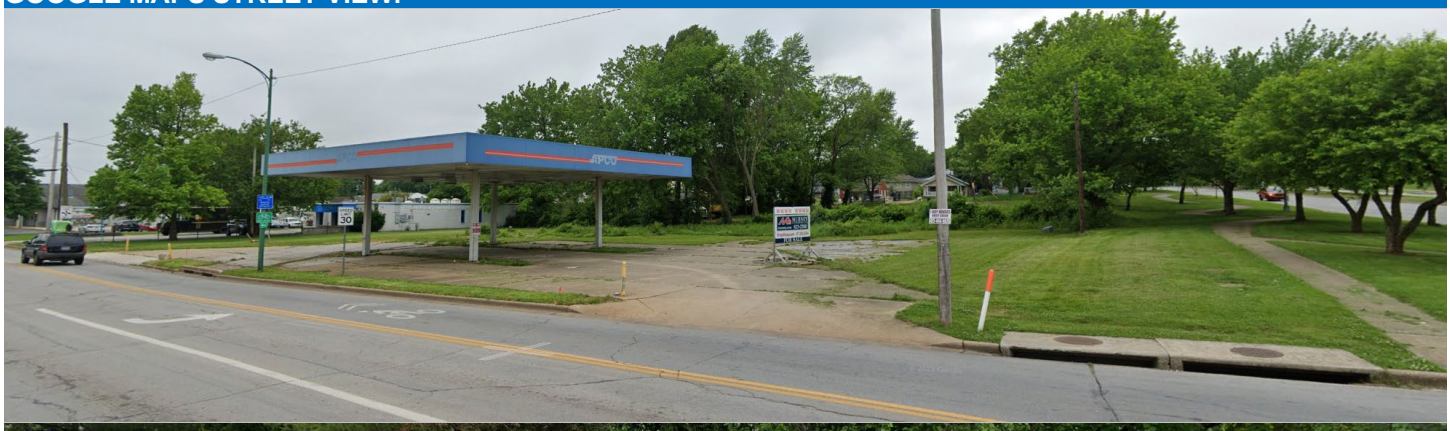
	NORTH	SOUTH	EAST	WEST
ZONING	GAP Subdistrict E	GAP Subdistrict E	GAP Subdistrict E	R-SF

LAND USE	Convenience store with fuel pumps	Veterinarian and single-family residential uses	Single-family residential uses	Single-family residential uses

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



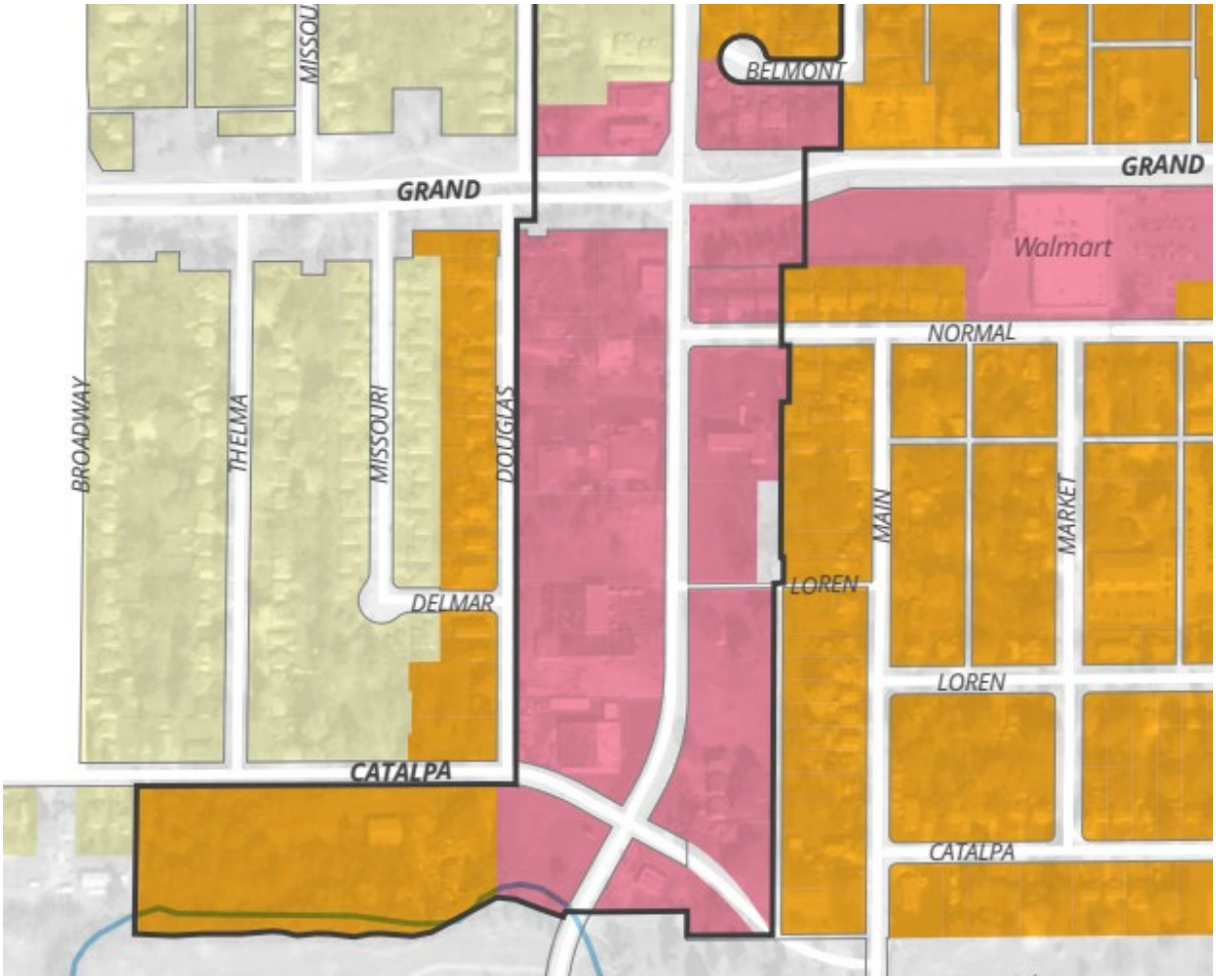
GOOGLE MAPS STREET VIEW:



Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



PROPOSED PLACETYPES

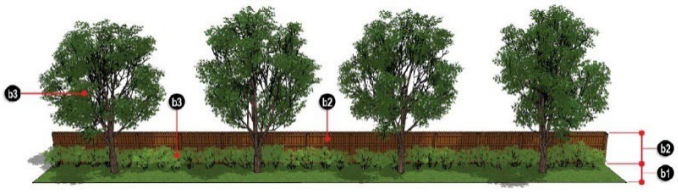
- Grant Avenue Corridor
- Established Neighborhood
- Mixed Residential
- Mixed-Use
- Downtown

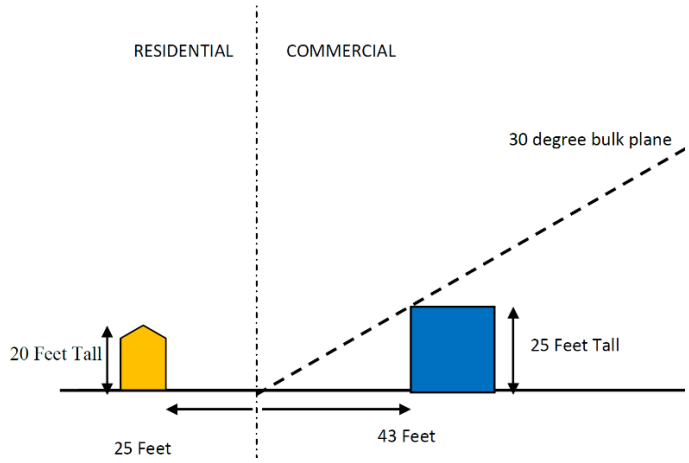
Development Review Staff Report

PROPERTY HISTORY:

Since the citywide rezoning in 1995, the property was zoned GR, General Retail District until 2021. The subject properties were rezoned to the Grant Avenue Parkway District Subarea E on June 28, 2021.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR PD 382
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*.
Intensity of Development	Development will consist of the following: 1. Maximum 4000 SF for food truck parking and outdoor seating 2. Maximum 1500 SF indoor restaurant area 3. Maximum 6500 SF outdoor recreation area 4. Maximum 10,000 SF pickle ball courts 5. Maximum 400 SF outdoor bar area
Maximum Structure Height	The maximum height of any buildings is one story or 35 feet. The existing canopy is allowed to remain as is.
Building Setbacks	a. No setback along the north boundary. b. Six (6) feet for building and parking along the east boundary. c. Twenty (20) feet for building and parking along the west boundary. d. Nine (9) feet for building and parking along the southern west boundary. e. Ten (10) feet for building and parking along the south boundary.
Open Space Requirement	Minimum 20% required
Design Requirements	None
BULK PLANE	**LANDSCAPING**
All structures shall remain below a thirty (30) degree bulk plane as measured from the boundary of any adjacent residential district. To the south, the bulk plane measurement starts from the property line of the residential lot on the south-west corner of the subject parcel.	2. The landscape and buffer area provisions of *Section 36-492* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply. 3. The Screening provisions of *Section 36-493* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply. 



COMPATIBILITY WITH COMPREHENSIVE PLAN:

The request is inconsistent with the recommendations of the *Grant Avenue Parkway Corridor Plan* which is the most recent addition to the *Comprehensive Plan*.

The City of Springfield developed the Grant Avenue Parkway Corridor Plan to align with future land use and development policies defined in the Forward SGF Comprehensive Plan.

The plan recommends a mix of uses at key intersections. Compact, mixed-use development should be encouraged at key intersections including, Grand Street, and Catalpa Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents. Complementary transportation improvements such as improved or extended side streets, rear access drives, and mid-block crossings should be implemented alongside new development to create compact, easy-to-walk blocks. The intensity of mixed-use areas should vary depending on their location along the corridor with smaller scale, local-serving centers at Mt. Vernon Street and Grand Street.

The Grant Avenue Parkway Placemaking Master Plan was developed by consultants using the plan as their framework, highlights Opportunity Nodes along Grant Avenue. One of those nodes is Grand Street. It mentions that the intersection of Grant Avenue and Grand Street has the second highest volume of vehicular traffic (after Sunshine Street) within the study area. With a very wide, suburban-scale right-of way, this node marks the intersection of two very different streets. Grand is a divided street lined primarily by commercial sites and double frontage residential lots. While it is bounded by a generous greenway with meandering paths it lacks character and sense of place. The street currently operates as a gap in the urban fabric over which Grant Avenue Parkway must traverse. Land uses adjacent to this node are a further barrier to its development. While the northwest corner is home to a busy gas station and convenience store, its other three quadrants are currently inactive with a vacant commercial site in the southeast and its eastern quadrants occupied by the backs of double frontage residential lots. The southeast corner presents further challenges by the presence of a narrow strip of land that is owned by the City. This lack of true street frontage makes for a gap in the urban rhythm and warrants redevelopment to create place.

The placemaking recommendations for this node focus on introducing activity to two of the corners at the intersection. The vacant commercial property occupying the southwest corner presents a prime opportunity to introduce a mixed-use development into the node. By combining two of the sites, there is an opportunity to create more of an urban edge with a small commercial/residential building on site. Positioning the building to the north of the site and the parking away from the corner would bring more presence to the intersection. The parking would be screened from the street through landscaping or fencing. Amenities for the residential units would be situated behind the building while the commercial use

would occupy the façade facing the parking and orient towards the street. Residential uses along the remaining frontage would provide further street activation by engaging both Grant Avenue and Grand Street with stoops, patios and balconies.

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* states that protection of our existing residential neighborhoods is a prime concern. It is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must take into account the existing residential areas. Mixed land uses, as well as mixed residential densities, will need to be accommodated in the future. These must be accommodated with sensitivity to existing residential neighborhoods. The plan encourages mixed use. However, where commercial areas are concentrated, they should be sited and designed to have a minimal effect on adjacent lower-intensity development, and the environment.

Protection: Springfield and Greene County should work to protect residential neighborhoods from adverse impacts of proposed development and inappropriate land use changes. New development should be compatible with existing development in terms of scale, materials, rooflines setbacks and open space. Landscaped transitions should be used between sharply differing types of land use. Excessive amounts of traffic, particularly commercial traffic, should not be allowed to pass through residential areas.

Established Neighborhood Commercial areas: “Neighborhood scale” shopping has a wide appeal but requires specific market criteria in order to remain viable. As retailing and transportation have evolved, small shopping areas oriented to the pedestrian have given way to much larger complexes with ample front-door parking and major roadway access. Springfield has followed this national trend. “Bigbox” retailing requires very large sites and big store footprints, two features that do not fit well in older neighborhoods. The objective is to enhance unique characteristics of the city’s designated traditional commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, appropriate site plans, and by maintaining high quality public spaces and infrastructure. It also encourages the enhancement of pedestrian or transit-oriented commercial districts with street furniture, tree planting and improved transit amenities. Design standards support the orientation of new buildings to the street to foster safe and successful commercial districts. Acceptable locations include limiting auto-oriented commercial districts to major arterial streets where the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-oriented land uses can be compatibly concentrated.

The Major Thoroughfare Plan classifies Grand Street as a primary arterial and Grant Avenue as a secondary arterial roadway. This intersection is considered a major intersection. Douglas Avenue is classified as a local roadway.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 1.47 acres generally located at 1015 S. Grant Avenue and 1012, 1020, and 1024 S. Douglas Avenue from Grant Avenue Parkway District Subdistrict E to Planned Development No. 382. The applicant is proposing a coffee shop with indoor seating and drive-thru, food truck parking area with outdoor canopy-covered seating, green space for yard-games and seating, pickle ball courts, outdoor walk-up yard bar, and off-street parking.

2. In November 2019, the City of Springfield received notice of award of a 21-million dollar federal Better Utilizing Investments to Leverage Development (“BUILD”) grant to develop a link between Downtown and the Wonders of Wildlife/Bass Pro Shops complex using Grant Avenue. Once complete, the project will include dedicated bike and pedestrian trails, Complete Street improvements to Grant Avenue and increased activated greenspace through Springfield’s urban core.

3. On March 16, 2021, City Council, by Resolution No. 10565, adopted the Grant Avenue Parkway Corridor Plan as an element of the Springfield Comprehensive Plan to guide the development decisions in the neighborhoods and public spaces along the Grant Avenue Corridor.

4. The Grant Avenue Parkway Corridor Plan serves as a guide to establish local policy decisions pertaining to land use, development form and intensities, access and connections and transitions into the surrounding neighborhoods along the Grant Avenue Parkway. One of the action steps to achieving the vision for the corridor is to prepare zoning regulations that are unique to meet the desired flexibility in future development opportunities along the Parkway. In concert with the design of the parkway, a land use and development framework plan was developed by the consultants for Forward SGF, the City's Comprehensive Plan.

5. The Grant Avenue Parkway Corridor Plan addresses the section of the Grant Avenue Parkway route between College Street and Fassnight Park. The Plan focuses on those areas adjacent to the Parkway that are generally within 500 feet east and west of the Grant Avenue centerline, as well as Grand Street.

6. The ultimate goal of the GAP Corridor Plan is to promote reinvestment and redevelopment that leverages the new Parkway as an asset. The Plan will inform updated regulations that will ask more of the development community in delivering high-quality design that fosters sense of place. In exchange, those same regulations will also provide greater flexibility regarding what residents and business owners can do with their property, including a broader range of permitted uses and permitted height and density, and provide for greater creativity in design.

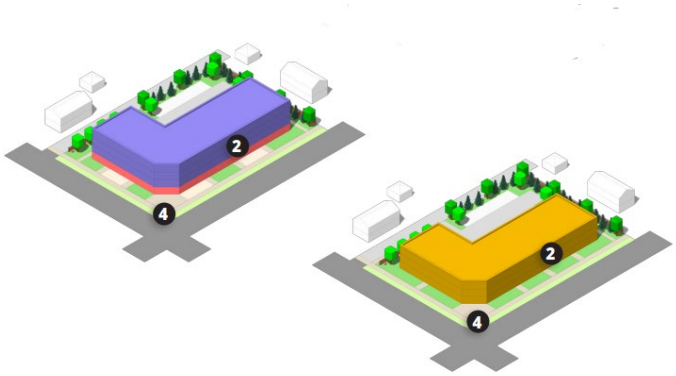
7. The Corridor Plan builds on the concept of "placetypes" defined in the Forward SGF draft plan. Each placetype illustrates a logical and common-sense approach to planning that differs from zoning. Rather than focus on the use of a specific parcel of land, the placetype approach looks at the collective mix of uses that function together to create Springfield's unique neighborhoods and districts (places). These placetypes define the characteristics, scale, form, function and overall use in a given geographic area.

8. The Grant Avenue Parkway Corridor Plan serves as a guide to establish local policy decisions pertaining to land use, development form and intensities, access and connections, and transitions into the surrounding neighborhoods along the Grant Avenue Parkway.

9. The Plan breaks the corridor down into six different subareas, Areas A through F. Each subarea plan is intended to capitalize on the unique character of the area and accommodate existing development while encouraging additional opportunities for redevelopment and reinvestment of the properties within the subarea. The goal of the subarea approach is to encourage development that enhances local sense of place while complementing the broader Grant Avenue Parkway corridor, adjacent neighborhoods, and downtown. The Corridor Plan also provides guidance on transportation access, connections, and safety for all modes of travel between the Grant Avenue corridor and surrounding areas. The framework aligns with the Grant Avenue Parkway preferred design concept being used in the design-build process.

10. The adopted GAP Corridor Plan designates this a Subarea E. Subarea E Mixed-Use: Neighborhood-scale commercial, with multi-family above and behind. Development form that will complement the greenway and parkway design, with more walkable, pedestrian-orientated design

11. Subarea E (generally surrounding the Grant and Grand and Grant and Catalpa intersections) is made up of two distinct areas of similar desired development and intensity. Both areas are intended to be local-serving, mixed-use neighborhood centers that benefit from traffic along Grand Street and the connection of Fassnight Park at Catalpa Street. There is already some momentum of non-residential development at Grant and Grand with the Walmart Neighborhood Market located just east of the intersection, Casey's at the northwest corner of the intersection, and other non-residential properties at or near the intersection. The intersection of Grant and Catalpa is a unique location with entrance to Fassnight Park and connection to the Fassnight Creek Greenway trail and offers a unique development opportunity for a mixed-use node to develop.



	Subarea					
Block Typology	A	B	C	D	E	F
Single-Family Attached		●		●		
Multifamily		●	●	●	●	●
Mixed-Use	●	●	●		●	

BULK

Area: ~620,500 ft2 / ~21.4 ac

Maximum height: 3/4 stories

Front setback: 10-20 ft

USE

Mixed-use (upper-story multifamily, neighborhood-scale commercial, retail, and services, and/or office)

BLOCK TYPOLOGY

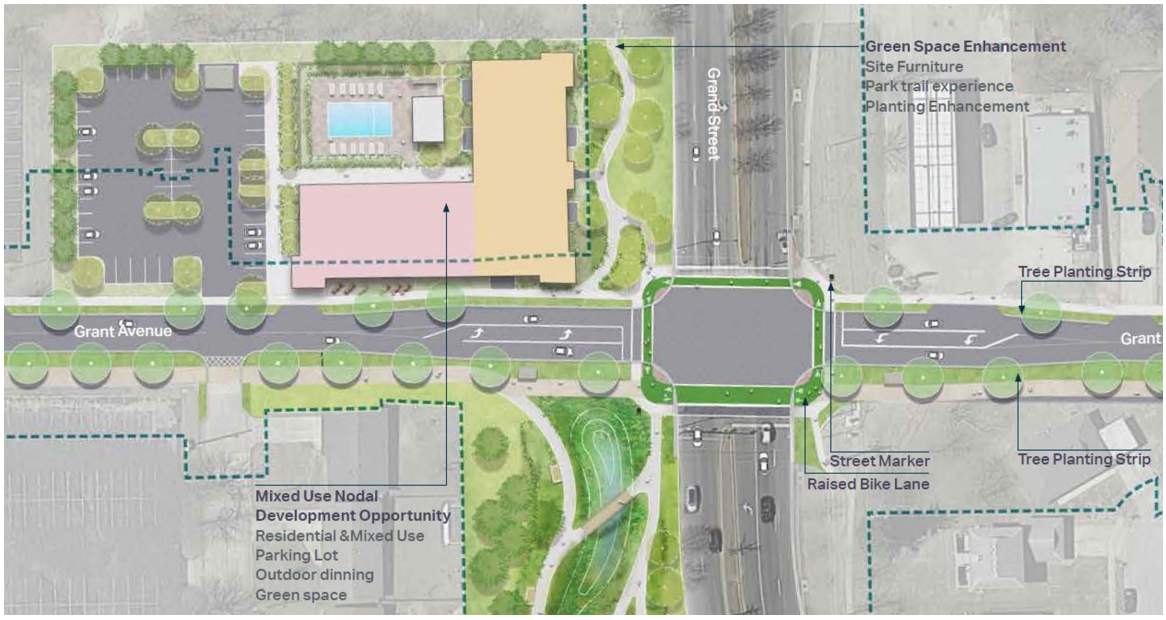
1. **Parking Lot** – Parking should be located behind the building and accessed through the alley.
2. **Streetwall** – Buildings should be sited to create a continuous streetwall along Grant Avenue.
3. **Screening** – Parking lots should be well screened from adjacent residential uses.
4. **Siting** – New development should hold the corner with a prominent, well-designed structure.
5. **Pedestrian Access** – Parking lots should be connected to Grant Avenue to increase pedestrian access to the corridor.
6. **Buffering** – Walls or fencing and landscaping should be used to create clear separation between residential and nonresidential uses.
7. **Orientation** – Buildings should be oriented toward Grant Avenue.

12. Compact, mixed-use development should be encouraged at key intersections including College Street, Mt. Vernon Street, Grand Street, and Catalpa Street. A mix of uses at key intersections will contribute to a vibrant Grant Avenue corridor with a steady flow of Parkway commuters, employees, shopping and dining visitors, and local residents. Complementary transportation improvements such as improved or extended side streets, rear access drives, and mid-block crossings should be implemented alongside new development to create compact, easy-to-walk blocks. The intensity of mixed-use areas should vary depending on their location along the corridor with smaller scale, local-serving centers at Mt. Vernon Street and Grand Street.

DESIGN CONSIDERATIONS

1. **Façade Design –** Building facades should reinforce the high-quality character of the Subarea and residential neighborhoods.
2. **Landscaping –** Landscaping should protect the desired privacy of a home while not obstructing outward views.
3. **Windows –** The installation of different styles of windows and doors on the same facade are discouraged.
4. **Entrances –** Multiple entrances and numerous large windows (when fronting common areas or commercial space) should be encouraged to activate the Parkway.
5. **Materials–** Buildings adjacent to a residential use should use similar materials to ensure design compatibility.
6. **Lighting –** Lighting should provide adequate light for public safety and only use downward directional illumination.

13. The GAP Placemaking Master Plan which was developed during a 6-month period after the adoption of the plan, envisions this property as an opportunity for a mixed-use development in the node. By combining two of the sites, there is an opportunity to create more of an urban edge with a small commercial/residential building on site. Positioning the building to the north of the site and the parking away from the corner would bring more presence to the intersection. The parking would be screened from the street through landscaping or fencing. Amenities for the residential units would be situated behind the building while the commercial use would occupy the façade facing the parking and orient towards the street. Residential uses along the remaining frontage would provide further street activation by engaging both Grant Avenue and Grand Street with stoops, patios and balconies (Attachment 5).



14. One of the recommendations in the Grant Avenue Parkway Corridor Plan is to establish a new zoning district as the primary implementation mechanism to promote the development concepts and strategies outlined in the Grant Avenue Parkway Corridor Plan and to initiate rezoning of the corresponding properties.

15. On June 28, 2021, City Council amended the zoning code to create the Grant Avenue Parkway District which was adopted by General Ordinance No. 6661.

16. The GAP District is comprised of unique areas with varying patterns of development, architectural styles, and visions as established in the City of Springfield Grant Avenue Parkway Corridor Plan. In order to better regulate these areas, the GAP District is further divided into six (6) subdistricts as detailed below. The purpose of the subdistricts is to capitalize on the unique character of each portion of the GAP District and accommodate existing development while encouraging additional opportunities for redevelopment and reinvestment.

17. Subdistrict E recommends Multifamily, mixed use, and nonresidential uses. The code requires that building siting be located at the corner of two streets shall be sited to connect or anchor the corner with prominent architectural features and site treatments.

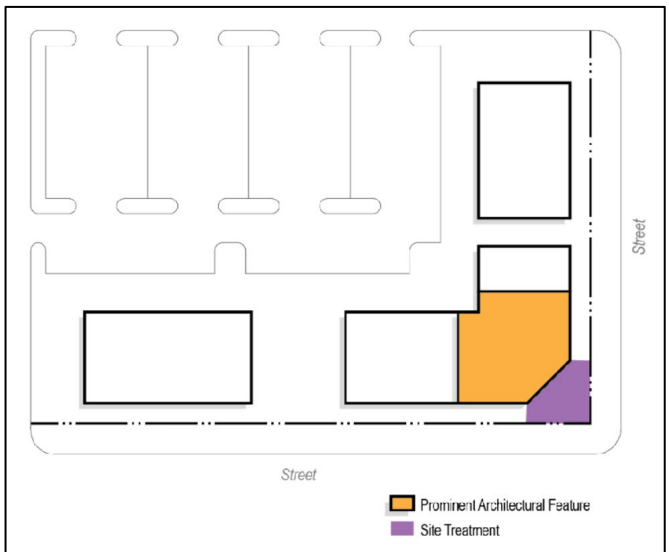


Figure 13: building Siting

18. Buffer area landscape shall be required along interior property lines of all non-single-family development when adjacent to single-family uses. It is not expected that the buffer area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Buffer areas shall have a minimum width of seven feet. Required yard setbacks may be utilized for buffer area landscape. The exterior line of the buffer area shall be improved with a fence six feet in height and made of pressure treated wood or wood composites. The buffer area shall, at a minimum, be improved with the following landscape elements: Four canopy and/or evergreen trees shall be planted per every 100 lineal feet of buffer area. Ten shrubs/native grasses shall be planted per every 100 lineal feet of buffer area.

19. A Traffic Impact Study is required at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to issuance of a building permit. There is not existing sidewalk along the property frontage of S. Grant Avenue or S. Douglas Avenue. The developer is required to construct sidewalk at the time of development along the property frontage of S. Grant Avenue and S. Douglas Avenue.

20. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 13, 2022. A summary of the meeting and sign-in sheet is attached (Attachment 2).

PUBLIC NOTIFICATION:

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: 14 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1
DEPARTMENT COMMENTS
PLANNED DEVELOPMENT 382

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with rezoning. Suggested change to PD language; add 'subject to appropriate clearance and access requirements' to the section about the screening of utility infrastructure in the required improvements section. 3 Phase Electric, Gas & Water is available to the proposed development. Existing Electric facilities along Grant Ave will be placed underground as part of the GAP improvements.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Public sewer is available in Grant and Douglas.

FIRE DEPARTMENT:

No issues. Project shall comply with 2018 IFC.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies S. Grant Avenue as a Secondary Arterial roadway, W. Grand Street as a Primary Arterial roadway and S. Douglas Avenue as a Local roadway. The standard right-of-way width for S. Grant Avenue is 35-feet from the centerline, 50-feet from the centerline for W. Grand Street and 25-feet from the centerline for S. Douglas Avenue. It appears an additional 10-feet of right of way is needed along S. Grant Avenue and an additional 5-feet is needed from S. Douglas Avenue. It appears no additional right-of-way is needed along W. Grand Street. A 100X100 ft sight triangle is required at the intersection of S. Grant Avenue and W. Grand Street. A 10X10 ft sight triangle is required at the intersection of S. Douglas Avenue and W. Grand Street. S. Grant Avenue, W. Grand Street and S. Douglas Avenue are all city-maintained roadways.

TRAFFIC COUNTS & ON-STREET PARKING
The most recent traffic count for S. Grant Avenue is 6,299 vehicles per day and for W. Grand Street is 18,974 vehicles per day. There are no traffic counts for S. Douglas Avenue. On-street parking is not allowed along S. Grant Avenue or W. Grand Street. On-street parking is allowed along S. Douglas Avenue.

DRIVEWAY ACCESS
There are currently two driveway access points onto the property from S. Grant Avenue. These two access points will be closed. The only access that will be allowed to S. Grant Avenue is a southernmost access located across from Normal Street. This access will provide a cross access easement so the approach can be shared with the property to the south. There are no existing access points onto the property from W. Grand Street and no access will be allowed. There are currently three existing access points to the property from S. Douglas Avenue. Access to this property will only be allowed from S. Douglas Avenue and all access must meet current City of Springfield driveway access requirements.

SIDEWALK

There is existing sidewalk along the property frontage of W. Grand Street. There is not existing sidewalk along the property frontage of S. Grant Avenue or S. Douglas Avenue. The developer is required to construct sidewalk at the time of development along the property frontage of S. Grant Avenue and S. Douglas Avenue.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION
There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are four bus stops on W. Grand Street in the area pertaining to this zoning. 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 at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to issuance of a building permit.

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. Grant Avenue	Secondary Arterial	No	25	35
Street 2	W. Grand Street	Primary Arterial	No	65	50
Street 3	S. Douglas Avenue	Local	Yes	20	25

	AM Peak	PM Peak	Weekday	Weekend
Existing Zoning Trips Generated	4	5	48	
***Proposed Zoning Trips Generated**	76	67	720	
Additional Zoning Trips Generated	12	62	672	

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

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 not** aware of flooding problems in the local area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **is not in a stream buffer area.**

PW Stormwater has no concerns for the proposed Planning Development. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

<u>Detention Requirements:</u>

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.

a. A fee in lieu of detention for this development will not be permitted: The proposed site plan drains on to adjacent residential properties and has a PW Stormwater Box Culvert running through the Southeast corner that can be tied into for detention.
b. Building permit would be allowed before detention is built; if requested.
c. The proposed site plan has underground detention and water quality basin. A site survey confirming the outline of the box culvert would be needed prior to permitting to ensure room for the underground system and the disturbance to the culvert. Culvert was last updated with Public Improvement Plans 4PW3931. Digital Copies of the PIP can be proved.

2. At the time of Lot Combination, the Box Culvert location is required to be recorded in a drainage easement per City Code. Chapter 36, Article III Zoning Regulations, gives authority through the building permit process to require drainage improvements in accordance with all other City codes and ordinances.

3. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.

a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

Water Quality:

4. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

5. Effective 04 May 2022, an updated Flood Control and Water Quality Protection Manual takes effect. Chapter 10, Sec 2.0 for Water Quality adds requirements for redevelopments. Redevelopments means alterations of a property that remove and replace existing impervious surface in such a way that results in the disturbance of 1 or more acres of land and the existing impervious area within the project limits of disturbance equals or exceeds 40 percent.

a. Water Quality will be required

Additional Stormwater Standards to be met:

6. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

7. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

a. The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.

8. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

9. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

a. Existing gravel surfaces meeting the above definition are eligible for 50% Credit.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Grant Ave. PKWY District Subd. E to PD 382
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Monday - June 13, 2022 4p- 6:30p
3. Meeting Location: 516 W. Meadowmere St. Springfield MO 65807
4. Number of invitations that were sent: 159
5. How the mailing list was generated: 159
6. Number of neighbors in attendance (attach a sign-in sheet): 8
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).

   No development concerns - just curious.

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

   No development concerns - just curious.

I, Jared Davis (*print name)*, attest that the neighborhood meeting was held on 06/13/22 (*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

Jared Davis

Printed name of person completing affidavit

ANDERSON ENGINEERING
EMPLOYEE OWNED

www.AndersonEngineeringInc.com
Toll Free (866) 866-2741

CLIENT Loose Goose Sign-In
CLIENT No. _____ SHEET No. _____ Of _____
CALCULATED By _____ DATE _____
CHECKED By _____ DATE _____
PROJECT _____

CALCULATIONS FOR:

Name	Address	Phone #
Ray Coleman		
Joe Costello		
Philip Henry	W Minnesota	
Rusty Wiley	807 W Walnut	417-569-8866
Nathan Cook	W Portland	
Brandon Bishop		
Trent Condelion	1028 S. Douglas	417-883-1697 417-883-1697
Diane Jewell	~~605~~ W. Normal	603

ANDERSON ENGINEERING
EMPLOYEE OWNED

www.AndersonEngineeringInc.com
Toll Free (866) 866-2741

CLIENT
CLIENT No. SHEET No. Of
CALCULATED By DATE
CHECKED By DATE
PROJECT

CALCULATIONS FOR:

Ray Coleman - No concerns, full support
Leandra Costello

Joe Costello - No real concerns - joe@joecostello.com
-Great Project - OACAC may have issue with alcohol.

OACAC
Kimberly Shin-Brown
417-864-3435

Trent Condelton - No concerns, just random concerns over site. drugs + dead bodies

Traffic Study - call Chad Zickefoose ✓

From: Notched Properties
To: Zoning@springfieldmo.gov
Subject: 1012-1024 S Douglas Ave & 1015 S Grant Ave
Date: Thursday, June 16, 2022 4:38:40 PM

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

Greetings,

Notched Properties, LLC owns 1028 S Douglas, the property SW of the GDL "Loose Goose" Development.

