



Agenda City Council Meeting

**City Council Chambers
Historic City Hall, 830 Boonville**

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2
Mike Schilling, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger,
General A

Craig Hosmer, General B
Andrew Lear, General C
Richard Ollis, General D

Upcoming Council Meeting Agenda November 14, 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. OCTOBER 17, 2022, CITY COUNCIL MEETING AND NOVEMBER 1, 2022, SPECIAL CITY COUNCIL**

MEETING.

Documents:

[10-17-22.PDF](#)

[11-01-22 SPECIAL CITY COUNCIL MEETING.PDF](#)

3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
4. **CEREMONIAL MATTERS.**
5. **CITY MANAGER REPORT, POLICE CHIEF REPORT, AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETINGS.**
6. **SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.**
7. **Council Bill 2022-260 (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant in the amount of \$192,496.00 from the United States Department of Justice and to enter into an interlocal agreement with Greene County, outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2022-2023 in the amount of \$192,496.00.

Documents:

[2022-260.PDF](#)

8. **Council Bill 2022-261 (Horton)**

A special ordinance approving the Second Amendment to the Springfield IDEA Commons Tax Increment Financing Plan; approving the Tax Increment Financing Reimbursement Agreement between the City of Springfield and Missouri State University; and authorizing the City Manager, or his designee, to enter into the Tax Increment Financing Reimbursement Agreement with Missouri State University.

Documents:

[2022-261.PDF](#)

9. **Council Bill 2022-262 (McGull)**

A special ordinance amending the budget of the City of Springfield for Fiscal

Year 2022-2023, in the amount of \$950,000, to appropriate a portion of the Level Property Tax-Debt Service Fund reserve to the Level Property Tax-Operating Fund for additional funding needed for the Fire Station #7 reconstruction project.

Documents:

[2022-262.PDF](#)

10. Council Bill 2022-263 (Simpson, McGull, Lear, And Hardinger)

A special ordinance amending Special Ordinance 27730 to revise funding appropriated for continuing COVID-19 services; 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 ("ARPA") 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.)

Documents:

[2022-263.PDF](#)

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

12. Council Bill 2022-264 (Hardinger)

A resolution extending the declaration of an economic and housing access calamity for the purpose of continuing to allow service providers to provide food and lodging for the working poor and unemployed in the community; and providing a term for same.

Documents:

[2022-264.PDF](#)

13. Council Bill 2022-265 (McClure)

A resolution electing David Mercer as a Springfield Municipal Court Judge for a term of four years.

Documents:

[2022-265.PDF](#)

14. **Council Bill 2022-266 (Simpson)**

A resolution approving the use of funds from the 1/4-Cent Capital Improvements Sales Tax Minor Neighborhood Improvement Program in the amount of \$834 to support the fabrication and installation of neighborhood identification signs for the Brentwood Neighborhood Association (Zone 4).

Documents:

[2022-266.PDF](#)

15. **Council Bill 2022-267 (Schilling)**

A resolution declaring the intent of the City of Springfield to annex approximately 1.14 acres of private property and approximately 0.38 acres of public street right-of-way, generally located at 354 West Buena Vista Street, and referenced as Annexation A-4-2022, into the City. (Staff recommends approval.)

Documents:

[2022-267.PDF](#)

16. **Council Bill 2022-268 (Hosmer)**

A resolution authorizing the City Manager, or his designee, to apply for a Strengthening Mobility and Revolutionizing Transportation federal grant of up to \$2,000,000 from the U.S. Department of Transportation to support the planning, development, implementation, and evaluation of an emergency vehicle traffic signal priority system prototype and improved traffic monitoring camera video sharing among the Transportation Management Center, Springfield Fire Department, and Springfield-Greene County 911 Emergency Communications.

Documents:

[2022-268.PDF](#)

17. **Council Bill 2022-269 (Lear) Consideration Of This Bill Is Contingent On The Planning And Zoning Commission's Adoption Of The Comprehensive Plan Prior To The City Council Meeting.**

A resolution adopting the *Forward SGF Comprehensive Plan* as the comprehensive plan for the City of Springfield, Missouri. (Planning and Zoning Commission and staff recommend approval.)

Documents:

[2022-269.PDF](#)

18. Council Bill 2022-270 (Schilling)

A resolution authorizing the City Manager, or his designee, to apply for up to \$3.7 million in funds from the State of Missouri Department of Economic Development American Rescue Plan Act Community Revitalization Grant Program, with such funds to be used for the Renew Jordan Creek Project efforts of developing public amenities from Boonville Avenue to Main Avenue.

Documents:

[2022-270.PDF](#)

19. Council Bill 2022-271 (Simpson)

A resolution authorizing the City Manager, or his designee, to apply for up to \$3.5 million in funds from the State of Missouri Department of Economic Development American Rescue Plan Act Local Tourism Asset Development Grant Program, with such funds to be used for Phase II construction of the Springfield Art Museum renovation and expansion.

Documents:

[2022-271.PDF](#)

20. Council Bill 2022-272 (McClure)

A resolution adopting the City of Springfield's Legislative Priorities for 2023.

Documents:

[2022-272.PDF](#)

21. EMERGENCY BILLS.

22. PUBLIC IMPROVEMENTS.

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

24. Council Bill 2022-273 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$5,000 from a Show Me Zero Grant through the Missouri Highways and Transportation Commission to support the City's

current pedestrian safety education program known as SGF Yields and enter into a Show Me Zero Program Agreement; amending the budget of the Department of Public Works for Fiscal Year 2022-2023 in the amount of \$5,000 upon award of the grant; and declaring that this bill qualifies as a one-reading bill.

Documents:

[2022-273.PDF](#)

25. **AMENDED BILLS.**

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

27. **Council Bill 2022-274 (Horton)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.5 acre of property generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District, to R-SF, Residential Single-Family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

Documents:

[2022-274.PDF](#)

28. **Council Bill 2022-275 (Schilling)**

A special ordinance approving a redevelopment plan for the Grant Avenue Parkway Redevelopment Area, which is generally bounded by West Olive Street to the north, West Catalpa Street to the south, South Campbell Avenue to the east, and South Douglas Avenue to the west; and declaring the Grant Avenue Parkway Redevelopment Area to be blighted and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Land Clearance for Redevelopment Authority, Planning and Zoning Commission, and Staff recommend approval.)

Documents:

[2022-275.PDF](#)

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

30. **Council Bill 2022-277 (Lear)**

A general ordinance amending the Springfield City Code, Chapter 98, 'Streets, Sidewalks and Public Places,' Article VII, 'Encroachments on City Property,' to allow for administrative approval of certain encroachments placed or installed by community improvement districts in areas not adjacent to property owned or leased by said districts.

Documents:

[2022-277.PDF](#)

31. Council Bill 2022-278 (McGull)

A special ordinance authorizing the City Manager, or his designee, to enter into a Cost Share Agreement for Roadway Improvements, with the Erlen Group, to coordinate participation in the cost of improvements on LeCompte Road from its intersection with Division Street north to the BNSF Railroad tracks; and approving a budget adjustment to amend the Fiscal Year 2022-2023 budget for the Department of Public Works in the amount of \$1,256,010 and to accept payment for the Erlen Group's share of the project.

Documents:

[2022-278.PDF](#)

32. Council Bill 2022-279 (Ollis)

A general ordinance amending the Springfield City Code, Chapter 2, "Administration," Article VI, "Finances," Division 4, "Police Officers' and Fire 'Fighters' Retirement System," Section 2-444, "Board of trustees established; membership; election of members," to revise the residential requirements for Pension Board candidates and to revise the procedures for filling vacant elected voting positions; and amending Sections 2-473, "Non-duty disability pension," and 2-474, "Duty disability pension," to remove the workers' compensation offset.

Documents:

[2022-279.PDF](#)

33. Council Bill 2022-280 (McGull)

A special ordinance granting Conditional Use Permit No. 469 for the purpose of permitting an automobile washing business as a conditional use within the GR – General Retail District, generally located at 600 South Glenstone Avenue. (Staff and Planning and Zoning Commission both recommend approval.)

Documents:

[2022-280.PDF](#)

34. **Council Bill 2022-276 (Simpson) (Bill Was Inadvertently Placed Under Public Hearing And Has Been Moved To First Reading Bills).**

A special ordinance granting Conditional Use Permit No. 470 for the purpose of permitting an eating and drinking establishment use group, including drive-in, pick-up window, or drive-thru facilities, as a conditional use within the LB – Limited Business District, with Conditional Overlay District No. 207, generally located at 404, 420, and 424 East Sunshine Street. (Planning and Zoning Commission recommends denial and staff recommends approval.)

Documents:

[2022-276.PDF](#)

35. **PETITIONS, REMONSTRANCES AND COMMUNICATIONS.**

Josephine Grace wishes to address City Council.

Lucas Jordan wishes to address City Council.

Robert Dooley wishes to address City Council.

Freda Dooley wishes to address City Council.

Kimberly Chronister wishes to address City Council.

36. **NEW BUSINESS.**

The Mayor recommends the following appointment to the Mayor's Commission for Children: Thomas Masterson with term to expire November 29, 2025.

The Mayor recommends the following reappointments to the Mayor's Commission for Children: Amy Chenoweth, Michael White, and Gerald Lee with terms to expire on November 29, 2025.

The Public Involvement Committee recommends the following appointment to the Board of Equalization: Dwight Marshall with term to expire April 1, 2026.

The Public Involvement Committee recommends the following appointment to the Citizens Advisory Committee for Community Development: Dr. Earle Doman with term to expire May 1, 2023.

The Public Involvement Committee recommends the following reappointments to the Citizens Advisory Committee for Community Development: Trish Hubbell and Brennan Pratt with terms to expire May 1, 2025.

The Public Involvement Committee recommends the following appointment to the Landmarks Board: John Sellers with term to expire November 1, 2025.

The Public Involvement Committee recommends the following reappointment to the Citizens' Tax Oversight Committee: Erin Gray with term to expire May 1, 2025.

The Public Involvement Committee recommends the following reappointments to the Landmarks Board: Erik Kiser and John Hawkins with terms to expire November 1, 2025.

The Public Involvement Committee recommends the following appointment to the Personnel Board: Russell Rowe with term to expire March 1, 2024.

The Public Involvement Committee recommends the following appointments to the Planning and Zoning Commission: Betty Ridge with term to expire January 1, 2026; Dan Scott with term to expire January 1, 2025.

The Public Involvement Committee recommends the following appointment to the Public Building Corporation: Courtney Hayes with term to expire September 1, 2028.

The Public Involvement Committee recommends the following appointment to the Planning and Zoning Commission: Helen Gunther with term to expire January 1, 2024.

37. **UNFINISHED BUSINESS.**

38. **MISCELLANEOUS.**

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

40. **Council Bill 2022-281 (Horton, McGull)**

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 Kearney Street.

Documents:

- 41. **CONSENT AGENDA – ONE READING BILLS. See Item #3.**
- 42. **Council Bill 2022-282 (Hosmer)**

A resolution confirming the appointment of Thomas Jennings Conyers, Dan Coryell, and Derek Smith to the Ridge at Ward Branch Community Improvement District Board of Directors. (Staff recommends approval).

Documents:

[2022-282.PDF](#)

- 43. **CONSENT AGENDA – SECOND READING BILLS.**
- 44. **END OF CONSENT AGENDA.**
- 45. **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.

October 17, 2022
Springfield, Missouri

The City Council met in regular session October 17, 2022, in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure.

Roll Call

Present: Mike Schilling, Abe McGull, Matthew Simpson, Richard Ollis, Andrew Lear, Heather Hardinger, Monica Horton, and Ken McClure. Absent: Craig Hosmer.

Minutes

The minutes of the October 3, 2022, City Council meeting were considered. Mayor Pro Tem Simpson moved to approve the minutes as presented. The motion was seconded by Councilman McGull and approved by the following vote: Ayes: Schilling, McGull, Simpson, Ollis, Lear, Hardinger, Horton, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

Consent Agenda

Mayor McClure asked if there had been any requests to remove an item from the Consent Agenda. Anita Cotter, City Clerk, noted a request was received to remove Council Bill 2022-258 from the Consent Agenda. Ms. Cotter noted Council Bill 2022-258 will become item 13.5 under Second Reading Bills.

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

The following item appeared on the agenda under Ceremonial Matters.

City Manager Report

Jason Gage, City Manager, noted more than 100 people living near Springfield Lake Park and the James River Power Plant gathered on October 12, 2022, to learn more about the Lake Springfield master planning process just getting underway. Mayor Ken McClure, Councilman Andy Lear, and Councilwoman Heather Hardinger attended. Steve Prange, with Crawford, Murphy, and Tilly (CMT), the consulting firm hired to assist the City with the plan, and Olivia Hough, City Principal Planner from the City's Economic Vitality Department, co-lead the discussion, which included an overview of the scope of the planning process and an invitation to complete a resident survey. Comment cards were also collected to be shared with the planning team and the public. A video of the meeting can be found at lakesgfmasterplan.com. The public is invited to learn more at the kickoff event, which will be held from 5 to 7 p.m., November 17, 2022, at the Springfield Art Museum.

Mr. Gage noted the Planning and Zoning Commission will be hosting a special meeting at 6:30 p.m., Tuesday, October 25, to hear a final presentation from Planning and Development staff on the adoption of the Comprehensive Plan, ForwardSGF. Staff will be giving a short summary of the resolution adopting the plan, in addition to discussing implementation and briefly going over final changes and edits made since releasing the draft to the public in September. City Council members are invited and encouraged to attend or watch it via live streamed on Cityview. Following a hearing and consideration by the Planning and Zoning Commission, staff will be making a much shorter presentation of a resolution adopting the Plan to City Council at the regularly scheduled City Council meeting on November 14.

Mr. Gage noted the City Council meeting for October 31, 2022, has been cancelled.

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

**Conditional Use
Permit No. 466:
1306 West
Sunshine Street**

Sponsor: Schilling. Council Bill 2022-250

A special ordinance granting Conditional Use Permit No. 466 for the purpose of permitting an automobile service garage as a conditional use within the GR, General Retail District, generally located at 1306 West Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: West Coast 711S, LLC; 1306 W. Sunshine Street; Conditional Use Permit 466.)

Council Bill 2022-250. Special Ordinance 27766 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Conditional Use
Permit No. 467:
1025 West
Sunshine Street**

Sponsor: Schilling. Council Bill 2022-251

A special ordinance granting Conditional Use Permit No. 467 for the purpose of permitting an automotive body and fender repair and paint shop as a conditional use within the HC, Highway Commercial District, generally located at 1025 West Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: Clovis Breeden; 1025 W. Sunshine Street; Conditional Use Permit 467.)

Council Bill 2022-251. Special Ordinance 27767 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Springfield Land
Development
Code rezoning:
3050 East
Battlefield Road
and 3020 South
Parkview Avenue**

Sponsor: Simpson. Council Bill 2022-252

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 3050 East Battlefield Road and 3020 South Parkview Avenue from Planned Development No. 222 and R-SF, Single-Family Residential District, to O-1, Office District, with Conditional Overlay District No. 219; establishing Conditional Overlay District No. 219; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Dean & Teresa McClish Trust; 3050 E. Battlefield Road and 3020 S. Parkview Avenue; Z-18-2022 w/COD #219.)

Council Bill 2022-252. General Ordinance 6758 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Springfield Land
Development
Code rezoning:
1331 North Stewart
Avenue**

Sponsor: McGull. Council Bill 2022-253

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.29 acres of property generally located at 1331 North Stewart Avenue from GM, General Manufacturing District, to LI, Light Industrial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Troutman Enterprises, LLC; 1331 N. Stewart Avenue; Z-20-2020.)

Council Bill 2022-253. General Ordinance 6759 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Springfield Land
Development
Code rezoning:
3787 South
Jefferson Avenue**

Sponsor: Simpson. Council Bill 2022-254

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.57 acres of property generally located at 3787 South Jefferson Avenue from O-1, Office District, to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: J&M Tillman LLC; 3787 S. Jefferson Avenue; Z-22-2022.)

Council Bill 2022-254. General Ordinance 6760 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Springfield Land
Development
Code rezoning:
1545 West
Republic Street**

Sponsor: Schilling. Council Bill 2022-255

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.3 acres of property generally located at 1545 West Republic Street from GR, General Retail District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: 1545 W Republic Road LLC; 1545 W. Republic Street; Z-24-2022.)

Council Bill 2022-255. General Ordinance 6761 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Conditional Use
Permit No. 467:
1545 West
Republic Street**

Sponsor: Schilling. Council Bill 2022-256

A special ordinance granting Conditional Use Permit No. 468 for the purpose of permitting an automotive body and fender repair and paint shop as a conditional use within the HC, Highway Commercial District, generally located at 1545 West Republic Street. (Staff and Planning and Zoning Commission recommend approval.) (By: 1545 W Republic Road LLC; 1545 W. Republic Street; Conditional Use Permit 468.)

Council Bill 2022-256. Special Ordinance 27768 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Cost
Apportionment
Agreement:
Pedestrian Safety
Workshop**

Sponsor: Lear. Council Bill 2022-258

A special ordinance authorizing the City Manager or his designee to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with a pedestrian safety workshop, with the City being responsible for \$7,500 of the total cost of the workshop.

Mayor McClure noted the item was first read as part of the consent agenda on October 3, 2022, and was pulled from the Consent Agenda for the second reading.

Councilman Lear noted he requested the item be pulled from the Consent Agenda to highlight the item as October is National Pedestrian Safety month.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the item will leverage State grant funds to hold a two-day seminar on pedestrian safety. He added City staff, Missouri Department of Transportation (MoDOT) staff, and possibly other safety professionals will attend. The training will go through the Federal Highway Administration's Safe Transportation for Every Pedestrian (STEP) program. He further noted safety audits will be performed to enhance safety.

Councilman Lear expressed his appreciation and acknowledged the importance of working with MoDOT.

Council Bill 2022-258. Special Ordinance 27770 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

The following item appeared on the agenda under Grants.

**Disease
Intervention
Specialist
Workforce
Program Grant**

Sponsor: Hardinger. Council Bill 2022-259

A special ordinance authorizing the City Manager, or his designee, to accept a Disease Intervention Specialist Workforce Program grant from the Federal Department of Health and Human Services Centers for Disease Control and Prevention through the Missouri Department of Health and Senior Services in the amount of \$162,500 for use by the Springfield-Greene County Health Department in support of the sexually transmitted disease prevention and control strategies and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023 budget in the amount of \$162,500 for the purpose of appropriating the grant funds; and

declaring that this bill qualifies for approval in one reading.

Jon Mooney, Assistant Director of Health, provided a brief overview of the proposed. Mr. Mooney noted the proposed would allow the department to accept grant funds to support sexually transmitted disease prevention. Mr. Mooney further noted cases of congenital syphilis being passed from a pregnant mother to her baby are on the rise, creating a danger to the baby. The grant funds will allow the department to have a focused effort on syphilis for the next two to three years.

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

Council Bill 2022-259. Special Ordinance 27771 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

AMENDED BILLS.

PUBLIC HEARING

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

Edward Byrne Memorial Justice Assistance Grant

Sponsor: Hosmer. Council Bill 2022-260

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant in the amount of \$192,496.00 from the United States Department of Justice and to enter into an interlocal agreement with Greene County, outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2022-2023 in the amount of \$192,496.00.

Tad Peters, Police Major, provided a brief overview of the proposed. Major Peters noted the Edward Byrne Memorial Justice Assistance Grant is received annually from the Department of Justice. The grant is split with Greene County with 60% going to the City and 40% to the County. He further noted the grant will be used for various needs including forensic analysis software for cellular phones, body-worn cameras, a drone for traffic enforcement, and two police K-9's.

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

Springfield IDEA Commons Tax Increment Financing Plan: Second Amendment

Sponsor: Horton. Council Bill 2022-261

A special ordinance approving the Second Amendment to the Springfield IDEA Commons Tax Increment Financing Plan; approving the Tax Increment Financing Reimbursement Agreement between the City of Springfield and Missouri State University; and authorizing the City Manager, or his designee, to enter into the Tax Increment Financing Reimbursement Agreement with Missouri State University.

Amanda Ohlensehlen, Director of Economic Vitality, provided a brief overview of the proposed. Ms. Ohlensehlen noted the proposed is the second amendment to the Tax Increment Financing (TIF) plan to put the larger TIF plan on hold and go forward with a scaled-down agreement between the City and Missouri State University to address components of the project.

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

**Amending the
Budget: Level
Property Tax-
Operating Fund:
Fire Station #7**

Sponsor: McGull. Council Bill 2022-262

A special ordinance amending the budget of the City of Springfield for Fiscal Year 2022-2023, in the amount of \$950,000, to appropriate a portion of the Level Property Tax-Debt Service Fund reserve to the Level Property Tax-Operating Fund for additional funding needed for the Fire Station #7 reconstruction project.

Jody Vernon, Assistant Director of Finance and Comptroller, provided a brief overview of the proposed. Ms. Vernon noted the appropriation to the Level Property Tax-Operating Funds would be provided to the Fire Station #7 reconstruction project.

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

**American Rescue
Plan Act: Revise
funding for
projects as
recommended by
the City Council
ARPA Review
Committee**

Sponsor: Simpson, McGull, Lear, and Hardinger. Council Bill 2022-263

A special ordinance amending Special Ordinance 27730 to revise funding appropriated for continuing COVID-19 services; 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 ("ARPA") 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.)

Jason Gage, City Manager, provided a brief overview of the proposed. Mr. Gage noted the proposed would amend the budget for Fiscal Year 2022-2023 to appropriate funds for projects as recommended by the City Council ARPA Review Committee. Mr. Gage further noted the City was awarded a total of \$40,276,290. Of the remaining, \$7 million is set aside for homelessness and housing, and \$3 million for COVID-19 critical services. The recommendations are as follows: \$100,000 to the Lincoln Cemetery for rehabilitation and repair; \$150,000 for a CASA project for children in foster care, \$50,000 of which will be taken from the COVID-19 critical services funding; \$2,785,297 to be used with a recent \$2,215,703 award for non-congregate shelter services; \$3,000,000 to the Community Partnership of the Ozarks for a purpose-driven day center project; \$650,000 to the Connecting Grounds for respite care, shower facilities, and storage for the homeless population; and \$564,703 for affordable housing home-ownership programs.

Councilman Ollis asked how the location of the day-program will be established. Mr. Gage noted these are details still in process. The location would go through the traditional land use process.

An opportunity was given for citizens to express their views.

Tim Havens spoke in support of the proposed. Mr. Havens noted he is in support of funding for the Lincoln Cemetery. He provided a history of the cemetery and expressed his belief the funding will be beneficial and allow for much-needed repairs and maintenance.

Councilwoman Horton asked Mr. Havens if he is on the board for the Lincoln Cemetery. Mr. Havens responded he is not on the board, but he is an interested party.

Cheryl Clay spoke in support of the proposed. Ms. Clay noted she is a member of the board for the Lincoln Cemetery. She provided a brief history of the cemetery. Ms. Clay noted the funds will provide paved roads and repair urns in the cemetery. Ms. Clay expressed her appreciation for the consideration.

Councilwoman Horton thanked Ms. Clay for speaking on the issue and sharing her personal connection.

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

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

Edgar Hagens addressed City Council. Mr. Hagens expressed his belief the city is in need of more assistance for addiction recovery. He provided a brief description of what it means to be an addict. Mr. Hagens noted he lost two children to drug overdose. Mr. Hagens noted the difficulty of finding help for addiction.

Tim Havens addressed City Council. Mr. Havens noted the City Clerk, Anita Cotter, provides fair and knowledgeable assistance. Mr. Havens expressed his belief Springfield has the finest of City Clerks and he acknowledged Ms. Cotter for her work.

Mayor McClure expressed his agreement.

The following item appeared on the agenda under New Business.

Andrew Lear will be the employer representative at the upcoming 2022 Missouri Local Government Employees Retirement System (LAGERS) Annual Meeting.

Referring Sec. 36-363, 'Conditional use permits,' to the Plans and Policies Committee for a recommendation regarding revising that Code section.

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

Referred

UNFINISHED BUSINESS.

MISCELLANEOUS.

CONSENT AGENDA – FIRST READING BILLS.

CONSENT AGENDA – ONE READING BILLS.

The following items appeared on the agenda under Consent Agenda – Second Reading Bills.

**Storm Warning
Sirens**

Sponsor: Hardinger. Council Bill 2022-257

A special ordinance authorizing the City Manager, or his designee, to enter into a Services Contract with Greene County, Missouri, for the City to continue to monitor and maintain the County storm warning sirens.

Council Bill 2022-257. Special Ordinance 27769 was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

**Cost
Apportionment
Agreement:
Pedestrian Safety
Workshop**

Sponsor: Lear. Council Bill 2022-258

A special ordinance authorizing the City Manager or his designee to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with a pedestrian safety workshop, with the City being responsible for \$7,500 of the total cost of the workshop.