We obtained an "Exhibit 2" at the meeting held 6/13/2022 - this infers there's an "Exhibit 1". How can we obtain a copy of this, and any other documents pertinent to this project?

GDL's demolition of 1024 S Douglas was abusive; they trespassed scraping the roof of 1028 with the dozer bucket as part of the wild and wanton demolition of the cement block shed; and have threatened to demolish the retaining wall that prevents flooding. They left a tree half sawed through, which would fall on the house at 1028 S Douglas, which was blithely dismissed by them, stating that even if it fell over on the house, "it won't hurt anything". We disagree.

At this point we have no confidence in their ability or willingness of GDL to be a responsible developer. The "Exhibit 2" has no grading information in re drainage, or exactly how that would occur; the engineer we retained today agrees it is vague. We are very concerned about water runoff.

This is extremely disappointing as we were an early cheerleader of the GAP, and enthusiastic about the prospect of food truck, pickleball, etc. in the area, despite this deviating from what the public was told the GAP was proposing. Perhaps it is time for a vote of the people - a StopGAP - if this bizarre, abusive, and illegal, "development" is indicative of what the future holds. When Notched purchased this property we had high hopes of a small office, perhaps initially devoted to selling art, etc., perhaps once a month; this is appearing more and more of a good ole' boys club only project with property rights being moot.

Once again, I make note that we supported the GAP project initially, and a GOOD neighbor's development. GDL has zero communications with Notched other than to attempt to purchase the property; they have even made the outrageous claim they did not know how to reach anyone, despite documented emails, text messages, phone calls, and, obviously, awareness of the mailing address. The only information we obtain comes from the meeting the city required - after asking for it - and then it appears partial. We should not have to ask anything from the "neighbors", it should be provided.

Very truly yours,

Notched Properties, LLC
by Trent Condellone, Missouri Area Manager

1028 S Douglas Ave
Springfield, MO, 65807

FASSNIGHT NEIGHBORHOOD ASSOCIATION

May 4, 2022

To whom it may concern,

The Fassnight Neighborhood Association is thrilled to provide this letter of support for the Loose Goose project on the corner of Grant and Grand. We feel that this project aligns with the mission of our organization: to enhance beauty, improve safety, and create community in our neighborhood.

The Loose Goose project will enhance the beauty of our neighborhood with thoughtful landscaping and attractive business design. The innovative design of the coffee shop, outdoor seating, and creative use of existing material such as the existing awning will provide both a sense of historicity and creative new energy on a corner lot that has long sat vacant. In addition, Loose Goose is bringing 2 exceptional local food and beverage operators to the Fassnight neighborhood, Josh Widner of Good Spirits and Co and Michelle Bilionis of Coffee Ethic. Both Michelle and Josh have transformed entire blocks in Springfield based on the initial success of their business ventures.

Loose Goose will improve the safety of our neighborhood, as it transforms a block that currently experiences high crime into a neighborhood center. When space is activated and not sitting vacant it tends to drive crime further away from the activity center and the neighborhood. Our organization is confident that this project will create heightened awareness within our neighborhood, provide more foot traffic, and provide accountability; all of which will help to lower crime in Fassnight.

Finally, Loose Goose will create community by serving as an activity center and neighborhood hub in the Fassnight neighborhood. Neighborhood hubs in Springfield have historically shown to drive additional investment into the surrounding neighborhood creating a compounding positive effect. Examples of successful neighborhood hubs are Cherry and Pickwick and Galloway Village. These hubs gained real momentum after a few businesses (almost always food and beverage or entertainment type businesses) proved the area was worthy of additional investment. In addition, Loose Goose provides a neighborhood amenity in the form of 6 Pickleball courts for the Fassnight neighborhood and for parkway users.

Fassnight Neighborhood believes in the vision of Loose Goose and strongly believes that this project will enhance the work being done along the Grant Avenue Parkway and ensure that Fassnight becomes and remains a more beautiful, safer, and connected community within Springfield. We are pleased to give our full support to this exciting project.

Nathan Cook

NATHAN COOK
President

From: Nathan Cook
To: Neal, Daniel
Subject: Loose Goose Letter of Support
Date: Monday, July 11, 2022 1:09:48 PM

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

Dear Mr. Neil and the Springfield Planning and Zoning Commission,

It is with great enthusiasm that I offer this letter of support for the Loose Goose project at the corner of Grant and Grand. I believe this project will wonderfully highlight and unite our neighborhood through attractive design, clear purpose, and positive neighborly interactions.

The attractive design of the Loose Goose coffee shop, outdoor seating, and use of existing material such as the existing awning will provide both a sense of historicity and creative new energy on a corner lot that has long sat vacant. The transformation of this corner through enterprise, alongside the city work that is being done on the Grant Avenue Parkway would serve as a beautiful entrance into our neighborhood.

Loose Goose will serve an important purpose as an activity center and neighborhood hub in Fassnight, giving a space for community bonds to grow. Neighborhood hubs centered around small businesses have proven successful in other parts of Springfield, such as Roundtree and Galloway Village. It takes an initial investment in the area in order to prove that the area is worthy of additional investment. Loose Goose will also encourage visitors to choose the Grant Avenue Parkway rather than alternate routes around our city. The unique combination of coffee, cocktails, and pickleball will be a positive draw to this part of town.

I've gained a unique perspective of Fassnight as both a teacher at Parkview and as the president of the Fassnight Neighborhood Association. I see that there is a great deal of positive potential within Fassnight. There is also a resiliency and growing connected community here that desires to bring out the best in our neighborhood. I believe that the Loose Goose team is a part of that community, and believe our neighborhood would be at a loss without their investment, their passion for excellence, and their kind neighboring.

Please consider giving Loose Goose the permission to move forward with their project in order to bring out the best in our corner of Springfield.

Respectfully,
Nathan Cook
417.619.8824

DocuSign Envelope ID: 4F8425D3-9795-4D42-A90D-557998F88485

WEST CENTRAL
SPRINGFIELD'S DOWNTOWN NEIGHBORHOOD

May 4, 2022

To Whom It May Concern,

I am writing this letter to express the West Central Neighborhood Alliance's support for the Loose Goose project at the southwest corner of Grand Street and Grant Avenue. We believe this project would be the right fit for our community and will generate critical momentum for private development along the Grant Avenue Parkway.

Everett Homes, along with their partners in this project, Good Spirits & Co. and The Coffee Ethic, have developed a well-thought out concept that would revitalize and activate a piece of land that has remained vacant and neglected for multiple decades. The unique project would attract customers of all ages and help build a sense of community in this area. We appreciate that the development team all live and work in the Springfield area and have a vested interest in seeing this project succeed. The developers involved in this project are long-respected local business owners and have a love for Springfield that only a local business owner would have. West Central looks at this project as a catalyst for further development along the Parkway and the success of this project would be an amazing accomplishment, not just for West Central but for the Springfield community as a whole.

The West Central Neighborhood Alliance strongly supports the development efforts for the Loose Goose project. We hope the City of Springfield will consider the overwhelming support and can see the opportunity this project creates as they make their decisions.

Sincerely,

DocuSigned by:
Caron Parnell
C7A1AF43344A447...

Caron Parnell
President
West Central Neighborhood Alliance

Ozarks Pickleball Club
380 E State Highway CC, B106
Nixa, MO 65714

Ozarks PICKLEBALL CLUB

Springfield Planning & Zoning Commission

Ladies & Gentlemen:

Pickleball has been in the spotlight as of late, and you may have seen the game featured just in the last couple months on *The Today Show*, *Live with Kelly & Ryan*, *Axios*, *USA Today,* and *Vanity Fair* (to name a few). With popularity and participation rates soaring, no wonder it's been dubbed the "**fastest growing sport in the US**." According to the Sports & Fitness Industry Association, 4.2 million Americans played in 2021, accounting for an Average Annual Growth of 10.5% from 2017-2020 and up a whopping 21.3% from 2019[1]. This data mirrors our local population as 89.1% of respondents to our 2020 Survey stated that they've been playing less than 4 years, including 70% 2 years or less![2] Pickleball is a fun, easily accessible sport that promotes **healthy activity and recreation across many age groups**. In fact, over 60% of "core" players are over the age of 55, however, the *fastest* growing demographic are under age 55.[3]

Demand for pickleball courts has skyrocketed across the country, including here in Springfield/Greene County where we have only 6 dedicated public pickleball courts at Meador Park. Other public indoor facilities offer limited "drop in" play in their gyms at specified times and on temporary nets: Doling Family Center, Chesterfield Family Center, Dan Kinney Family Center, and O'Reilly Tefft Gymnasium. When the weather is nice, it is commonplace to find all 6 courts (24 players) full at Meador Park, with at least that many waiting to rotate in. Most of the indoor locations also have waiting lines to play during their specified times! Numerous courts are being built in private communities in response to their residents' demands.

Ozarks Pickleball Club is a 501c3 non-profit Missouri corporation which seeks to promote the sport of pickleball in the Springfield/Greene County area through advocacy, communication, event organization, and collaboration of resources. We represent the majority of the players in the Springfield and surrounding area, including Republic, Nixa, Ozark and Willard among others. We have seen our online facebook group double to over 1700 members since April of 2020, as well as our player participation grow tremendously, including seniors, college students, families and adults! Over the past summer, we held "Pickleball in the Park" social events each month at Meador Park with an average attendance of over 115 players with at least 25-30 "new" players each time. We have also worked with the cities of Monett, Nixa, and Willard to start or expand pickleball courts in those areas with great response. We have worked extensively with

[1] https://usapickleball.org/news/pickleball-101-a-quick-guide-to-the-fastest-growing-sport-in-the-u-s/
[2] 2021 Ozarks Pickleball Club Player Survey, 184 respondents
[3] https://usapickleball.org/about-us/organizational-docs/pickleball-fact-sheet/

Ozarks Pickleball Club
380 E State Highway CC, B106
Nixa, MO 65714

the Springfield-Greene County Parks Department over the last year to establish goals of how to increase the availability of courts in the Springfield area, however, there simply is not enough space to meet the demand! **We would like to take this opportunity to echo the support of the Fassnight Neighborhood Association for the "Loose Goose" development project planned for the southwest corner of Grand Ave & Grant St.**

In addition to the additional greenspace, and food & beverage operations; the planned development will add 6 much-needed additional pickleball courts to Springfield that would enhance the local economy by providing the first business-focused pickleball complex in the 417-region. Other similar spaces across the country succeed in attracting major regional and national tournaments which would further increase the economic impact to Springfield/Greene County. **Pickleball tournaments are estimated to generate $200,000-$1,000,000 in economic impact** for their communities.[4] Similar establishments have been wildly popular across the country and have spurred further economic development. Chicken N Pickle is one such establishment that is now up to 6 locations in the midwest and have spurred other similar pickleball-centric businesses across the country such as Rally Pickleball, House of Pickleball, and Smash House. We also believe the location lends itself to some new, exciting opportunities with the college students at Missouri State, which represents one of the fastest growing, but yet still untapped, age demographics in the sport.

As pickleball players and residents of Springfield and the surrounding area, we wholeheartedly support the Loose Goose Coffee & Cocktails project and urge you to do the same.

Sincerely,

Ozarks Pickleball Club
Matt Battaglia, President

[4] Estimates vary with number of players and spending per person. Number of players ranges from 100-1000 per tournament, depending on the number of courts available and the facility. Estimated spending per person $79-$229.

BETTER
BLOCK
SGF

5/25/22

To whom it may concern,

Better Block SGF is a Springfield-based non-profit organization dedicated to improving our urban built environment to improve quality of place through tactical urbanism methods, community engagement, and advocacy for positive policy change. Since 2019 Better Block SGF has facilitated several projects, events, and temporary installations that address different issues to promote pedestrian safety, environmental sustainability, local economic vitality, art and culture, and community identity.

We enthusiastically support the Loose Goose development project at the corner of Grant Avenue and Grand Street. We believe this development not only aligns with our goals as an organization to promote right-sized development in our neighborhoods that support the local economy, but it will also act as a catalyst and anchor point for further development along the Grant Avenue Parkway. By providing an opportunity for social connection, food and beverage, and recreation, this mixed-use development will better serve a variety of users, and create an activity hub for the Fassnight neighborhood and other adjacent neighborhoods.

Historically, these types of developments have proven to be successful in Springfield. The Cherry & Pickwick and Galloway Village are two examples of right-sized developments that promote neighborhood identity, culture, and support local business, and we believe the Loose Goose development has the potential to generate a similar energy and activity specific to the identity of the Fassnight Neighborhood. This neighborhood-specific type of development is essential in the continued development and growth of our City, and we believe the Loose Goose project will serve as a launching pad for more revitalization of our historic neighborhoods.

Better Block SGF offers its full support of this project and we look forward to experiencing the positive impact it will have in the Fassnight Neighborhood and along the Grant Avenue Parkway to promote a more thriving and better connected community.

Addison Jones
Founding Director

IN RE: Planned Development #382

Lies and threats - theses issues themselves bring to the table questions that rot the foundation of any proposed development. And that's what I'm reflecting on the most now as I write this - what else truly matters when the most basic tenets of any governmental function, or Planning and Zoning, development - the underpinnings of Community Trust - are violated in such a gross and caviler manner as GDL has done in this case? Promises can be asked for, however if the developer is a bad actor, unwilling and /or unable to perform even the most basic functions, what good are they when given to the City, the Community, or the adjoining landowners? The facts of GDL's, and it's principal's, bizarre and wanton conduct speak for themselves:

Threats: ***GDL and it's principals have embarked on a plan to make useless and valueless the adjoining property to the south, 1028 S Douglas and 1037 S Grant Ave, as part of a scheme to acquire it for less than fair value, through flooding and destruction.*** Literally standing side by side with notorious landlord George Rench's family member (why? Is GDL really George's? Or his son's?), ***GDL threatened to bulldoze the retaining wall, and thus flood and destroy the property at 1028 S Douglas*****,** and other properties to the south. And exactly what we'll end up with if they are allowed to rezone or build anything. The terroristic conduct of the demolition of 1024 S Douglas I have outlined in my other correspondence.

Further "someone" mysteriously cut 3/4 through a tree that would fall on 1028 S Douglas when it falls. This is in addition to the rotten tree that was there for almost a year, poised to fall onto the bedroom & shed. A legit developer would have taken care of these liabilities ASAP, not used them as a cudgel for months. They have been remediated, finally.

The grinning, mocking, visage of Willie Vega, one of GDL's principals, when speaking of adverse events "happening" to private property, sets the tone for his parlance in a manner that mere sounds can not; it is the embodiment of the elite's woke entitlement to private property for "the common good", or perhaps better put "a common dollar".

Lies: I am on the board of the Fassnight Neighborhood Association, the VP. I'm one of the handpicked members by GDL's principals; the President is a close buddy of the principals. ***There was no meeting over the May 4th letter which, fraudulently, purports to be from the board of the association and I had no input in it whatsoever until after the fact, and am 100% opposed to this letter.***

The owners of ***1037 S Grant never agreed to the easements demanded by GDL***, nor do they desire use / sale of their property or pass thru into their parking area which would result in cross traffic making the area useless to the landowner, and the destruction of their property.

This project has been sold to the area as not having alcohol; they plan to sandbag that on us later. The Baptist church, Head Start, etc., were not informed of GDL's liquor expectations; it fell on them to learn for themselves the boozy plans for the heart of Springfield's addiction belt.

The initial P&Z meet up at Parkview: documents were not made available to attendees. False statements were attributed to myself on the sign in sheet. The level of due diligence - names not even corrected with correct spelling - says volumes. The meeting was a sham, with no documents offered

beyond the "Exhibit 2" plans. No firm plans for drainage except as it impacts them. ***The plans even falsified existing structures, with no mention of the existing, city mandated, retaining wall.*** This alone should be grounds for rejection of this fiasco.

No ability to or will to properly develop: They can't even keep it mowed, it's beyond their technical means to mow high weeds. The MSU foundation, when they owned 1015 S Grant, kept it mowed. Even 417 Rentals had a better track record when they owned 1020 S Douglas, which GDL allowed to become a trap house, and it burned - too bad for insurance company & neighborhood, not too bad for GDL.

GDL flouts the city's authority, regulations, and just plain good policy - when they bulldozed 1024 S Douglas - starting prior to the permit being issued - they created a perfect spot for the homeless in the back, even allowing brush to grow up to conceal the area they inexplicably cleared far away from the house. One can only assume this was done to further cause mental anguish and fear in the area via a homeless camp, so they could obtain more property. The city's own pictures show the growth allowed to fester. There wasn't even a trespass letter on file last time I checked.

The retaining wall has been allowed, in the year GDL owned the property at 1024 S Douglas, to deteriorate severely due to pest vegetation growth. ***It is leaning over and in danger of falling onto 1028 S Douglas, in violation of city regulations.*** A fix would be minimal, however GDL refuses to do anything, even the simple task of remediating the vegetation which would greatly reduce the decay of the wall - and something they'd have to do anyway if they develop.

In summation, the city sold this project - over $5,000,000 of local taxpayer's money when we can't even fund police to make the $25,000,000 parkway a safe one! - as a New Urbanism, mixed use style project, not as an architectural mullet with a facade of the desired ascetic and an ugly same ole', same ole' style of building by a combination of inexperienced developers, with family of the area slumlord at the helm of construction. I am in favor of development by quality, professional, developers with viable projects - people that have the ability, and desire, to build according to standard best practices and not harm neighbor property. While I'd like to see these young folks (and the "unknown" backer) succeed and had initially enthusiastically supported them - even suggesting food trucks - I can no longer do so for this party venue in light of the issues they've created for themselves.

Very truly yours,

Trent Condellone
Occupant of 1028 S Douglas
and
Missouri Manager for Notched Properties, LLC

1028 S Douglas Ave
Springfield, MO, 65807

417-883-1697

Francis X. "Butch" Miller
Phone: 314.754.4864
Fax: 314.754.4865
Email: bmiller@capessokol.com

July 14, 2022

VIA EMAIL ONLY (susan.istenes@springfieldmo.gov):

Planning and Zoning Commission
c/o Susan Istenes, AICP - Director, Planning and Development
Busch Municipal Building
840 Boonville Avenue
Springfield, Missouri 65802

Re: Planning and Zoning Commission Public Hearing
Planned Development No. 382

Dear Commissioners:

The undersign and this firm represent 1037 South Grant, LLC. Our client is aware of the proposed rezoning described above and has serious concerns regarding the proposed rezoning. Our client is based in Virginia, and this firm is based in St. Louis; those circumstances make attendance at today's hearing impractical. Therefore, we respectfully request that this letter be entered into the record of today's hearing.

Our client strenuously objects to the proposed rezoning on the basis that the staff report expressly contemplates (1) an easement over our client's property, which has never been discussed with our client and is not likely to be granted, (2) our client is unwilling to give up its current direct and exclusive access to S. Grant Avenue, and (3) our client is unwilling to bear the inconvenience, expense, and uncertainty resulting from the contemplated cross access easement, which really only benefits a neighboring developer.

We have been informed that the developer told a neighboring property owner that, if need be, the developer will "have the City take" an easement from our client. This was very disturbing news to our client. Please be advised that our client will vigorously defend its property rights.

Finally, the other major concern is storm water runoff. As you may be aware, there is a significant grade change in this area. This particular proposed use contemplates a significant amount of impervious surfaces, and the potential for damaging storm water runoff is troubling.

In summary, we note that the professional staff has thoroughly analyzed this proposed rezoning and then sagely recommended denial as, among other problems, the proposed rezoning is not consistent with the city's master plan. We agree with the recommendation of professional staff and encourage this commission to denying the proposed reasoning.

Very truly yours,

Francis X. "Butch" Miller

cc: Mr. Aaron Laufer (via email only)
Dr. Tripp Stewart (via email only)

From: Michelle Billionis
To: Neal, Daniel
Subject: Loose Goose
Date: Friday, July 15, 2022 7:54:50 AM

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

Dear Springfield Planning & Zoning Commission,

We are writing to you today to express our excitement about the “Loose Goose Coffee and Cocktails” concept we have developed and would like to communicate why we believe this project will exceed expectations once approved.

Collectively, we have over 15 years of experience owning and operating 8+ unique small businesses in SGF. We pride ourselves in offering a one-of-a-kind experience found only in the Ozarks.

We have seen people of Springfield seek these places out and flock to them. Our community wants to gather, be active and celebrate now more than ever.

Loose Goose, situated adjacent to the Grant Avenue Parkway trail, has an open and airy feel with clean, minimalistic design that preserves views of nature. The concept provides our community with physical activities including pickleball courts and yard games as well as gathering spaces like covered seating areas and gazebos meant to provide a relaxing atmosphere for the conjoining neighborhoods to congregate while enjoying our amazing food and drink.

The use of drive-thrus has increased by 43% since covid. We know our community and the nation loves the convenience provided by a drive-thru. SGF is saturated with non-local drive-thru options. Loose Goose would like to provide a local coffee and cocktail option and at the same time provide a gathering place for the surrounding neighborhoods and trail users.

Sincerely,
Josh Widner and Michelle Billionis

hdesigngroup

07/14/2022

RE: PD 382 – Response to Staff Report

Respected Members of Planning and Zoning Commission,

The development team would like to provide the following commentary for clarification of the zoning case and the interpretation of the regulations and guidelines in response to the staff recommendation to deny the rezoning request. The reasons cited for the recommendation inappropriately apply the code and offer subjective reasoning for denial. The development team only asks that the commission applies the same guidelines and procedures as would be appropriate for any other zoning case when considering the request for rezoning.

Through the preliminary planning process, we realized that the project would conflict with the height and use zoning requirements of the GAP E district. Wanting to keep the intent of the GAP Corridor plan it was decided that a planned development would be the most appropriate way to ensure the quality of design would be ensured with the requirements of the preliminary and final plats along with additional restrictions to align with the requirements of GAP E district.

The primary driver for the design of the planned development has been to meet the intent of the GAP Corridor plan as clearly stated in the opening pages,

> "The intent of the Plan is to promote reinvestment and redevelopment that leverages the new Parkway as an asset…The Plan will inform updated regulations that will ask more of the development community in delivering high-quality design that fosters sense of place. In exchange, those same regulations will also provide greater flexibility regarding what residents and business owners can do with their property, including a broader range of permitted uses and permitted height and density, and provide for greater creativity in design."

The primary goal of the GAP Corridor plan being reinvestment and redevelopment, it is critical that flexibility be considered to see opportunities in the corridor realized.

In the staff report number twelve of staff findings for recommendations states

> "A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied."

With a goal of reinvestment and redevelopment, the economic and market conditions of the corridor are of significant importance however, it is not the purview of staff to make recommendations based on economic viability.

Further in the staff report, references to the GAP Placemaking Master Plan are provided as a vision for appropriate development of the site. This plan developed by City consultants for the GAP corridor improvements only serves as a visioning document that has not been adopted and does not have regulatory influence.

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Presented in the report as a viable alternative, the master plan proposal fails to account for realities of market conditions, property ownership and fails to follow the GAP Corridor plan recommendations by placing parking behind the building. Including this in the report only serves to detract from the facts of the rezoning request.

The specific requirement for vertical mixed use is not defined in GAP plan but only within the adopted GAP District regulations is mixed use is defined in 36-490(1)(a)1.

> "In subdistrict E, all new development shall utilize a mixed-use building type. A mixed-use building type is a multi-story building which accommodates nonresidential uses on the ground floor and residential or nonresidential uses on upper floors."

At no other place in the zoning code is mixed-use defined. As this definition only applies to GAP E district zoning regulations, the proposal meets the intent for mixed-use as intended by the GAP Corridor plan with multiple uses across the site.

Drive thru and package liquor uses are cited in the staff report as prohibited uses however these uses are only referred to in the specific GAP E zoning regulations and not in the GAP Corridor Plan. As these are specific to the GAP E zoning requirements, they should not be reason for denial. It should be noted as well that under the current definition in Sec 36-321

> "package liquor store: An establishment where alcoholic beverages are sold for consumption off the property."

This definition is exceedingly vague and brings to question the intent behind its use in zoning regulations. Considering the recent passage of State Bill 126 that allows restaurants to sell "to-go" alcoholic beverages the definition and intent of "package liquor store" in the zoning code needs to be updated to account for current practices.

Considering the prohibition of drive thru use in GAP E district staff is concerned that the vehicle traffic will conflict with the intent of the Plan as a pedestrian friendly development. Alternatively, the plan preferred by staff for three to four story mixed use would likely generate more traffic than the proposed use. The site was designed to provide an enhanced pedestrian space with a drive thru located behind the building screening visibility from Grant Ave in keeping with the intent of the GAP Corridor Plan.

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There are many plans, regulations and recommendations cited throughout the report, the below summarizes the various plans and statements made and the development team's stance on their appropriateness of use.

Comprehensive Plan – Applicable

GAP Corridor Plan – Applicable

GAP E Subdistrict Zoning Regulations – Not applicable

The request is to rezone it from GAP E to Planned Development 382.

GAP Parkway Master Plan - Not applicable

Not an adopted plan, developed as part of the public improvements to the GAP Parkway.

Economic Viability - Not Applicable

It is not within staff's authority to determine project viability.

In closing we hope that the above commentary has helped to provide context and clarity surrounding the development team's reasoning and stance for the request for rezoning. We trust in the judgement of the Commission to view the case through the appropriate guidelines and will vote in favor of PD 382.

Respectfully Submitted,

Andrew Doolittle
Partner
GDL Enterprises
c: 573.999.3702

Brandon Biskup, AIA
Architect
h design group
o: 417.887.6595

Jared Davis, PE, LEED
VP
Anderson Engineering
o: 417.866.2741

LOOSE GOOSE

Kickstarting the Future of Grant Avenue

July 14th, 2022

The Site today

Who are we?

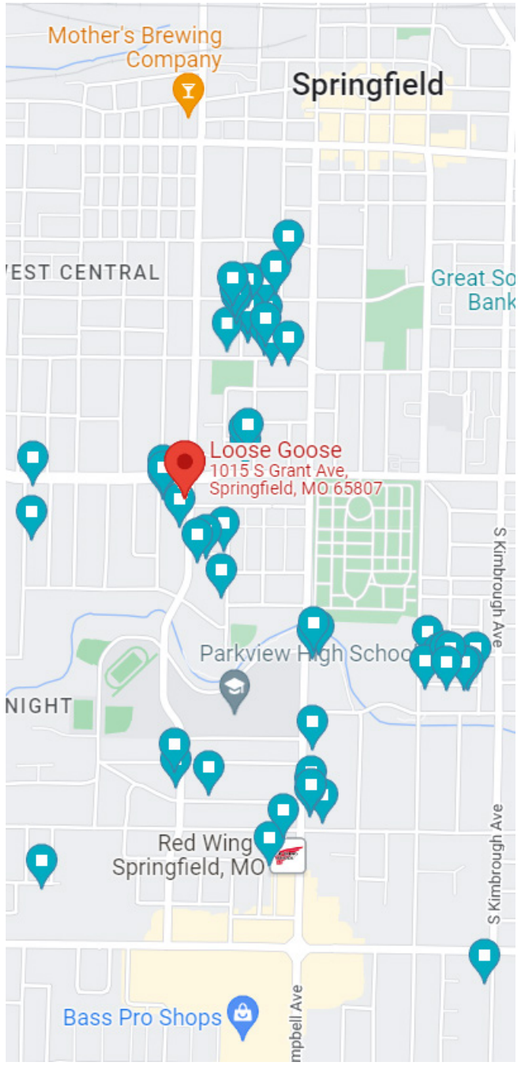
The **Loose Goose development team** is made up of local, creative and proven entrepreneurs. Joshua Widner and Michelle Billionis have been changing the landscape of the food and beverage industry in Springfield for over a decade. Cherry Picker Package & Fare, The Coffee Ethic and Golden Girl Rum Club are some of Springfield's favorite establishments. We are excited to bring their years of experience and success to the Grant Avenue Parkway via Loose Goose. Andrew Doolittle, Cameron LaBarr and Willie Grega bring years of Real Estate experience and investment in the Fassnight and West Central neighborhoods to the team. We are a group of local folks who want to change Springfield for the better by bringing unique experiences to the community.

GDL Enterprises, LLC
Investment in Fassnight & West Central

Willie Grega

Andrew Doolittle

Cameron Labarr



Who are we?

Joshua Widner

Founder and owner of Good Spirits and Company, Joshua Widner owns and operates multiple award winning and nationally recognized establishments.

Michelle Billionis

Creative professional in the Specialty Coffee Industry who owns The Coffee Ethic in downtown Springfield and co-owns Cherry Picker Package & Fare.

The context today

“Loose Goose will improve the safety of our neighborhood, as it transforms a block that currently experiences high crime into a neighborhood center.”

FASSNIGHT NEIGHBORHOOD ASSOCIATION LETTER OF SUPPORT

We believe the Grant Avenue Parkway neighborhoods need a central gathering space.

And we want to build it for them.

With the best operators

Good Spirits & Co.

The Coffee Ethic

Our customers will be the people who already call the neighborhoods home today and those who will call it home tomorrow.

THE PROPOSAL

The Site Plan

LOOKING SOUTHWEST

After more than 25 years, of vacancy we're offering something for everyone

BY THE NUMBERS

Use	Size
The Site	1.47 ac
Coffee/Cocktail Shop	1,500 sf
Rental Kiosk/Bar	280 sf
Parking	33 spaces

Fassnight and West Central Neighborhood Support

FASSNIGHT NEIGHBORHOOD ASSOCIATION

May 4, 2022

To whom it may concern,

The Fassnight Neighborhood Association is thrilled to provide this letter of support for the Loose Goose project on the corner of Grant and Grand. We feel that this project aligns with the mission of our organization: to enhance beauty, improve safety, and create community in our neighborhood.

The Loose Goose project will enhance the beauty of our neighborhood with thoughtful landscaping and attractive business design. The innovative design of the coffee shop, outdoor seating, and creative use of existing material such as the existing awning will provide both a sense of historicity and creative new energy on a corner lot that has long sat vacant. In addition, Loose Goose is bringing 2 exceptional local food and beverage operators to the Fassnight neighborhood, Josh Widner of Good Spirits and Co and Michelle Bilionis of Coffee Ethic. Both Michelle and Josh have transformed entire blocks in Springfield based on the initial success of their business ventures.

Loose Goose will improve the safety of our neighborhood, as it transforms a block that currently experiences high crime into a neighborhood center. When space is activated and not sitting vacant it tends to drive crime further away from the activity center and the neighborhood. Our organization is confident that this project will create heightened awareness within our neighborhood, provide more foot traffic, and provide accountability; all of which will help to lower crime in Fassnight.

Finally, Loose Goose will create community by serving as an activity center and neighborhood hub in the Fassnight neighborhood. Neighborhood hubs in Springfield have historically shown to drive additional investment into the surrounding neighborhood creating a compounding positive effect. Examples of successful neighborhood hubs are Cherry and Pickwick and Galloway Village. These hubs gained real momentum after a few businesses (almost always food and beverage or entertainment type businesses) proved the area was worthy of additional investment. In addition, Loose Goose provides a neighborhood amenity in the form of 6 Pickleball courts for the Fassnight neighborhood and for parkway users.

Fassnight Neighborhood believes in the vision of Loose Goose and strongly believes that this project will enhance the work being done along the Grant Avenue Parkway and ensure that Fassnight becomes and remains a more beautiful, safer, and connected community within Springfield. We are pleased to give our full support to this exciting project.

Nathan Cook

NATHAN COOK
President

WEST CENTRAL
SPRINGFIELD'S DOWNTOWN NEIGHBORHOOD

May 4, 2022

To Whom It May Concern,

I am writing this letter to express the West Central Neighborhood Alliance's support for the Loose Goose project at the southwest corner of Grand Street and Grant Avenue. We believe this project would be the right fit for our community and will generate critical momentum for private development along the Grant Avenue Parkway.

Everett Homes, along with their partners in this project, Good Spirits & Co. and The Coffee Ethic, have developed a well-thought out concept that would revitalize and activate a piece of land that has remained vacant and neglected for multiple decades. The unique project would attract customers of all ages and help build a sense of community in this area. We appreciate that the development team all live and work in the Springfield area and have a vested interest in seeing this project succeed. The developers involved in this project are long-respected local business owners and have a love for Springfield that only a local business owner would have. West Central looks at this project as a catalyst for further development along the Parkway and the success of this project would be an amazing accomplishment, not just for West Central but for the Springfield community as a whole.

The West Central Neighborhood Alliance strongly supports the development efforts for the Loose Goose project. We hope the City of Springfield will consider the overwhelming support and can see the opportunity this project creates as they make their decisions.

Sincerely,

DocuSigned by:
Caron Parnell
C7A1AF43344A447...

Caron Parnell
President
West Central Neighborhood Alliance

BETTER BLOCK SGF

5/25/22

To whom it may concern,

Better Block SGF is a Springfield-based non-profit organization dedicated to improving our urban built environment to improve quality of place through tactical urbanism methods, community engagement, and advocacy for positive policy change. Since 2019 Better Block SGF has facilitated several projects, events, and temporary installations that address different issues to promote pedestrian safety, environmental sustainability, local economic vitality, art and culture, and community identity.

We enthusiastically support the Loose Goose development project at the corner of Grant Avenue and Grand Street. We believe this development not only aligns with our goals as an organization to promote right-sized development in our neighborhoods that support the local economy, but it will also act as a catalyst and anchor point for further development along the Grant Avenue Parkway. By providing an opportunity for social connection, food and beverage, and recreation, this mixed-use development will better serve a variety of users, and create an activity hub for the Fassnight neighborhood and other adjacent neighborhoods.