This item was removed from the consent agenda and became item number 13.5 under Second Reading Bills.

BOARD CONFIRMATIONS.

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: Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, Horton, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Michelle Brown

November 1, 2022
Springfield, Missouri

The City Council met in special session on November 1, 2022, in the Councilman Denny Whayne Conference Room (Busch Building, 4th Floor). The meeting was called to order by Mayor Ken McClure.

Roll Call

Present: Monica Horton, Abe McGull, Mike Schilling, Matthew Simpson, Craig Hosmer, Richard Ollis, Heather Hardinger*, and Ken McClure. Absent: Andrew Lear.

*Attended via Zoom and arrived at approximately 12:11 p.m.

Closed Session

Councilman Hosmer moved City Council hold a closed meeting to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to Section 610.021(1), RSMo.; and leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor pursuant to Section 610.021(2), RSMo.; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected; pursuant to Section 610.021(12), RSMo; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman Schilling seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Schilling, Simpson, Hosmer, Ollis, and McClure. Nays: None. Absent: Lear and Hardinger. Abstain: None.

Prepared by
Anita J. Cotter

Anita J. Cotter, CMC/MRCC
City Clerk

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed: 10-11-22

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022- 260

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to accept the Edward Byrne
2 Memorial Justice Assistance Grant in the amount of \$192,496.00
3 from the United States Department of Justice and to enter into an
4 interlocal agreement with Greene County, outlining the division of
5 the grant funds; and amending the budget for the Springfield Police
6 Department for Fiscal Year 2022-2023 in the amount of
7 \$192,496.00.
8 _____
9

10 WHEREAS, the City of Springfield, Missouri ("City") and Greene County,
11 Missouri ("County") have previously partnered to apply for and accept the United States
12 Department of Justice, Edward Byrne Memorial Justice Assistance Grant ("JAG"); and
13

14 WHEREAS, the joint application award amount is \$192,496.00, with the City
15 receiving \$115,497.60 (60%) and the County receiving \$76,998.40 (40%); and
16

17 WHEREAS, the JAG terms require law enforcement agencies jointly applying for
18 a grant to enter into an interlocal agreement regarding division of the funds awarded
19 under the grant.
20

21 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 Section 1 – The City Manager, or his designee, is hereby authorized to accept
25 the Edward Byrne Memorial Justice Assistance Grant from the United States
26 Department of Justice and to enter into an interlocal agreement with Greene County for
27 the purpose of carrying out the terms of the grant, substantially similar to that which is
28 attached hereto and incorporated herein by reference as "Exhibit A."
29

30 Section 2 – The budget of the Springfield Police Department for Fiscal year
31 2022-2023 is hereby amended in the accounts and in the amounts as shown on Budget
32 Adjustment No. 024, a copy of which is attached hereto and incorporated herein by
33 reference as "Exhibit B."

34
35 Section 3 – The City Council hereby finds that the budget adjustment made
36 above has been recommended by the City Manager.
37

38 Section 4 – The City Manager is directed to cause the appropriate accounting
39 entries to be made in the books and records of the City.
40

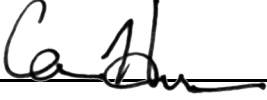
41 Section 5 – This Ordinance shall be in full force and effect from and after
42 passage.
43

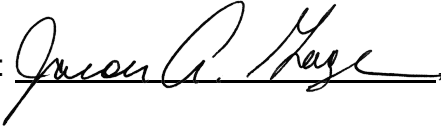
44 Passed at meeting: _____
45

46
47 _____
48 Mayor

49 Attest: _____, City Clerk
50

51 Filed as Ordinance: _____
52

53
54 Approved as to form: , Assistant City Attorney
55

56
57 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2022 - 260

FILED: 10-11-22

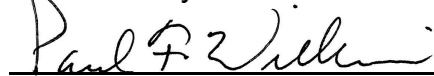
ORIGINATING DEPARTMENT: Police

PURPOSE: To authorize the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice and to enter into an interlocal agreement with Greene County, outlining the division of the grant funds; amending the budget for the Springfield Police Department for FY2022-2023 in the amount of \$192,496.00.

BACKGROUND INFORMATION: The JAG formula for allocation of state and local government funds is determined based on population and crime data reported to the Federal Bureau of Investigation as part of the Uniform Crime Report. Based on this formula, the City of Springfield is eligible for grant monies. JAG does not require matching funds. However, as noted in the attachment, a disparate allocation exists between the City and Greene County, with the County bearing more than 50 percent of the costs of prosecution and incarceration that arise from the reported Crimes Against Persons. Jurisdictions identified as disparate must submit a joint application in order to be awarded any funds. The amount of funds to be distributed to each entity and the purpose for which the funds will be used must be included in the application. An Interlocal Agreement must be completed between the parties identifying the amount each has agreed to accept.

REMARKS: The joint application award amount is \$192,496.00. The City and Greene County have agreed to divide the funds with approximately 60% going to the City and 40% going to the County. The City will receive \$115,497.60 and the County will receive \$76,998.40. The City will establish an account for the joint application award amount and reimburse the County for their share. The City of Springfield Police Department will use their share of the funds to purchase software for the forensic analysis of cellular phones, body worn cameras, a traffic drone, and two replacement canines. Greene County will use their share of the funds to purchase communications earpieces, external equipment carriers, shotgun racks, and a gun safe. A budget adjustment is required and submitted with this document.

Submitted by:



Paul F. Williams, Chief of Police

Approved by:



Jason Gage, City Manager

Exhibit A

INTERLOCAL AGREEMENT
BETWEEN CITY OF SPRINGFIELD, MISSOURI AND GREENE COUNTY, MISSOURI
2022 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this _____ day of _____ 2022, by and between the County of Greene, acting by and through its governing body, the Greene County Commission, hereinafter referred to as County, and the City of Springfield, acting by and through its governing body the City Council, hereinafter referred to as City, both of Greene County, State of Missouri, witnesseth:

WHEREAS, this Agreement is made under the authority of City Council, Ordinance _____, passed _____, 2022; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the City agrees to provide the County \$76,998.40 from the JAG award for the Law Enforcement Equipment Program; and

WHEREAS, the City and County believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the County and City agree as follows:

Section 1. City agrees to pay the County a total of \$76,998.40 of the total JAG funds of \$192,496.00. The City's share is \$115,497.60.

Section 2. County agrees to use \$76,998.40 for the Law Enforcement Program before the deadline set by JAG.

Section 3. The City hereby agrees to assume responsibility for the liabilities imposed by law on its employees, agencies, and institutions. The County hereby agrees to assume responsibility for the liabilities imposed by law on its employees, agencies, and institutions.

Section 4. Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5. The parties to this Agreement do not intend for any third party to obtain a right by

virtue of this Agreement.

Section 6. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 7. The County hereby agrees to comply with all requirements of the award, including the Special Conditions and Civil Rights requirements. They will complete a letter stating this and provide to the City.

Section 8. The County agrees to provide a letter stating they have complied with all financial conditions after they have been reimbursed for purchases.

CITY OF SPRINGFIELD, MISSOURI

By: _____
City Manager or Designee

Attest:

City Clerk

Approved as to Form:

City Attorney or Designee

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefore.

Director of Finance or Acting Director

GREENE COUNTY, MISSOURI

By: _____
Presiding Commissioner

By: _____
Commissioner 1st District

By: _____
Commissioner 2nd District

Attest:

By: _____
Greene County Clerk

Approved as to form:

By: _____
Greene County Counselor

CERTIFICATE OF AUDITOR

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefore.

Auditor Certification

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
024

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
25220	18	92510	416010			\$ 192,496.00	FY2023 Dept. of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG)
Net Revenue Adjustment						\$ 192,496.00	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
25220	18	92510	501190			\$ 115,497.60	Tools and Equipment
25220	18	92510	504620			76,998.40	Specialty Services
Net Expenditure Adjustment						\$ 192,496.00	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2022-23 budget by appropriating grant funds from the Department of Justice for one-time needs. The Funds will be split between the City of Springfield and Greene County. The City portion is \$115,497.60 and the County portion is \$76,998.40.

Requested By:

Paul F. Williams 10-11-22
Department Head Date

Approved By:

DL Hill 10-11-22
Director of Finance Date

Authorization:

Council Bill No. 2022-260
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-Rdg. _____
P. Hrngs. _____
Pgs. 47
Filed: 10-11-22

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022- 261

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING the Second Amendment to the Springfield IDEA Commons Tax
2 Increment Financing Plan; approving the Tax Increment Financing
3 Reimbursement Agreement between the City of Springfield and
4 Missouri State University; and authorizing the City Manager, or his
5 designee, to enter into the Tax Increment Financing Reimbursement
6 Agreement with Missouri State University.
7 _____
8

9 WHEREAS, by adoption of Special Ordinance 27320 on June 1, 2020, City
10 Council approved the Springfield IDEA Commons Tax Increment Financing Plan, as
11 amended by the First Amendment to Springfield IDEA Commons Tax Increment
12 Financing Plan (the "TIF Plan"), pursuant to the Real Property Tax Increment Allocation
13 Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri (the
14 "TIF Act"); established a Redevelopment Area generally located within the bounds of
15 East Tampa Street to the north, North Boonville Avenue to the west, North Robberson
16 Avenue and the "efactory" building located at 405 North Jefferson Avenue to the east,
17 and a set of railroad tracks running parallel to and north of East Water Street to the
18 south; declared the Redevelopment Area to be a blighted area; and designated The
19 Vecino Group, LLC, as the developer of record for the TIF Plan; and
20

21 WHEREAS, the TIF Plan proposed development of the Redevelopment Area as
22 a single redevelopment (the "Redevelopment Project"); and
23

24 WHEREAS, by adoption of Special Ordinance 27618 on December 13, 2021,
25 City Council approved a Redevelopment Project for the TIF Plan within a portion of the
26 Redevelopment Area ("Redevelopment Project Area 1") and activated the collection of
27 tax increment financing revenues within Redevelopment Project Area 1; and
28

29 WHEREAS, City Council has determined that it is in the best interest of the City
30 to approve a Second Amendment to Springfield IDEA Commons Tax Increment
31 Financing Plan (the TIF Plan, as so amended, being the "Amended TIF Plan") to: (1)
32 divide the Redevelopment Project Area, which is coterminous with the Redevelopment
33 Area, into Redevelopment Project Area 1 and Redevelopment Project Area 2; (2)

34 substitute \$3,000,000 of the JVIC Expansion Redevelopment Costs, which were eligible
35 as Redevelopment Project Costs but not designated as Reimbursable Project Costs in
36 the TIF Plan, for the \$3,000,000 in Parking Garage Redevelopment Project Costs,
37 which were designated as Reimbursable Project Costs in the TIF Plan, thus making
38 \$3,000,000 of the JVIC Expansion Redevelopment Costs eligible as Reimbursable
39 Project Costs in lieu of the \$3,000,000 of Parking Garage Redevelopment Project Costs
40 without affecting the total Redevelopment Project Costs or total Reimbursable Project
41 Costs; (3) provide a revised calculation of total TIF Revenue and revenues from State
42 Supplemental TIF, shown separately for Redevelopment Project Area 1 and
43 Redevelopment Project Area 2, based on revisions to the expected receipts of State
44 Supplemental TIF; and (4) provide a revised Cost-Benefit Analysis for the State of
45 Missouri; and

46
47 WHEREAS, City Council desires to enter into a reimbursement agreement with
48 Missouri State University, establishing the rights, duties, and obligations of the City and
49 Missouri State University with respect to certain aspects of the implementation of the
50 Amended TIF Plan and the application of revenues under the Amended TIF Plan; and
51

52 WHEREAS, the Amended TIF Plan does not alter the exterior boundaries of the
53 original Redevelopment Area, does not affect the general land uses established in the
54 TIF Plan, and does not change the nature of the Redevelopment Project, so the notice
55 and hearing provisions set forth in Section 99.825 of the TIF Act are not applicable to
56 City Council's consideration of the Amended TIF Plan.
57

58 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
59 OF SPRINGFIELD, MISSOURI, as follows, that:
60

61 Section 1 – The Second Amended TIF Plan, which is attached hereto and
62 incorporated herein by this reference as “Exhibit 1,” is hereby approved.
63

64 Section 2 – The TIF Reimbursement Agreement between the City and Missouri
65 State University, which is attached hereto and incorporated by this reference as “Exhibit
66 2,” is hereby approved.
67

68 Section 3 – The City Manager, or his designee, is authorized to enter into an
69 agreement with Missouri State University that substantially conforms to “Exhibit 2.”
70

71 Section 4 – The City staff, the City's special legal counsel, and other appropriate
72 City officials are hereby authorized to take any and all actions as may be deemed
73 necessary or convenient to carry out and comply with the intent of this Ordinance and to
74 execute and deliver for and on behalf of the City all certificates, instruments, and
75 agreements or other documents as may be necessary, desirable, convenient, or proper
76 to perform all matters authorized herein.
77

78 Section 5 – It is hereby declared to be the intention of the City Council that each
79 and every part, section, and subsection of this Ordinance shall be separate and

severable from each and every other part, section, and subsection hereof and that the City Council intends to adopt each said part, section, and subsection separately and independently of any other part, section, and subsection. In the event that any part, section, or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 6 – This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022- 261

FILED: 10/11/22

ORIGINATING DEPARTMENT: Economic Vitality

PURPOSE: To approve the Second Amendment to the Springfield IDEA Commons Tax Increment Financing Plan; approve the Tax Increment Financing Reimbursement Agreement between the City of Springfield and Missouri State University; and authorize the City Manager, or his designee, to enter into the Tax Increment Financing Reimbursement Agreement with Missouri State University.

BACKGROUND: The IDEA Commons Tax Increment Financing Plan, as amended by the First Amendment to Springfield IDEA Commons Tax Increment Financing Plan (the “TIF Plan”) was approved on June 1, 2020 by [Special Ordinance 27320](#) as part of a private-public partnership between the City of Springfield (the “City”), Missouri State University (the “University”), and The Vecino Group, LLC (the “Developer”) for the redevelopment of a portion of the University’s Jordan Valley Innovation Center (“JVIC”) and surrounding property, known as the “IDEA Commons Project.” The TIF Plan established a Redevelopment Area containing a single Redevelopment Project consisting of the following:

1. A 100,000 ft² office building (the “Office Building”);
2. A 30,000 ft² expansion of the existing JVIC building (the “JVIC Expansion”);
3. A parking garage with approximately 400 spaces (the “Parking Garage”);
4. Improvements to convey storm water from Jordan Creek underneath the IDEA Commons Project site (the “Stormwater Improvements”);
5. Relocation of an existing sanitary sewer line to accommodate the Stormwater Improvements, and replacement of portions of the existing trunk sewer to which the line connects (the “Sanitary Sewer Improvements”);
6. Streetscape improvements such as sidewalks, street lighting, and landscaping along Boonville Avenue and Phelps Street adjacent to the IDEA Commons Project (the “Streetscape Improvements”)
7. A central commons between the Parking Garage and the Office Building; and,
8. Demolition of existing blighted structures.

The total project costs for the entire Redevelopment Project are projected to be approximately \$55 million. Reimbursable Project Costs are projected to be about \$6.25 million, which include reimbursement for the Stormwater, Streetscape, and Sanitary Sewer Improvements, as well as partial reimbursement for Parking Garage.

The TIF Plan initially anticipated all the improvements associated with the Redevelopment Project would be constructed concurrently, thus making it feasible to

activate tax increment financing over the entire Redevelopment Area only once, as opposed to in phases. However, since the TIF Plan was approved, only construction of the JVIC Expansion has commenced, while construction of the Office Building and the Parking Garage have been delayed. To maximize the collection of TIF revenues over the entire Redevelopment Area, it is necessary to divide the Redevelopment Area into two Redevelopment Project Areas in which tax increment financing can be activated separately.

In November 2021, the State of Missouri approved the City's application for Missouri Supplemental Tax Increment Financing ("State TIF") for the IDEA Commons TIF Project, thus enabling the IDEA Commons TIF to receive 50% of the State withholding taxes on the new jobs that are directly created by the Redevelopment Project within the Redevelopment Area for up to 23 years. As per the Certificate of Approval, State TIF is conditional upon the City approving the Second Amendment to the IDEA Commons TIF Plan. It states no disbursements will be made until this condition is met and the City has provided the State with certified copies of the applicable ordinances.

This Ordinance will approve the Second Amendment to the IDEA Commons TIF Plan, which will amend the TIF Plan as follows:

1. Divide the Redevelopment Area into two Redevelopment Project Areas. Redevelopment Project Area 1 will encompass the JVIC Expansion site and the adjoining portion of East Phelps Street. Redevelopment Project Area 2 will encompass the remainder of the Redevelopment Area south of East Phelps Street, including the Office Building and Parking Garage sites.
2. Substitute \$3 million of the JVIC Expansion costs, which were eligible as Redevelopment Project Costs but not designated as Reimbursable Project Costs, for the \$3 million in Parking Garage costs, which were designated as such in the TIF Plan. As a result, \$3 million of Reimbursable Project Costs will be reallocated from the Parking Garage to the JVIC Expansion without affecting the total Redevelopment Project Costs or total Reimbursable Project Costs.
3. Provide a revised calculation of the local and state supplemental TIF Revenues, shown separately for the two Redevelopment Project Areas.
4. Provide a revised Cost-Benefit Analysis for the State of Missouri.

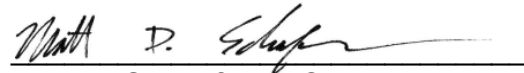
This Ordinance will also authorize the City to enter into a TIF Reimbursement Agreement with Missouri State University, establishing the rights, duties, and obligations of the City and Missouri State University with respect to certain aspects of the implementation of the Amended TIF Plan and the application of revenues under the Amended TIF Plan.

REMARKS: The Second Amendment to the IDEA Commons TIF Plan will neither alter the exterior boundaries of the Redevelopment Area, affect the general land uses

established in the TIF Plan nor change the nature of the Redevelopment Project. Therefore, the provisions of Section 99.825 of the TIF Act requiring public notice and a public hearing with the Tax Increment Financing Advisory Commission are not applicable. However, in the interest of transparency, public notice has been provided in a manner consistent with the TIF Act at least 10 days prior to City Council consideration.

The Second Amendment to the IDEA Commons TIF Plan is necessary for the TIF to maximize revenues and receive supplemental state financing. Staff recommends approval.

Submitted by:



Matt D. Schaefer, AICP
Senior Planner

Recommended by:



Amanda Ohlensehlen, Director

Approved by:



Jason Gage, City Manager

EXHIBIT 1

SECOND AMENDMENT

to

**SPRINGFIELD IDEA COMMONS
TAX INCREMENT FINANCING PLAN**

CITY OF SPRINGFIELD, MISSOURI

This Second Amendment does not alter the exterior boundaries of the original Redevelopment Area, affect the general land uses established pursuant to the original Redevelopment Plan or change the nature of the original Redevelopment Project. As such, the notice and hearing requirements of Section 99.825, RSMO do not apply to this Second Amendment. However, in the interest of transparency and public participation in the process, notice was given by mail to each taxing district affected by the Redevelopment Plan and by publication in a newspaper of general circulation in the area of the Redevelopment Area not less than ten days prior to the adoption of this Second Amendment by ordinance.

SECOND AMENDMENT

to

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN

Background and Plan History

A public hearing was held on May 4, 2020 (the “Hearing”) by the Tax Increment Financing Commission of the City of Springfield, Missouri (the “Commission”) to consider the Springfield IDEA Commons Tax Increment Financing Plan (the “Original Redevelopment Plan”) and the First Amendment to the Springfield IDEA Commons Tax Increment Financing Plan (the “First Amendment,” and together with the Original Redevelopment Plan, the “Existing Redevelopment Plan”). The Existing Redevelopment Plan was approved by ordinance of the City on June 1, 2020. This Second Amendment will be submitted directly to the City Council as it does not alter the exterior boundaries of the original Redevelopment Area, affect the general land uses established pursuant to the Existing Redevelopment Plan or change the nature of the original Redevelopment Project.

Purpose of the Second Amendment

The purpose of the Second Amendment is to (1) divide the original Redevelopment Project Area into Redevelopment Project Area 1 and Redevelopment Project Area 2, each of which makes up a portion of the original Redevelopment Project Area, which is coterminous with the Redevelopment Area (this change does not increase or decrease the size of the Redevelopment Area), (2) substitute \$3,000,000 of the JVIC Expansion Redevelopment Project Costs shown under the Existing Plan as Reimbursable Project Costs in lieu of \$3,000,000 of Parking Garage Redevelopment Project Costs that were originally eligible as Reimbursable Project Costs under the Existing Plan (this change simply substitutes one component of Redevelopment Project Costs for another as Reimbursable Project Costs and does not affect the total Redevelopment Project Costs or the total Reimbursable Project Costs), (3) provide a revised calculation of total TIF Revenue and revenues from State Supplemental TIF, shown separately for Redevelopment Project Area 1 and Redevelopment Project Area 2, based on revisions to the expected receipts of State Supplemental TIF, and (4) provide a revised Cost-Benefit Analysis for the State of Missouri based on approvals by the Department of Economic Development relating to State Supplemental TIF.

Amendments to the Original Redevelopment Plan

The definition of “Redevelopment Project Area” shall include “Redevelopment Project Area 1” and “Redevelopment Project Area 2,” which shall be the areas legally described in Attachment 1 to this Second Amendment. References in the Existing Plan to the activation of tax increment financing and the calculation and collection of PILOTs, EATs and State Supplemental TIF shall be read individually with respect to Redevelopment Project Area 1 and Redevelopment Project Area 2.

Due to delays caused by the effects of the coronavirus pandemic on commercial lending and projects, the calendar years estimated for implementation of the Redevelopment Project and the activation of tax increment financing will be delayed. Collections will still occur over a 23-year period, as shown in Exhibit 6 and Exhibit 7 to the Existing Redevelopment Plan. The JVIC Expansion portion of the Redevelopment Project is proceeding more quickly than the other components, with the result that Tax increment financing will likely be activated earlier in Redevelopment Project Area 1 than in Redevelopment Project Area 2.

Exhibit 4A to the Existing Redevelopment Plan is hereby deleted and replaced with Attachment 2 to this Second Amendment.

Exhibit 6 to the Existing Redevelopment Plan is hereby updated in part by Attachment 3 to this Second Amendment, which consists of a revised estimate of total tax increment financing revenues based on updated estimates of State Supplemental TIF.

Exhibit 7 to the Existing Redevelopment Plan is hereby deleted and replaced with Attachment 4 to this Second Amendment.

Attachment 1

Legal Descriptions and Maps of Redevelopment Project Area 1 and Redevelopment Project Area 2

Legal Description - Redevelopment Project Area 1

A Proposed Tax Increment Financing District (TIF) being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 13, Township 29 North, Range 21 West, in the City of Springfield, Greene County, Missouri, and a part of the tract of land described in Book 2005, at Page 022977-05 and a part of the existing public rights-of-way of Phelps Street and Robberson Avenue, as they now exist, being more particularly described as follows:

BEGINNING at the intersection of the South right-of-way line of said Phelps Street and East right-of-way line of said Boonville Avenue (Southeast corner); Thence North 0 Degrees 16 Minutes 56 Seconds East, a distance of 43.50 feet, to the intersection of the proposed North right-of-way line of said Phelps Street, and said existing East right-of-way line of Boonville Avenue (Northeast corner), said point being South 0 Degrees 30 Minutes 32 Seconds East, a distance of 6.51 feet from the existing Northeast corner of said Boonville Avenue and Phelps Street; Thence South 89 Degrees 28 Minutes 15 Seconds East, along said proposed North right-of-way line of said Phelps Street, a distance of 58.57 feet; Thence North 0 Degrees 32 Minutes 36 Seconds West, leaving said proposed North right-of-way line, a distance of 86.61 feet; Thence North 89 Degrees 27 Minutes 24 Seconds East, a distance of 130.78 feet; Thence South 0 Degrees 32 Minutes 36 Seconds East, a distance of 33.77 feet; Thence North 89 Degrees 27 Minutes 24 Seconds East, a distance of 85.16 feet, to a point on the West right-of-way line of said Robberson Avenue; Thence continuing North 89 Degrees 27 Minutes 24 Seconds East, into said public right-of-way of Robberson Avenue, a distance of 19.89 feet; Thence South 01 Degrees 50 Minutes 07 Seconds West, a distance of 99.71 feet, to a point on the proposed South right-of-way line of said Phelps Street which point is South 01 Degrees 50 Minutes 07 Seconds East, 5.07 feet from the existing South right-of-way line of said Phelps Street; Thence along said proposed South right-of-way line and a non-tangent curve to the left, having a radius of 425.00 feet, a central angle of 0 Degrees 39 Minutes 26 Seconds, a chord bearing South 81 Degrees 25 Minutes 53 Seconds West, an arc distance of 4.88 feet; Thence South 01 Degrees 35 Minutes 29 Seconds West, continuing along said proposed South right-of-way line, a distance of 3.68 feet; Thence South 89 Degrees 18 Minutes 15 Seconds West, continuing along said proposed South right-of-way line, a distance of 145.72 feet; Thence North 89 Degrees 28 Minutes 15 Seconds West, continuing along said proposed South right-of-way line, a distance of 140.21 feet, to a point on said East right-of-way line of Boonville Avenue; Thence North 0 Degrees 38 Minutes 31 Seconds West, leaving said proposed South right-of-way line, and along said East right-of-way line, a distance of 6.50 feet, to the **POINT OF BEGINNING**, containing 0.726 acres, more or less, subject to easements, rights-of-way and restrictions of record, all being in the City of Springfield, Greene County, Missouri, this description is not to be used for the transfer of title nor any other purpose other than for which it is being conveyed.