Historically, these types of developments have proven to be successful in Springfield. The Cherry & Pickwick and Galloway Village are two examples of right-sized developments that promote neighborhood identity, culture, and support local business, and we believe the Loose Goose development has the potential to generate a similar energy and activity specific to the identity of the Fassnight Neighborhood. This neighborhood-specific type of development is essential in the continued development and growth of our City, and we believe the Loose Goose project will serve as a launching pad for more revitalization of our historic neighborhoods.

Better Block SGF offers its full support of this project and we look forward to experiencing the positive impact it will have in the Fassnight Neighborhood and along the Grant Avenue Parkway to promote a more thriving and better connected community.

Addison Jones
Founding Director

www.betterblocksgf.com | Springfield, MO | admin@betterblocksgf.com

LETTERS OF SUPPORT

"Whenever rezoning is sought, the neighborhood should be worked with first." *FORWARD SGF WORKSHOP, MARCH 22, 2022*

Cherry & Pickwick

What are we asking for?

We are applying for a rezoning to a Planned Development instead of Commercial Service or General Retail.

WHY?

- ★ A Planned Development respects the design intent of the Corridor Plan
- ★ Increased design standards promote the type of flexibility and creative development that will help revitalize this corridor
- ★ In contrast to simply rezoning, the Planned Development process requires details that give assurances to the community that the proposal is of high quality

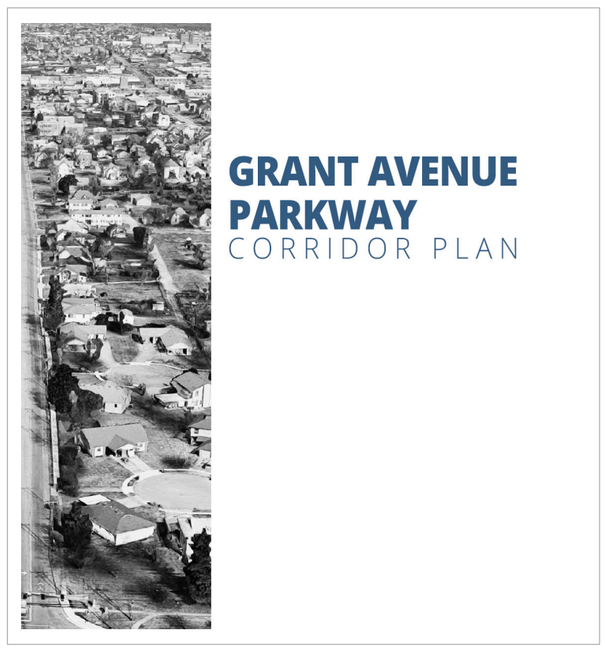
"The notion of flexibility in planning is crucial."

FORWARD SGF WORKSHOP, MARCH 22, 2022

Let’s move forward together

The Site today

We want to fit into your vision



PEOPLE • PLACE • PROSPERITY

FORWARD SGF

2040

FORWARDSGF.COM

"Creating complete neighborhoods is vital to quality of place..."

FORWARD SGF WORKSHOP, MARCH 22, 2022

“...providing an amenity-rich environment for the modern workforce that chooses place before profession.”

FORWARD SGF WORKSHOP, MARCH 22, 2022

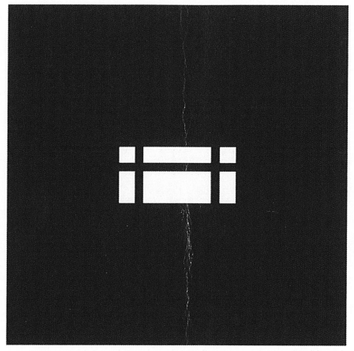
"Experiential projects are at the forefront of development now."

FORWARD SGF WORKSHOP, MARCH 22, 2022

We're ready to start implementing NOW

THANK YOU!

Contact:
Andrew Doolittle
andrew@everett-homes.com



hdesigngroup | LOOSE GOOSE

renderings

LOOSE GOOSE

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 382

APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

All requirements of the *Springfield Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

INTENT

The purpose of this planned development is to provide a local-serving, mixed-use neighborhood center setting that will add to the Grant Avenue Parkway community. The development will include a coffee shop with indoor seating and drive-through, food truck parking area with outdoor canopy-covered seating, green space for yard-games and seating, six (6) pickle ball courts, outdoor walk-up yard bar, and off-street parking.

The development will connect to and extend the Fassnight Creek Greenway trail into the site, as well as connect to and extend the sidewalk along Grand Avenue. The site is within walking distance to Fassnight Park, Springfield Skate Park, and Parkview Highschool, and will help to create a welcoming, complementary entrance from Grand Avenue into the Fassnight Park area.

The development has received enthusiastic support from both the Fassnight Neighborhood Association and the West Central Neighborhood Alliance, which border the development to the south and the north, respectively. Both have provided glowing letters of support, outlining how the project will serve as an activity center and neighborhood hub, and will enhance beauty, improve safety, and create community in the neighborhood. The Ozarks Pickleball Club has also provided a letter of support that outlines how this development will enhance the local economy by providing the first business-focused pickleball complex in the 417-region. Such complexes across the country have successfully attracted regional and national tournaments which generate additional revenue for the surrounding businesses and community. These letters of support can be found in the Appendix.

DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

USES PERMITTED

1. Eating and Drinking Establishment: Coffee shop, including drive-in, pick-up window or drive-thru facilities

ACCESSORY USES PERMITTED

1. Athletic courts for outdoor games
2. Food truck vending spaces up to 4 parking spaces and outdoor seating
3. Fire pits
4. Package liquor store, with on- and off-site consumption

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*.

INTENSITY OF DEVELOPMENT

Development will consist of the following:

1. Maximum 4000 SF for food truck parking and outdoor seating

3. Maximum 1500 SF indoor restaurant area

3. Maximum 6500 SF outdoor recreation area

4. Maximum 10,000 SF pickle ball courts

5. Maximum 400 SF outdoor bar area

BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

1. The maximum height of any buildings is one story or 35 feet. The existing canopy is allowed to remain as is.

2. The following minimum setbacks shall be required:

    a. No setback along the north boundary.
    b. No setback along the east boundary.
    c. Ten (10) feet for building and parking along the north half of the west boundary.

d. Twenty (20) feet for building and parking along the south half of the west boundary.
e. Nine (9) feet for building and parking along the southern west boundary.
f. Ten (10) feet for building and parking along the south boundary.

3. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundary of any adjacent residential district. To the south, the bulk plane measurement starts from the property line of the Residential Lot on the south-west corner of the subject parcel.

OPEN SPACE, LANDSCAPING, BUFFERYARDS & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Minimum 20% open space required

2. The landscape and buffer area provisions of *Section 36-492* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

3. The Screening provisions of *Section 36-493* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

EXTERIOR LIGHTING

The requirements and standards of *Section 36-495* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

ACCESS TO PUBLIC THOROUGHFARES

Access to the public street system as shown on Exhibit 2 are for illustrative purposes only and shall be governed by the existing standards of the City of Springfield for the applicable street classification.

No direct access is allowed to Grant Avenue unless cross access is provided to 1037 S. Grant Avenue and the owner of that property agrees to close their existing driveway.

Any access from Douglas Avenue must be a minimum of 50 feet from the intersection with Grand Street.

No direct access is allowed to Grand Street.

OFF-STREET PARKING

Section 36-491 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

SIGNS

Section 36-494 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

REQUIRED IMPROVEMENTS

Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued, the applicant, or subsequent owners shall:

1. Construct the required improvements; or
2. Provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.

No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:

1. The required improvements are completed prior to occupancy of the structures; or
2. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

Improvements necessary to adequately accommodate the intensity of development in this District include the following.

1. <u>Stormwater Management Facilities</u>
   All storm water management facilities, including detention and water quality, will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. A fee-in-lieu-of stormwater detention will be filed with the City of Springfield Public Works Department.

2. Traffic Study
   A Traffic Impact Study is required at the time of development. Any improvements required based on the Traffic Study are required to be constructed or funds escrowed prior to issuance of a building permit.
3. Sidewalks
   There is existing sidewalk along the property frontage of W. Grand Street. There is not existing sidewalk along the property frontage of S. Grant Avenue or S. Douglas Avenue. The developer is required to construct sidewalk at the time of development along the property frontage of S. Grant Avenue and S. Douglas Avenue.
4. Right-of-Way
   City of Springfield's Transportation Plan classifies S. Grant Avenue as a Secondary Arterial roadway, W. Grand Street as a Primary Arterial roadway and S. Douglas Avenue as a Local roadway. The standard right-of-way width is 35-feet from the centerline for S. Grant Avenue, 50-feet from the centerline for W. Grand Street and 25-feet from the centerline for S. Douglas Avenue. An additional 10-feet of right-of-way is needed along S. Grant Avenue and an additional 5-feet of right-of-way is needed from S. Douglas Avenue. No additional right-of-way is needed along W. Grand Street. A 100X100 ft sight triangle is required at the intersection of S. Grant Avenue and W. Grand Street. A 10X10 ft sight triangle is required at the intersection of S. Douglas Avenue and W. Grand Street. S. Grant Avenue, W. Grand Street and S. Douglas Avenue are all city-maintained roadways.
5. Driveway Access
   There are currently two driveway access points onto the property from S. Grant Avenue. These two access points will be closed. No direct access is allowed to Grant Avenue unless cross access is provided to 1037 S. Grant Avenue and the owner of that property agrees to close their existing driveway. This access will provide a cross access easement so the approach can be shared with the property to the south. There are no existing access points onto the property from W. Grand Street and no access will be allowed. There are currently three existing access points to the property from S. Douglas Avenue. Access to this property will only be allowed from S. Douglas Avenue and all access must meet current City of Springfield driveway access requirements.

Improvements shall conform to the following standards.

1. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

PHASING

Development may be phased if all public improvements directly related to each phase are completed at the time of its development and improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

FINAL DEVELOPMENT PLAN

A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. Development of this District shall be in accordance with the approved final development plan.

Final development plans designating the location of uses shall be submitted to the Administrative Review Committee, either as a whole or in phases.

1. The intent of Exhibit 2 is to illustrate the general location of the sub areas. The boundaries of the sub areas may shift to accommodate the uses. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by *Subsection 36-405.09(c)* of the *Springfield Zoning Ordinance*.

2. The final development plan shall be submitted to the Planning and Zoning Commission for review and recommendation to the City Council for final action, either as a whole or in phases. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

    A. Any uses within the District other than those specifically prescribed by the ordinance.
    B. Any increase in the intensity of use permitted within the District.

LOCATION SKETCH
SECTION 26, T29N, R22W
SCALE: 1"=2000'

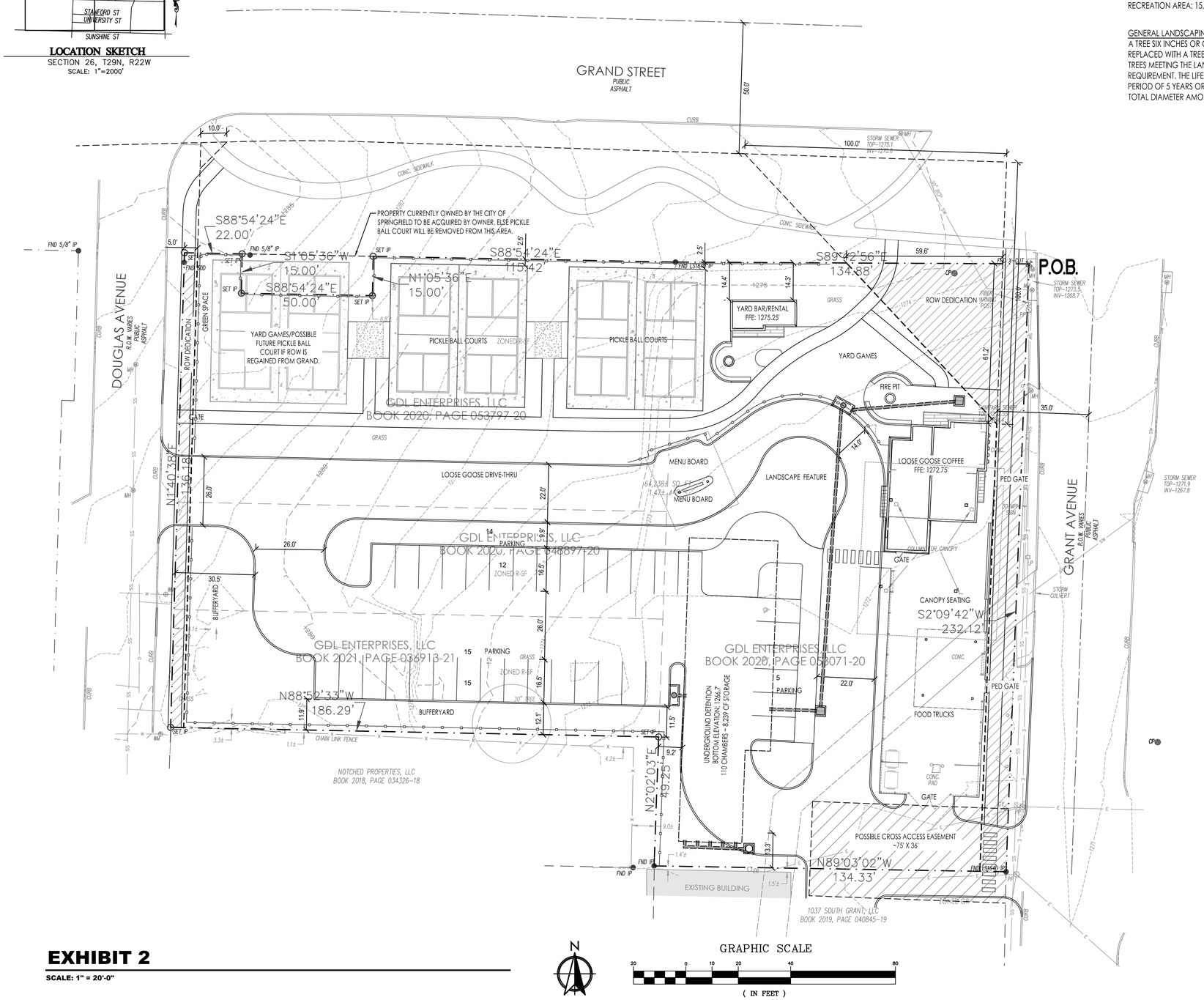


EXHIBIT 2
SCALE: 1" = 20'-0"

PARKING SUMMARY
1,500 SF COFFEE SHOP, 2 FOOD TRUCK LOCATIONS, 280 SF RENTAL KIOSK/BAR
PARKING REQUIRED:
RESTAURANT WITH PICK-UP WINDOW AND DRIVE-THRU: ONE FOR EACH 70 SQUARE FEET OF TOTAL BUILDING FLOOR AREA. 22 REQUIRED
TENNIS COURTS AND CLUBS (OUTDOOR): ONE FOR EACH 5,000 SQUARE FEET OF GROSS LAND AREA. 3 SPACES REQUIRED.
PARKING REQUIRED: 25 SPACES
PARKING PROVIDED: 33 SPACES, 2 OF WHICH ARE HANDICAP ACCESSIBLE.

ZONING DATA
SIZE OF PROPERTY: 64,238 SF OR 1.47 ACRES
MINIMUM OPEN SPACE: 20%
OPEN SPACE PROVIDED: 22,094 OR 34%
RECREATION AREA: 15,000 SF OR 23% (SOME SPACE INCLUDED IN OPEN SPACE)

GENERAL LANDSCAPING NOTES
A TREE SIX INCHES OR GREATER IN DIAMETER MEASURED 4.5' ABOVE THE GROUND MUST BE PRESERVED OR REPLACED WITH A TREE OF AT LEAST TWO INCHES IN DIAMETER - FOR A MAXIMUM TOTAL OF 7 TREES PER ACRE. TREES MEETING THE LANDSCAPE REQUIREMENTS IN THE ZONING ORDINANCE MAY BE COUNTED TOWARD THIS REQUIREMENT. THE LIFE OF ALL PLANTED AND SAVED TREES SHALL BE GUARANTEED AND MAINTAINED FOR A PERIOD OF 5 YEARS OR SHALL BE REPLACED WITH AN EQUAL DIAMETER TREE. IF THIS IS NOT POSSIBLE THEN THE TOTAL DIAMETER AMOUNT OF TREES WITH NO LESS THAN 2 INCHES OF DIAMETER THROUGHOUT THE PROJECT AREA.

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS · SURVEYORS
LABORATORIES · DRILLING
3213 S WEST BYPASS
SPRINGFIELD, MO 65807
PHONE (417) 866-2741
A LICENSED MISSOURI ENGINEERING CORPORATION
COA 00062

PLANNED DEVELOPMENT EXHIBIT 2

1024 S. DOUGLAS AVENUE
SPRINGFIELD, MO

LOOSE GOOSE

GDL ENTERPRISES, LLC

ISSUED FOR

NO.	DESCRIPTION	DATE

DRAWING INFORMATION

PROJECT NO:	21SP10157
DRAWN BY:	JMD
CHECK BY:	JMD
ISSUED FOR:	ZONING
ISSUED DATE:	07/01/2022

ISSUED BY:	JARED M. DAVIS
LICENSE NO:	PE No. 2016017614

SHEET TITLE
EXHIBIT 2

SHEET NUMBER
1

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed: 08-02-22

Sponsored by: Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-199 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield City Code, Chapter 46, 'Elections,' Section 46-4, 'Nominating petitions,' to add a date that informational packets, which include nominating petitions for candidates for City Council, must be made available to candidates.

WHEREAS, Section 46-4 of the City Code requires the City Clerk to provide forms for nominating candidates to a City Council office, and traditionally, the City Clerk provides a packet of information, including nominating petitions, to prospective candidates with the necessary information for review before becoming a candidate for City Council; and

WHEREAS, these packets have been provided at the beginning of October of the year preceding a City Council election; and

WHEREAS, it would benefit candidates for City Council to know a date certain by which such packets will be made available to them.

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

NOTE: Added language is <u>underlined</u>, deleted language is ~~stricken~~.

<u>Section 1</u> – The Springfield City Code, Chapter 46, 'Elections,' Section 46-4, 'Nominating petitions,' is hereby amended as follows:

Sec. 46-4. – Nominating petitions.

A nominating petition for the city council shall include thereon, at the time the petition is signed, the office for which the person is being nominated. The city clerk shall provide forms for nominating candidates to a city council office <u>beginning the first regular business day of October of the year preceding a municipal election for said election. The clerk may also provide such other information as the clerk believes may be useful to candidates with the forms for nominating candidates</u>.

Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired, or liability incurred nor any cause or causes of action occurred or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4 – This Ordinance shall be in full force and effect immediately upon adoption.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Rhonda Lewsader, City Attorney

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

EXPLANATION TO COUNCIL BILL 2022-199

FILED: 08-02-22

ORIGINATING DEPARTMENT: City Clerk

PURPOSE: To amend the Springfield City Code Chapter 46, 'Elections, Section 46-4, 'Nominating petitions' to add a date that informational packets, which include nominating petitions for candidates for City Council, must be made available to candidates.

BACKGROUND: Section 46-4 of the City Code requires the City Clerk to provide forms for nominating candidates to a City Council office. Traditionally, the City Clerk provides a packet of information to the prospective candidates with the necessary information for review before becoming a candidate for City Council. This information includes excerpts from the City Code, the City Charter, and state law.

Traditionally these packets are made available to prospective candidates in the beginning of October of a year preceding the Council election. It is important that candidates are provided information in a timely and consistent manner and knowing a date certain by which the packets will be made available to them should assist potential candidates.

Passage of this Council bill would require the City Clerk to make packets and nominating petitions available on the first business day of October of the year preceding the General election in April.

Submitted by:

Anita J. Cotter, City Clerk

Approved by:

Jason Gage, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 26
Filed: 08-02-22

Sponsored by: Hosmer

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 200 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or his designee, on behalf of the City of Springfield, to enter into an agreement with the Missouri Development Finance Board to obtain tax credits for contributions to benefit the Springfield Art Museum's 2028 Campaign and 30-Year Master Plan and to take other actions reasonably necessary to carry out the terms of such agreement.

WHEREAS, the Missouri Development Finance Board ("MDFB") operates a program which provides fifty percent (50%) tax credits to individuals making donations for certain qualified projects; and

WHEREAS, on February 2, 2022, by passage of Resolution 10616, City Council authorized the City Manager, on behalf of the City of Springfield, to apply for tax credits from the MDFB for contributions to benefit the Springfield Art Museum's 2028 Campaign and 30-Year Master Plan; and

WHEREAS, the MDFB approved the City's application; and

WHEREAS, the City has negotiated a tax credit agreement with MDFB to administer the proposed program ("Agreement").

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

Section 1 – The City Manager, or his designee, on behalf of the City of Springfield, Missouri, is hereby authorized to enter into an agreement, which shall be substantially in form and content as that document attached hereto and incorporated by reference as "Exhibit A," with the Missouri Development Finance Board to obtain tax credits for contributions to benefit the Springfield Art Museum's 2028 Campaign and 30-Year Master Plan, and to take such actions reasonably necessary to carry out the terms of such agreement.

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 2022-200

FILED: 08-02-22

ORIGINATING DEPARTMENT: Art Museum

PURPOSE: Authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into an agreement with the Missouri Development Finance Board to obtain tax credits for contributions to benefit the Springfield Art Museum and take other actions for the purpose of renovation and expansion of the Springfield Art Museum building and grounds.

BACKGROUND INFORMATION: The Missouri Development Finance Board ("MDFB") operates a program that provides 50 percent tax credits to persons and qualified institutions making donations to qualified projects. Contributions are made directly to the MDFB and the MDFB provides tax credit certificates to the donor(s). Then, the City requests disbursement from its MDFB account on behalf of the project. This program requires that the grantee be a Public Entity – which the Springfield Art Museum is. The City has previously received approval for MDFB tax credits for projects like Founders Park, Creamery Arts Center, Discovery Center, History Museum, and Ozarks Food Harvest.

REMARKS: Contributed funds raised through the MDFB Tax Credits for Contributions Program will incentivize private contributions from individuals and institutions toward the completion of the Art Museum's Master Plan. The Art Museum's Master Plan will establish a cultural tourism destination for Springfield and the ancillary benefits include improvements for the surrounding neighborhoods, access to trails, nature and culture, talent retention and attraction for the City and its businesses, an education and cultural resource for generations.

This project supports the following City Council Priorities:

- Quality of Place
- Economic Vitality

Submitted by:

Nick Nelson, Director of Art Museum

Recommended by:

Alia Lee, Art Museum Board Chair

Approved by:

Jason Gage,
City Manager

TAX CREDIT AGREEMENT

(City of Springfield – Art Museum Project)

THIS TAX CREDIT AGREEMENT, dated as of the _____ day of _____, 2022 (the "Agreement"), by and among the **MISSOURI DEVELOPMENT FINANCE BOARD**, a body corporate and politic of the State of Missouri (the **"Board"**), and the **CITY OF SPRINGFIELD, MISSOURI**, a constitutional home rule charter city and political subdivision organized and existing under the laws of the State of Missouri (the **"Public Entity"**);

WITNESSETH:

WHEREAS, Section 100.286.6 of the Revised Statutes of Missouri (the **"Tax Credit Statute"**) provides that any taxpayer shall be entitled to a tax credit against any tax otherwise due under the provisions of Chapter 143, RSMo, excluding withholding tax imposed by Sections 143.191 to 143.261, RSMo, Chapter 147, RSMo, or Chapter 148, RSMo, in the amount of fifty percent of any amount contributed in money or property by the taxpayer to the development and reserve fund, the infrastructure development fund or the export finance fund during the taxpayer's tax year; and

WHEREAS, the Public Entity has requested that the Board accept contributions from donors and make the proceeds of such contributions available to the Public Entity for the purpose of paying a portion of the cost of financing the project described on **Exhibit A** hereto (the **"Project"**), all as more fully described in the application documentation for assistance submitted to the Board (all as attached hereto as **Exhibit B**, collectively, the **"Project Application"**); and

WHEREAS, at meetings of the Board held on April 19, 2022 and May 17, 2022, the Public Entity made written and/or oral presentations to the Board concerning the Project and the Project Application; and

WHEREAS, at the meeting of the Board held on May 17, 2022, the Board adopted a Resolution approving the Project Application and the award of Tax Credits (defined below) in an amount up to $2,000,000; and

WHEREAS, the Project will significantly benefit the Public Entity and the State of Missouri by: (i) increasing tourism and visitors to the Springfield Art Museum, a department of the Public Entity (the **"Project Beneficiary"**), which will have a positive economic impact for the Public Entity, (ii) preserving and protecting cultural and historic resources, (iii) providing a positive impact on the physical and mental health of those that visit the Project Beneficiary, and (iv) providing future, long-term jobs, as well as temporary construction jobs; and

WHEREAS, the Board and the Public Entity desire to enter into this Agreement for the purpose of setting forth the terms and conditions pursuant to which the Board will accept contributions with respect to the Tax Credits described herein and deposit such contributions into the Infrastructure Development Fund (defined herein) for the purposes set forth herein, all subject to the terms of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the Board and the Public Entity hereby covenant and agree as follows:

ARTICLE I

DEFINITIONS

In addition to the terms defined in the Recitals to this Agreement and elsewhere herein, as used in this Agreement the following terms shall have the following meanings:

"Application" means the request for assistance submitted to the Board by the Public Entity attached hereto as **Exhibit B**.

"Completion Date" means the date established by the Public Entity as the completion date pursuant to notice filed pursuant to **Section 5.2(d)** hereof.

"Compliance Period" means the period commencing upon the execution of this Agreement and ending on the last day of the third full fiscal year following the latest of these events to occur (i) the execution of this Agreement, (ii) the first issuance of Tax Credits pursuant to this Agreement or (iii) the Completion Date.

"Contribution" means any contribution received by the Board pursuant to and in accordance with this Agreement.

"Disbursement Request" means the Disbursement Request referred to in **Section 4.2** hereof and the form of which is attached hereto as **Exhibit C**.

"Donor" means any person making a contribution to the Board.

"Infrastructure Development Fund" means the fund by that name held by the Board.

"Material" means a standard for materiality pursuant to which any change or amendment would, when added to all such other changes or amendments, result in a prudent person considering such change or amendment material or would impact the Project Budget by 10% or more. Any change shall be deemed Material if the Board notifies the Public Entity, prior to the effective date of such change, that the Board considers such change to be Material.

"Maximum Contributions" shall have the meaning set forth in **Section 3.1** hereof.

"Maximum Tax Credits" shall have the meaning set forth in **Section 3.1** hereof.

"MBE/WBE Policies" shall mean the minority or woman business enterprise policies relating to construction contracts paid for with public funds of the Public Entity (as such policies were in effect at the time of execution of this Agreement and included as **Exhibit H** attached hereto) as identified to the Board by the Public Entity in the first Disbursement Request.

"Project" means the project described in **Exhibit A**, and any amendments, revision or additions thereto made in accordance with **Section 5.7(b)** hereof.

"Project Abandonment" means (i) the failure by the Public Entity to commence construction of the Project within three years of the execution of this Agreement, where no agreement exists between the Board and the Public Entity to extend such deadline, or (ii) any sale by the Public Entity of a material

portion of the real estate or improvements thereon constituting the Project. For purposes of the prior sentence, commence construction shall mean the entering into of a contract with a general contractor for the Project and commencement of work on the Project.

"Project Budget" means the aggregate Project Budget described in the Application, and any amendments, revisions or additions thereto made in accordance with **Section 5.7(a)** hereof.

"Project Costs" means all reasonable or necessary costs and expenses, relating to the Project, subject to the limitations contained in **Exhibit D**.

"Tax Credits" means tax credits issued by the Board in accordance with the Tax Credit Statute and this Agreement in consideration of the Contributions.

"Tax Credit Statute" shall have the meaning set forth in the Recitals.

ARTICLE II

FINDINGS AND DETERMINATIONS; REPRESENTATIONS AND WARRANTIES

Section 2.1. Board's Determination of Project Benefit. The Board hereby finds and determines as follows:

(a) The Project will significantly benefit the Public Entity and the State of Missouri by: (i) increasing tourism and visitors to the Project Beneficiary which will have a positive economic impact for the Public Entity, (ii) preserving and protecting cultural and historic resources, (iii) providing a positive impact on the physical and mental health of those that visit the Project Beneficiary, and (iv) providing future, long-term jobs, as well as temporary construction jobs;

(b) The benefits to be derived by the State of Missouri are expected to exceed the benefits provided by the Board by this Agreement; and

(c) The Board's participation is a material precondition to the completion of the Project, and the Project would not proceed without the assistance provided by the Board.

Section 2.2. Public Entity's Determination of Project Benefit and Representations and Warranties. The Public Entity hereby finds and determines as follows:

(a) The Project will significantly benefit the City of Springfield and the State of Missouri by: (i) increasing tourism and visitors to the Project Beneficiary, which will have a positive economic impact for the Public Entity, (ii) preserving and protecting cultural and historic resources, (iii) providing a positive impact on the physical and mental health of those that visit the Project Beneficiary, and (iv) providing future, long-term jobs, as well as temporary construction jobs;

(b) The benefits to be derived by the State of Missouri and the Public Entity are expected to exceed the benefits provided by the Board by this Agreement;

(c) The Project would not proceed without the assistance provided by the Board;

(d) The Public Entity (1) is a constitutional home rule charter city and political subdivision organized and existing under the laws of the State, and (2) the Public Entity has lawfully executed and delivered this Agreement acting by and through the authority of the Public Entity's governing body; and

(e) The execution and delivery of this Agreement by the Public Entity will not result in a breach of any of the terms of, or constitute a default under, any indenture, mortgage, deed of trust, lease or other agreement or instrument to which the Public Entity is a party or by which it or any of its property is bound or its bylaws or any of the constitutional or statutory rules or regulations applicable to the Public Entity or its property.

Section 2.4. No Private Benefit. The Public Entity represents and warrants that no portion of the Project or the proceeds of the Contributions shall benefit any private person, except for such benefits as may be conferred to private persons through the ordinary course of business in the development, construction and operation of the Project.

ARTICLE III

CONTRIBUTIONS AND TAX CREDITS

Section 3.1. Agreement to Accept Contributions and Issue Tax Credits. Subject to the requirements set forth herein and so long as the Board is authorized under the Tax Credit Statute to issue Tax Credits, the Board hereby agrees to accept Contributions from Donors in a maximum aggregate amount of $4,000,000 (the **"Maximum Contributions"**), resulting in the potential issuance of Tax Credits in the maximum amount of $2,000,000 (the **"Maximum Tax Credits"**), and to deposit such Contributions into the Board's Infrastructure Development Fund, and to issue such Donors' Tax Credits in an amount not to exceed 50% of the amount of such Contribution.

The date of the award and authorization for the Tax Credits shall be May 17, 2022.

All Contributions must be received by December 31, 2023 unless the Board, in its sole and absolute discretion elects to extend the period for which Contributions may be received. This paragraph shall not restrict the owner of any Tax Credit from utilizing the benefits of the carry-forward provisions contained in the Tax Credit Statute.

Section 3.2. Submission of Form 100. The Board shall process each Contribution which is accompanied by a properly completed Form 100 (currently available at http://www.mdfb.org/pdfs/Form100.pdf) and any other documents required by Missouri law. Any Contribution which is received for which the Board does not have a properly completed Form 100 and any other documents required by Missouri law shall be held by the Board until such documents are provided or, at the option of the Board, returned to the Donor with a written notation stating why such Contribution is being returned. A copy of each returned Contribution shall also be sent to the Public Entity. The Board reserves the right to require any additional information which the Board determines to be necessary to comply with the Board's statutes, as they may be amended from time to time.

Section 3.3. Minimum Contribution. The Board shall not accept any Contribution in an amount less than $500. Unless the Board, in its sole and absolute discretion, elects to waive the foregoing limitation, any Contribution which is received for less than such minimum amount shall be returned to the Donor with a written notation stating that Contributions must be made in the minimum amount of $500. A copy of each returned Contribution shall also be sent to the Public Entity.

Section 3.4. Processing Contributions. The Board shall promptly process all completed Contributions. The Board expects that once a properly completed Form 100 and all other required documents are received by the Board, together with the Contribution, the Board will issue and deliver or cause to be issued and delivered the Tax Credits within thirty (30) business days.

Section 3.5. Determination of Amount of Contribution. The amount (or value) of each Contribution shall be determined by the Board as follows:

Cash. The amount (or value) of cash Contributions shall be the face amount of such Contribution.

Marketable Securities. The amount (or value) of marketable securities shall be the proceeds received by the Board from the liquidation of such marketable securities in accordance with the Donor's instructions approved and accepted by the Board, less the Board's costs of selling such securities.

Unmarketable Securities and Other Property. No contributions of unmarketable securities or other property (other than as described above) shall be permitted under this Agreement.

All determinations by the Board of the amount (or value) of each Contribution shall, absent manifest error, be conclusive and binding upon the Donors and the Public Entity. The Board reserves the right to reject any Contribution.

Section 3.6. Contributions in Excess of Maximum Contributions. The Board and the Public Entity agree that in the event the Board receives Contributions in excess of the Maximum Contribution set forth in **Section 3.1** hereof (as the same may be modified by the Board in its sole and absolute discretion), the Board shall return such Contributions to the Donors thereof with a statement that Tax Credits are no longer available for such Contributions. A copy of each returned Contribution shall also be sent to the Public Entity.

ARTICLE IV

APPLICATION OF CONTRIBUTIONS

Section 4.1. Board's Application of Contributions. All Contributions received by the Board for the Project described herein shall be deposited in the same manner as other amounts received by the Board, and the amount of such Contributions shall be maintained by the Board on its books and records in a separate ledger account (the **"Board Project Account"**). All moneys on deposit in the Board Project Account shall be invested by the Board in accordance with its investment guidelines. All interest earnings on such amounts shall accrue to the Board and shall not be credited to the Board Project Account.

Section 4.2. Disbursements from the Board Project Account. The Board shall disburse amounts from the Board Project Account upon receipt of fully executed disbursement requests in the form attached hereto as **Exhibit C** (each a **"Disbursement Request"**). The Board shall be entitled to rely upon each Disbursement Request in disbursing amounts from the Board Project Account and it shall have no duty to conduct any investigation into the authenticity of the signatures on such Disbursement Request or the accuracy of the information set forth therein.

All disbursements from the Board Project Account shall satisfy the conditions set forth in **Exhibit D**.

Section 4.3. Procedures and Conditions for Disbursements. The Board and the Public Entity hereby agree to the following procedures in connection with disbursements from the Board Project Account:

(a) All Disbursement Requests shall be submitted to the Board for approval as provided in **Section 4.2** hereof. All payments from the Board Project Account shall be made payable to the Public Entity;

(b) In no event shall the Public Entity submit more than one Disbursement Request to the Board each month, unless approved by the Board's Executive Director;

(c) All disbursements of the Contributions shall be used only for costs described on **Exhibit A**; and

(d) The Board shall have the right to cease funding disbursement requests upon the occurrence of any of the following events:

(i) Project Abandonment has occurred; or

(ii) the Public Entity shall fail to perform any material covenant, condition or other provision of this Agreement.

The Board shall promptly notify the Public Entity of its election to cease funding disbursement requests and such notice shall contain a description of the basis upon which the Board has exercised such right to cease funding disbursement requests. If the Board and the Public Entity are unable to agree to a waiver, extension or modification of such conditions, the Board shall have the right to terminate this Agreement and shall cause all moneys remaining in the Board Project Account to be applied as provided in **Sections 4.6** and **6.1** hereof.

Section 4.4. Processing of Disbursement Requests. Within ten (10) business days after the submission of a fully completed Disbursement Request to the Board, the Controller shall process such request for payment or immediately notify the Public Entity of any information needed to process such Disbursement Request.

Section 4.5. Deduction of Board Fees and Expenses. Concurrently upon the receipt of each Contribution, the Board shall deduct an administrative fee in an amount equal to 4.0% of the amount of the Contribution, and shall furnish the Public Entity a detailed description of such deductions at least quarterly. Such fees shall be in addition to any interest earned for the account of the Board on moneys invested in the Board Project Account. If the Board grants an extension to the deadline for the Board's

receipt of Contributions as set forth in **Section 3.1** hereof, the administrative fee on all Contributions made after the deadline contained in **Section 3.1** hereof shall increase to 5.0% of the amount of such Contributions. Nothing herein shall obligate the Board to grant any extension.

Section 4.6. Return of Contributions. In the event the Public Entity has been unable to satisfy the conditions set forth in **Section 4.3** hereof and in **Exhibit D** to the satisfaction of the Board, or in the event the Public Entity shall notify the Board of an event of Project Abandonment, or upon an event of default under **Section 6.1** hereof, then all Contributions held by the Board pursuant to **Section 4.1** hereof shall become the property of the Board and this Agreement shall be terminated. If the Board seeks to declare an event of Project Abandonment, the Board shall provide the Public Entity with a notice of default in accordance with **Section 6.1** hereof stating its intent to deem the Contributions property of the Board and to terminate this Agreement in accordance with **Section 6.1** hereof. Notwithstanding the foregoing, if requested by a Donor in writing, a Contribution made by a Donor and still on deposit in the Board Project Account shall be returned to the Donor after reimbursement to the State for the cost of Tax Credits issued hereunder. In the event of a declaration of Project Abandonment or default, the Board agrees that it will provide a written notice to each Donor who would be entitled to any Contribution return. In determining the cost to the State of such Tax Credits the Board shall assess interest on such Tax Credits from the date of issuance of the Tax Credits through the date of the return of the Contribution, such interest to be calculated using an interest rate equal to *The Bond Buyer's* 20 Bond Index published in *The Bond Buyer* on the day such calculation is made. Notwithstanding any other provision of this Agreement, Contributions which are expended by the Public Entity in accordance with this Agreement shall not be subject to return nor shall such Tax Credits be subject to recapture.

Section 4.7. Recapture of Credits Issued in the Event the Project is Abandoned. If Project Abandonment occurs, any proceeds from the sale of a portion of the real estate on which the Project is constructed shall be applied in the following order of priority: (i) to repay any debt incurred to acquire the Project, (ii) to reimburse the State for the cost of Tax Credits issued hereunder, and (iii) in any manner the Public Entity shall elect free and clear of all restrictions in this Tax Credit Agreement.

Section 4.8. Public Entity Assumes All Responsibility for the Project. The Public Entity acknowledges and agrees that any and all costs and expenses incurred in connection with the acquisition, construction and equipping of the Project in excess of the amounts on deposit with the Board Project Account (including amounts which are ineligible for payment from the Board Project Account) shall be paid by the Public Entity and the Board shall not have any liability in connection therewith. The Public Entity recognizes that since the construction and equipping of the Project is being completed at the request of and under the direct supervision of the Public Entity and by contractors and suppliers selected by and under contract with the Public Entity in accordance with plans and specifications prepared on behalf of the Public Entity, the Board makes no representation or warranty, express or implied, with respect to the merchantability, condition or workmanship of any part of the Project or its suitability for the Public Entity's purposes or the extent to which funds in and expected to be deposited into the Board Project Account will pay the cost to be incurred in connection with the work.

Section 4.9. Public Entity Responsible For Construction; Required Liability Insurance. The Public Entity shall have the right and the obligation to hire, retain and employ all persons, including, but not limited to, contractors, to complete the acquisition, construction and equipping of the Project. The Public Entity shall be responsible to the Board for the acts and omissions of all said employees and contractors and their agents and employees, and all other persons performing any work in connection with the Project. The Public Entity shall, in connection with the construction and equipping of the Project, obtain public liability insurance in such amounts and in such coverages as shall be customary

and reasonable for projects of similar size and scope. The Public Entity shall require the provider of such insurance policy to give at least 30 days prior written notice to the Board of any cancellation or material change in the terms of such insurance. The Public Entity shall obtain all necessary endorsements to fulfill the foregoing requirements and shall provide certificates of insurance to demonstrate such compliance upon request. The construction and equipping of the Project shall be performed in good and workmanlike manner.

Section 4.10. Compliance With Laws. The Public Entity agrees to comply in all material respects with the provisions of all applicable federal, state and local statutes and regulations, including, but not limited to, the Fair Labor Standards Act, Fair Employment Practices Act, Equal Opportunity Act, Missouri Prevailing Wage Law, Contract Work Hours and Safety Standards Act, Copeland Anti-Kick Back Act and the provisions of any other applicable federal, state or local statutes and regulations and amendments thereto pertaining to employment, labor relations and equal employment opportunity and applicable to the construction and equipping of the Project, and pertaining to laws and regulations concerning environmental safety and remediation and applicable to the construction and equipping of the Project. The Public Entity agrees to take affirmative action to provide equal employment opportunity pursuant to the provisions of said laws, statutes and regulations as amended from time to time.

ARTICLE V

THE PROJECT; RECORDS AND REPORTS; COVENANTS

Section 5.1. Access to the Project and Inspection; Operation of the Project. The Board and the duly authorized agents of the Board shall have the right, at all reasonable times upon the furnishing of reasonable advance notice under the circumstances, to enter upon the Project and to examine and inspect the Project. The Board and the duly authorized agents of the Board shall also be permitted, at all reasonable times upon reasonable advance notice under the circumstances, to examine the books and records of the Public Entity with respect to the Project and the Contributions and the obligations of the Public Entity hereunder.

Section 5.2. Reports and Financial Statements by the Public Entity. The Public Entity shall cause the following reports to be furnished to the Board:

(a) During the Compliance Period, the following items not later than the dates indicated:

(i) All audit and compliance reports of the Project Beneficiary prepared for submission to any federal or state agency or authority as soon as practicable after they are available;

(ii) Any other reports and any and all financial statements prepared by employees or agents of the Public Entity (including the Public Entity's accountants) relating to the financial condition of the Project Beneficiary and the status of the Project for distribution to the Public Entity, the Project Beneficiary or members of the Public Entity's governing board or the Project Beneficiary's governing body, as soon as practicable after they are available;

(iii) As soon as practicable after they are available but in no event more than **180** days after the last day of each fiscal year, the audit report and audited financial statements of the Project Beneficiary for such fiscal year certified by an independent certified public accountant; and

(iv) Such additional information as the Board may reasonably request concerning the Public Entity, specifically the Project Beneficiary, including such statistical and other operating information requested on a periodic basis;

(b) Not later than each **June 30th** following the first issuance date of the Tax Credits, and continuing on each June 30th thereafter for a period of three (3) years following the first issuance date of the Tax Credits, the Annual Compliance Report substantially in the form attached hereto as **Exhibit E**, pursuant to subsections 3 and 10 of Section 135.805, RSMo;

(c) Not later than **60** days following the end of each calendar quarter during the construction of the Project, a report describing the level of MBE/WBE participation in the Project, containing the information set forth in **Exhibit F**, and any other relevant information reasonably requested by the Board relating to MBE/WBE participation in the construction of the Project;

(d) Not later than **60** days following the completion of the construction of the Project, the certificate in the form attached hereto as **Exhibit G**; and

(e) Prompt written notice of filing of any action, suit or proceeding by it or against it at law or in equity, or before any governmental instrumentality or agency, which, if adversely determined, would materially impair the right of the Public Entity to carry on the business which is contemplated in connection with the Project, or would materially and adversely affect its business, operations, properties, assets or condition.

Section 5.3. Reports by the Board to the Public Entity. Upon the written request of the Public Entity, the Board shall furnish such information concerning the Board's receipt and disbursement of Contributions as the Public Entity may reasonably request, but not more frequently than monthly.

Section 5.4. Reports by the Public Entity to the Board. The Public Entity shall furnish the Board with any reports relating to the Project prepared by it, including by the Project Beneficiary, for distribution to the members of the Public Entity's governing body or the Project Beneficiary's governing body.

Section 5.5. Indemnification. The Public Entity, to the extent permitted by law, releases the Board from, and agrees that the Board shall not be liable for any liabilities, losses, damages (including attorneys' fees), causes of action, suits, claims, costs and expenses, demands and judgments of any nature imposed upon or asserted against the Board (except to the extent that any of the foregoing arises as a result of the gross negligence or willful misconduct of the Board, as applicable, or any of their officials, commissioners, directors, officers, attorneys, accountants, employees or agents) on account of: (i) any loss or damage to property or injury to or death of or loss by any person that may be occasioned by any cause whatsoever pertaining to the acquiring, constructing, demolishing, renovating, improving and operation of the Project; (ii) any breach or default on the part of the Public Entity in the performance of any covenant or agreement of the Public Entity under this Agreement or any related document, or any of its agents, contractors, servants, employees or licensees; (iii) violation of any law, ordinance or regulation affecting the ownership, occupancy or use of the Project; (iv) any loss suffered by any Donor as a result of the inability of the Donor to use any Tax Credit issued by the Board, other than as a result of the failure of the Board to issue such Tax Credit upon receipt by the Board of the necessary information, (v) any loss resulting from any environmental violation at the Project, and (vi) any claim or

action or proceeding with respect to the matters set forth in subsections (i), (ii), (iii), (iv) and (v) above brought thereon.

Section 5.6. Further Assurances and Corrective Instruments. The Board and the Public Entity from time to time will execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such further instruments as may reasonably be required for correcting any inadequate or incorrect description of the Project and for carrying out the intention or facilitating the performance of this Agreement.

Section 5.7. Affirmative Covenants of the Public Entity. The Public Entity covenants and agrees that so long as this Agreement is in effect, the Public Entity will strictly comply with each of the following requirements:

(a) All Contributions shall be expended strictly in accordance with the Project Budget. The Project Budget may be amended from time to time by the Public Entity; provided, however, that changes to the Project Budget which are Material will be made only with the prior written consent of the Board. The Public Entity will notify the Board at least quarterly of any non-Material changes to the Project Budget;

(b) Changes to the Project which are Material may only be made with the prior written approval of the Board's Executive Director or designee;

(c) The Public Entity shall not transfer, pledge, lease or permit any assignment or lien to exist or in any other manner dispose of the Public Entity's ownership interest in the Project without the prior written consent of the Board; and

(d) The Public Entity shall be in compliance with the Public Entity's MBE/WBE Policies as attached hereto.

ARTICLE VI

MISCELLANEOUS PROVISIONS

Section 6.1. Default. If the Public Entity fails to perform any material covenant, condition or other provision of this Agreement and such failure shall continue for 30 days after written notice thereof by the Board (or if such failure is correctable but is such that it cannot be corrected within such 30-day period, such failure shall not constitute a failure within the meaning of this **Section 6.1** if the Public Entity is diligently pursuing such corrective action and such failure is corrected within 120 days), the Board shall be entitled to (1) retain all Contributions in the Board Project Account, or (2) exercise its remedies at law or in equity to enforce this Agreement and recover its damages as a result of such default. Amounts retained by the Board pursuant to this Section shall be applied in accordance with **Section 4.6**.

Section 6.2. Transfer of Tax Credits. Any transfers of Tax Credits under this Agreement shall be made in accordance with Section 100.286.7 of the Revised Statutes of Missouri, as from time to time amended or supplemented.

Section 6.3. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Agreement shall be in writing and shall be deemed duly given or filed if the same shall be (i) given by facsimile or e-mail, receipt confirmed by telephone, or in writing, or (ii) delivered by courier or nationally-recognized overnight delivery service or duly mailed by first-class mail, postage prepaid, addressed as follows:

(a) To the Board:

Missouri Development Finance Board
Governor Office Building
200 Madison Street, Suite 1000
Jefferson City, Missouri 65101
Attention: Controller or Senior Accountant
Telephone No. (573) 751-8479

(b) To the Project Beneficiary:

Springfield Art Museum
1111 East Brookside Drive
Springfield, Missouri 65807
Attention: Nick Nelson
Telephone No. (573) 837-5700

The Board and the Public Entity may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

Section 6.4. Limited Obligations. The obligations of the Board to disburse funds hereunder are limited obligations of the Board, payable solely out of the amounts on deposit in the Board Project Account, and such obligations shall not constitute a debt or liability of the Board within the meaning of any State of Missouri constitutional provision or statutory limitation or Charter provision, and shall not constitute a pledge of the full faith and credit of the Board. The execution of this Agreement shall not, directly, indirectly or contingently, obligate the Board to levy any form of taxation therefore or to make an appropriation of any payment hereunder.

Section 6.5. Immunity of Officers and Employees of the Board and the Public Entity. No recourse shall be had for any payment hereunder against any past, present or future officials, commissioners, directors, members, council members, officers, attorneys, accountants, employees or agents of the Board or the Public Entity, and all such liability of any such persons shall be expressly waived and released as a condition of and consideration for the execution of this Agreement.

Section 6.6. Relationship of Board to Public Entity and Donors. The parties hereto acknowledge and agree that: (i) the only obligations the Board with respect to the transaction contemplated hereby expressly are set forth in this Agreement; (ii) the Public Entity shall advise each potential donor to consult its own legal, accounting, tax, financial and other advisors, as applicable, to the extent it deems appropriate, including with respect to tax consequences of Contributions and application of Tax Credits; (iii) the Board is not acting as a financial advisor or fiduciary and has not assumed any advisory or fiduciary responsibility to the Public Entity and any Donor or successor or assignee of the

same with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto.

Section 6.7. Severability. If any provision of this Agreement shall be held or deemed to be invalid, inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatsoever.

Section 6.8. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 6.9. Electronic Storage of Documents. The Board and the Public Entity agree that the transaction described herein may be conducted and related documents may be stored by electronic means.

Section 6.10. Governing Law. This Agreement shall be governed exclusively by and be construed in accordance with the applicable laws of the State of Missouri. Venue shall be appropriate only in the Circuit Court of Green County, Missouri.

Section 6.11. Term of the Agreement. This Agreement shall terminate on the last day of the Compliance Period; provided, the indemnifications in **Section 5.5** of shall survive the termination of this Agreement.

IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be signed in its respective name and behalf and its official seal to be hereunto affixed and attested by its duly authorized officers, all as of the date first above written.

MISSOURI DEVELOPMENT FINANCE BOARD

By:_____
Mark Stombaugh, Executive Director

CITY OF SPRINGFIELD, MISSOURI

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

_____
City Attorney or designee

EXHIBIT A

DESCRIPTION OF THE PROJECT

The Project consists of the improvements described in the Application.

EXHIBIT B

APPLICATION TO THE BOARD

EXHIBIT C

FORM OF DISBURSEMENT REQUEST

Disbursement Request No. ____

To: Missouri Development Finance Board
Governors Office Building
200 Madison Street, Suite 1000
Jefferson City, Missouri 65101
Telephone No. (573) 751-8479
Fax No. (573) 526-4418
E-mail: kimberly.martin.mdfb@ded.mo.gov

Re: City of Springfield – Art Museum Project - Disbursement Request from the Board Project Account

You are hereby requested pursuant to **Section 4.2** of the Tax Credit Agreement dated as of _____ ___, 2022 (the "Agreement"), to electronically transfer to the City of Springfield (the "Public Entity") to permit the Public Entity to pay the following named payee[s] to provide for the payment or reimbursement of the following Project Costs (as defined in the Agreement):

[Note: The Public Entity must provide wire instructions to the Board to complete this transfer].

Payee/Address/Tax ID No.	Amount	Description of Project Costs

The undersigned hereby states and certifies that:

1. Each item listed above is a proper Project Cost (as defined in the Agreement). Attached hereto are invoices, statements, bills or other documents evidencing the fact that such payment is due.

2. These Project Costs have been incurred and are presently due and payable or have been paid by the Public Entity in connection with the Project and are eligible for payment or reimbursement in accordance with the requirements of the Agreement.

3. No item listed above has previously been included in any other Disbursement Request previously approved by the Board under the provisions of the Agreement.

4. All necessary permits and approvals required for the portion of the work on the Project for which this withdrawal is to be made have been issued and are in full force and effect.

5. The payment of this Disbursement Request is in compliance with all of the restrictions contained in **Exhibit D** to the Agreement.

6. [No material change in the Project Budget is necessary as a result of the payment of this request.] [As a result of this request we are hereby requesting that the Board approve a modification of the Project Budget as follows: _____ _____.]

Dated this _____ day of _____, 20___.

CITY OF SPRINGFIELD, MISSOURI

By:_____
Authorized Representative

Approved for Payment on _____ ___, 20___:

MISSOURI DEVELOPMENT FINANCE BOARD

By: _____
Title: _____

EXHIBIT D

CONDITIONS RELATING TO DISBURSEMENTS FROM THE BOARD PROJECT ACCOUNT

Capitalized terms shall have the meanings set forth in Article I of the Tax Credit Agreement.

All Disbursement Requests must satisfy the following restrictions:

1. Moneys in the Board Project Account shall only be used to pay or reimburse actual hard costs (costs of constructing, equipping and furnishing the Project), costs for materials and labor, architectural and engineering costs, costs for appraisals, title insurance and environmental assessments.

2. Moneys in the Board Project Account shall only be used to pay or reimburse costs incurred after May 17, 2022.

3. Moneys in the Board Project Account may not be pledged or assigned to secure any loan or the performance of any obligation, without the consent of the Board

4. Moneys in the Board Project Account shall not be used to pay or reimburse operating expenses of the Public Entity, including the Project Beneficiary.

EXHIBIT E

TAX CREDIT ACCOUNTABILITY ACT REPORTING FORM

ANNUAL COMPLIANCE REPORT

(pursuant to RSMo Section 135.805.2, as amended)

Reporting period Ended December 31, 20_ _

Organization Name:				
Property use is:	☐ residential	☐ commercial/ industrial	☐ 501(c)(3) nonprofit	☐ governmental
Describe current use of project:				
Projected or actual project cost:				
Total labor costs:				
Projected or actual date of Completion:				

To the best of my knowledge, the information above and below are true and correct as of _____ __, 20__.

Authorized Representative_____

Printed Name_____

Title_____

Return this form via e-mail or to the address below by JUNE 30, 20_ _:

Missouri Development Finance Board
P.O. Box 567
200 Madison St., Ste. 1000
Jefferson City, MO 65102
-or-
Fax No. (573) 526-4418

TAX CREDIT ACCOUNTABILITY ACT REPORTING FORM ATTACHMENT

BUSINESS/ORGANIZATION NAME:		
NUMBER OF JOBS CREATED AT PROJECT LOCATION EACH MONTH AS A RESULT OF THE ISSUED TAX CREDIT		
MONTHS	**FULL-TIME PERMANENT JOBS**	**PART-TIME PERMANENT JOBS**
JANUARY 20_ _		
FEBRUARY 20_ _		
MARCH 20_ _		
APRIL 20_ _		
MAY 20_ _		
JUNE 20_ _		
JULY 20_ _		
AUGUST 20_ _		
SEPTEMBER 20_ _		
OCTOBER 20_ _		
NOVEMBER 20_ _		
DECEMBER 20_ _		
TOTALS:		

EXHIBIT F

MBE/WBE REPORT

Missouri Development Finance Board
Governor Office Building
200 Madison Street, Suite 1000
Jefferson City, MO 65101
Telephone No. (573) 751-8479
Fax No. (573) 526-4418
E-mail: kimberly.martin.mdfb@ded.mo.gov

Re: City of Springfield – Art Museum Project – MBE/WBE Participation Report

The undersigned hereby certifies pursuant to the Tax Credit Agreement dated as of _____ __, 2022 (the "Agreement"), that the undersigned has utilized the following contractors in the construction of the project for the period beginning upon the construction of the project and ending on _____ __, 20__, the last day of the most recent fiscal quarter:

MBE or /WBE	Name of Vendor	Description of Work or Service	Contract Amount

Signed this ___ day of _____, 20__.

CITY OF SPRINGFIELD

By:_____
Name:
Title:

EXHIBIT G

FORM OF COMPLETION CERTIFICATE

Missouri Development Finance Board
Governor Office Building
200 Madison Street, Suite 1000
Jefferson City, MO 65101
Telephone No. (573) 751-8479
Fax No. (573) 526-4418
E-mail: kimberly.martin.mdfb@ded.mo.gov

Re: City of Springfield – Art Museum Project – Notice of Final Completion

The undersigned hereby certifies pursuant to the Tax Credit Agreement dated as of _____ __, 2022 (the "Agreement"), that:

(a) The Project was completed on _____ __, 20__;

(b) The Project has been fully completed substantially in accordance with the Application, as modified by any changes permitted by the Agreement;

(c) The Public Entity commenced operations in the Project on _____ __, 20__.

(d) All costs of the Project have been fully paid for and no claim or claims exist against the Project out of which a lien based on furnishing labor or material exists or might ripen. [*Note*: There may be excerpted from the foregoing statement any claim or claims out of which a lien exists or might ripen in the event that the Public Entity intends to contest provided a brief description of the claim is provided to the Board.]

Signed this ___ day of _____, 20__.

CITY OF SPRINGFIELD

By:_____
Name:
Title:

EXHIBIT H

MBE/WBE POLICIES

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed: 08-02-22

Sponsored by: Hosmer

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 206 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield City Code, Chapter 2, 'Administration,' Article V, 'Departments,' Division 2, 'Building Development Services,' by revising Section 2-311, 'Established; appointment and qualifications of director,' to amend the required qualifications for the director of Building Development Services.

WHEREAS, City Code Section 2-311 requires that an appointee as the director of Building Development Services be a professional engineer or registered architect; and

WHEREAS, the qualifications of the position, established in 1974, do not reflect changes in the industry and need to be updated; and

WHEREAS, amending the requirements set out in City Code will allow the City to recruit from a broader pool of qualified applicants and thereby allow the City to provide enhanced professional services to the community in the areas of code enforcement and building safety.

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

Section 1 – Springfield City Code, Chapter 2, 'Administration,' Article V, 'Departments,' Division 2, 'Building Development Services,' Section 2-311, 'Established; appointment and qualifications of director,' is hereby amended as follows:

NOTE: Language to be added is underlined, and language to be deleted is ~~stricken~~.

Sec. 2-311. Established; appointment and qualifications of director.

There shall be a department of building development services whose director shall be known as the building development services director. The city manager shall

appoint the director of the department of building development services, who shall have experience in construction or related areas, and be a registered professional engineer or a registered architect under the laws of the state, or an individual with a bachelor's degree with current, multiple and appropriate International Code Council building, commercial, and residential certifications, ~~with experience in construction or related areas~~ or such equivalent and relevant experience as required by the City Manager. The director shall perform those duties required by this division or other ordinances of the city, by law, or by the city manager.

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: _____, Deputy City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022-206

FILED: 08-02-22

ORIGINATING DEPARTMENT: City Manager

PURPOSE: To amend the Springfield City Code Chapter 2, 'Administration,' Article V, 'Departments,' Division 2, 'Building Development Services,' Section 2-311, 'Established; appointment and qualifications of director,' to amend the required qualifications for the Director of Building Development Services.

BACKGROUND: The qualifications for this position were established in 1974 and have not been revisited to date. In the past 48 years there have been many changes in codes, certifications, and qualifications in this industry.

To improve the ability of the City of Springfield to recruit from a broader pool of qualified applicants for the position of Director of Building Development Services, it is necessary to amend the requirements set out in City Code. A larger pool of applicants with varied experience and backgrounds will allow the City to provide enhanced professional services to the community in the areas of code enforcement and building safety.

Submitted by:

Maurice S. Jones, Deputy City Manager

Approved by:

Jason Gage, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 08-02-22

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-201 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Fountain Place, generally located at 1436 East Erie Street, 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.)

WHEREAS, an original Preliminary Plat of Fountain Place, dated July 7, 2022, is on file with the City's Department of Planning and Development; and

WHEREAS, on July 14, 2022, the Planning and Zoning Commission of the City of Springfield, Missouri, conditionally approved the Preliminary Plat of Fountain Place, which is generally located at 1436 East Erie Street.

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City as shown on the Preliminary Plat of Fountain Place, which is generally located at 1436 East Erie Street, as approved by the Planning and Zoning Commission. The original plat of Fountain Place is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said plat, upon the applicant filing and recording 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 all conditions referenced herein and in “Exhibit B”.

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.

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 2022 - 201

FILED: 08-02-22

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 Fountain Place, generally located at 1436 East Erie Street, 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 Fountain Place dated July 7, 2022, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 3.

B. The Planning and Zoning Commission held a public hearing on July 14th, 2022, and approved the Preliminary Plat by a vote of 5 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 Low-Density Housing and Medium or High-Density Housing. The plat subdivides the property in a way that promotes commercial and office development. Although not compatible with the land use plan, development trends in the area and the location of the property on the fringes of residential areas, makes this site appropriate for commercial or office development. The Major Throughfare Plan classifies South Fremont Avenue as a Secondary Arterial and East Erie Street as a Collector Street which supports the proposed land use.

REMARKS: Staff recommends approval.

Submitted by:

Jared Follin

Jared Follin, Associate Planner

Recommended by:

Susan Istenes, AICP 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
Planning and Zoning Commission – July 14, 2022

Preliminary Plat of Fountain Place Subdivision
1436 East Erie Street
Applicant: Venture Development Partnership

Mr. Follin states that this is a request to approve a preliminary plat for a 4-lot subdivision located at 1436 East Erie Street. The property is currently zoned PD 108 but is requesting zoning to PD 381 for Medium or High-Density Housing & Low-Density Housing. Transportation Plan classifies Erie Street as a Collector and Fremont Avenue as a Secondary Arterial. A Traffic Study is required and has been approved; sidewalk is already present along both street frontages and additional right-of-way will not be required to be dedicated. The property is not located in a FEMA designated floodplain. A stream buffer will be required. A fee in lieu of stormwater detention is not applicable as detention is already provided. Each proposed lot has access to public sewer and is in an existing sewer district. If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened up the public hearing.

Mr. Jared Davis, 3213 S. West Bypass and here to answer any questions.

Ms. Broekhoven asked about 2 subdivisions not having access. Mr. Davis noted that they will have shared access.

Mr. Doennig closed the public hearing.

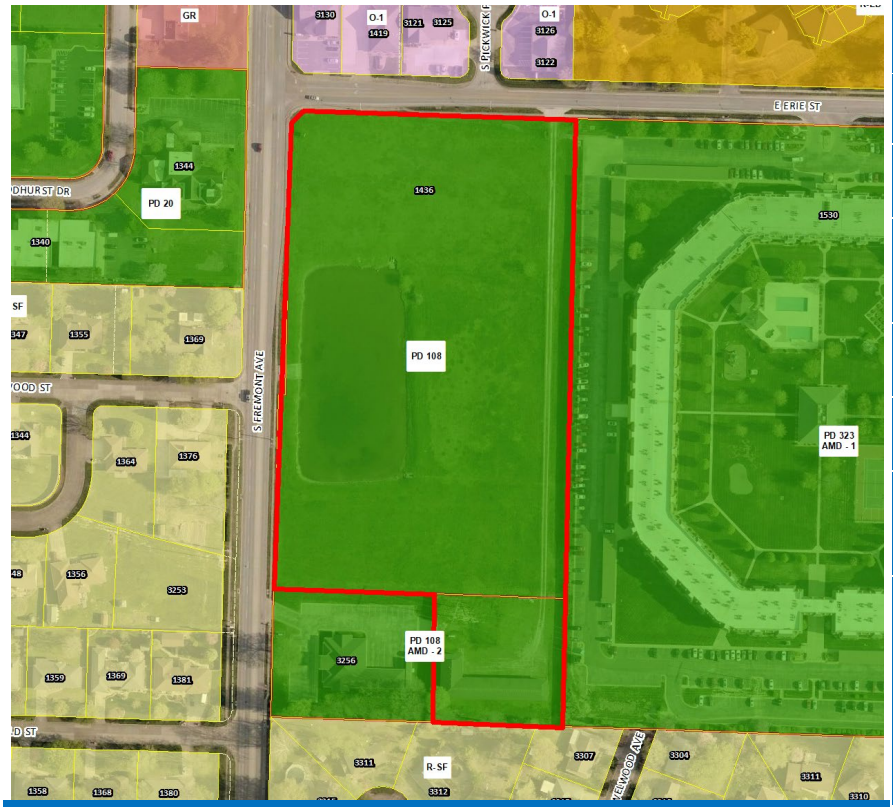
COMMISSION ACTION:
Mr. Jobe motioned to **approve** Preliminary Plat of Fountain Place Subdivision (1436 East Erie Street). Mr. Colony seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

EXHIBIT B

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	AUGUST 8, 2022



CASE: Preliminary Plat of Fountain Place

ACRES: 8.71 acres

LOCATION: 1436 East Erie Street

EXISTING LAND USE: Undeveloped Commercial, maintenance building

APPLICANT: Venture Development

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

STAFF RECOMMENDATIONS: Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

The applicant is proposing a preliminary plat for a four-lot commercial subdivision named “Fountain Place” to facilitate commercial development.