Legal Description - Redevelopment Project Area 2

A Proposed Tax Increment Financing District (TIF) being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 13, Township 29 North, Range 21 West, in the City of Springfield, Greene County, Missouri, and a part of the tracts of land described in Book 2009, at Page 23561-09, Book 2009, at Page 039458-09, and in Book 1056, at Page 359, and all that part of the tract of land described in Book 2019, at Page 002044-19, all being recorded in the Greene County, Missouri Recorder of Deeds Office and a part of the vacated right-of-way of Peach Alley or Robberson Avenue, lying South of the South right-of-way line of Phelps Street and North of the Saint Louis and San Francisco Railroad (now Burlington Northern) right-of-way, which is described in Vacation 361 (City of Springfield Ordinance Number 18567 dated June 18, 1979) and in Vacation 293 (City of Springfield Special Ordinance Number 17266 dated March 22, 1976) and in Council Bill 4173 (Special Ordinance Number 3946 dated July 1, 1942), and being a part of Lot 2 and all that part of Lots 1 and 3, in the proposed Final Plat of Idea Commons, being more particularly described as follows:

COMMENCING at the intersection of the South right-of-way line of Phelps Street and the East right-of-way line of Boonville Avenue (Southeast corner), as they now exist; Thence South 0 Degrees 38 Minutes 31 Seconds East, along the East right-of-way line of said Boonville Avenue, a distance of 6.50 feet, to the proposed North right-of-way line of Phelps Street, and the Northwest corner of proposed Lot 1 of said Idea Commons for the **POINT OF BEGINNING**; Thence South 89 Degrees 28 Minutes 15 Seconds East, leaving said East right-of-way line and along said North line of proposed Lot 1, a distance of 140.21 feet; Thence North 89 Degrees 18 Minutes 15 Seconds East, continuing along said North line of Lot 1 and said Lot 2, a distance of 145.72 feet; Thence North 01 Degrees 35 Minutes 29 Seconds East, continuing along said North line of proposed Lot 2, a distance of 3.68 feet; Thence continuing along said North line of proposed Lot 2 and a non-tangent curve to the right, having a radius of 425.00 feet, a central angle of 0 Degrees 39 Minutes 26 Seconds, a chord bearing North 81 Degrees 25 Minutes 53 Seconds East, an arc distance of 4.88 feet; Thence South 01 Degrees 50 Minutes 07 Seconds West, leaving said North line of proposed Lot 2, a distance of 94.61 feet; Thence South 88 Degrees 31 Minutes 51 Seconds East, a distance of 85.47 feet, to a point on the East line of said Lot 2; Thence South 01 Degrees 14 Minutes 07 Seconds West, along said East line of proposed Lots 2 and 3, a distance of 218.32 feet, to a point on the South line of said Lot 3, also being a point on the North right-of-way line of said Saint Louis and San Francisco Railroad (now Burlington Northern); Thence North 89 Degrees 03 Minutes 50 Seconds West, along the South line of said proposed Lot 3, a distance of 81.19 feet; Thence South 01 Degrees 37 Minutes 36 Seconds West, continuing along said South line, a distance of 5.00 feet; Thence North 89 Degrees 22 Minutes 47 Seconds West, continuing along said South line, a distance of 283.75 feet, to a point on said East right-of-way line of Boonville Avenue; Thence North 0 Degrees 38 Minutes 31 Seconds West, along said East right-of-way line, a distance of 310.76 feet, to the **POINT OF BEGINNING**, containing 2.468 acres, more or less, subject to easements, rights-of-way and restrictions of record, all being in the City of Springfield, Greene County, Missouri, this description is not to be used for the transfer of title nor any other purpose other than for which it is being conveyed.

Board of Governors of
SW Missouri State University
Book 2005, Page 022977-05

N89°27'24"E 130.78'

S00°32'36"E 33.77'

N89°27'24"E 105.05'

19.89'

SE Corner Phelps St. & Boonville Ave.
POB TIF Area #1
POC TIF Area #2

Boonville Ave.

Robberson Ave.

Phelps Street

Proposed North R/W

Ex. North R/W Phelps Street

Ex. South R/W Phelps Street

POB TIF Area #2

Board of Governors Missouri State University Bk 2009, Pg 39458-09

Lot 1 Proposed Idea Commons

414 N Boonville, LLC Book 2019, Page 2044-19

Proposed South R/W

Lot 2 Proposed Idea Commons

Lot 3 Proposed Idea Commons

Lot 4 Proposed Idea Commons

Lot 5 Proposed Idea Commons

Vacated Peach Alley

BNSF Railway

East R/W Boonville Ave.

North R/W BNSF Railway

Redevelopment Project Area 1

Redevelopment Project Area 2

Board of Governors Missouri State University Book 2009, Page 23561-09

Curve Table:

#	RADIUS	LENGTH	DELTA	CHORD	CH. BEARING
C1	425.00'	4.88'	0°39'26"	4.88'	S81°25'53"W

This sketch is not a boundary survey. It is intended to show the configuration of a proposed tax increment financing district (TIF). It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.

Olsson, Inc. Survey MO
Certificate of Authority #LC366
550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8902 FAX 417.890.8905

EXHIBIT B

Attachment 2

Replacement for Exhibit 4A to Existing Redevelopment Plan

		Private Costs	Public Costs							
			Vecino / New Market Tax				Funding to be	Redevelopment Project	Reimbursable Project	State TIF Reimbursable
Cost Category	Total Cost	Vecino	Credits	MSU	City	TDD	Determined	Costs	Costs ¹	Project Costs ¹
Office Building ²	\$ 25,000,000	\$ 25,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000,000	\$ -	\$ -
Central Commons	\$ 750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000	\$ 750,000	\$ -	\$ -
JVIC Expansion ²	\$ 14,397,284	\$ -	\$ 9,797,284	\$ 4,600,000	\$ -	\$ -	\$ -	\$ 14,397,284	<u>\$ 3,000,000</u>	<u>\$ 3,000,000</u>
Stormwater Improvements	\$ 2,130,000	\$ -	\$ -	\$ -	\$ 2,130,000	\$ -	\$ -	\$ 2,130,000	\$ 2,130,000	\$ 2,130,000
Street Improvements	\$ 800,000	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ -	\$ 800,000	\$ 800,000	\$ 800,000
Sanitary Sewer Improvements	\$ 220,000	\$ -	\$ -	\$ -	\$ 220,000	\$ -	\$ -	\$ 220,000	\$ 220,000	\$ 220,000
Parking Garage	\$ 12,000,000	\$ -	\$ -	\$ 6,000,000	\$ -	\$ 6,000,000	\$ -	\$ 12,000,000	\$ 3,000,000	\$ 3,000,000
TIF Formation Costs	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000
Totals	\$ 55,397,284	\$ 25,000,000	\$ 9,797,284	\$ 10,600,000	\$ 3,250,000	\$ 6,000,000	\$ 750,000	\$ 55,397,284	\$ 6,250,000	\$ 6,250,000

¹ Reimbursable Project Costs will accrue interest from the date certified until the date reimbursed at the Reimbursement Interest Rate.

² Demolition costs of blighted structures are included in total costs of the Office Building and JVIC Expansion.

Note: Underlined figures represent additions and figures shown in strikethrough represent deletions.

Attachment 3

Partial Updating Supplement to Exhibit 6 to Existing Redevelopment Plan

Note: Amounts shown as "State Supplemental TIF Revenue" are subject to reduction pursuant to the Certificate of Approval issued by the Missouri Department of Economic Development and the Missouri Office of Administration. It is anticipated that the State-approved supplemental TIF revenues will be approximately 75% of the amounts shown in this attachment.

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN

COST BENEFIT ANALYSIS - LOCAL

TIF REVENUE PROJECTIONS

PROJECTION OF TOTAL TIF REVENUE (Redevelopment Project Area 1 only)

	<u>Year</u>	<u>PILOTS</u>	<u>EATS</u>	<u>Local TIF Revenue</u>	<u>State Supplemental TIF Revenue</u>	<u>Total TIF Revenue</u>
0	2020	\$0	\$0	\$0	\$0	\$0
1	2021	\$0	\$0	\$0	\$0	\$0
2	2022	\$0	\$0	\$0	\$30,556	\$30,556
3	2023	\$0	\$0	\$0	\$55,001	\$55,001
4	2024	\$0	\$0	\$0	\$55,551	\$55,551
5	2025	\$0	\$0	\$0	\$56,106	\$56,106
6	2026	\$0	\$0	\$0	\$56,667	\$56,667
7	2027	\$0	\$0	\$0	\$57,234	\$57,234
8	2028	\$0	\$0	\$0	\$57,806	\$57,806
9	2029	\$0	\$0	\$0	\$58,384	\$58,384
10	2030	\$0	\$0	\$0	\$58,968	\$58,968
11	2031	\$0	\$0	\$0	\$59,558	\$59,558
12	2032	\$0	\$0	\$0	\$60,153	\$60,153
13	2033	\$0	\$0	\$0	\$60,755	\$60,755
14	2034	\$0	\$0	\$0	\$61,363	\$61,363
15	2035	\$0	\$0	\$0	\$61,976	\$61,976
16	2036	\$0	\$0	\$0	\$62,596	\$62,596
17	2037	\$0	\$0	\$0	\$63,222	\$63,222
18	2038	\$0	\$0	\$0	\$63,854	\$63,854
19	2039	\$0	\$0	\$0	\$64,493	\$64,493
20	2040	\$0	\$0	\$0	\$65,138	\$65,138
21	2041	\$0	\$0	\$0	\$65,789	\$65,789
22	2042	\$0	\$0	\$0	\$66,447	\$66,447
23	2043	\$0	\$0	\$0	\$67,111	\$67,111
	Total	\$0	\$0	\$0	\$1,308,728	\$1,308,728

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN

COST BENEFIT ANALYSIS - LOCAL

TIF REVENUE PROJECTIONS

PROJECTION OF TOTAL TIF REVENUE (Redevelopment Project Area 2 only)

	<u>Year</u>	<u>PILOTS</u>	<u>EATS</u>	<u>Local TIF Revenue</u>	<u>State Supplemental TIF Revenue</u>	<u>Total TIF Revenue</u>
0	2020	\$0	\$0	\$0	\$0	\$0
0	2021	\$0	\$0	\$0	\$0	\$0
1	2022	\$0	\$0	\$0	\$0	\$0
2	2023	\$0	\$54,688	\$54,688	\$242,149	\$296,837
3	2024	\$0	\$109,375	\$109,375	\$435,868	\$545,243
4	2025	\$0	\$110,469	\$110,469	\$440,227	\$550,696
5	2026	\$0	\$111,573	\$111,573	\$444,629	\$556,203
6	2027	\$0	\$112,689	\$112,689	\$449,075	\$561,765
7	2028	\$0	\$113,816	\$113,816	\$453,566	\$567,382
8	2029	\$0	\$114,954	\$114,954	\$458,102	\$573,056
9	2030	\$0	\$116,104	\$116,104	\$462,683	\$578,787
10	2031	\$0	\$117,265	\$117,265	\$467,310	\$584,575
11	2032	\$0	\$108,286	\$108,286	\$471,983	\$580,269
12	2033	\$0	\$105,951	\$105,951	\$476,703	\$582,653
13	2034	\$0	\$107,010	\$107,010	\$481,470	\$588,480
14	2035	\$0	\$108,080	\$108,080	\$486,284	\$594,365
15	2036	\$0	\$109,161	\$109,161	\$491,147	\$600,308
16	2037	\$0	\$110,253	\$110,253	\$496,059	\$606,312
17	2038	\$0	\$111,355	\$111,355	\$501,019	\$612,375
18	2039	\$0	\$112,469	\$112,469	\$506,029	\$618,498
19	2040	\$0	\$113,594	\$113,594	\$511,090	\$624,683
20	2041	\$0	\$114,729	\$114,729	\$516,201	\$630,930
21	2042	\$496,848	\$115,877	\$612,725	\$521,363	\$1,134,088
22	2043	\$501,817	\$117,036	\$618,852	\$526,576	\$1,145,428
23	2044	\$0	\$49,252	\$49,252	\$0	\$100,549
Total		\$998,665	\$2,343,986	\$3,342,650	\$9,839,534	\$13,233,480

Note: TIF will likely terminate mid-year in the final year, making PILOTs uncollectible for that year.