FINDINGS FOR STAFF RECOMMENDATIONS:

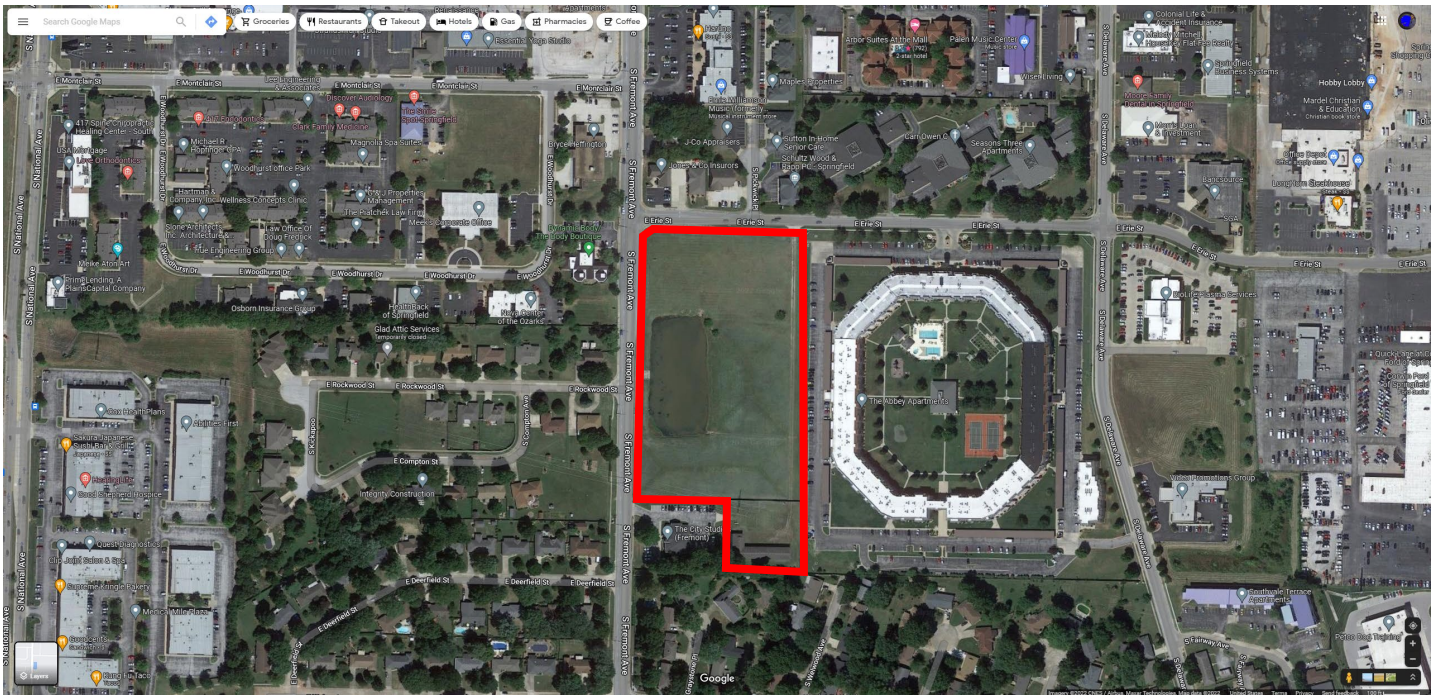
1. The applicant’s proposal, with the conditions listed in *Attachment 2*, is consistent with the City’s *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	O-1	R-SF	R-SF	R-SF
LAND USE	Single-family residences	Single-family residences	Single-family residences	Single-family residences

Development Review Staff Report

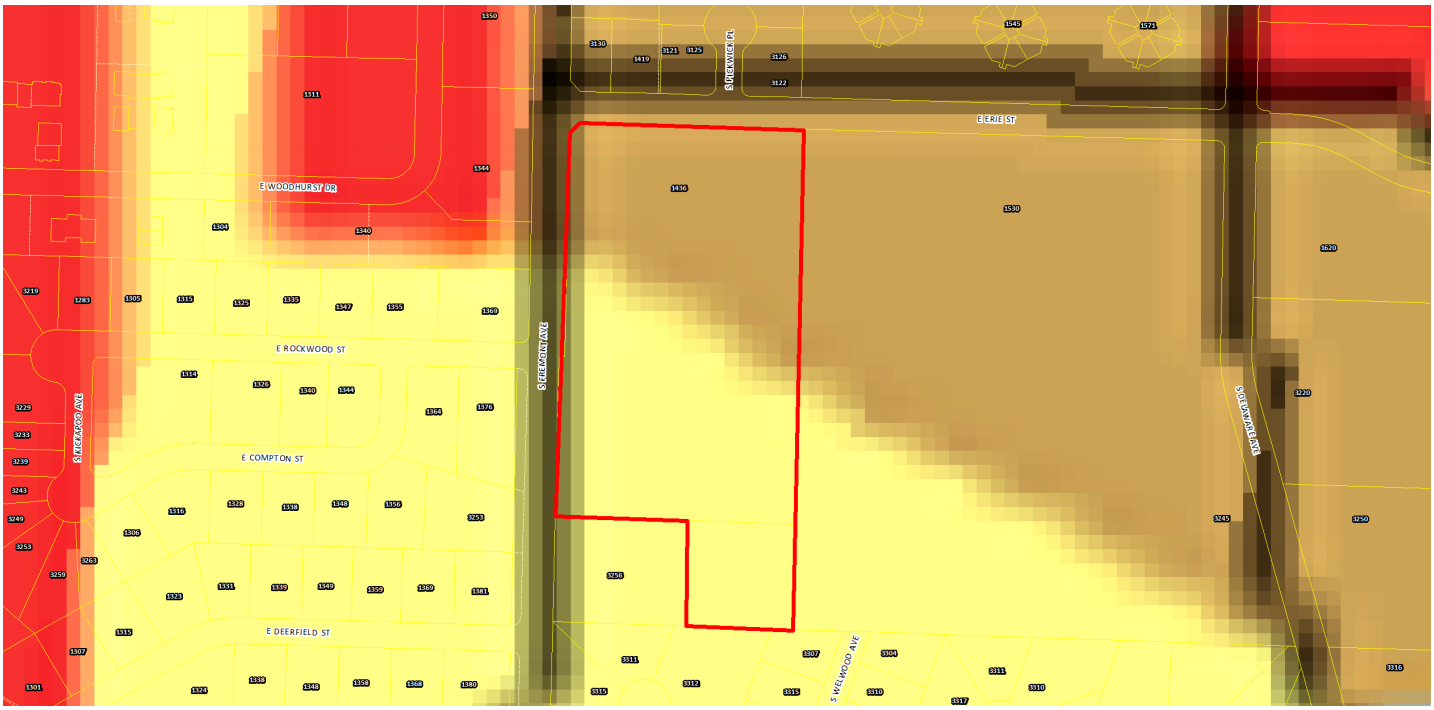
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

The subject property was annexed by the City partly in 1964 and 1968.

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.

Development Review Staff Report

CITY OF Springfield

ZONING ORDINANCE AND SUBDIVISION REGULATION STANDARDS:

CODE ITEM	REQUIREMENTS FOR PLANNED DEVELOPMENT 381 (Proposed)
Minimum Lot Size	40,000 square feet
Maximum Structure Height	None, except that all structures shall remain below a thirty (30) degree bulk plane as measured from any R-SF or R-TH district.
Front Yard Setback	A twenty-five (25) foot building and parking lot setback alone Fremont Avenue. A twenty-five (25) foot building setback alone Erie Street.
Side and Rear Setbacks	No side or rear yards, except as required by Section 5-1300 Supplemental Open Space and Yard Regulations and the bufferyard requirements in Subsection 4-3108.
Street Classification	S. Fremont Avenue – Secondary Arterial E. Erie Street - Collector
Sidewalks (Per Sec.36-471)	There is existing sidewalk along the property frontage along S. Fremont Avenue and E. Erie Street.
Open Space Requirement	20% Minimum 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 Low-Density Housing and Medium or High-Density Housing. The plat subdivides the property in a way that promotes commercial and office development. Although not compatible with the land use plan, development trends in the area and the location of the property on the fringes of residential areas, makes this site appropriate for commercial or office development. The Major Throughfare Plan classifies South Fremont Avenue as a Secondary Arterial and East Erie Street as a Collector Street which supports the proposed land use.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 8.71 acres into a four-lot commercial subdivision named “Fountain Place”.

2. The Preliminary Plat is running concurrently with the rezoning case to rezone the subject property to Planned Development 381.

3. 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.

4. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.The proposed preliminary plat was reviewed by City departments and comments are contained in ***Attachment 1.*** Conditions of Approval are provided in ***Attachment 2.*** The Preliminary Plat drawing can be found in ***Attachment 3.***

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITES COMMENTS:
No issues generally with the prelim plat. All proposed lots will have access to existing Electric/Gas/Water & Springnet Fiber facilities. Platted easements per sec 36-245 will be needed and can be included in the final plat. These should be at least 10 ft wide along the entirety of the outside perimeter of all lots and may overlay existing easements.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES DIVISION COMMENTS:
Each proposed lot has access to public sewer and is in an existing sewer district.

FIRE DEPARTMENT COMMENTS:
Installation of fire hydrants & fire access lanes shall comply with 2018 IFC when developed.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:
PW Stormwater has no concerns with the proposed Preliminary Plat.

The property is in the **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided.** The property **is not in a stream buffer area.**

PW Stormwater approves of the Preliminary Plat for Fountain Place Subdivision. Included below are notes for the developer of the property that will be subject to the following conditions at the time of development:

All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. For any increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3 of the City's Flood Control and Water Quality Protection Manual. Stormwater detention has already been provided in the regional detention basin constructed as part of the public improvements for the Delaware Heights 2nd Addition Subdivision (6PW2847). Include in plans survey and stormwater report of the retention basin to verify it's still functioning as designed and permitted.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4. The current detention basin already meets these requirements.
    a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
    b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.
3. Detention must be complete with modifications or improvements and approved prior to issuance of the building permit. We would like the following as-built notes on the plans:

"The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures."

Water Quality Requirements

4. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

a. Water Quality will be required.
b. If modifying the existing basin to meet water quality, the plans must be submitted as public improvement plans. Public improvements must be constructed and accepted or escrowed prior to the issuance of building permits.

Additional Stormwater Standards to be met

5. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

6. As-builts of the detention and water quality improvements are required for the closing of a Stormwater Permit at the final inspection.

7. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

8. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:
A Traffic Study is required to be submitted, approved and any required improvements constructed, or funds escrowed prior to approval of the final plat. The 26-foot access easement needs to line up with the existing driveway approach on Erie Street. Please make this change on the final plat submittal.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Fremont Avenue as a Secondary Arterial Roadway and E. Erie Street as a Collector Roadway. The standard right-of-way width for S. Fremont Avenue is 35-feet from the centerline. The standard right-of-way width for E. Erie Street is 30-feet from the centerline. It appears additional right of way is not required. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed within the required right of way. Both S. Fremont Avenue and E. Erie Street are city-maintained streets.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from S. Fremont Avenue and one from E. Erie Street. Any additional access points will need to meet the City of Springfield spacing standards for driveway approaches.

SIDEWALK

There is existing sidewalk along the property frontage along S. Fremont Avenue and E. Erie Street.

IMPROVEMENTS

A Traffic Study has been approved. No improvements were required.

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. Fremont Avenue	Secondary Arterial	No	40	35
Street 2	E. Erie Street	Collector	Yes	30	30

CONDITIONS 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.

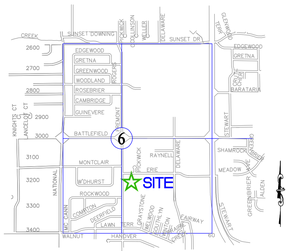
ATTACHMENT 3

RECORDER'S SPACE

FOUNTAIN PLACE

BEING A PART OF A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

PRELIMINARY PLAT



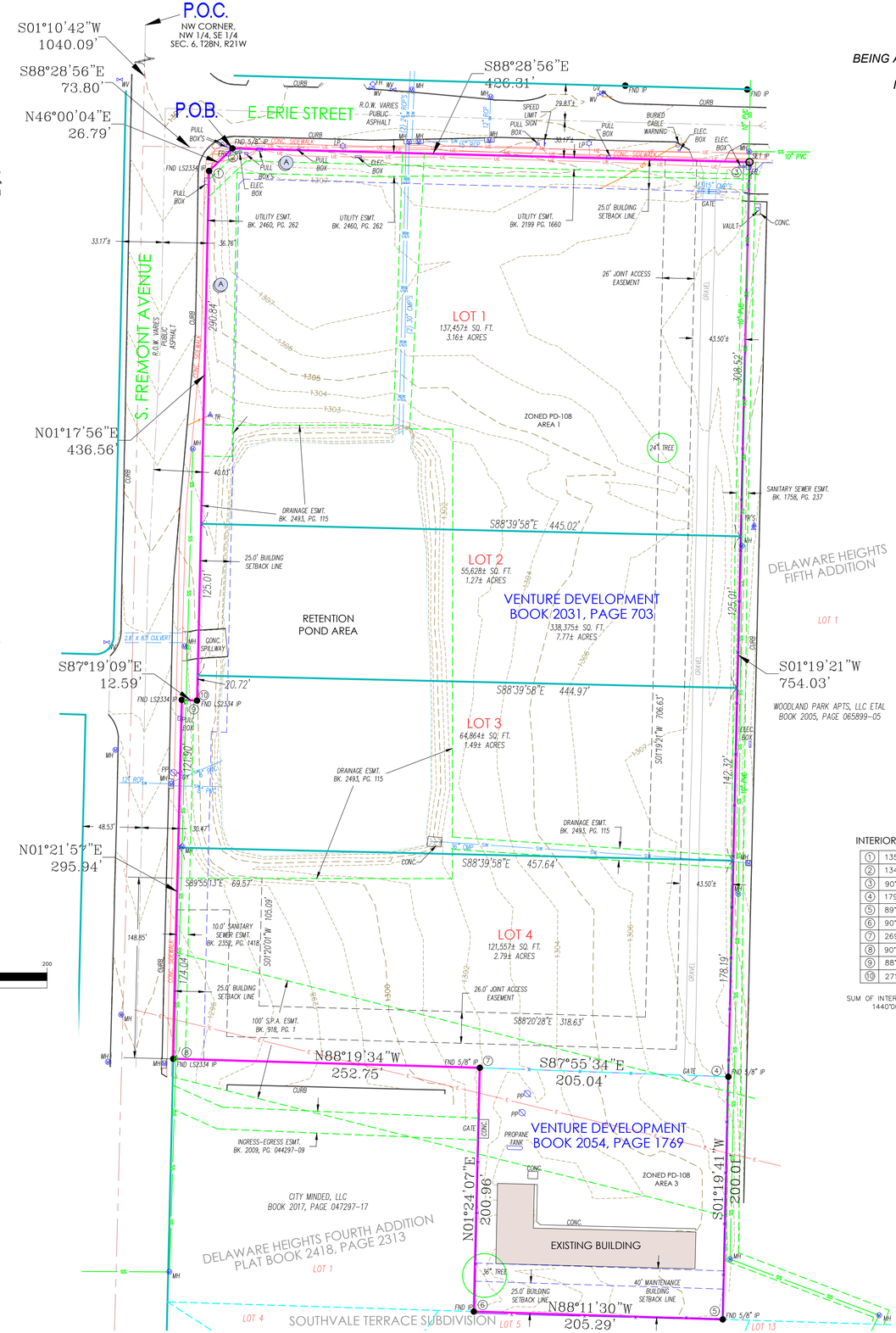
LOCATION SKETCH
SEC. 6, T28N, R21W
SCALE: 1"=2000'

MISSOURI ONE CALL SYSTEM, INC.
1-800-344-7483
STOP-CALL BEFORE YOU DIG!

LEGEND

CP	CONTROL POINT
FND IP	FOUND IRON PIN
SET IP	SET IRON PIN
RWM	RIGHT-OF-WAY MARKER
PP	POWER POLE W/ GUY
MH	MANHOLE
SCO	SEWER CLEANOUT
GM	GAS METER
LP	LIGHT POLE
	SIGN
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
FH	FIRE HYDRANT
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
SET PM	PERMANENT MONUMENT
	INTERNAL ANGLE # (SEE TABLE)
	TREELINE
	BUSH
ER	ELECTRICAL RISER
IC	GRATE INLET
MB	MAIL BOX
ICV	IRRIGATION CONTROL VALVE
EM	ELECTRIC METER
TR	TELEPHONE RISER
BP	BUMPER POST
	GROUND LIGHT
	PROPERTY LINE
	FENCE LINE
	RETAINING WALL
LINE LABELS	MEASURED 100' M / DEED 100' D
LINE LABELS	MEASURED 100' M / PLAT 100' P

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.



STATE PLANE COORDINATE TIE MISSOURI COORDINATE SYSTEM 1983	
CONTROL STATIONS:	
GR-06	NORTHING - 147168.877 (M)
	EASTING - 432226.647 (M)
	GRID FACTOR - 0.9999313

COORDINATES EXPRESSED IN METERS, 2015 ADJUSTMENT.

OWNER:
VENTURE DEVELOPMENT
2025 W. SUNSHINE STREET
SPRINGFIELD, MO. 65807

CONTACT PERSON:
KENT R. PETERSON
ANDERSON ENGINEERING, INC.
3213 S. WEST BYPASS
SPRINGFIELD, MO 65807
(417) 866-2741

PERIMETER DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST IN GREENE COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER SOUTH 01°10'42" WEST, 1,040.09 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°28'56" EAST, 73.80 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF ERIE STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 88°28'56" EAST, 426.31 FEET TO A POINT LYING AT THE NORTHWEST CORNER OF LOT ONE OF DELAWARE HEIGHTS FIFTH ADDITION SUBDIVISION; THENCE ALONG SAID WEST LINE THE FOLLOWING COURSES, SOUTH 01°19'21" WEST, 754.03 FEET; THENCE SOUTH 01°19'41" WEST, 200.01 FEET TO A POINT LYING AT THE SOUTHWEST CORNER OF SAID LOT ONE AND SAID POINT ALSO LYING ON THE NORTH LINE OF LOT 5 OF SOUTHVALE TERRACE SUBDIVISION; THENCE ALONG SAID NORTH LINE, NORTH 88°11'30" WEST, 205.29 FEET TO A POINT LYING AT THE SOUTHEAST CORNER OF LOT ONE OF DELAWARE HEIGHTS FOURTH ADDITION SUBDIVISION; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION, NORTH 01°24'07" EAST, 200.96 FEET TO THE NORTHEAST CORNER OF SAID LOT ONE; THENCE ALONG THE NORTH LINE OF SAID LOT ONE, NORTH 88°19'34" WEST, 252.75 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FREMONT AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING COURSES, NORTH 01°21'57" EAST, 295.94 FEET; THENCE SOUTH 87°19'09" EAST, 12.59 FEET; THENCE NORTH 01°17'56" EAST, 436.56 FEET; THENCE NORTH 46°00'04" EAST, 26.79 FEET TO THE POINT OF BEGINNING. CONTAINING 379,506 SQUARE FEET OR 8.71 ACRES, MORE OR LESS. ALL LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 21 WEST IN GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

NOTES

LOT SIZE
SMALLEST-LOT 2= 55,628± SQ. FT.
LARGEST-LOT 1= 137,457± SQ. FT.

TOTAL SQUARE FOOTAGE OF DEVELOPMENT = 379,506± SQ. FT.
TOTAL ACREAGE OF DEVELOPMENT = 8.71± ACRES

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

ZONING DATA

SUBJECT PROPERTY IS ZONED PD (PLANNED DEVELOPMENT DISTRICT).

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
SECONDARY ARTERIAL (FREMONT AVENUE)	25 FOOT BUILDING AND PARKING LOT SETBACK
COLLECTOR (ERIE STREET)	25 FOOT BUILDING AND PARKING LOT SETBACK

AREA 3
FORTY (40) FOOT SETBACK ALONG THE SOUTHERN PROPERTY LINE FOR THE STORAGE/ MAINTENANCE BUILDING.
TWENTY FIVE (25) FOOT BUILDING AND PARKING LOT SETBACK ALONG THE SOUTHERN PROPERTY LINE.

EASEMENT NOTE

(A) *ACCESS LIMITATION EASEMENT.*

ALL ABUTTER'S RIGHTS OF DIRECT ACCESS TO, FROM AND ACROSS ERIE STREET WITHIN 80 FEET OF THE EASTERN RIGHT OF WAY OF FREMONT AVENUE. ACCESS TO ERIE STREET FROM THE REMAINDER OF THE GRANTOR'S PROPERTY SHALL BE LIMITED TO TWO LOCATIONS.

ALL ABUTTER'S RIGHTS OF DIRECT ACCESS TO, FROM AND ACROSS FREMONT AVENUE WITHIN 190 FEET OF THE SOUTHERN RIGHT OF WAY OF ERIE STREET ACCESS TO FREMONT AVENUE FROM THE REMAINDER OF THE GRANTOR'S PROPERTY SHALL BE LIMITED TO TWO LOCATIONS.

INTERIOR ANGLES

1	135°17'51"
2	134°29'00"
3	90°11'43"
4	179°59'40"
5	89°31'11"
6	90°24'23"
7	269°43'41"
8	90°18'29"
9	88°41'06"
10	271°22'56"

SUM OF INTERIOR ANGLES 1440°00'00"

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PLANNING AND DEVELOPMENT

APPROVED THIS _____ DAY OF _____, 20____, BY THE PLANNING DIRECTOR OF THE CITY OF SPRINGFIELD, MISSOURI.

_____
"BOB HOSMER, AICP, PLANNING MANAGER"

DEDICATION

SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON, ALL STREETS, EASEMENTS, AND ACCESS LIMITATIONS AS RELINQUISHED AND DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF,_____, AND_____, (HUSBAND AND WIFE/CORPORATE OFFICE/ETC.) SOLE OWNERS OF THE PROPERTY DESCRIBED HEREON, HAS CAUSED THIS PLAT TO BE SIGNED THIS_____ DAY OF _____, _____.

_____ _____
SIGNATURE - PRINT NAME UNDERNEATH LINE *SIGNATURE - PRINT NAME UNDERNEATH LINE*

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF SPRINGFIELD, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

_____ _____
DATE

ACKNOWLEDGEMENT

STATE OF MISSOURI)
SS
COUNTY OF GREENE)

ON THIS _____ DAY OF _____ IN THE YEAR _____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, CHAIRMAN OF THE BOARD OF TRUSTEES OF THE _____TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DOCUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED FOR THE PURPOSES THEREIN STATED.

*NOTARY PUBLIC:*_____

*PRINT NAME:*_____

SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KENT R. PETERSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED JUNE 3, 2022 AND SIGNED BY KENT R. PETERSON, PLS NO. 2659 AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KENT R. PETERSON, PLS NO. 2659 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. DRAWING LAST REVISED ON JULY 07, 2022.

ANDERSON ENGINEERING, INC. LC 62 BY:

STATE OF MISSOURI
KENT R. PETERSON
NUMBER LS-2659
PROFESSIONAL LAND SURVEYOR

KENT R. PETERSON, PLS NO. 2659

07-07-2022
DATE PREPARED

UTILITY NOTE:

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANTY THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0344E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

SURVEYORS NOTE:

WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR IMPLIED.

STORMWATER NOTE:

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.

ALL COMMON AREAS SHALL BE CONSIDERED DRAINAGE EASEMENTS. ALL COMMON AREAS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION. ALL DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

COA #000062

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING

3213 S. WEST BYPASS
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778

FIELD: JM	DATE: 06-01-2022	22SP20115
DRAWN: GAS	FIELD BK: N/A	
CHECKED: KRP	JOB NO: 22SP20115	SHT. 1 OF 1 REV. __

One-rdg. _____
P. Hrngs. _____
Pgs. 16
Filed: 08-02-22

Sponsored by: Schilling

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-202 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Opal Sunset Subdivision, generally located at 3851 West University Street, 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.)

WHEREAS, an original Preliminary Plat of Opal Sunset Subdivision dated June 6, 2022, is on file with the City's Department of Planning and Development; and

WHEREAS, on July 14, 2022, the Planning and Zoning Commission of the City of Springfield, Missouri, conditionally approved the Preliminary Plat of Opal Sunset Subdivision, which is generally located at 3851 West University Street.

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat of Opal Sunset Subdivision, which is generally located at 3851 West University Street, as approved by the Planning and Zoning Commission. The original plat of Opal Sunset Subdivision is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said plat, upon the applicant filing and recording 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 all conditions referenced herein and in “Exhibit B.”

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.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022 - 202

FILED: 08-02-22

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 Opal Sunset Subdivision, generally located at 3851 West University Street, 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 Opal Sunset Subdivision dated June 6th, 2022, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 3.

B. The Planning and Zoning Commission held a public hearing on July 14th, 2022, and approved the Preliminary Plat by a vote of 5 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 Medium or High-Density Housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses, and at high-amenity locations. 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 proximity of the proposed development to the West Bypass and Sunshine Street Activity Center will place residents in an area that has many amenities such as shopping, and employment centers. The most appropriate districts would be Low, Medium and High-Density Multi-Family Residential Districts.

REMARKS:

Staff recommends approval.

Submitted by:

Jared Follin, Associate Planner

Recommended by:

Susan Istenes, AICP 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
Planning and Zoning Commission – July 14, 2022

Preliminary Plat of Opal Sunset Subdivision
3851 West University Street
Applicant: Flintrock, LLC

Mr. Follin states that this is a request to approve a preliminary plat for a 2-lot subdivision located at 3851 West University Street. The property is currently zoned GR and R-MD w/COD #166 and the plat originally approved in 2019. Medium or High- Density Housing. Transportation Plan classifies University Street as a Collector. A Traffic Study is not required, and a sidewalk will be required and additional right of way along University Avenue. The property is not located in a FEMA designated floodplain. A stream buffer is not required and a sinkhole onsite. Fee in lieu of stormwater detention will not be permitted, and detention is required. There is a sewer connection fee. If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Teresa Davison, 535 W. Battlefield and stated that the previous plat was expired and has a new owner and wanting to renew the plat.

Mr. Dennis Perry, 3954 W. Portland and said that his property is on the end of the north side and did not receive any notification of this meeting and have land use questions. Are they going to grade this out the same height as Menards and there is an abandoned septic tank and asked why there was no notification and is frustrated.

Mr. Hosmer said that the city is not required to notify residents via letters for a subdivision, however the property does get posted 10 days prior to the meeting and information can be accessed through the web.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Preliminary Plat of Opal Sunset Subdivision (3851 West University Street). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

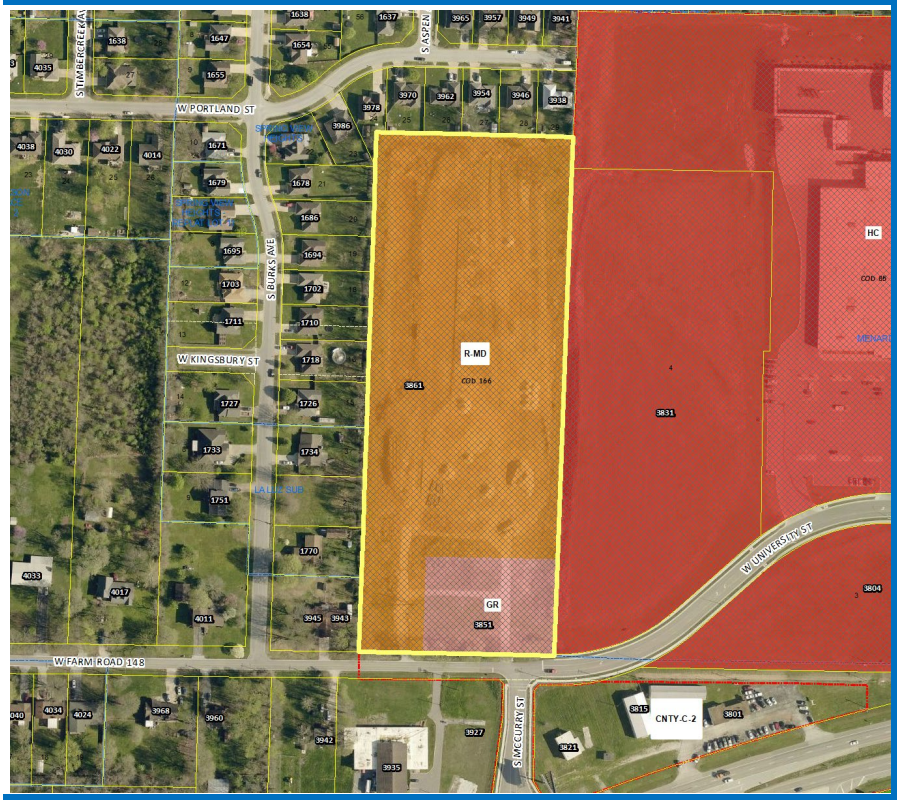
Bob Hosmer, AICP
Planning Manager

EXHIBIT B

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING: JULY 14, 2022

CITY COUNCIL PUBLIC HEARING: AUGUST 8, 2022



CASE: Preliminary Plat of Opal Sunset Subdivision

ACRES: 9

LOCATION: 3851 West University Street

EXISTING LAND USE: Vacant land previously a manufactured home community

APPLICANT: Flintrock LLC

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

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 “Opal Sunset Subdivision”.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The applicant’s proposal, with the conditions listed in *Attachment 2*, is consistent with the City’s *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	County R-1	County R-1	HC	County R-1
LAND USE	Single-family residences	Church uses	Vacant Commercial Land	Single-family residences

Development Review Staff Report

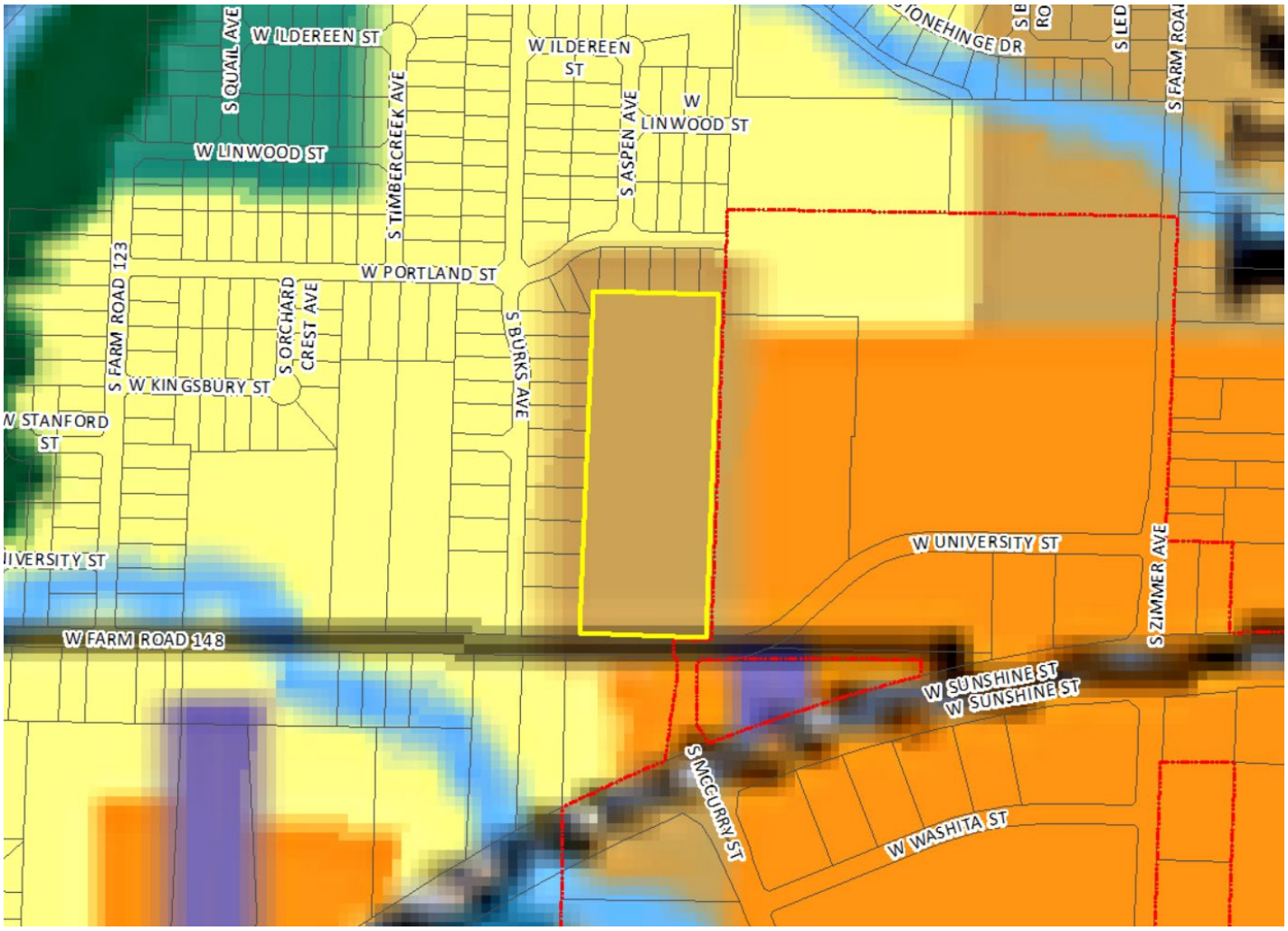
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

GOOGLE MAPS STREET VIEW:

Development Review Staff Report

CITY OF Springfield

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

The subject property was annexed by the City in 2020. The property was rezoned to R-MD and GR w/COD #166 in the same year.

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 MEDIUM-DENSITY MULTIFAMILY w/COD 166
Minimum Lot Size	N/A
Maximum Structure Height	1.Thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required. 2. No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. Any multifamily dwelling for which a building permit has been issued prior to July 1, 2009, that does not conform to the 45-degree bulk plane shall be considered conforming with regard to the 45-degree bulk plane
Front Yard Setback	*25 feet*
Side and Rear Setbacks	Side – 6 feet Rear – 10% of lot depth
Street Classification	W. University Street – Collector
Sidewalks (Per Sec.36-471)	There is not existing sidewalk along the property frontage of W. University Street. Sidewalk is required to be constructed along W. University Street as part of the subdivision process. The developer has the option to escrow funds and construct sidewalks at the time of development. Sidewalk must be constructed or funds escrowed prior to approval of the final plat.
Open Space Requirement	Not less than 20 percent of the total lot 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 areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium or High-Density Housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses, and at high-amenity locations. 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 proximity of the proposed development to the West Bypass and Sunshine Street Activity Center will place residents in an area that has many amenities such as shopping, and employment centers. The most appropriate districts would be Low, Medium and High-Density Multi-Family Residential Districts.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 9 acres into a two-lot subdivision named “Opal Sunset Subdivision”.

2. Lot 1 is zoned GR, General Retail District with COD #166 which requires a bufferyard adjacent to the proposed R-MD. Lot 2 is zoned R-MD, Medium Density Multi-Family District with COD #166. Conditional Overlay District No. 166 requires a traffic study at the time of development and that the property be subdivided along the proposed zoning boundaries in accordance with the City’s Subdivision Regulations.

3. 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.

4. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.The proposed preliminary plat was reviewed by City departments and comments are contained in ***Attachment 1.*** Conditions of Approval are provided in ***Attachment 2.*** The Preliminary Plat drawing can be found in ***Attachment 3.***

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITES COMMENTS:
No issues with the plat generally. Both lots will have access to existing Electric/Gas/Water along University St. Utility easements will be needed along the perimeter of all lots, per section 36-245 of the land development code. These should be 10 ft wide or 5 ft on either side of interior lot lines, and can be added on the final plat.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES DIVISION COMMENTS:
Plat is approvable. Sewer easements and proposed main locations match the filed plans. The final plat will not be able to be filed until the public improvements have either been constructed and accepted or escrowed.

FIRE DEPARTMENT COMMENTS:
Installation of fire hydrants & fire access lanes shall comply with 2018 IFC when developed.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:
Include the following notes on the lot combination/split: 1. 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. 2. All Common Areas shall be considered drainage easements. All Common Areas are to be maintained by the property owners association. All drainage easements are to be maintained by the property owner.

The property is in the **Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does not have a stream buffer on site.**

Please note that development of the property will be subject to the following conditions at the time of development. All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022: https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.
   a. A fee in lieu of detention for this development will not be permitted and detention is required: The lot drains directly onto adjacent residential properties.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
   a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
   b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

Water Quality Requirements

3. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
   a. Water Quality will be required. Development is greater than 1 acre.

Additional Stormwater Standards to be met

4. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

5. As-builts of the detention and water quality improvements are required for the closing of a Stormwater Permit at the final inspection. We would like the following as-built notes on the plans:

"The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures."

6. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

7. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:
Sidewalk is required to be constructed or funds escrowed prior to approval of the final plat per city code 36-471(b)4. If the developer chooses to escrow funds and construct sidewalk at the time of development, please contact Andrew Flippin with Construction Inspection at 417-864-1946 to begin the process.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies W. University Street as a Collector roadway. The standard right-of-way width for W. University Street is 30-feet from the centerline. It appears an additional 15-feet of right-of-way is needed along S. Farm Road 189. It appears an additional 10-ft of right-of-way is needed along W. University Street and is reflected in the plat. A survey is recommended to determine the exact amount of existing right-of-way. Anything less than the required right of way is required to be dedicated as part of the plat. W. University Street is a city-maintained street.

DRIVEWAY ACCESS
There is currently two driveway access points onto the property from W. University Street. Any access points onto the property must meeting current City of Springfield access standards. On-Street parking is allowed along W. University Street.

SIDEWALK
There is not existing sidewalk along the property frontage of W. University Street. Sidewalk is required to be constructed along W. University Street as part of the subdivision process. The developer has the option to escrow funds and construct sidewalks at the time of development. Sidewalk must be constructed or funds escrowed prior to approval of the final plat.

IMPROVEMENTS
A Traffic Impact Study was not required.

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	W. University Street	Collector	Yes	20	30

CONDITIONS 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.

ATTACHMENT 3

PRELIMINARY PLAT
OPAL SUNSET SUBDIVISION

SPRINGFIELD, GREENE COUNTY, MISSOURI

DEED DESCRIPTION (Tract IV):

THE SOUTH NINE (9) ACRES OF THE FOLLOWING DESCRIBED PROPERTY:
ALL COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION TWENTY-NINE (29), RANGE TWENTY-NINE (29), RANGE TWENTY-TWO (22), THENCE WEST ALONG THE SOUTH LINE OF SAID S½ OF THE SW¼ 6 & 1/320 CHAINS; THENCE NORTH 120 RODS TO THE CENTER OF A ROAD RUNNING NORTH SIDE OF SAID LANDS; THENCE EAST 6 & 1/320 CHAINS; THENCE SOUTH 120 RODS TO THE POINT OF BEGINNING, IN GREENE COUNTY , MISSOURI, EXCEPT BEGINNING AT THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE EAST 8 FEET; THENCE SOUTHERLY TO A POINT 18 FEET EAST OF THE SOUTHWEST CORNER OF ABOVE DESCRIBED TRACT; THENCE WEST 18 FEET; THENCE NORTH TO POINT OF BEGINNING; ALSO EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD, STREET, OR HIGHWAY PURPOSES.

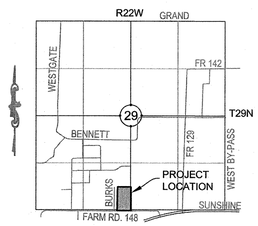
LOT 1 DESCRIPTION:

COMMENCING (P.O.C.) AT AN EXISTING IRON PIN AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST;
THENCE NORTHERLY ALONG THE QUARTER SECTION LINE N 02°15'31" E A DISTANCE OF 30' TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF MENARDS WEST SUBDIVISION, RECORDED IN THE GREENE COUNTY RECORDER'S OFFICE PLAT BOOK AAA AT PAGE 488 (BOOK 2017 PAGE 041424-17);
THENCE N 88°44'39" W A DISTANCE OF 263.20';
THENCE N 02°15'31" E A DISTANCE OF 190.00';
THENCE S 88°44'39" E A DISTANCE OF 263.20' TO THE WESTERLY LINE OF SAID SUBDIVISION;
THENCE ALONG SAID WESTERLY LINE S 02°15'31" W A DISTANCE OF 190.00' TO SAID TRUE P.O.B., HAVING AN AREA OF 50,000.00 SQUARE FEET, 1.148 ACRES MORE OF LESS AND SUBJECT TO ALL EASEMENTS AND/OR OR RIGHTS-OF WAY, ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST SPRINGFIELD, GREENE COUNTY, MISSOURI.

LOT 2 DESCRIPTION:

COMMENCING (P.O.C.) AT AN EXISTING IRON PIN AT THE SOUTH QUARTER CORNER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST;
THENCE NORTHERLY ALONG THE QUARTER SECTION LINE N 02°15'31" E A DISTANCE OF 30' TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF MENARDS WEST SUBDIVISION, RECORDED IN THE GREENE COUNTY RECORDER'S OFFICE PLAT BOOK AAA AT PAGE 488 (BOOK 2017 PAGE 041424-17);
THENCE CONTINUING NORTHERLY ALONG SAID QUARTER SECTION LINE N 02°15'31" E DISTANCE OF 190.00' TO THE TRUE POINT OF BEGINNING (P.O.B.);
THENCE N 88°44'39" W A DISTANCE OF 263.20';
THENCE S 02°15'31" W A DISTANCE OF 190.00';
THENCE N 88°44'39" W A DISTANCE OF 123.77';
THENCE N 01°56'45" E A DISTANCE OF 1031.02' TO THE SOUTHLINE OF LOT 24 SPRINGVIEW HEIGHTS AS DESCRIBED IN GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK WW, PAGE 100;
THENCE ALONG SAID SOUTHLINE S 88°43'39" E A DISTANCE OF 392.60' TO THE SOUTHEAST CORNER OF SAID SPRINGVIEW HEIGHTS, POINT ALSO BEING ON THE WESTERLY LINE OF MENARDS WEST SUBDIVISION RECORDED IN THE GREENE COUNTY RECORDER'S OFFICE PLAT BOOK AAA AT PAGE 488 (BOOK 2017 PAGE 041424-17);
THENCE ALONG LAST SAID SUBDIVISION S 02°15'31" W A DISTANCE OF 840.99' TO SAID TRUE POINT OF BEGINING HAVING AN AREA OF 351,821.76 SQUARE FEET, 8.077 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND/OR RIGHTS-OF-WAY, ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST SPRINGFIELD, GREENE COUNTY, MISSOURI.

INTERIOR ANGLES	
1	89°18'36"
2	90°40'24"
3	89°00'50"
4	91°00'10"
TOTAL =	360°00'00"
(4 - 2) x 180° = 360°00'00"	



LOCATION MAP
SCALE = 1" = 2000'

SURVEYOR'S ACKNOWLEDGEMENT

THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF GEOLOGY AND LAND SURVEY, AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS. PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE. APPARENT OWNERSHIP AS SHOWN ARE BASED UPON INFORMATION PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.

KENNETH M. HEITHAUS P.L.S. 1918

6/6/2022
DATE

STATE OF MISSOURI
KENNETH MICHAEL HEITHAUS
NUMBER
LS-1918
REGISTERED LAND SURVEYOR

ZONING:

LOT 1: GR(GENERAL RETAIL) &
LOT 2: R-HD (RESIDENTIAL - HIGH DENSITY MULTI-FAMILY)

MINIMUM YARD REQUIREMENTS:

FRONT:	25' ALONG COLLECTOR
REAR:	NONE / BEFFERYARD REQUIRED
SIDE:	NONE / BUFFERYARD REQUIRED

UTILITY SUPPLIERS:

GAS, WATER & ELECTRIC
CITY UTILITIES OF SPRINGFIELD
301 E CENTRAL,
SPRINGFIELD, MO 65802

SANITARY SEWER & STORMWATER:
SPRINGFIELD PUBLIC WORKS
840 BOONVILLE AVE.
SPRINGFIELD, MO 65802

STORMWATER DETENTION:
CITY OF SPRINGFIELD
GREENE COUNTY (DOWNSTREAM)

STANDARD LEGEND

	EXISTING IRON PIN
	IRON PIN SET LS 1918
(M)	MEASURED
(R)	RECORD
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
PP	POWER POLE
	TELEPHONE RISER
	MAIL BOX
	LAMP POST
	MANHOLE
	GAS
WAT	WATER LINE
OHE	OVERHEAD ELECTRIC
X	CHAIN LINK FENCE
GAS	GAS LINE
SAN	SANITARY SEWER LINE
R/W	RIGHT OF WAY LINE
UE	UNDERGROUND ELECTRIC
TEL	TELEPHONE LINE
	CONTOUR
920	INDEX CONTOUR

OWNER / DEVELOPER

FLINTROCK, LLC
ATTN: TRAVIS LITTLE
2755 RT 2, SEYMOUR MO 65746
417-719-5064
travis@flintrockrealestate.com

SOURCE OF TITLE

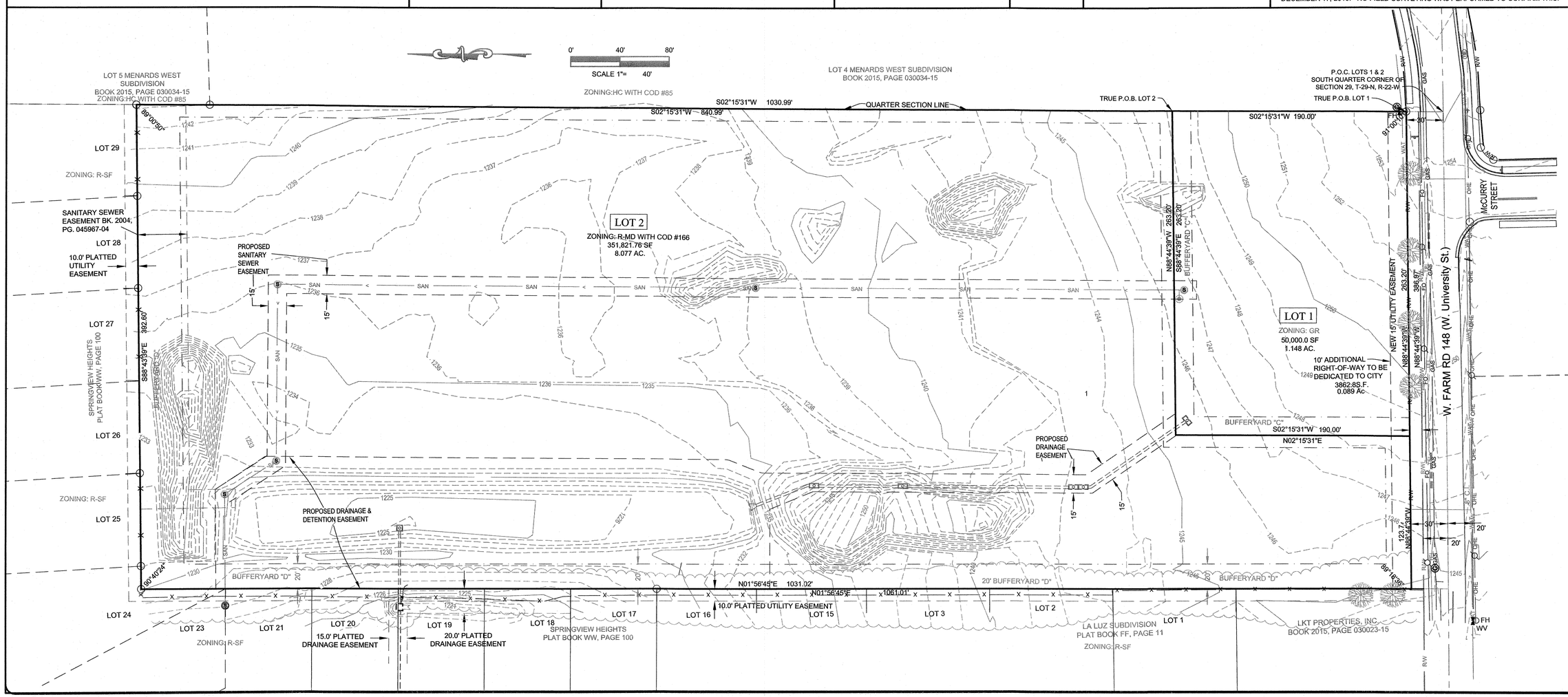
WARRANTY DEED:
Book: 2021
Page: 059474-21

PRELIMINARY PLAT NOTES:

1. PROPERTY AREA = 9.314 AC. - 0.089 AC. RIGHT-OF-WAY TO BE DEDICATED.
   1.1. LARGEST LOT LOT 1 = 50,000 SF = 1.148 AC
   1.2. SMALLEST LOT LOT 2 = 351,821 SF 8.077 AC
2. SIDEWALK REQUIRED ON ONE SIDE OF UNIVERSITY ST.
3. PUBLIC SEWER WILL BE EXTENDED TO LOT 1.
4. DETENTION SHALL BE PROVIDED FOR THIS SUBDIVISION. DETENTION AND WATER QUALITY TO TO ACCOMMODATE THE INCREASE IN IMPERVIOUSNESS IN ACCORDANCE WITH CITY PUBLIC WORKS REQUIREMENTS PER CITY OF SPRINGFIELD DRAINAGE CRITERIA MANUAL.
5. ALL PORTIONS OF A BUILDING SHALL BE WITHIN 400 FEET FROM A FIRE HYDRANT ON AN APPROVED FIRE APPARATUS ACCESS ROAD, AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE BUILDING. 600 FEET IF THE BUILDING IS EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM.

FLOODPLAIN NOTE

THIS PROPERTY LIES WITHIN ZONE "X" (OTHER AREAS) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI (COMMUNITY PANEL NUMBER MAP NUMBER 29077C0336E, REVISED: DECEMBER 17, 2010. NO FIELD SURVEYING WAS PERFORMED TO CONFIRM THIS.



Rev	Date	Description	Dwn/By	App

535 W. Battlefield St.
Springfield, MO 65807
(417) 887-3238
FAX (417) 887-1940
http://www.heiweb.com
HEI@heiweb.com
Heithaus Engineering & Assoc., Inc.
MO COA: 2001021970 (EL), 2001001808 (LS)

FLINTROCK, LLC

OPAL SUNSET SUBDIVISION

SPRINGFIELD, GREENE COUNTY, MISSOURI

PRELIMINARY PLAT

Field:	TWH
Drawn:	TWH/TAD
Checked:	TAD/KMH
Date:	6/6/2022
Job No.	216051
Dwg#	216051PrePlat
Scale:	AS SHOWN

SHEET
1
OF 1 SHEETS

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 08-02-22

Sponsored by: Schilling

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022- 203 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of RLC Sixty Subdivision, generally located at 2852 South Dayton Avenue, 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.)

WHEREAS, an original Preliminary Plat of RLC Sixty Subdivision dated June 3, 2022, is on file with the City's Department of Planning and Development; and

WHEREAS, on July 14, 2022, the Planning and Zoning Commission of the City of Springfield, Missouri, conditionally approved the Preliminary Plat of RLC Sixty Subdivision, which is generally located at 2852 South Dayton Avenue.

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat of RLC Sixty Subdivision, which is generally located at 2852 South Dayton Avenue, as approved by the Planning and Zoning Commission. The original plat of RLC Sixty Subdivision is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said plat, upon the applicant filing and recording 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 all conditions referenced herein and in “Exhibit B.”

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.

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 2022 - 203

FILED: 08-02-22

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 RLC Sixty Subdivision, generally located at 2852 South Dayton Avenue, 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 RLC Sixty Subdivision dated June 3rd, 2022, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 3.

B. The Planning and Zoning Commission held a public hearing on July 14th, 2022, and approved the Preliminary Plat by a vote of 5 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 Low-Density Housing and Medium-Intensity Retail, Office, or Housing. The plat subdivides the property in a way that promotes residential and neighborhood supporting developments, which is compatible with the Plan.

REMARKS:

Staff recommends approval.

Submitted by:

Jared Follin

Jared Follin, Associate Planner

Recommended by:

Susan M. Istenes

Susan Istenes, AICP Director

Approved by:

Jason A. Gage

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
Planning and Zoning Commission – July 14, 2022

Preliminary Plat of RLC Sixty Subdivision
2852 South Dayton Avenue
Applicant: Redeemer Lutheran Church

Mr. Follin states that this a request to approve a preliminary plat for a 2-lot residential subdivision located at 2852 South Dayton Avenue. The property is currently zoned R-SF, and the comprehensive plan designates it as Low-Density Housing. The Transportation Plan classifies Dayton Avenue as a Collector, Woodland St as a Collector and Main Avenue as a Local Street. A Traffic Study is not required; sidewalk will be required at the time of development. The property is not located in a FEMA designated floodplain. There are no stream buffers on site. A fee in lieu of stormwater detention is not applicable as detention is already provided. All lots have access to public sewer. If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jared Davis, 3213 S. West Bypass and here to answer any questions.

Mr. Colony asked if it would remain a church and Mr. Davis noted that it will.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Preliminary Plat of RLC Sixty Subdivision (2852 South Dayton Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

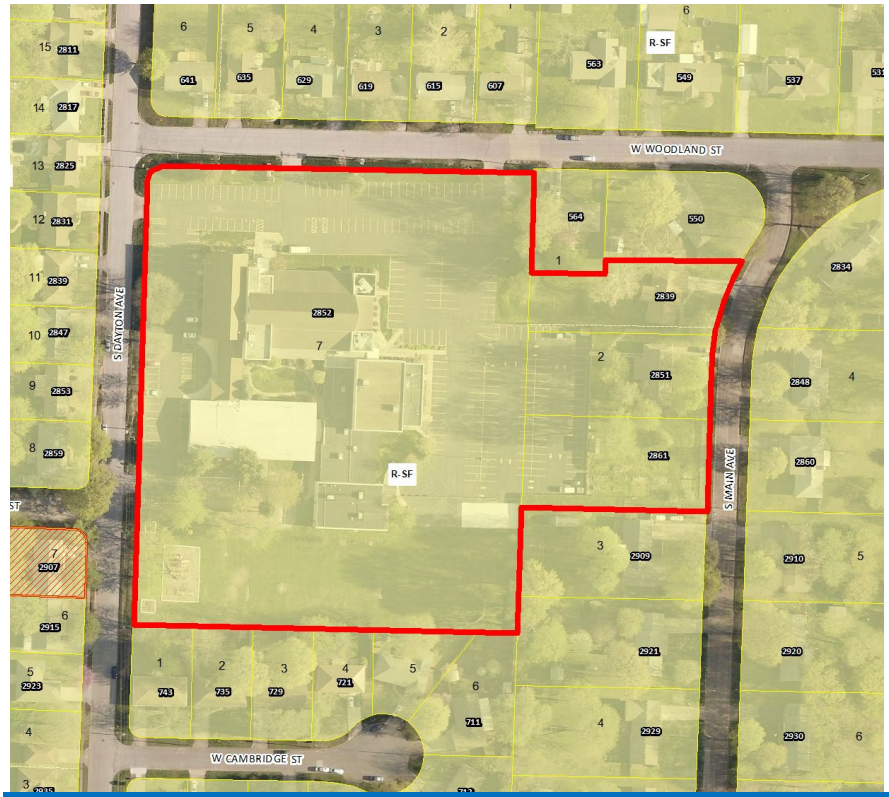
EXHIBIT B

Development Review Staff Report

CITY OF Springfield

PLANNING AND ZONING COMMISSION PUBLIC HEARING: JULY 14, 2022

CITY COUNCIL PUBLIC HEARING: AUGUST 8, 2022



CASE: Preliminary Plat of RLC Sixty Subdivision

ACRES: 7.72

LOCATION: 2852 South Dayton Avenue

EXISTING LAND USE: Church Uses, Single-Family Residential

APPLICANT: Redeemer Lutheran Church

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

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 “RLC Sixty Subdivision”.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The applicant’s proposal, with the conditions listed in *Attachment 2*, is consistent with the City’s *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family residences	Single-family residences	Single-family residences	Single-family residences

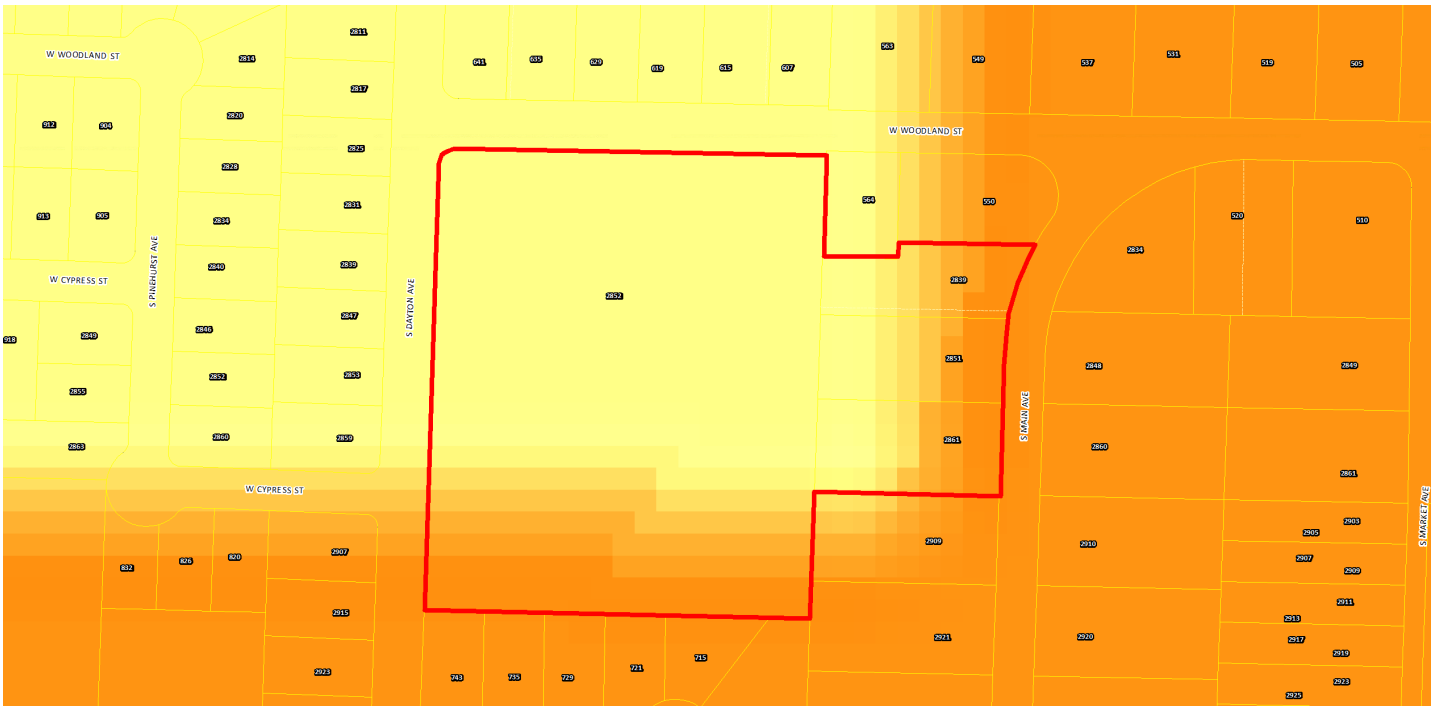
Development Review Staff Report

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

The subject property was annexed by the City in 1955.

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 SINGLE-FAMILY RESIDENTIAL
Minimum Lot Size	6,000 square feet
Maximum Structure Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front Yard Setback	Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Side and Rear Setbacks	Side – 5 feet Rear – 10% of lot depth
Street Classification	S. Dayton Avenue – Collector W. Woodland Street – Collector S. Main Avenue – Local
Sidewalks (Per Sec.36-471)	Sidewalks are required to be constructed at the time of development along the property frontage of Dayton Avenue, Woodland Street and Main Avenue.
Open Space Requirement	Not less than 20 percent of the total lot 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 areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing and Medium-Intensity Retail, Office or Housing. The plat subdivides the property in a way that promotes residential and neighborhood supporting developments, which is compatible with the *Plan*.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 7.72 acres into a two-lot subdivision named “RLC Sixty Subdivision”.

2. The applicant has applied to re-subdivide the property in order to put the house located at 2839 South Main Avenue on its own lot. This will allow the applicant to sell the home separately from the church property.

3. 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.

4. The proposed preliminary plat was reviewed by City departments and comments are contained in ***Attachment 1.*** Conditions of Approval are provided in ***Attachment 2.*** The Preliminary Plat drawing can be found in ***Attachment 3.***

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITES COMMENTS:
No issues with prelim plat.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES DIVISION COMMENTS:
No issues with replat. Both proposed lots have access to public sewer.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:
The property is in the **South Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided.** The property **does not have a stream buffer on site.**

Preliminary Plat is approved. Please note that development of the property will be subject to the following conditions at the time of development. All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.
   a. Detention is already provided on site for the current impervious surface area. When further impervious surface area is planned a review of the detention basin will need to be conducted.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
   a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
   b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

Water Quality Requirements

3. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Additional Stormwater Standards to be met

4. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

5. As-builts of the detention and water quality improvements are required for the closing of a Stormwater Permit at the final inspection. We would like the following as-built notes on the plans:

"The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures."

6. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

7. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

8. Detention must be built and approved prior to issuance of the building permit. If this is not possible submit a temporary stormwater plan with your plan submittal. If it is an above ground basin then as-builts will be required. The as-builts must be submitted and approved prior to release of the certificate of occupancy.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:
Sidewalks are required to be constructed at the time of development along the property frontage of Dayton Avenue, Woodland Street and Main Avenue.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION
City's Transportation Plan classifies S. Dayton Avenue and W. Woodland Street as a Collector roadways and S. Main Avenue as a Local-Residential roadway. The standard right-of-way width for S. Dayton Avenue and W. Woodland Street is 30-feet from the centerline. The standard right-of-way width for S. Main Avenue is 25-feet from the centerline. It appears no additional right-of-way is needed along S. Dayton Avenue, W. Woodland Street or S. Main Avenue. A survey is recommended to determine the exact amount of existing right-of-way. Anything less than the required right of way is required to be dedicated as part of the plat. S. Dayton Avenue, W. Woodland Street and S. Main Avenue are city-maintained streets.

DRIVEWAY ACCESS
There is currently two driveway access points onto the property from S. Dayton Avenue, three driveway access points onto the property from W. Woodland Street and two driveway access points onto the property from S. Main Avenue. Any access points onto the property must meeting current City of Springfield access standards. On-Street parking is allowed along S. Dayton Avenue, W. Woodland Street and S. Main Avenue.

SIDEWALK
There is not existing sidewalk along the property frontage of S. Dayton Avenue, W. Woodland Street and S. Main Avenue. Sidewalk is required to be constructed along W. University Street at the time of development. The developer has the option to apply to the ARC and seek approval to pay a fee in lieu of sidewalk construction. This must be approved and fees paid prior to approval of a building permit.

IMPROVEMENTS
A Traffic Impact Study was not required.

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. Dayton Avenue	Collector	Yes	30	30
Street 2	W. Woodland Street	Collector	Yes	30	30
Street 3	S. Main Avenue	Local - Residential	Yes	25	25

CONDITIONS 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.

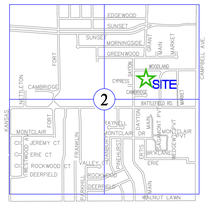
ATTACHMENT 3

RLC SIXTY SUBDIVISION

BEING A PART OF A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, MISSOURI.

PRELIMINARY PLAT

RECORDER'S SPACE



LOCATION SKETCH

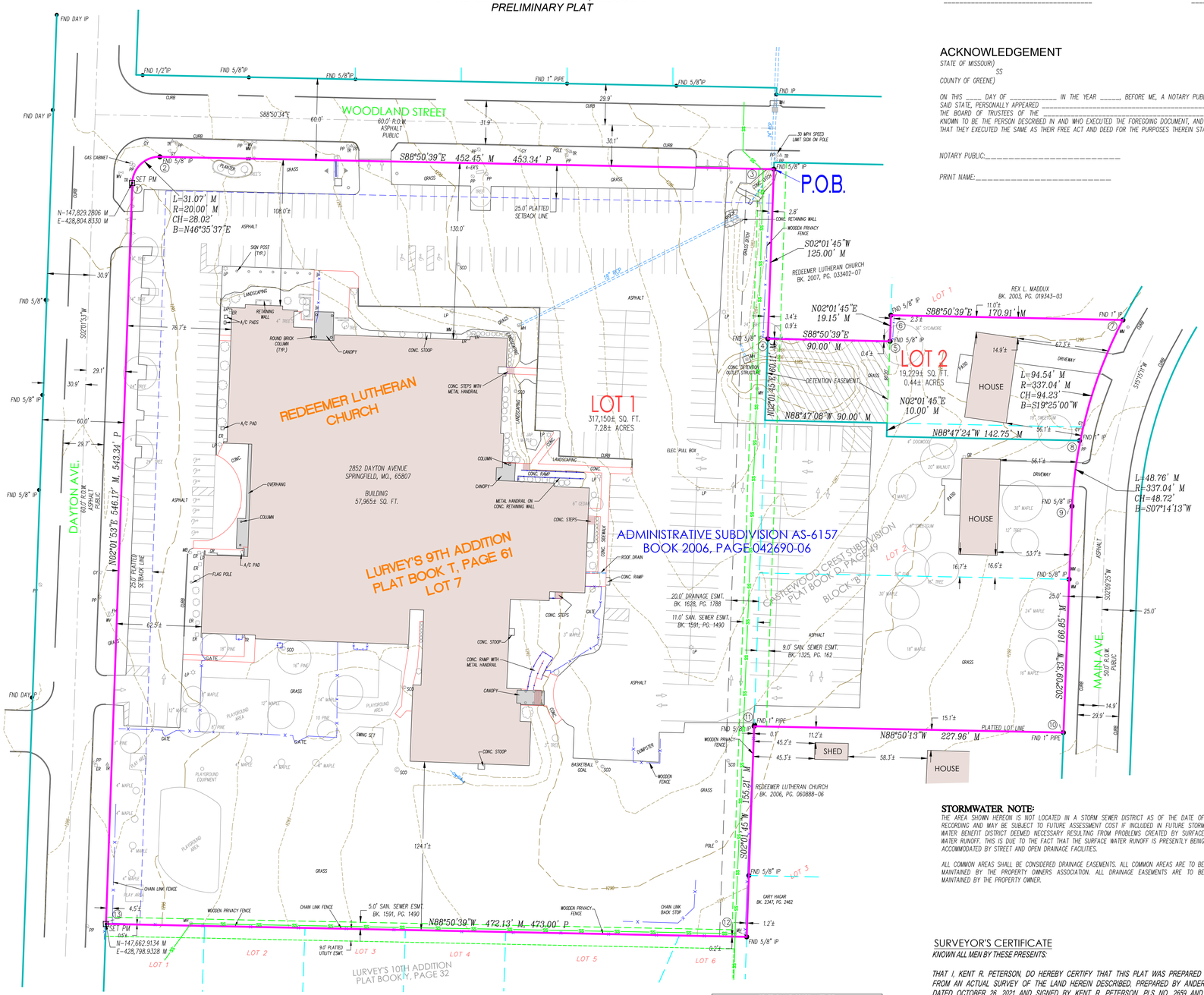
SEC. 2, T28N, R22W

SCALE: 1"=2000'

GRID

LEGEND

CP	CONTROL POINT
FND IP	FOUND IRON PIN
SET IP	SET IRON PIN
RWM	RIGHT-OF-WAY MARKER
PP	POWER POLE W/ GUY
MH	MANHOLE
SCO	SEWER CLEANOUT
GM	GAS METER
LP	LIGHT POLE
	SIGN
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
FH	FIRE HYDRANT
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
SET PM	PERMANENT MONUMENT
4	INTERNAL ANGLE # (SEE TABLE)
	TREELINE
	BUSH
ER	ELECTRICAL RISER
IG	GRATE INLET
MB	MAIL BOX
ICV	IRRIGATION CONTROL VALVE
EM	ELECTRIC METER
TR	TELEPHONE RISER
BP	BUMPER POST
	GROUND LIGHT
PROPERTY LINE	
FENCE LINE	
RETAINING WALL	
LINE LABELS	MEASURED 100' M / DEED 100' D
LINE LABELS	MEASURED 100' M / PLAT 100' P



INTERIOR ANGLES

1	135°26'16"
2	135°26'16"
3	89°07'36"
4	270°52'24"
5	269°07'36"
6	90°52'24"
7	71°44'21"
8	192°10'45"
9	185°04'42"
10	90°59'46"
11	269°08'02"
12	90°52'24"
13	89°07'28"

SUM OF INTERIOR ANGLES 1980°00'00"

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

NOTES

TOTAL SQUARE FOOTAGE OF DEVELOPMENT = 336,379± SQ. FT.
TOTAL ACREAGE OF DEVELOPMENT = 7.72± ACRES

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

STATE PLANE COORDINATE TIE
MISSOURI COORDINATE SYSTEM 1983

CONTROL STATIONS:
GR-92 NORTHING – 147514.0760 (M)
EASTING – 4277223.6803 (M)
GRID FACTOR – 0.9999408

COORDINATES EXPRESSED IN METERS, 2002 ADJUSTMENT.