Attachment 4

Replacement for Exhibit 7 to Existing Redevelopment Plan

Note: Amounts shown as "Amounts Captured as State Supplemental" are subject to reduction pursuant to the Certificate of Approval issued by the Missouri Department of Economic Development and the Missouri Office of Administration. It is anticipated that the State-approved supplemental TIF revenues will be approximately 75% of the amounts shown in this attachment.

**Springfield IDEA Commons
Tax Increment Financing Plan**

COST BENEFIT ANALYSIS - STATE OF MISSOURI
Redevelopment Project Area 1

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN
Redevelopment Project Area 1
COST BENEFIT ANALYSIS - STATE OF MISSOURI - ASSUMPTIONS WORKSHEET

Construction Jobs Assumptions

Number of Construction Jobs Created	86
Construction Jobs Hours Worked	35,323
Average Hourly Rate	\$41.55
Gross Wages	\$1,467,671
Estimated Adjusted Gross Income	\$1,200,641
State Withholdings Rate	5.4% of excess over \$8,424 plus \$274
Estimated Withholdings	\$49,278
TIF Capture Rate	0.0%

Long Term Jobs Assumptions

Base Year				2020		
Number of Jobs Located in Redevelopment Project Area 1 (2020)				0		
Jobs Created in Redevelopment Project Area 1 (starting in 2022):						
	<i>Number of Jobs</i>	<i>Hours Per Year</i>	<i>Average Hourly Rate</i>	<i>Gross Wages</i>	<i>Est. Adjusted Gross Income*</i>	<i>Estimated Annual Withholdings</i>
n/a						
n/a						
n/a						
n/a						
JVIC Expansion - Full Time	40	2,000	\$38.55	\$3,084,000	\$2,338,000	\$119,016
JVIC Expansion - Part Time	10	1,000	\$21.69	\$216,900	\$92,900	\$3,208
	50					\$122,224
Occupancy - 2022		50%				
Occupancy - 2023 and thereafter		90%				
State Withholdings Rate		5.4%	of excess over \$8,424 plus	\$274		
Annual Growth Factor		1.0%				
TIF Capture Rate		50.0%				

* 2020 Missouri Withholding Tax Formula form from Missouri Department of Revenue applied to assumptions. For full-time employees, \$18,650 is assumed as a standard deduction for head of household filers. For part-time employees, the standard deduction for single filers (\$12,400) is assumed.

Real Property Assumptions

Tax Rate (Blind Pension Tax)	0.0300
Base Assessed Valuation	\$0
2022 Assessed Valuation	\$0
Growth Factor in Odd Years	2.0%
TIF Capture Rate	0.0%

Personal Property Assumptions

Tax Rate (Blind Pension Tax)	0.0300
Base Assessed Valuation	\$0
Acquisition Cost - Office Building (7 year replacement)	n/a
Acquisition Cost - JVIC Expansion (per year)	\$500,000
TIF Capture Rate	0.0%

Sales Tax Assumptions

Type of Taxable Sales	Restaurant Food Sales
Tax Rate	4.225%
Retail Square Footage	0
Annual Sales Per Square Foot	\$0
Projected Annual Sales	\$0
Annual Growth Factor	1.0%
TIF Capture Rate	0.0%

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN
Redevelopment Project Area 1
COST BENEFIT ANALYSIS - STATE OF MISSOURI

	Year	Amounts Collected By State With Redevelopment						Amounts Collected By State Without Redevelopment						Amounts Captured as State Supplemental		
		Construction Jobs - Withholdings	Long Term Jobs - Withholdings	Real Property Tax - Blind Pension - Tax / Ch 100 Payments	Personal Property Tax - Blind Pension	Sales Tax	Total	Construction Jobs - Withholdings	Long Term Jobs - Withholdings	Real Property Tax - Blind Pension	Personal Property Tax - Blind Pension	Sales Tax	Total	Incremental Long Term Jobs Withholdings	Capture Rate	Total
0	2020	\$24,639	\$0	\$0	\$0	\$0	\$24,639	\$0	\$0	\$0	\$0	\$0	\$0	\$0	50%	\$0
1	2021	\$24,639	\$0	\$0	\$0	\$0	\$24,639	\$0	\$0	\$0	\$0	\$0	\$0	\$0	50%	\$0
2	2022	\$0	\$30,556	\$0	\$0	\$0	\$30,556	\$0	\$0	\$0	\$0	\$0	\$0	\$61,112	50%	\$30,556
3	2023	\$0	\$55,001	\$0	\$42	\$0	\$55,043	\$0	\$0	\$0	\$0	\$0	\$0	\$110,001	50%	\$55,001
4	2024	\$0	\$55,551	\$0	\$72	\$0	\$55,623	\$0	\$0	\$0	\$0	\$0	\$0	\$111,101	50%	\$55,551
5	2025	\$0	\$56,106	\$0	\$93	\$0	\$56,199	\$0	\$0	\$0	\$0	\$0	\$0	\$112,212	50%	\$56,106
6	2026	\$0	\$56,667	\$0	\$106	\$0	\$56,773	\$0	\$0	\$0	\$0	\$0	\$0	\$113,335	50%	\$56,667
7	2027	\$0	\$57,234	\$0	\$111	\$0	\$57,345	\$0	\$0	\$0	\$0	\$0	\$0	\$114,468	50%	\$57,234
8	2028	\$0	\$57,806	\$0	\$111	\$0	\$57,917	\$0	\$0	\$0	\$0	\$0	\$0	\$115,613	50%	\$57,806
9	2029	\$0	\$58,384	\$0	\$111	\$0	\$58,495	\$0	\$0	\$0	\$0	\$0	\$0	\$116,769	50%	\$58,384
10	2030	\$0	\$58,968	\$0	\$111	\$0	\$59,079	\$0	\$0	\$0	\$0	\$0	\$0	\$117,936	50%	\$58,968
11	2031	\$0	\$59,558	\$0	\$111	\$0	\$59,668	\$0	\$0	\$0	\$0	\$0	\$0	\$119,116	50%	\$59,558
12	2032	\$0	\$60,153	\$0	\$111	\$0	\$60,264	\$0	\$0	\$0	\$0	\$0	\$0	\$120,307	50%	\$60,153
13	2033	\$0	\$60,755	\$0	\$111	\$0	\$60,866	\$0	\$0	\$0	\$0	\$0	\$0	\$121,510	50%	\$60,755
14	2034	\$0	\$61,363	\$0	\$111	\$0	\$61,473	\$0	\$0	\$0	\$0	\$0	\$0	\$122,725	50%	\$61,363
15	2035	\$0	\$61,976	\$0	\$111	\$0	\$62,087	\$0	\$0	\$0	\$0	\$0	\$0	\$123,952	50%	\$61,976
16	2036	\$0	\$62,596	\$0	\$111	\$0	\$62,706	\$0	\$0	\$0	\$0	\$0	\$0	\$125,192	50%	\$62,596
17	2037	\$0	\$63,222	\$0	\$111	\$0	\$63,332	\$0	\$0	\$0	\$0	\$0	\$0	\$126,444	50%	\$63,222
18	2038	\$0	\$63,854	\$0	\$111	\$0	\$63,965	\$0	\$0	\$0	\$0	\$0	\$0	\$127,708	50%	\$63,854
19	2039	\$0	\$64,493	\$0	\$111	\$0	\$64,603	\$0	\$0	\$0	\$0	\$0	\$0	\$128,985	50%	\$64,493
20	2040	\$0	\$65,138	\$0	\$111	\$0	\$65,248	\$0	\$0	\$0	\$0	\$0	\$0	\$130,275	50%	\$65,138
21	2041	\$0	\$65,789	\$0	\$111	\$0	\$65,900	\$0	\$0	\$0	\$0	\$0	\$0	\$131,578	50%	\$65,789
22	2042	\$0	\$66,447	\$0	\$111	\$0	\$66,557	\$0	\$0	\$0	\$0	\$0	\$0	\$132,894	50%	\$66,447
23	2043	\$0	\$67,111	\$0	\$68	\$0	\$67,179	\$0	\$0	\$0	\$0	\$0	\$0	\$134,223	50%	\$67,111
Total		\$49,278	\$1,308,728	\$0	\$2,150	\$0	\$1,360,156	\$0	\$0	\$0	\$0	\$0	\$0	\$2,617,456		\$1,308,728

**Springfield IDEA Commons
Tax Increment Financing Plan**

COST BENEFIT ANALYSIS - STATE OF MISSOURI
Redevelopment Project Area 2

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN
Redevelopment Project Area 2
COST BENEFIT ANALYSIS - STATE OF MISSOURI - ASSUMPTIONS WORKSHEET

Construction Jobs Assumptions

Number of Construction Jobs Created	251
Construction Jobs Hours Worked	101,725
Average Hourly Rate	\$41.55
Gross Wages	\$4,226,674
Estimated Adjusted Gross Income	\$3,447,319
State Withholdings Rate	5.4% of excess over \$8,424 plus \$274
Estimated Withholdings	\$140,750
TIF Capture Rate	0.0%

Long Term Jobs Assumptions

Base Year				2020		
Number of Jobs Located in Redevelopment Project Area 2 (2020)				0		
Jobs Created by Redevelopment Project Area 2 (starting in 2023):						
	<i>Number of Jobs</i>	<i>Hours Per Year</i>	<i>Average Hourly Rate</i>	<i>Gross Wages</i>	<i>Est. Adjusted Gross Income*</i>	<i>Estimated Annual Withholdings</i>
Office Building - Full Time	498	2,000	\$28.89	\$28,774,440	\$19,486,740	\$962,198
Office Building - Part Time	102	1,000	\$16.19	\$1,651,380	\$386,580	\$2,424
Office Building (Food Service) - Full Time (Mgr.)	2	2,000	\$29.40	\$117,600	\$80,300	\$3,974
Office Building (Food Service) - Part Time	30	1,000	\$9.73	\$291,900	\$0	\$0
n/a						
n/a						
	632					\$968,596
Occupancy - 2023		50%				
Occupancy - 2024 and thereafter		90%				
State Withholdings Rate		5.4%	of excess over \$8,424 plus	\$274		
Annual Growth Factor		1.0%				
TIF Capture Rate		50.0%				

* 2020 Missouri Withholding Tax Formula form from Missouri Department of Revenue applied to assumptions. For full-time employees, \$18,650 is assumed as a standard deduction for head of household filers. For part-time employees, the standard deduction for single filers (\$12,400) is assumed.