OWNER/DEVELOPER:
REDEEMER LUTHERAN CHURCH
2852 S. DAYTON AVENUE
SPRINGFIELD, MO. 65807

CONTACT PERSON:
KENT R. PETERSON
ANDERSON ENGINEERING, INC.
3213 S. WEST BYPASS
SPRINGFIELD, MO 65807
(417) 866-2741

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF SPRINGFIELD, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

_____ _____
DATE

ACKNOWLEDGEMENT

STATE OF MISSOURI)
) SS
COUNTY OF GREENE)

ON THIS ____ DAY OF _____ IN THE YEAR _____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____, CHAIRMAN OF THE BOARD OF TRUSTEES OF THE _____TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DOCUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC:_____

PRINT NAME:_____

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PLANNING AND DEVELOPMENT

APPROVED THIS ____ DAY OF _____, 20____, BY THE PLANNING DIRECTOR OF THE CITY OF SPRINGFIELD, MISSOURI.

_____
"BOB HOSMER, AICP, PLANNING MANAGER"

DEDICATION

SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON, ALL STREETS, EASEMENTS, AND ACCESS LIMITATIONS AS RELINQUISHED AND DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF,_____, AND_____, (HUSBAND AND WIFE/CORPORATE OFFICE/ETC.) SOLE OWNERS OF THE PROPERTY DESCRIBED HEREON, HAS CAUSED THIS PLAT TO BE SIGNED THIS_____ DAY OF _____, _____.

_____ _____
SIGNATURE – PRINT NAME UNDERNEATH LINE *SIGNATURE – PRINT NAME UNDERNEATH LINE*

PERIMETER DESCRIPTION

A TRACT OF LAND BEING ALL OF LOT 7 OF LURVEY'S NINTH ADDTION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AS RECORDED IN THE GREENE COUNTY MISSOURI RECORDER'S OFFICE IN BOOK T, PAGE 61 AND PARTS OF LOTS 1 AND 2, BLOCK B OF CASTLEWOOD CREST SUBDIVISION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI AS RECORDED IN BOOK P, PAGE 49 OF THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7 OF LURVEY'S NINTH ADDITION; THENCE ALONG THE EAST LINE OF SAID LOT 7, SOUTH 02°01'45" WEST, 125.00 FEET; THENCE SOUTH 88°50'39" EAST, 90.00 FEET; THENCE NORTH 02°01'45" EAST, 19.15 FEET; THENCE SOUTH 88°50'39" EAST, 170.91 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY OF MAIN AVENUE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES, 94.54 FEET ALONG A 337.04 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 19°25'00" WEST FOR A DISTANCE OF 94.23 FEET; THENCE 48.76 FEET ALONG A 337.04 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 07°14'13" WEST FOR A DISTANCE OF 48.72 FEET; THENCE SOUTH 02°09'33" WEST, 166.85 FEET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 88°50'13" WEST, 227.96 FEET; THENCE SOUTH 02°01'45" WEST, 155.21 FEET TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 7; THENCE ALONG THE SOUTH LINE OF LOT 7, NORTH 88°50'39" WEST, 472.13 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF DAYTON AVENUE; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 02°01'53" EAST, 546.17 FEET; THENCE 31.07 FEET ALONG A 20.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 46°35'37" EAST FOR A DISTANCE OF 28.02 FEET, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF WOODLAND STREET; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 88°50'39" EAST, 452.45 FEET TO THE POINT OF BEGINNING. CONTAINING 317,150 SQUARE FEET OR 7.28 ACRES, MORE OR LESS. ALL LYING IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 28 NORTH, RANGE 22 WEST IN SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

STORMWATER NOTE:

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.

ALL COMMON AREAS SHALL BE CONSIDERED DRAINAGE EASEMENTS. ALL COMMON AREAS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION. ALL DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

ZONING DATA

SUBJECT PROPERTY IS R-SF (SINGLE-FAMILY RESIDENTIAL DISTRICT).

MINIMUM YARD REQUIREMENTS:
FRONT YARD:
A. 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453.
B. 15 FEET ALONG A STREET CLASSIFIED AS A LOCAL STREET OR AS REQUIRED BY SECTION 36-453.
C. THE FRONT YARD SETBACK MAY BE REDUCED BELOW THE MINIMUM REQUIRED ABOVE IF A CONDITIONAL USE PERMIT IS APPROVED IN ACCORDANCE WITH SECTION 36-363.

SIDE YARD: 5 FEET OR AS REQUIRED BY SECTION 36-453

REAR YARD: 10 PERCENT OF THE LOT DEPTH, BUT MAY NOT BE LESS THAN 10 FEET NOR SHALL MORE THAN 20 FEET BE REQUIRED.

SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KENT R. PETERSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED OCTOBER 26, 2021 AND SIGNED BY KENT R. PETERSON, PLS NO. 2659 AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KENT R. PETERSON, PLS NO. 2659 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. DRAWING LAST REVISED ON JUNE 03, 2022.

ANDERSON ENGINEERING, INC. LC 62 BY:

STATE OF MISSOURI
KENT R. PETERSON
NUMBER LS-2659
PROFESSIONAL LAND SURVEYOR

KENT R. PETERSON, PLS NO. 2659

6-03-2022
DATE PREPARED

SURVEYORS NOTE:

WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION.

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0341E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

COA #000062

ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING

3213 S. WEST BYPASS
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778

FIELD: CB	DATE: 10-26-2021	21SP20227
DRAWN: BAC	FIELD BK: N/A	
CHECKED: KRP	JOB NO: 21SP20227	SHT. 1 OF 1 REV. __

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed: 08-02-22

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-204 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of The Irons at Millwood Subdivision, generally located at 6177 South Farm Road 189, 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.)

WHEREAS, an original Preliminary Plat of The Irons at Millwood Subdivision dated July 7, 2022, is on file with the City's Department of Planning and Development; and

WHEREAS, on July 14, 2022, the Planning and Zoning Commission of the City of Springfield, Missouri, conditionally approved the Preliminary Plat of The Irons at Millwood Subdivision, which is generally located at 6177 South Farm Road 189.

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat of The Irons at Millwood Subdivision, which is generally located at 6177 South Farm Road 189, as approved by the Planning and Zoning Commission. The original plat of The Irons at Millwood Subdivision is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said

plat, upon the applicant filing and recording 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 all conditions referenced herein and in “Exhibit B.”

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.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Burris, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022 - 204

FILED: 08-02-22

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 Irons at Millwood Subdivision, generally located at 6177 South Farm Road 189, 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 Irons at Millwood Subdivision dated July 7, 2022, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 3.

B. The Planning and Zoning Commission held a public hearing on July 14th, 2022, and approved the Preliminary Plat by a vote of 5 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 designates this area as Low-Density Housing. The subdivision divides the property in a way that will facilitate residential development on the property, being consistent with the Plan. The Major Thoroughfare Plan classifies South Farm Road 189 as a Secondary Arterial which supports the proposed land use.

REMARKS:

Staff recommends approval.

Submitted by:

Jared Follin

Jared Follin, Associate Planner

Recommended by:

Susan M. Istenes

Susan Istenes, AICP Director

Approved by:

Jason A. Gage

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
Attachment 4, Engineering Exhibit

EXHIBIT A

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 14, 2022

Preliminary Plat of the Irons at Millwood Subdivision
6177 South Farm Road 189
Applicant: Steed Communities

Mr. Follin states that this is a request to approve a preliminary plat for a 78-lot residential subdivision located at 6177 South Farm Road 189. The property is currently zoned R-SF and County R-1. Proposed to be R-SF and the comprehensive plan designates it as Low-Density Housing. The Transportation Plan classifies Farm Road 189 as a Secondary Arterial. A Traffic Study has already been approved; sidewalk will be required and additional right of way along Farm Rd 132. The property is not located in a FEMA designated floodplain. No stream buffers required. A fee in lieu of stormwater detention will not be permitted. There is no sewer onsite and will require a lengthy offsite sewer extension. All easements must be acquired, recorded and labeled on the plans before the plans can be approved. If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Luke O'Gary, 5233 S. Sterling Way and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Colony motioned to **approve** Preliminary Plat of the Irons at Millwood Subdivision (6177 South Farm Road 189). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

EXHIBIT B

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	AUGUST 8, 2022

CASE: Preliminary Plat of The Irons at Millwood Subdivision

ACRES: 45.18

LOCATION: 6177 South Farm Road 189

EXISTING LAND USE: Undeveloped

APPLICANT: Steed Communities

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

STAFF RECOMMENDATIONS: Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

The applicant is proposing a preliminary plat for a 78-lot residential subdivision named “The Irons at Millwood Subdivision” to facilitate residential development on the property.

FINDINGS FOR STAFF RECOMMENDATIONS:

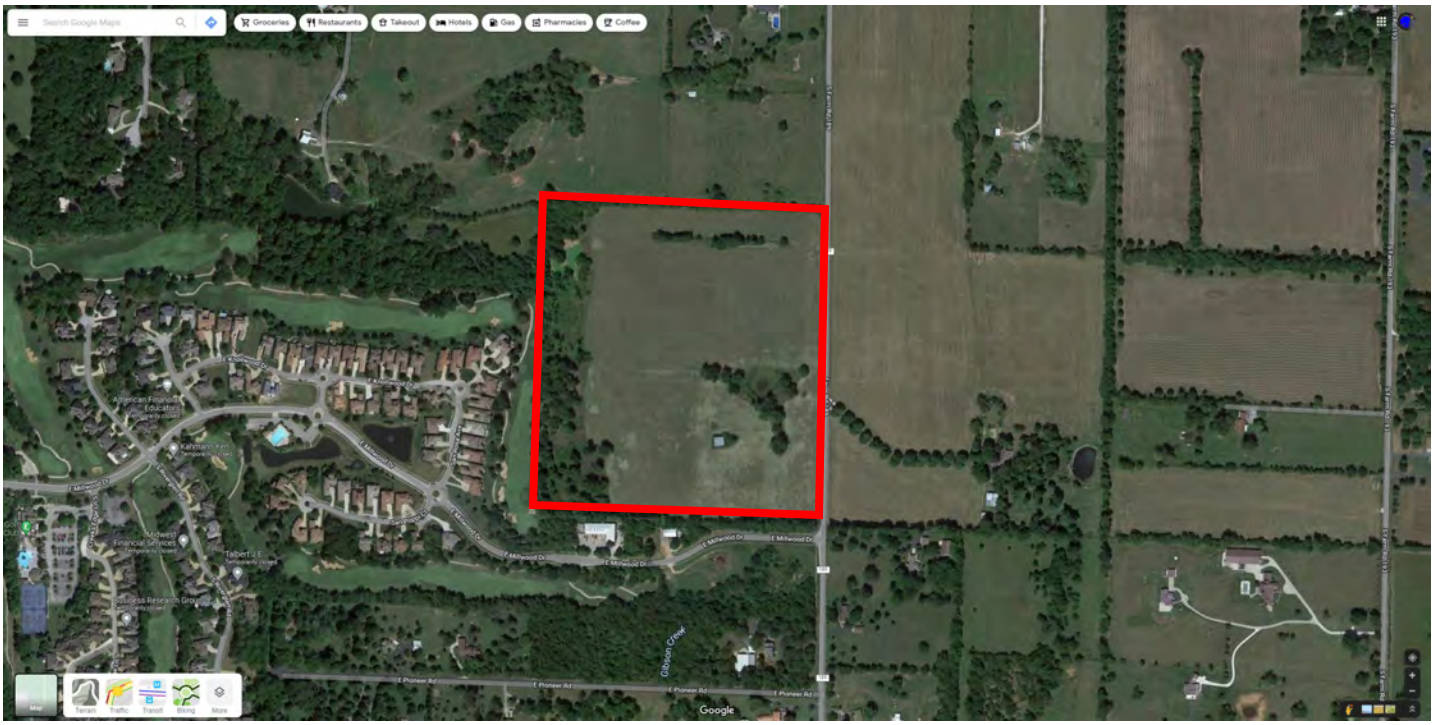
1. The applicant’s proposal, with the conditions listed in *Attachment 2*, is consistent with the City’s *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	County A-1	County PAD 1033	County A-1	County PAD 1033
LAND USE	Single-Family Residential / Agriculture	Single-Family Residential / Green Space	Single-Family Residential / Agriculture	Single-Family Residential

Development Review Staff Report

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:

- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

PROPERTY HISTORY:

The subject property was annexed by the City in 2020. Most of the property was rezoned to Single-Family Residential in the same year. The portion of property zoned County R-1 is in the process of being rezoned to Single-Family Residential.

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 SINGLE-FAMILY RESIDENTIAL DISTRICT
Minimum Lot Size	6,000 square feet
Maximum Structure Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. When the side yards are 15 feet or greater: 45 feet or three stories above the finished grade.
Front Yard Setback	25 feet along collector or higher classified streets 15 feet along local streets
Side and Rear Setbacks	5 feet, or as required by section 36-453, supplemental open space and yard regulations.
Street Classification	South Farm Road 189 – Secondary Arterial
Sidewalks (Per Sec.36-471)	There is not existing sidewalk along the property frontage of S. Farm Road 189. Sidewalk currently exists along the property frontage of E. Millwood Drive. Sidewalk is required to be constructed along S. Farm Road 189 and along the new streets within the development.
Open Space Requirement	Not less than 30 percent of the total lot area shall be devoted to open space including required yards and buffer yards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* designates this area as Low-Density Housing. The subdivision divides the property in a way that will facilitate residential development on the property, being consistent with the *Plan*. The Major Thoroughfare Plan classifies South Farm Road 189 as a Secondary Arterial which supports the proposed land use.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 45 acres of property into a 78-lot subdivision plat named "The Irons at Millwood Subdivision" to facilitate residential development on the property.
2. The property is currently zoned Single-Family Residential (R-SF) and County R-1. A zoning case is concurrently running with the plat to rezone the County R-1 zoning to R-SF.
3. The proposed common areas will primarily serve as a detention basin and will be privately maintained by an association.
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*****.** The Preliminary Plat drawing can be found in ***Attachment 3*****.** The engineering report can be found in ***Attachment 4.***

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

Development Review Staff Report

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITES COMMENTS:
No issues generally with preliminary plat. CU can provide Electric/Gas/Water/and potentially Fiber to the development per our Extension Policy. Offsite Gas/Water extension will be needed from Millwood Dr to provide service. Electric can be extended from FR 189 or from Millwood Dr. Fiber may be available to be extended from Millwood Dr. Relocation is likely needed for existing pole at FR 189 and proposed Irons Blvd. At least 10 ft wide utility easements will be needed along both sides of all public streets, including along stub streets to the north property line. This can be done on the final plat. A utility pre-design meeting is recommended. Contact Josh at 417-831-8816 to coordinate.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES DIVISION COMMENTS:
1. Public sewer not currently available for the proposed site and will require offsite and onsite sewer improvements. According to city code section 120.72.a, public sewer must be adjacent to the lot. This will require public improvement plans designed and constructed to city specs. Submit public improvement plans for both onsite and offsite sewer for review. Engineering and inspection fees of 5.34% of the approved contract amount must be paid prior to filing the plans. If the onsite and offsite sewer are submitted under separate project numbers, the offsite sewer should be approved before the onsite improvements are approved.
2. There is a $0.0075 per square foot trunkline fee required for the area of the subdivision. This fee will be added to the engineering and inspection fees.
3. The public improvements must be approved and constructed or escrowed before any building permits or plats can be approved according to city code section 98-12(b)(c) Private Construction of Public Improvements and section 98-14. - Assurance for completion of Public Improvements. If escrow of offsite sewer is allowed, it is at the developer's risk and understand that a C/O cannot be issued until said sewer is complete and accepted.
4. The horizontal alignment for the onsite sewer is acceptable. Additional review will be done when the public improvement plans are submitted.
5. The project requires a lengthy offsite sewer extension. All easements must be acquired, recorded and labeled on the plans before the plans can be approve.
6. The City of Springfield worked with a previous developer and engineer to determine the viability of a public lift station versus a trunkline. Please contact ES staff to discuss the requirements for serving the property. 7. The parent tract has already been annexed into the City of Springfield so a consent to annexation will not be required.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:
1. Add the following note to Development Notes on the Plat: "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. "
2. Update Development Note #11 to the following: "All Common Areas shall be considered drainage easements. All Common Areas are to be maintained by the property owner's association. All drainage easements are to be maintained by the property owner."

The property is in the **Farmer Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city is not aware of a sinkhole at this location. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.** The property **does not have a stream buffer on site.**

Please note that development of the property will be subject to the following conditions at the time of development. All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:
https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.
   a. A fee in lieu of detention for this development will not be permitted: The proposed Preliminary Plat is for a large Subdivision that will greatly increase runoff to adjacent and downstream properties if detention is not provided.
   b. Subdivision stormwater detention requires to be shown in a common area and done on public improvement plans. Drainage easements need to be provided for drainage crossing multiple lots.
   c. Stormwater infrastructure serving more than one property shall be submitted on public improvement plans.
   d. Escrow of Public Improvement Plans for Stormwater Improvements would not be allowed and detention would need to be roughed-in prior to the issuance of any Building Permits.

2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
   a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
   b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

3. Detention must be built and approved prior to issuance of the building permit. If this is not possible submit a temporary stormwater plan with your plan submittal. If it is an above ground basin then as-builts will be required. The as-builts must be submitted and approved prior to release of the certificate of occupancy.
   a. Include the following note for as-builts on the plans submitted for permitting:
   b. “The Engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the Engineer to identify the list of stormwater control measures requiring certification and coordinate during construction to allow the Engineer to make any observations necessary during construction to certify the measures.”

Water Quality Requirements

4. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

Additional Stormwater Standards to be met

5. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City’s Flood Control and Water Quality Protection Manual.
6. Operation and maintenance agreements are required for any permanent stormwater control measures. O&M will need to be approved during the process and will be reviewed by ES-Water Quality per Chapter 12 Sec. 3.0.

7. Include on the Plans a calculation of the Existing Impervious Surface Area, Existing Open Space Area, Post Development Impervious Surface Area, and Post Development Open Space Area. Per Chapter 4 Sec 3.2 for Detention Summary

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Per the predevelopment comments, a Traffic Study is required to be submitted and approved. Any infrastructure improvements required based on the traffic study must be reflected in the plat.
2. The sidewalks at intersections must have a curb ramp that carries pedestrians through to the other side of the street where sidewalk continues.
3. Public Improvement Plans are required to be submitted, approved and the infrastructure constructed or funds escrowed prior to approval of the final plat.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Farm Road 189 as a Secondary Arterial roadway and E. Millwood Drive as a Collector roadway. The standard right-of-way width for S. Farm Road 189 is 35 feet from the centerline. The standard right-of-way width for E. Millwood Drive is 30 feet from the centerline. It appears an additional 15-feet of right-of-way is needed along S. Farm Road 189. It appears no additional right-of-way is needed along E. Millwood Drive. A survey is recommended to determine the exact amount of existing right-of-way. Anything less than the required right of way is required to be dedicated as part of the plat. S. Farm Road 189 is a county-maintained street and E. Millwood Drive is a city maintained street.

DRIVEWAY ACCESS

There is currently one access point onto the property from S. Farm Road 189. The access as set forth in the Preliminary Plat appears to be adequate. Any access points onto the property must meeting current City of Springfield access standards.

SIDEWALK

There is not existing sidewalk along the property frontage of S. Farm Road 189. Sidewalk is required to be constructed along S. Farm Road 189 and along the new streets within the development.

IMPROVEMENTS

A Traffic Impact Study was required and has been approved. No additional improvements are required to existing S. Farm Road 189 or E. Millwood Drive. The development is required to construct an internal street system as set for in the City of Springfield Public Works Design requirements.

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. Farm Road 189	Secondary Arterial	No	20	35

PUBLIC WORKS TRANSPORTATION DIVISION COMMENTS:

As stated in the PREDEV meeting, a traffic impact study will be required to be reviewed and approved. The requirements of said study shall be incorporated in site plan, PIP, or other permits as applicable, and in accordance with City Code Section 36-250 and Section 9 of Public Works Design Standards. All public improvements required for the development must be constructed or escrowed prior to approval of the building permit or final plat.

CONDITIONS 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.

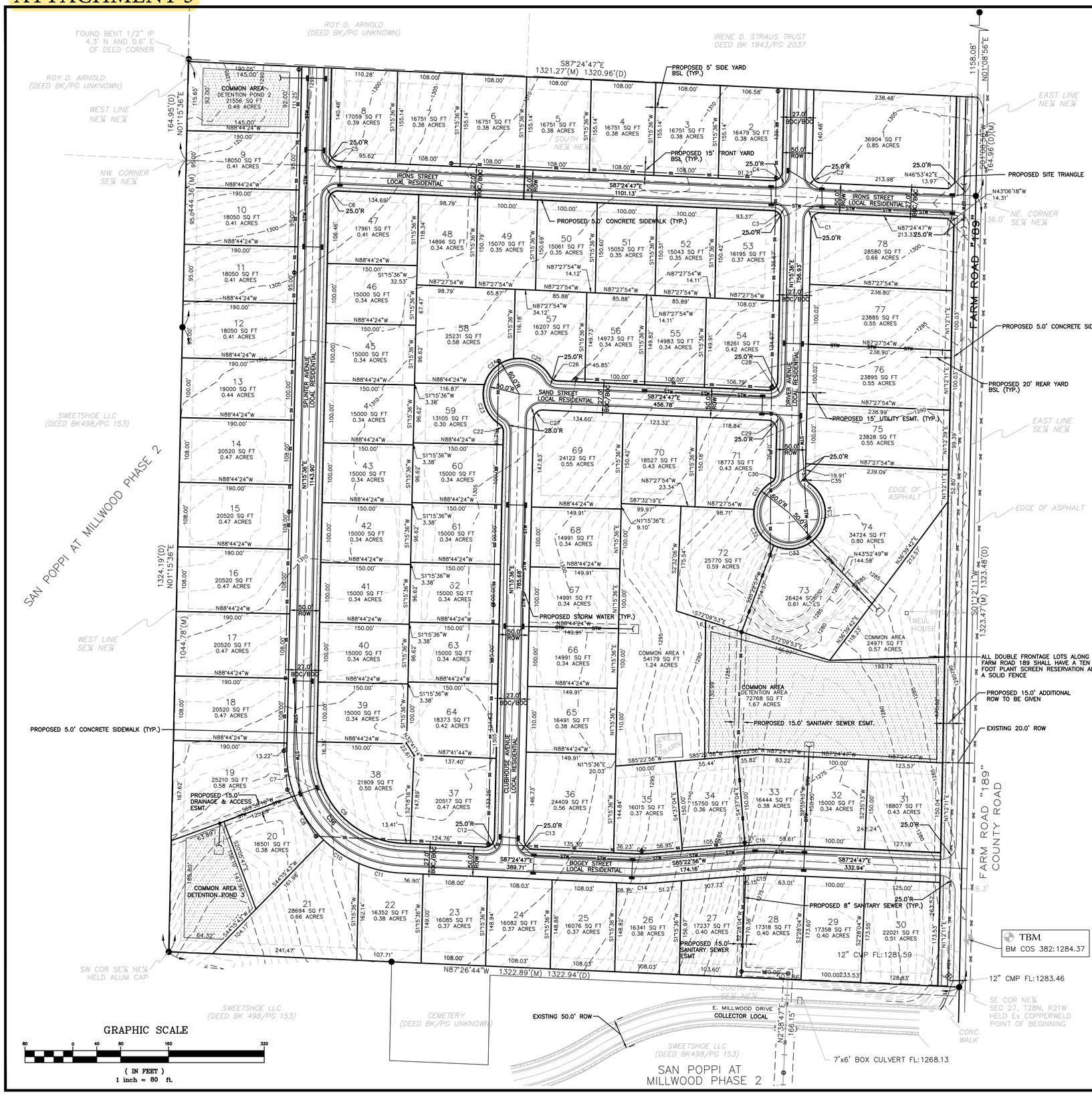
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to 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.

ATTACHMENT 3



PROJECT LOCATION MAP

SCALE: 1"=400'
SEC. 27, T28N, R21W

OWNER/DEVELOPER
PROPERTY OWNER/DEVELOPER:
STEED COMMUNITIES
P.O. BOX 670
KIMBERLING CITY, MO. 65686
CONTACT PERSON: DEAN JOHNSON
CELL: 417-988-2203

PRELIMINARY PLAT

THE IRONS AT MILLWOOD SUBDIVISION

6177 S. FARM ROAD 189
SPRINGFIELD, MISSOURI

PROPERTY DESCRIPTION: *SOURCE OF TITLE: BK. 2013, PG. 020492-13*

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) AND A PART OF THE NORTHEAST QUARTER (NE¼) OF THE NORTHEAST QUARTER (NE¼) ALL IN SECTION 27, TOWNSHIP 28 NORTH, RANGE 21 WEST OF THE 5TH P.M. IN GREENE COUNTY, MISSOURI, THE BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING COPPERWELD AT THE SOUTHEAST CORNER OF SAID SE¼ OF THE NE¼ OF SECTION 27, THENCE N87°26'44"W, ALONG THE SOUTH LINE OF SAID SE¼ OF THE NE¼, 1322.89 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF SAID SE¼ OF THE NE¼; THENCE N01°15'36"E, ALONG SAID WEST LINE, 1324.19 FEET TO THE NORTHWEST CORNER OF SAID SE¼ OF THE NE¼; THENCE CONTINUING N01°15'36"E, ALONG THE WEST LINE OF SAID NE¼ OF THE NE¼, 164.95 FEET TO AN IRON PIN; THENCE S87°24'47"E, 1321.27 FEET TO AN IRON PIN ON THE EAST LINE OF SAID NE¼ OF THE NE¼; THENCE S01°08'56"W, ALONG SAID EAST LINE, 164.96 FEET TO AN IRON PIN AT THE NORTHEAST CORNER OF SAID SE¼ OF THE NE¼; THENCE S01°12'11"W, ALONG THE EAST LINE OF SAID SE¼ OF THE NE¼, 1323.47 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

DEVELOPMENT NOTES:

1.) TOTAL NUMBER OF LOTS: 78
2.) AREA OF DEVELOPMENT: 45.18 ACRES
3.) PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
4.) SMALLEST LOT(S): 59 (13,105 SF)
5.) LARGEST LOT: 1 (36,904 SF)
6.) ALL PUBLIC IMPROVEMENTS TO BE DESIGNED IN ACCORDANCE WITH CITY OF SPRINGFIELD: PUBLIC WORKS, DESIGN STANDARDS.
7.) ALL PUBLIC IMPROVEMENTS TO BE CONSTRUCTED IN ACCORDANCE WITH CITY OF SPRINGFIELD: PUBLIC WORKS, TECHNICAL SPECIFICATIONS FOR PUBLIC IMPROVEMENTS.
8.) MAXIMUM IMPERVIOUS SURFACE ON ANY LOT SHALL BE LIMITED TO LESS THAN 65%.
9.) THE PROJECT DOES NOT LIE WITHIN THE FEMA FLOODPLAIN ACCORDING TO FIRM MAP NO. 29077C0477E, PANEL 0477E
10.) MAINTENANCE OF ANY AREA REFERED TO AS DRAINAGE EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
11.) ALL COMMON AREAS SHALL BE CONSIDERED DRAINAGE EASEMENTS. ALL COMMON AREAS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION. ALL DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS.
12.) NO SINKHOLES ON-SITE. THE PROPERTY DOES NOT HAVE A FLOOD HAZARD AREA.
13.) ALL GARAGES TO BE SET 20 FEET FROM PUBLIC RIGHT-OF-WAY.
14.) 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 RUNOFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUNOFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.
15.) STREETS WILL NOT BE PRIVATE OR GATED.

BENCHMARK

#382 – 0.5 MILE S. OF FARM ROAD 186 ON FARM ROAD 189, POWER POLE AZ 240, 34.9'. CMP AZ 178, 68.8', FENCE CORNER AZ 172, 80.4', EDGE OF PAVEMENT 4.8'. ELEVATION = 1284.37'

LEGEND

—D—D—	WOOD FENCE
—O—O—	CHAINLINK FENCE
—X—X—	WIRE FENCE
—OHE—	OVERHEAD ELECTRIC
—UGE—	UNDERGROUND ELECTRIC
—FM—	FORCE MAIN
—SS—	PROP. SANITARY SEWER
—G—G—	EXISTING GAS LINE
—STW—	PROPOSED STORM SEWER
—T—T—	TELEPHONE
—W—W—	EXISTING WATER
○	IRON PIN SET
●	IRON PIN FOUND
■	STONE FOUND
▲	RIGHT-OF-WAY MARKER
◇	BUSH/SHRUB
	TREE
	SIGN
	HANDICAP PARKING
	POWER POLE
	GUY WIRE
	TRANSFORMER
	ELECTRIC METER
	LIGHT POLE
	SAN. SEWER MANHOLE
	CLEANOUT
	TEST WELL
	GAS METER
	DROP INLET
	TELEPHONE RISER
	WATER METER
	WATER VALVE
	FIRE HYDRANT
MB	MAILBOX
C/P	CONCRETE PAD
C/W	CONCRETE WALK
—EX SS—	EX 8" SEWER MAIN
—EX W—	EX 8" WATER MAIN
—G/W—	PROP. GAS & WATER LINE

CERTIFICATE OF APPROVAL BY THE PLANNING & ZONING COMMISION

APPROVED THIS _____DAY OF _____, 2022 BY THE PLANNING & ZONING COMMISSION OF SPRINGFIELD, MISSOURI.

SUSAN ISTENES, AICP – DIRECTOR
PLANNING AND DEVELOPMENT DEPARTMENT

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL

I, ANITA J COTTER, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF THE IRONS AT MILLWOOD SUBDIVISION WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF SPRINGFIELD AND APPROVED BY ORDINANCE NO. _____ ON THIS _____ DAY OF _____ 2022

ANITA J COTTER – CITY CLERK

DRAWING REVISIONS

DATE	REMARKS	APPROVED BY
6-2-22	PER CITY COMMENTS	
6-28-22	PER CITY COMMENTS	
7-1-22	PER CITY COMMENTS	
7-7-22	PER CITY COMMENTS	

ME STALZER, LLC.
CONSULTING CIVIL ENGINEER
COA: E-2022006798
1658 W. RIVERSIDE STREET
SPRINGFIELD, MO. 65807
(PHONE)417-860-9697

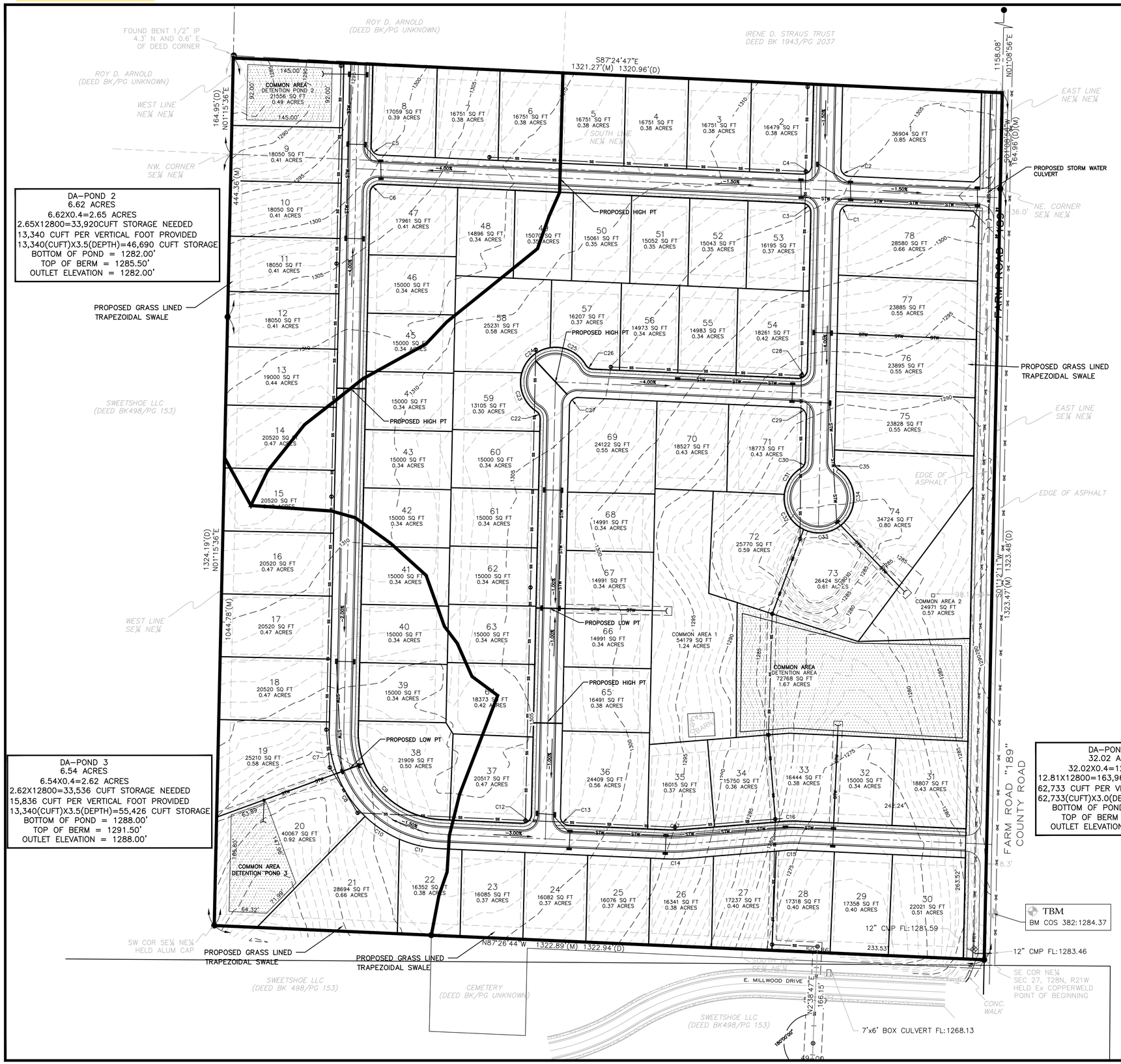
SPRINGFIELD, MISSOURI

PRELIMINARY PLAT
THE IRONS AT MILLWOOD SUBDIVISION

Barry Mackey
STATE OF MISSOURI
BARRY D MACKEY
NUMBER
PLS-2007017965
PROFESSIONAL LAND SURVEYOR

DATE 3-24-22	DESIGN MES	SCALES	SHEET 1
PROJ. NO.	DRAWN MES	HOR 1"=80'	OF 2 SHTS.
DWG. NO.	CHECKED MES	VERT N/A	FILE NO.