Real Property Assumptions

Tax Rate (Blind Pension Tax)	0.0300
Base Assessed Valuation	\$83,010
2023 Assessed Valuation	\$4,221,168
Growth Factor in Odd Years	2.0%
TIF Capture Rate	0.0%

Personal Property Assumptions

Tax Rate (Blind Pension Tax)	0.0300
Base Assessed Valuation	\$0
Acquisition Cost - Office Building (7 year replacement)	\$1,000,000
Acquisition Cost - JVIC Expansion (per year)	n/a
TIF Capture Rate	0.0%

Sales Tax Assumptions

Type of Taxable Sales	Restaurant Food Sales
Tax Rate	4.225%
Retail Square Footage	10,000
Annual Sales Per Square Foot	\$500
Projected Annual Sales	\$5,000,000
Annual Growth Factor	1.0%
TIF Capture Rate	0.0%

SPRINGFIELD IDEA COMMONS TAX INCREMENT FINANCING PLAN
Redevelopment Project Area 2
COST BENEFIT ANALYSIS - STATE OF MISSOURI

	Year	Amounts Collected By State With Redevelopment						Amounts Collected By State Without Redevelopment						Amounts Captured as State Supplemental		
		Construction Jobs - Withholdings	Long Term Jobs - Withholdings	Real Property Tax - Blind Pension - Tax / Ch 100 Payments	Personal Property Tax - Blind Pension	Sales Tax	Total	Construction Jobs - Withholdings	Long Term Jobs - Withholdings	Real Property Tax - Blind Pension	Personal Property Tax - Blind Pension	Sales Tax	Total	Incremental Long Term Jobs Withholdings	Capture Rate	Total
0	2020	\$0	\$0	\$25	\$0	\$0	\$25	\$0	\$0	\$25	\$0	\$0	\$25	\$0	50%	\$0
0	2021	\$70,375	\$0	\$25	\$0	\$0	\$70,400	\$0	\$0	\$25	\$0	\$0	\$25	\$0	50%	\$0
1	2022	\$70,375	\$0	\$25	\$0	\$0	\$70,400	\$0	\$0	\$25	\$0	\$0	\$25	\$0	50%	\$0
2	2023	\$0	\$242,149	\$25	\$0	\$105,625	\$347,799	\$0	\$0	\$26	\$0	\$0	\$26	\$484,298	50%	\$242,149
3	2024	\$0	\$435,868	\$25	\$89	\$211,250	\$647,232	\$0	\$0	\$26	\$0	\$0	\$26	\$871,736	50%	\$435,868
4	2025	\$0	\$440,227	\$25	\$70	\$213,363	\$653,684	\$0	\$0	\$26	\$0	\$0	\$26	\$880,454	50%	\$440,227
5	2026	\$0	\$444,629	\$25	\$55	\$215,496	\$660,205	\$0	\$0	\$26	\$0	\$0	\$26	\$889,258	50%	\$444,629
6	2027	\$0	\$449,075	\$25	\$43	\$217,651	\$666,794	\$0	\$0	\$27	\$0	\$0	\$27	\$898,151	50%	\$449,075
7	2028	\$0	\$453,566	\$25	\$31	\$219,828	\$673,449	\$0	\$0	\$27	\$0	\$0	\$27	\$907,132	50%	\$453,566
8	2029	\$0	\$458,102	\$25	\$18	\$222,026	\$680,171	\$0	\$0	\$27	\$0	\$0	\$27	\$916,204	50%	\$458,102
9	2030	\$0	\$462,683	\$25	\$10	\$224,246	\$686,964	\$0	\$0	\$27	\$0	\$0	\$27	\$925,366	50%	\$462,683
10	2031	\$0	\$467,310	\$25	\$108	\$226,489	\$693,931	\$0	\$0	\$28	\$0	\$0	\$28	\$934,619	50%	\$467,310
11	2032	\$0	\$471,983	\$25	\$77	\$228,753	\$700,838	\$0	\$0	\$28	\$0	\$0	\$28	\$943,966	50%	\$471,983
12	2033	\$0	\$476,703	\$25	\$61	\$231,041	\$707,829	\$0	\$0	\$29	\$0	\$0	\$29	\$953,405	50%	\$476,703
13	2034	\$0	\$481,470	\$25	\$47	\$233,351	\$714,893	\$0	\$0	\$29	\$0	\$0	\$29	\$962,939	50%	\$481,470
14	2035	\$0	\$486,284	\$25	\$34	\$235,685	\$722,028	\$0	\$0	\$29	\$0	\$0	\$29	\$972,569	50%	\$486,284
15	2036	\$0	\$491,147	\$25	\$20	\$238,042	\$729,234	\$0	\$0	\$29	\$0	\$0	\$29	\$982,294	50%	\$491,147
16	2037	\$0	\$496,059	\$25	\$11	\$240,422	\$736,517	\$0	\$0	\$30	\$0	\$0	\$30	\$992,117	50%	\$496,059
17	2038	\$0	\$501,019	\$25	\$108	\$242,826	\$743,979	\$0	\$0	\$30	\$0	\$0	\$30	\$1,002,039	50%	\$501,019
18	2039	\$0	\$506,029	\$25	\$85	\$245,255	\$751,394	\$0	\$0	\$30	\$0	\$0	\$30	\$1,012,059	50%	\$506,029
19	2040	\$0	\$511,090	\$25	\$67	\$247,707	\$758,889	\$0	\$0	\$30	\$0	\$0	\$30	\$1,022,180	50%	\$511,090
20	2041	\$0	\$516,201	\$25	\$52	\$250,184	\$766,462	\$0	\$0	\$31	\$0	\$0	\$31	\$1,032,401	50%	\$516,201
21	2042	\$0	\$521,363	\$2,942	\$37	\$252,686	\$777,028	\$0	\$0	\$31	\$0	\$0	\$31	\$1,042,725	50%	\$521,363
22	2043	\$0	\$526,576	\$3,001	\$22	\$255,213	\$784,813	\$0	\$0	\$32	\$0	\$0	\$32	\$1,053,153	50%	\$526,576
23	2044	\$0	\$1,063,684	\$3,001	\$12	\$257,765	\$1,324,462	\$0	\$0	\$32	\$0	\$0	\$32	\$1,063,684	50%	\$0
Total		\$140,750	\$10,903,218	\$9,492	\$1,057	\$5,014,905	\$16,069,422	\$0	\$0	\$675	\$0	\$0	\$706	20,742,751		\$9,839,534

EXHIBIT 2

TIF REIMBURSEMENT AGREEMENT

between the

CITY OF SPRINGFIELD, MISSOURI

and the

BOARD OF GOVERNORS OF MISSOURI STATE UNIVERSITY

dated as of _____, 2022

THE SPRINGFIELD IDEA COMMONS REDEVELOPMENT AREA

TIF REIMBURSEMENT AGREEMENT

THIS TIF REIMBURSEMENT AGREEMENT (the “**Agreement**”) is made and entered into as of the date shown on the cover page hereof, by and between the **CITY OF SPRINGFIELD, MISSOURI**, a constitutional charter city and political subdivision of the State of Missouri (the “**City**”), and the **BOARD OF GOVERNORS OF MISSOURI STATE UNIVERSITY**, a state educational institution created under Chapter 176 of the Revised Statutes of Missouri, as amended (“**MSU**”) (the City and MSU being sometimes collectively referred to herein as the “**Parties**”). Capitalized terms, unless otherwise defined, shall have the meanings given in Section 1.2 of this Agreement.

RECITALS

The Springfield City Council created the Tax Increment Financing Commission of the City of Springfield, Missouri (the “**TIF Commission**”) by approval of mayoral appointments of members of the TIF Commission and empowered the TIF Commission to exercise those powers and fulfill such duties as are required or authorized for the TIF Commission under the TIF Act. The various Taxing Districts within the Redevelopment Area have appointed members to the TIF Commission in accordance with Section 99.820 of the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “**TIF Act**”).

1. On April 4, 2020, the City published a notice of request for proposals (the “**RFP**”) in the *Springfield News Leader*, which solicited redevelopment proposals from interested persons for the redevelopment of approximately 3.5 acres generally within the bounds of E. Tampa Street to the north, N. Boonville Avenue to the west, N. Robberson Avenue and the “efactory” building located at 405 N. Jefferson Avenue to the east, and a set of railroad tracks running parallel to and north of E. Water Street to the south and containing a portion of the Jordan Valley Innovation Center located at 524 N. Boonville Avenue (the “**Redevelopment Area**”), which is within the City limits.

2. MSU and The Vecino Group, LLC (the “**Developer**”) worked with City staff to submit a proposed tax increment financing plan in the form of the plan entitled “The Springfield IDEA Commons Tax Increment Financing Plan,” together with the initial amendment entitled “First Amendment to Springfield IDEA Commons Tax Increment Financing Plan” (together, the “**Initial Redevelopment Plan**”) for the Redevelopment Area. The City, MSU and the Developer proposed construction of various public and private infrastructure improvements in the Redevelopment Area (the “**Redevelopment Project**”).

3. On May 4, 2020, the TIF Commission, after giving all notices required by the TIF Act, opened a public hearing at which all interested parties had the opportunity to be heard and at which the TIF Commission heard and considered all protests and objections concerning the Initial Redevelopment Plan, the Redevelopment Area, and the approval of the Redevelopment Project. After the conclusion of the hearing, the TIF Commission adopted a resolution recommending that the City Council approve the Initial Redevelopment Plan, the Redevelopment Project, and the Redevelopment Area.

4. After due consideration of the TIF Commission’s recommendations and making each of the findings required by Section 99.810 of the TIF Act, the City Council adopted Special Ordinance No. 27320 on June 1, 2020 (the “**Redevelopment Plan Ordinance**”), designating the Redevelopment Area as a blighted area, approving the Initial Redevelopment Plan, designating the Redevelopment Area as a “redevelopment area” as provided in the TIF Act, appointing the Developer as the developer for the Initial Redevelopment Plan, and establishing the Springfield IDEA Commons Special Allocation Fund.

5. On May 18, 2020, the ordinance to initiate tax increment financing within the Redevelopment Project Areas (Bill No. 2020-098) was introduced to the City Council and tabled.

6. On December 6, 2021, the ordinance was brought off the table and amended by 2020-098 Substitute 1 to address only the portion of the Redevelopment Project within Redevelopment Project Area 1 (hereinafter defined).

7. On December 13, 2021, the City Council adopted Special Ordinance No. 27618, approving the Redevelopment Project within Redevelopment Project Area 1 and initiating tax increment financing within Redevelopment Project Area 1.

8. On _____, 2022, the City Council adopted Special Ordinance No. _____, (a) approving an amendment to the Initial Redevelopment Plan entitled “Second Amendment to Springfield IDEA Commons Tax Increment Financing Plan” (the Initial Redevelopment Plan, as amended, being the **“Redevelopment Plan”**) and (b) approving this Agreement and authorizing the City to execute and enter into this Agreement.

9. The City Council concludes that the redevelopment of the Redevelopment Area as provided for in the Redevelopment Plan will, consistent with the City’s *Economic Development Incentives Policy Manual*, further the growth of the City, facilitate the redevelopment of the Redevelopment Area, improve the environment of the City, increase the assessed valuation of the real estate situated within the City, increase the sales tax revenues realized by the City, foster increased economic activity within the City, increase employment opportunities within the City, enable the City to direct the development of the Redevelopment Area, and otherwise be in the best interests of the City by furthering the health, safety, and welfare of its residents and taxpayers.

10. Pursuant to the provisions of the TIF Act and the ordinances referred to above, the City is authorized to enter into this Agreement, to pay Reimbursable Project Costs incurred in furtherance of the Redevelopment Plan and the Redevelopment Project, and to pledge State & Local TIF Revenues to the payment of Reimbursable Project Costs.

11. The City, MSU and the Developer have determined that, in light of unforeseen delays in the implementation of the Redevelopment Project, it is desirable that the City and MSU enter into this Agreement to allow for the application of revenues with respect to Redevelopment Project components that have been or will be completed by the City and MSU and to revisit the execution of a comprehensive redevelopment agreement for the Redevelopment Project at a later date.

AGREEMENT

Now, therefore, in consideration of the premises and mutual promises contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

ARTICLE I. RECITALS, EXHIBITS AND DEFINITIONS

Section 1.1. Recitals and Exhibits. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section. The provisions of the Redevelopment Plan, the Redevelopment Plan Ordinance, the Project Ordinance for Redevelopment Project Area 1 and the provisions of the TIF Act (as the TIF Act is amended as of and including the date of this Agreement) are hereby incorporated herein by reference and made a part of this Agreement, subject in every case to the specific terms hereof. In the event of any conflict between the provisions of this Agreement and any other documents related to the Redevelopment Plan previously prepared or executed, the provisions of this Agreement shall control.

Section 1.2. Definitions. Words and terms not defined elsewhere in this Agreement shall, except as the context otherwise requires, have the following meanings:

“Administrative Costs” means (1) all costs and expenses incurred by the City for planning, legal, financial, administrative and other costs associated with the review, consideration, approval, implementation and administration of the Redevelopment Plan, this Agreement and the Redevelopment Project, including all consultants engaged by the City, and further including all costs incurred by the City in the review and processing of documents relating to any loans entered into by the Developer or MSU, including the costs for City’s attorneys (including City Attorney and special TIF counsel) and the time of City staff associated with the Developer and/or MSU obtaining any loans, (2) additional costs imposed on the County Assessor and/or County Collector due to the implementation and administration of the Redevelopment Plan, to the extent certified to and approved by the City, and (3) any other costs designated for payment as “Administrative Costs” under this Agreement.

“Agreement” means this TIF Reimbursement Agreement, as the same may be from time to time modified, amended, or supplemented in writing by the Parties hereto.

“Application for Reimbursable Project Costs” means an application in substantially the form attached as **Exhibit B** hereto evidencing Reimbursable Project Costs.