ATTACHMENT 4



DA–POND 2
6.62 ACRES
6.62X0.4=2.65 ACRES
2.65X12800=33,920CUFT STORAGE NEEDED
13,340 CUFT PER VERTICAL FOOT PROVIDED
13,340(CUFT)X3.5(DEPTH)=46,690 CUFT STORAGE
BOTTOM OF POND = 1282.00'
TOP OF BERM = 1285.50'
OUTLET ELEVATION = 1282.00'

DA–POND 3
6.54 ACRES
6.54X0.4=2.62 ACRES
2.62X12800=33,536 CUFT STORAGE NEEDED
15,836 CUFT PER VERTICAL FOOT PROVIDED
13,340(CUFT)X3.5(DEPTH)=55,426 CUFT STORAGE
BOTTOM OF POND = 1288.00'
TOP OF BERM = 1291.50'
OUTLET ELEVATION = 1288.00'

DA–POND 3
32.02 ACRES
32.02X0.4=12.81 ACRES
12.81X12800=163,968 CUFT STORAGE NEEDED
62,733 CUFT PER VERTICAL FOOT PROVIDED
62,733(CUFT)X3.0(DEPTH)= 188,199 CUFT STORAGE
BOTTOM OF POND = 1276.00'
TOP OF BERM = 1280.00'
OUTLET ELEVATION = 1276.00'

CURVE TABLE

CURVE NUMBER	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LENGTH
C1	23.91'	15.00'	91°19'37"	S46°55'24"W	21.46'
C2	23.21'	15.00'	88°40'23"	S43°04'36"E	20.97'
C3	23.21'	15.00'	88°40'23"	N43°04'36"W	20.97'
C4	23.91'	15.00'	91°19'37"	N46°55'24"E	21.46'
C5	23.21'	15.00'	88°40'23"	S43°04'36"E	20.97'
C6	23.91'	15.00'	91°19'37"	S46°55'24"W	21.46'
C7	76.57'	200.00'	21°56'12"	N9°42'30"W	76.11'
C8	88.96'	200.00'	25°29'10"	N33°25'11"W	88.23'
C9	232.15'	150.00'	88°40'23"	S43°04'36"E	209.66'
C10	71.28'	200.00'	20°25'13"	N56°22'23"W	70.90'
C11	72.71'	200.00'	20°49'48"	N76°59'53"W	72.31'
C12	23.91'	15.00'	91°19'37"	N46°55'24"E	21.46'
C13	23.21'	15.00'	88°40'23"	S43°04'36"E	20.97'
C14	28.29'	225.00'	7°12'17"	S88°59'04"W	28.27'
C15	22.01'	175.00'	7°12'17"	S88°59'04"W	21.99'
C16	28.29'	225.00'	7°12'17"	N88°59'04"E	28.27'
C17	22.01'	175.00'	7°12'17"	N88°59'04"E	21.99'
C22	15.12'	15.00'	57°46'09"	N27°37'28"W	14.49'
C23	75.50'	60.00'	72°05'47"	N20°27'39"W	70.62'
C24	68.81'	60.00'	65°42'44"	N48°26'36"E	65.10'
C25	71.93'	60.00'	68°41'10"	S64°21'27"E	67.70'
C26	15.03'	15.00'	57°23'55"	S58°42'50"E	14.41'
C27	23.91'	15.00'	91°19'37"	S46°55'24"W	21.46'
C28	23.91'	15.00'	91°19'37"	N46°55'24"E	21.46'
C29	23.21'	15.00'	88°40'23"	N43°04'36"W	20.97'
C30	15.12'	15.00'	57°46'09"	N30°08'40"E	14.49'
C31	55.27'	60.00'	52°46'51"	N32°38'19"E	53.34'
C32	73.34'	60.00'	70°02'04"	N28°46'08"W	68.86'
C33	67.88'	60.00'	64°49'20"	S83°48'10"W	64.32'
C34	112.99'	60.00'	107°54'02"	S2°33'32"E	97.02'
C35	15.12'	15.00'	57°46'09"	S27°37'28"E	14.49'
C36	270.84'	175.00'	88°40'23"	S43°04'36"E	244.61'

LEGEND

—D—D—	WOOD FENCE
—O—O—	CHAINLINK FENCE
—X—X—	WIRE FENCE
—OHE—	OVERHEAD ELECTRIC
—UGE—	UNDERGROUND ELECTRIC
—FM—	FORCE MAIN
—SS—	PROP. SANITARY SEWER
—G—G—	EXISTING GAS LINE
—STW—	PROPOSED STORM SEWER
—T—T—	TELEPHONE
—W—W—	EXISTING WATER
○	IRON PIN SET
●	IRON PIN FOUND
■	STONE FOUND
▲	RIGHT–OF–WAY MARKER
◇	BUSH/SHRUB
⬡	TREE
	SIGN
♿	HANDICAP PARKING
	POWER POLE
	GUY WIRE
	TRANSFORMER
	ELECTRIC METER
	LIGHT POLE
Ⓢ	SAN. SEWER MANHOLE
	CLEANOUT
	TEST WELL
	GAS METER
	DROP INLET
	TELEPHONE RISER
Ⓦ	WATER METER
	WATER VALVE
	FIRE HYDRANT
MB	MAILBOX
C/P	CONCRETE PAD
C/W	CONCRETE WALK
—EX SS—	EX 8" SEWER MAIN
—EX W—	EX 8" WATER MAIN
—G/W—	PROP. GAS & WATER LINE

GRAPHIC SCALE

80 0 40 80 160 320

(IN FEET)
1 inch = 80 ft.

DRAWING REVISIONS		
DATE	REMARKS	APPROVED BY
6–2–22	PER CITY COMMENTS	
6–28–22	PER CITY COMMENTS	

ME STALZER, LLC.
CONSULTING CIVIL ENGINEER
COA: E–2022006798
1658 W. RIVERSIDE STREET
SPRINGFIELD, MO. 65807
(PHONE)417–860–9697

SPRINGFIELD, MISSOURI

ENGINEERING EXHIBIT THE IRONS AT MILLWOOD SUBDIVISION

MICHAEL E. STALZER E-29329 STATE OF MISSOURI REGISTERED PROFESSIONAL ENGINEER

DATE 3–24–22	DESIGN MES	SCALES		SHEET 2	
PROJ. NO.	DRAWN MES	HOR 1"=80'		OF 2	SHTS.
DWG. NO.	CHECKED MES	VERT N/A		FILE NO.	

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed: 08-02-22

Sponsored by: Horton

First Reading: _____ Second Reading: _____

COUNCIL BILL 2022-205 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the renewal of the Preliminary Plat of Troy Acres 1st Addition, generally located at 520 South Troy Avenue, 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.)

WHEREAS, through Special Ordinance 27339 passed on June 15, 2020, City Council authorized the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shows on the original Preliminary Plat of Troy Acres 1st Addition, upon the applicant filing and recording a final plat that substantially conformed to the preliminary plat, and authorized the City Clerk to sign the final plat upon compliance with all the terms of Special Ordinance 27339; and

WHEREAS, the applicant has requested renewal of the Preliminary Play of Troy Acres 1st Addition, and an original Preliminary Plat of Troy Acres 1st Addition dated June 9, 2022, is on file with the City's Department of Planning and Development; and

WHEREAS, on July 14, 2022, the Planning and Zoning Commission of the City of Springfield, Missouri, conditionally approved the renewal of the Preliminary Plat of Troy Acres 1st Addition, which is generally located at 520 South Troy Avenue.

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat of Troy Acres 1st Addition, which is generally located at 520 South Troy Avenue, as approved by the

Planning and Zoning Commission. The original plat of Troy Acres 1st Addition is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said plat, upon the applicant filing and recording 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 all conditions referenced herein and in "Exhibit B."

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.

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 2022 - 205

FILED: 08-02-22

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 Renewal of Troy Acres 1st Addition, generally located at 520 South Troy Avenue, 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 Troy Acres 1st Addition dated June 9th, 2022, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 3.

B. The Planning and Zoning Commission held a public hearing on July 14th, 2022, and approved the Preliminary Plat by a vote of 5 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 Low-Density Housing. Single-Family residential developments are an appropriate land use for this designation. The Major Thoroughfare Plan classifies Troy Avenue as a Local roadway which supports the proposed land use.

REMARKS:

Staff recommends approval.

Submitted by:

Jared Follin

Jared Follin, Associate Planner

Recommended by:

Susan M. Istenes

Susan Istenes, AICP Director

Approved by:

Jason A. Gage

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
Planning and Zoning Commission – July 14, 2022

Preliminary Plat of Troy Acres 1st Addition Renewal
520 South Troy Avenue
Applicant: Crawford-Mace, LLC

Mr. Follin states that this is a request to renew a preliminary plat for a 6-lot residential subdivision located at 520 South Troy Avenue. The property is currently zoned R-SF, and the comprehensive plan designates Low-Density Housing. Transportation Plan classifies Troy Avenue as a Local Street. A Traffic Study is not required; sidewalk will be required to be constructed along Troy Avenue. The property is not located in a FEMA designated floodplain. A stream buffer will not be required. Allow a fee in lieu of stormwater detention. Sewer lateral connections for lots 2 & 5 will be required to be constructed before final approval. If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Joseph Maiwelmal, 225 Legend Drive, Branson, MO and here to answer any questions.

Mr. Lee Viorel, 421 S. York on behalf of their client and has concerns (York Avenue) regarding issues, lot size, lateral lines, and driveway approaches. This was originally 3 lots, but now 6 lots are being proposed and neighbors have their voiced parking concerns and would need curbs and gutters on Troy Avenue and that the 6 lots do not meet the homogenous of the neighborhood.

Mr. Doennig closed the public hearing.

Mr. Doennig asked about the change in number of lots and Mr. Hosmer does not believe that there are changes, but just a renewal.

COMMISSION ACTION:
Mr. Jobe motioned to **approve** Preliminary Plat of Troy Acres 1st Addition Renewal (520 South Troy Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, and Pauly. Nays: None. Abstain: None. Absent: Bruce, Knuckles, and Lebeck.

Bob Hosmer, AICP
Planning Manager

EXHIBIT B

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	JULY 14, 2022
CITY COUNCIL PUBLIC HEARING:	August 8, 2022

CASE: Preliminary Plat Renewal of Troy Acres 1st Addition

ACRES: Approximately 1.13 acres

LOCATION: 520 South Troy Avenue

EXISTING LAND USE: Vacant land

APPLICANT: Crawford-Mace, LLC

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

STAFF RECOMMENDATIONS: Approve w/Conditions

PROPOSED MOTION: Move to approve as submitted in the staff report.

REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to renew the preliminary plat of Troy Acres 1st Addition, a 6-lot, 1.13-acre, single-family residential subdivision generally located at 520 South Troy Avenue.

FINDINGS FOR STAFF RECOMMENDATIONS:

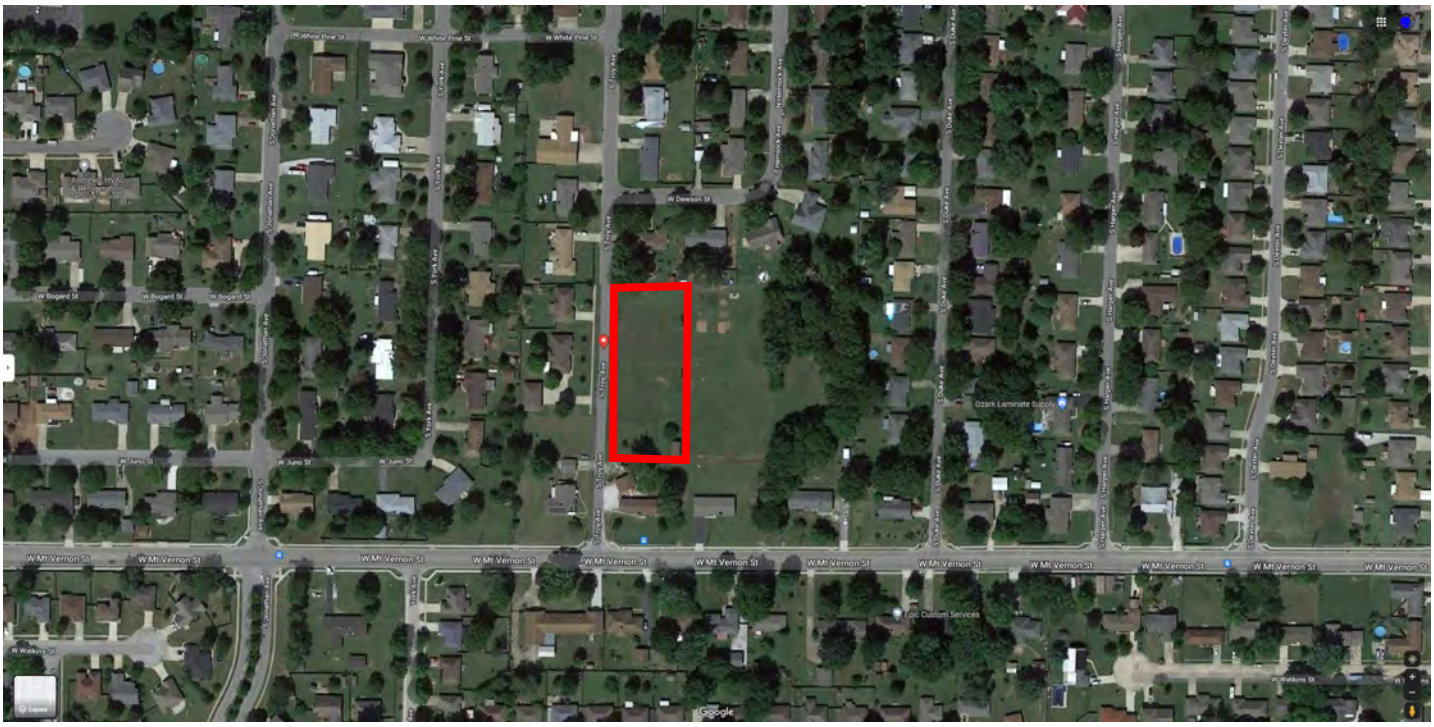
1. The applicant's proposal, with the conditions listed below are consistent with the City's *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single family residences	Single family residences	Single family residences	Single family residences

Development Review Staff Report

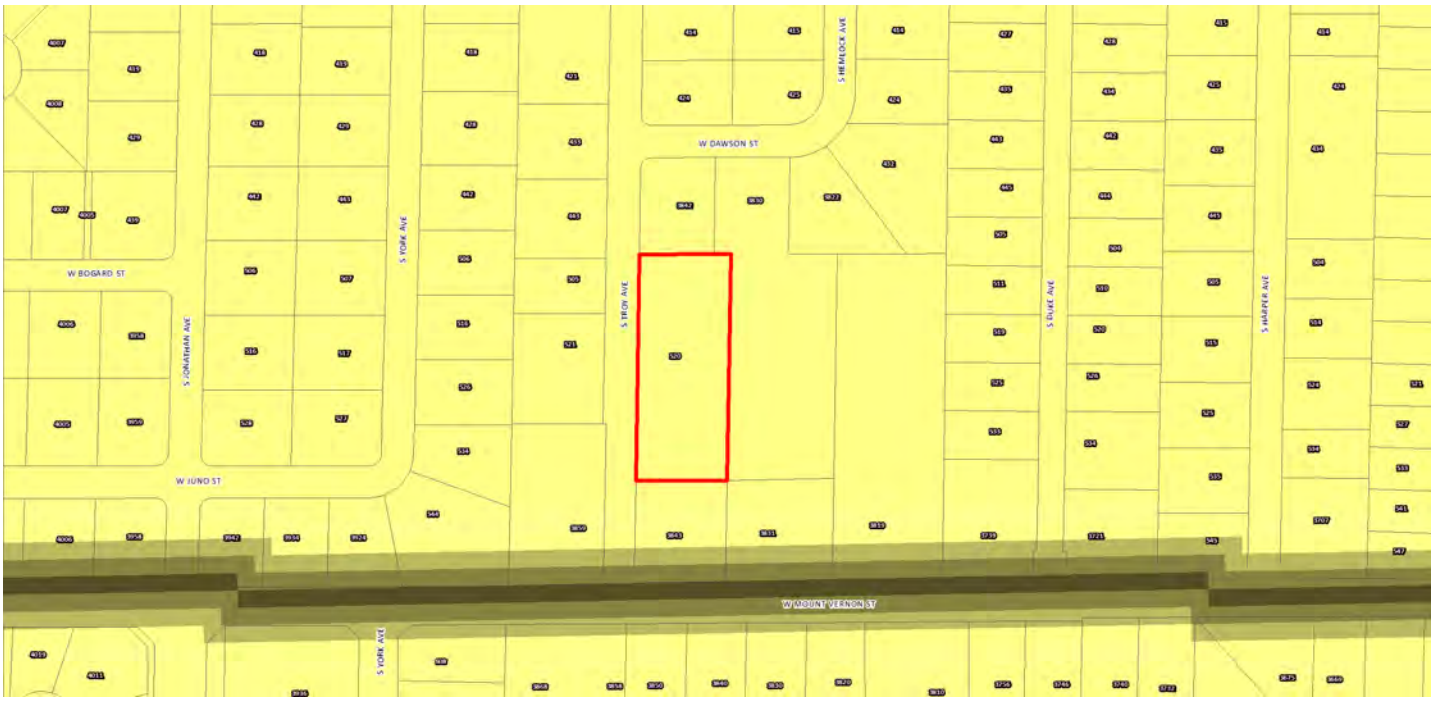
SURROUDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



GOOGLE MAPS STREET VIEW:

Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse
- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area
- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

Development Review Staff Report

PROPERTY HISTORY:

The property was annexed into the City in 1968 and was first subdivided in 2019 as “Lot 1” under Troy Acres subdivision. The original Preliminary Plat of Troy Acres 1st Addition was approved in 2020.

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: R-SF, Single-Family Residential District

Minimum Lot Size	6,000 square feet
Maximum Structure Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front Yard Setback	Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Side and Rear Setbacks	Side – 5 feet Rear – 10% of lot depth
Street Classification	Troy Avenue – Local
Sidewalks (Per Sec.36-471)	Sidewalk is required to be constructed along the west side of S. Troy Avenue as a portion of sidewalk already exists along the west side.
Open Space Requirement	Not less than 20 percent of the total lot 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 areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low-Density Housing. Single-Family residential developments are an appropriate land use for this designation. The Major Thoroughfare Plan classifies Troy Avenue as a Local roadway which supports the proposed land use.

STAFF COMMENTS:

1. The applicant is proposing to renew a 6-lot subdivision named “Troy Acres 1st Addition”. The Preliminary Plat of Troy Acres 1st Addition was approved in 2020.

2. If Planning and Zoning Commission approves the renewal of the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. If approved, the preliminary plat is active for another two (2) years. The applicant will not be allowed to submit a second renewal.

3. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1. Conditions of Approval are provided in Attachment 2. The Preliminary Plat drawing is provided in Attachment 3.

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

Development Review Staff Report

DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITIES COMMENTS:
Electric and gas (if needed main extensions will be required to serve all proposed lots. Additional easements will be required. Water can be served as shown, and the cost would be $700.00 per lot.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES COMMENTS:
Preliminary Plat is approvable. The laterals for lots 2 and 5 will need to be constructed before the final plat can be approved. These can be shown on the public improvement plans. Cleanouts and tracer wire will be required for each new lateral according to city detail SAN24 & 25. Checking with the street department to determine if the street can be open cut or if boring is required.

FIRE DEPARTMENT COMMENTS:
Fire hydrant(s) must be installed per 2018 IFC Section 507 & Appendix C.

PUBLIC WORKS CONSTRUCTION INSPECTION COMMENTS:
If required, PW plans must be constructed and accepted prior to approval of final plat. If allowed, a security (escrow) could be placed in lieu of construction prior to approval of final plat.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:
There are no issues with stormwater

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 will be allowed and detention is not required. Water quality will be required if adding an additional acre of impervious area. The property is not located in a stream buffer area. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

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?	Yes

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Since there will be public improvement plans, sidewalk should be on the public improvement plans and constructed with the public improvements.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Troy Avenue as a Local roadway and W. Mt. Vernon Street as a Secondary Arterial roadway. The standard right-of-way width for S. Troy Avenue is 25 feet from the centerline. The standard right-of-way width for W. Mt Vernon Street is 35 feet from the centerline. It appears additional right-of-way is not needed along S. Troy Avenue or W. Mt Vernon Street. A survey is recommended to determine the exact amount of existing right-of-way. S. Troy Avenue and W. Mt. Vernon Street are both city-maintained streets.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from S. Troy Avenue. Any new proposed driveway approaches must meet the minimum spacing requirements for a Local roadway.

SIDEWALK

There is not existing sidewalk along the property frontage of S. Troy Avenue. The existing infrastructure meets current City Standards. There is currently sidewalk along the property frontage of W. Mt Vernon Avenue. Sidewalk is required to be constructed along the west side of S. Troy Avenue as a portion of sidewalk already exists along the west side.

IMPROVEMENTS

None required.

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. Troy Avenue	Local	Yes	25	25

Development Review Staff Report

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.

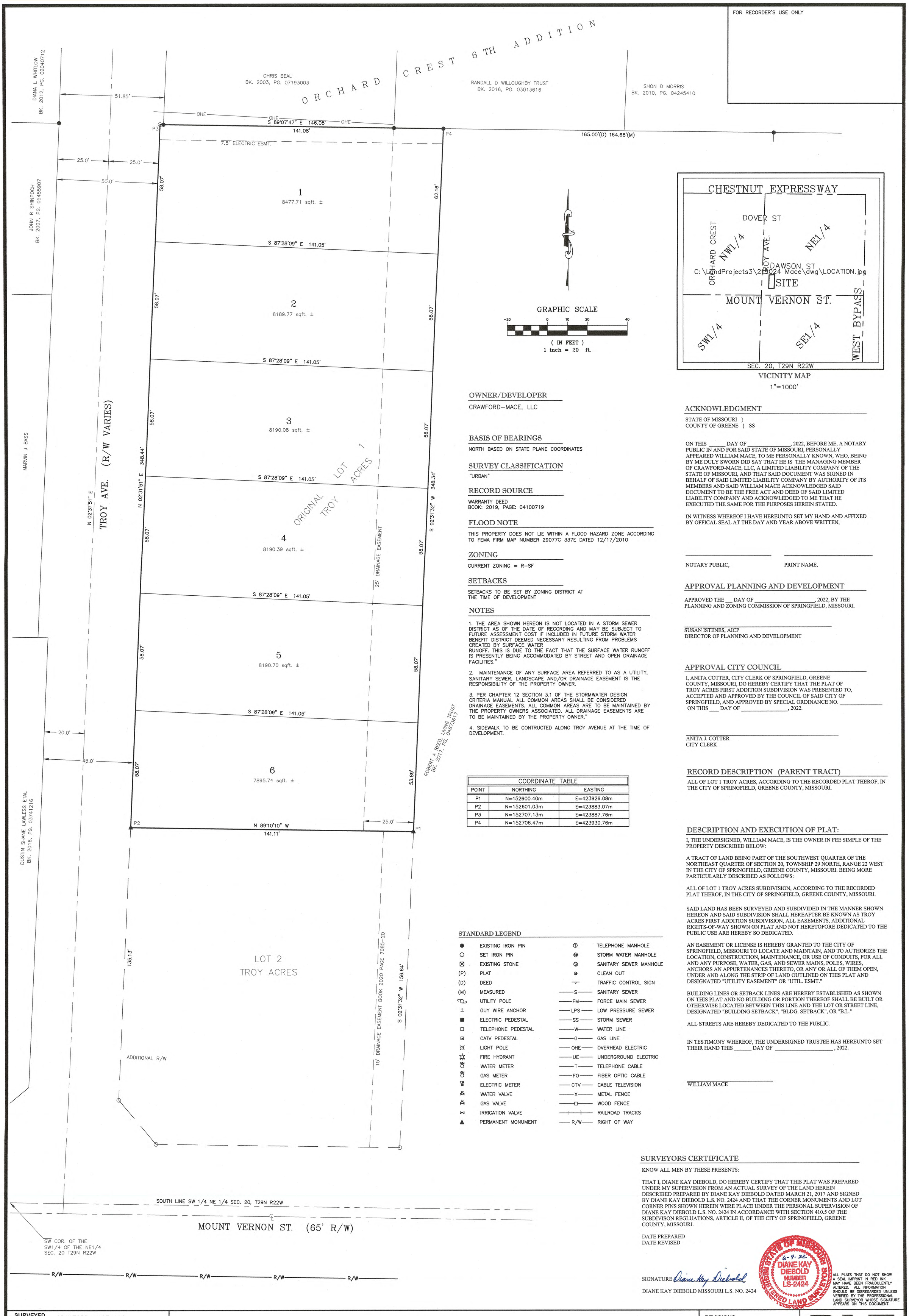
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

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.

ATTACHMENT 3

FOR RECORDER'S USE ONLY



OWNER/DEVELOPER

CRAWFORD–MACE, LLC

BASIS OF BEARINGS

NORTH BASED ON STATE PLANE COORDINATES

SURVEY CLASSIFICATION

"URBAN"

RECORD SOURCE

WARRANTY DEED
BOOK: 2019, PAGE: 04100719

FLOOD NOTE

THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD ZONE ACCORDING TO FEMA FIRM MAP NUMBER 29077C 337E DATED 12/17/2010

ZONING

CURRENT ZONING = R–SF

SETBACKS

SETBACKS TO BE SET BY ZONING DISTRICT AT THE TIME OF DEVELOPMENT

NOTES

1. 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."

2. MAINTENANCE OF ANY SURFACE AREA REFERRED TO AS A UTILITY, SANITARY SEWER, LANDSCAPE AND/OR DRAINAGE EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

3. 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."

4. SIDEWALK TO BE CONTRUCTED ALONG TROY AVENUE AT THE TIME OF DEVELOPMENT.

COORDINATE TABLE		
POINT	NORTHING	EASTING
P1	N=152600.40m	E=423926.08m
P2	N=152601.03m	E=423883.07m
P3	N=152707.13m	E=423887.76m
P4	N=152706.47m	E=423930.76m

STANDARD LEGEND

●	EXISTING IRON PIN	Ⓣ	TELEPHONE MANHOLE
○	SET IRON PIN	Ⓢ	STORM WATER MANHOLE
⊠	EXISTING STONE	Ⓢ	SANITARY SEWER MANHOLE
(P)	PLAT	◕	CLEAN OUT
(D)	DEED		TRAFFIC CONTROL SIGN
(M)	MEASURED	—S—	SANITARY SEWER
	UTILITY POLE	—FM—	FORCE MAIN SEWER
	GUY WIRE ANCHOR	—LPS—	LOW PRESSURE SEWER
■	ELECTRIC PEDESTAL	—SS—	STORM SEWER
□	TELEPHONE PEDESTAL	—W—	WATER LINE
	CATV PEDESTAL	—G—	GAS LINE
	LIGHT POLE	—OHE—	OVERHEAD ELECTRIC
	FIRE HYDRANT	—UE—	UNDERGROUND ELECTRIC
	WATER METER	—T—	TELEPHONE CABLE
	GAS METER	—FO—	FIBER OPTIC CABLE
	ELECTRIC METER	—CTV—	CABLE TELEVISION
	WATER VALVE	—X—	METAL FENCE
	GAS VALVE	—□—	WOOD FENCE
	IRRIGATION VALVE		RAILROAD TRACKS
▲	PERMANENT MONUMENT	—R/W—	RIGHT OF WAY

ACKNOWLEDGMENT

STATE OF MISSOURI }
COUNTY OF GREENE } SS

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE OF MISSOURI, PERSONALLY APPEARED WILLIAM MACE, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGING MEMBER OF CRAWFORD-MACE, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT SAID DOCUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND SAID WILLIAM MACE ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES HEREIN STATED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICAL SEAL AT THE DAY AND YEAR ABOVE WRITTEN,

NOTARY PUBLIC, PRINT NAME,

APPROVAL PLANNING AND DEVELOPMENT

APPROVED THE __ DAY OF _____, 2022, BY THE PLANNING AND ZONING COMMISSION OF SPRINGFIELD, MISSOURI.

SUSAN ISTENES, AICP
DIRECTOR OF PLANNING AND DEVELOPMENT

APPROVAL CITY COUNCIL

I, ANITA COTTER, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF TROY ACRES FIRST ADDITION SUBDIVISION WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF SPRINGFIELD, AND APPROVED BY SPECIAL ORDINANCE NO. _____ ON THIS ___ DAY OF _____, 2022.

ANITA J. COTTER
CITY CLERK

RECORD DESCRIPTION (PARENT TRACT)

ALL OF LOT 1 TROY ACRES, ACCORDING TO THE RECORDED PLAT THEROF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DESCRIPTION AND EXECUTION OF PLAT:

I, THE UNDERSIGNED, WILLIAM MACE, IS THE OWNER IN FEE SIMPLE OF THE PROPERTY DESCRIBED BELOW:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 1 TROY ACRES SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEROF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

SAID LAND HAS BEEN SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN HEREON AND SAID SUBDIVISION SHALL HEREAFTER BE KNOWN AS TROY ACRES FIRST ADDITION SUBDIVISION, ALL EASEMENTS, ADDITIONAL RIGHTS-OF-WAY SHOWN ON PLAT AND NOT HERETOFORE DEDICATED TO THE PUBLIC USE ARE HEREBY SO DEDICATED.

AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF SPRINGFIELD, MISSOURI TO LOCATE AND MAINTAIN, AND TO AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE, OR USE OF CONDUITS, FOR ALL AND ANY PURPOSE, WATER, GAS, AND SEWER MAINS, POLES, WIRES, ANCHORS AN APPURTENANCES THERETO, OR ANY OR ALL OF THEM OPEN, UNDER AND ALONG THE STRIP OF LAND OUTLINED ON THIS PLAT AND DESIGNATED "UTILITY EASEMENT" OR "UTIL. ESMT."

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR OTHERWISE LOCATED BETWEEN THIS LINE AND THE LOT OR STREET LINE, DESIGNATED "BUILDING SETBACK", "BLDG. SETBACK", OR "B.L."

ALL STREETS ARE HEREBY DEDICATED TO THE PUBLIC.

IN TESTIMONY WHEREOF, THE UNDERSIGNED TRUSTEE HAS HEREUNTO SET THEIR HAND THIS _____ DAY OF _____, 2022.

WILLIAM MACE

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DIANE KAY DIEBOLD, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY DIANE KAY DIEBOLD DATED MARCH 21, 2017 AND SIGNED BY DIANE KAY DIEBOLD L.S. NO. 2424 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACE UNDER THE PERSONAL SUPERVISION OF DIANE KAY DIEBOLD L.S. NO. 2424 IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISON REGLUATIONS, ARTICLE II, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DATE PREPARED
DATE REVISED

SIGNATURE Diane Kay Diebold

DIANE KAY DIEBOLD MISSOURI L.S. NO. 2424

STATE OF MISSOURI 6-9-22 DIANE KAY DIEBOLD NUMBER LS-2424 REGISTERED LAND SURVEYOR

ALL PLATS THAT DO NOT SHOW A SEAL IMPRINT IN RED INK MAY HAVE BEEN FRAUDULENTLY ALTERED. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS ON THIS DOCUMENT.

SURVEYED FOR:	CRAWFORD–MACE, LLC
SECTIONAL MAP	R 22 W, T 29 N, SEC. 20
W.O.#	219024.02
DATE:	05–24–2022
DRAWN BY:	TRR
CHECKED BY:	DKD
REVISED:	
SCALE:	1" = 20'
SHEET:	1 OF 1

FINAL PLAT OF

TROY ACRES FIRST ADDITION

3843 W. MT VERNON STREET

CITY OF SPRINGFIELD
GREENE COUNTY, MISSOURI

REVISIONS

ROZELL SURVEY CO.
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SPRINGFIELD, MISSOURI 65810
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FAX: (417) 881–0564