“Best Efforts” means actual, reasonable, good faith attempts to accomplish or achieve the required obligation which shall be evidenced by the party taking such action, and proof of such documentation may be requested in writing by the other party to verify that such actual, reasonable, good faith attempts occurred. The failure to provide such documentation upon written request within a reasonable period of time after receipt of such written request, not to exceed twenty (20) business days, shall be deemed noncompliance with such obligation and a breach of this Agreement.

“Central Commons” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“City” means the City of Springfield, Missouri.

“City Attorney” means the then current attorney appointed by the City as the City Attorney.

“City Council” means the City Council of the City.

“City Manager” means the City Manager of the City, or his/her designee.

“City SAF Administration Fee” means an amount equal to 2% of the State & Local TIF Revenues deposited into the Special Allocation Fund.

“Completion Date” means, for each of the Redevelopment Project Areas, the day prior to the 23rd anniversary of the ordinance activating tax increment financing for such area.

“County” means Greene County, Missouri.

“County Assessor” means the County Assessor of Greene County, Missouri.

“County Collector” means the County Collector of Greene County, Missouri.

“Developer” means The Vecino Group, LLC, or its successors or assigns.

“Economic Activity Taxes” means fifty percent (50%) of the “total additional revenue” described as “economic activity taxes” in Section 99.805 of the TIF Act.

“Economic Activity Taxes Account” means the separate segregated account within the Special Allocation Fund into which the Economic Activity Taxes are to be deposited.

“Excusable Delay” means any delay beyond the reasonable control of the party affected, caused by damage or destruction by fire or other casualty, strike, shortage of materials, civil disorder, war, outbreak of contagious disease, wrongful failure or refusal of any governmental entity to issue any permits and/or legal authorization necessary for a party to comply with a duty or obligation under this Agreement, unavailability of labor, adverse weather conditions and any other events or conditions, which shall include but not be limited to any litigation interfering with or delaying the construction of all or any portion of the Redevelopment Project in accordance with this Agreement, which in fact prevents the party so affected from discharging its respective obligations hereunder.

“JVIC” means the Jordan Valley Innovation Center located at 524 N Boonville Ave in Springfield, Missouri, and operated by MSU.

“JVIC Expansion” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Local TIF Revenues” means Payments in Lieu of Taxes and Economic Activity Taxes.

“MSU” means Missouri State University.

“Office Building” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Ordinance” means an ordinance adopted by the City Council.

“Parking Garage” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Payments in Lieu of Taxes” shall have the meaning assigned to such term in Section 99.805 of the TIF Act.

“PILOT Account” means the separate segregated account within the Special Allocation Fund into which Payments in Lieu of Taxes are to be deposited.

“Project Ordinance” means an Ordinance that approves the Redevelopment Project and activates the collection of TIF Revenues within one of the Redevelopment Project Areas, and, for Redevelopment Project Area 1, means Special Ordinance No. 27618.

“Property” means all of the real property and improvements located within the boundaries of the Redevelopment Area as legally described in the Redevelopment Plan, to the extent owned or controlled (by leasehold interest or otherwise) by MSU.

“Redevelopment Area” means the area designated as the Redevelopment Area by the Redevelopment Plan Ordinance.

“Redevelopment Plan” means the plan entitled “*The Springfield IDEA Commons Tax Increment Financing Plan*,” as approved by the Redevelopment Plan Ordinance, as such plan may be amended from time to time by the City in accordance with the TIF Act.

“Redevelopment Plan Ordinance” means Special Ordinance No. 27320, adopted by the City Council on June 1, 2020, which made certain findings, approved the Redevelopment Plan, and took other actions related to the Redevelopment Plan.

“Redevelopment Project” means the development activities undertaken within the Redevelopment Area intended to accomplish the objectives of the Redevelopment Plan, which include the following:

1. The demolition of two blighted buildings within the Redevelopment Area.
2. “Central Commons”: a common area / urban park between and around the Office Building and the Parking Garage that will provide green space and outdoor event space for the Redevelopment Area and the surrounding community.
3. “JVIC Expansion”: the construction of an approximately 30,000 square foot expansion of the existing JVIC building intended to provide office and research space for high-tech business tenants.
4. “Office Building”: the construction of an approximately 100,000 square foot class-A equivalent office building anticipated to consist of five stories, with approximately 10,000 square feet of the first story operating as retail, including food service.
5. “Parking Garage”: a multi-level parking garage anticipated to provide approximately 400 parking spaces to serve the Redevelopment Area and surrounding areas.
6. “Sanitary Sewer Improvements”: sanitary sewer improvements including the relocation of an existing sanitary sewer line to accommodate the Stormwater Improvements, increasing the size of the relocated sewer line, and replacing portions of the existing trunk sewer infrastructure to which the line connects.
7. “Stormwater Improvements”: storm water improvements consisting of constructing and installing a twin-cell underground box culvert across the Redevelopment Area in order to channel Jordan Creek under the Redevelopment Area.
8. “Street Improvements”: improvements to E. Phelps Street, which runs across the northern portion of the Redevelopment Area and will separate the JVIC Expansion from the Office Building, including road improvements, curb and gutter, and ADA-compliant sidewalks and sidewalk ramps.

“Redevelopment Project Area” means Redevelopment Project Area 1 or Redevelopment Project Area 2, as applicable.

“Redevelopment Project Area 1” that portion of the area selected for a Redevelopment Project legally described as “Redevelopment Project Area 1” in the Redevelopment Plan.

“Redevelopment Project Area 2” that portion of the area selected for a Redevelopment Project legally described as “Redevelopment Project Area 2” in the Redevelopment Plan.

“Redevelopment Project Areas” means, collectively, Redevelopment Project Area 1 and Redevelopment Project Area 2.

“Redevelopment Project Costs” means the sum total of all reasonable or necessary costs incurred or estimated to be incurred in connection with the Redevelopment Project, and any such costs incidental to the Redevelopment Plan or the Redevelopment Project, as applicable. Such costs include, but are not limited to, the following:

- (1) Costs of studies, surveys, plans and specifications;
- (2) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial planning or special services;
- (3) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (4) Costs of rehabilitation, reconstruction, repair, or remodeling of existing buildings and fixtures;
- (5) Costs of construction of public works;
- (6) Costs of the Redevelopment Project;
- (7) Relocation costs to the extent that the City determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (8) Payments in Lieu of Taxes; and
- (9) Administrative Costs.

“Redevelopment Project Costs Budget” means the budget set forth in **Exhibit A**.

“Reimbursable Project Costs” means those costs which are incurred by the City or MSU, before or after the date of this Agreement, including (1) the costs of such portions of the Redevelopment Project as are set forth in the Redevelopment Project Costs Budget (attached as **Exhibit A**) under the “Reimbursable Project Costs” column (including formation costs, as set out therein), (2) all Administrative Costs, (3) any costs incurred to defend any actions contesting the Redevelopment Plan, and (4) all amounts accrued as interest pursuant to Section 3.1.B (interest on Reimbursable Project Costs), which may be authorized for reimbursement in accordance with this Agreement.

“Reimbursable Project Costs Cap” means \$6,250,000 *plus* (1) all Administrative Costs, (2) any costs incurred to defend any actions contesting the Redevelopment Plan, and (3) all amounts accrued as interest pursuant to Section 3.1.B (interest on Reimbursable Project Costs).

“Reimbursement Interest Rate” means the rate of 6.0% per annum.

“RSMo” means the Revised Statutes of Missouri, as amended.

“Sanitary Sewer Improvements” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Special Allocation Fund” means the fund, including any accounts and subaccounts created therein, into which State & Local TIF Revenues are deposited, as required by the TIF Act and this Agreement.

“State” means the State of Missouri or any agency thereof.

“State & Local TIF Revenues” means the Local TIF Revenues and State Supplemental TIF.

“State Cooperation Agreement” means the Certificate of Approval signed by the Missouri Department of Economic Development and the Missouri Office of Administration and all other agreements entered into among the City, MSU, the State, and any other parties at the direction of the State relating to the State Supplemental TIF, together with any schedules and certificates relating thereto.

“State Program Fees” means any amounts that the State requires to be paid in connection with the State Cooperation Agreement or the State’s administration of State Supplemental TIF.

“State Reimbursement Restrictions” means all restrictions on amount or type of reimbursement payable from State Supplemental TIF imposed by the State through the State Cooperation Agreement or otherwise.

“State Reporting Requirements” means any filing and reporting requirements imposed by the State through the State Cooperation Agreement or otherwise relating to the determination, calculation, and payment of State Supplemental TIF.

“State Supplemental TIF” means amounts paid to the City by the State representing 50% of the state income tax withheld on behalf of new employees by the employers at the businesses located within the Redevelopment Project Areas pursuant to Section 143.221 RSMo, which amounts will be disbursed in accordance with the State Cooperation Agreement and the procedures established for such disbursement by the State.

“State Supplemental TIF Account” means the separate segregated account within the Special Allocation Fund into which payments of State Supplemental TIF received by the City from the State are to be deposited.

“State TIF Reimbursable Project Costs” means that portion of the Reimbursable Project Costs, which, subject to the terms and conditions of the State Cooperation Agreement, may be reimbursed to the City or MSU from State Supplemental TIF.

“Stormwater Improvements” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Street Improvements” has the meaning given thereto as part of the definition of “Redevelopment Project” in this Section.

“Taxing District” means any political subdivision of the State of Missouri located wholly or partially within the Redevelopment Area having the power to levy real property taxes.

“Tenant” shall mean all lessees, purchasers, and transferees of any portion of the Property.

“TIF Act” means the Real Property Tax Increment Allocation Redevelopment Act, Section 99.800 *et seq.*, of the Revised Statutes of Missouri, as amended.

ARTICLE II. REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations of the City and MSU.

A. Representations of the City. The City makes the following representations and warranties, which are true and correct on the date hereof:

1. *Due Authority*. The City has full statutory, constitutional, and lawful right, power, and authority, under current applicable law, to execute, deliver and perform the terms and obligations of this Agreement, and the foregoing has been or will be duly and validly authorized and approved by all necessary City proceedings, findings, and actions. Accordingly, this Agreement constitutes the legal, valid, and binding obligation of the City, enforceable in accordance with its terms.

2. *No Defaults or Violation of Law*. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or conditions of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

3. *Litigation*. To the best of the City's knowledge, there is no litigation or proceeding pending against the City with respect to the Redevelopment Plan or this Agreement. In addition, to the best of the City's knowledge, there is no other litigation or proceeding that is pending against the City seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of the City to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by the City of the terms and provisions of this Agreement.

4. *Governmental or Corporate Consents*. No additional consent or approval is required to be obtained from, and no action need be taken by, or document filed with, any governmental body or corporate entity in connection with the execution and delivery by the City of this Agreement.

5. *No Default*. No default or event of default has occurred and is continuing, and no event has occurred and is continuing, which with the lapse of time or the giving of notice, or both, would constitute a default or an event of default in any material respect on the part of the City under this Agreement.

B. Representations of MSU. MSU makes the following representations and warranties, which are true and correct on the date hereof:

1. *Due Authority*. MSU has full statutory, constitutional, and lawful right, power, and authority, under current applicable law, to execute, deliver and perform the terms and obligations of this Agreement, and the foregoing has been or will be duly and validly authorized and approved by all necessary proceedings, findings, and actions of MSU's Board of Governors. Accordingly, this Agreement constitutes the legal valid and binding obligation of MSU, enforceable in accordance with its terms.

2. *No Defaults or Violation of Law*. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or

conditions of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

3. *Litigation.* To the best of MSU's knowledge, there is no litigation or proceeding pending against MSU with respect to the Redevelopment Plan, this Agreement or the JVIC Expansion. In addition, to the best of MSU's knowledge, there is no other litigation or proceeding that is pending against MSU seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of MSU to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by MSU of the terms and provisions of this Agreement.

4. *Governmental or Corporate Consents.* No additional consent or approval is required to be obtained from, and no action need be taken by, or document filed with, any governmental body or corporate entity in connection with the execution and delivery by MSU of this Agreement.

5. *No Default.* No default or event of default has occurred and is continuing, and no event has occurred and is continuing, which with the lapse of time or the giving of notice, or both, would constitute a default or an event of default in any material respect on the part of MSU under this Agreement.

Section 2.2. TIF Formation Costs. The City shall pay the costs of its counsel in the initial formation of and proceedings relating to the initial adoption of tax increment financing, including with respect to the State approval of State Supplemental TIF. All costs and expenses incurred by the City for such services shall be reimbursed to the City as Reimbursable Project Costs (but not as Administrative Costs). Expenses of counsel and other expenses of the Developer and MSU relating to such formation and proceedings shall be the responsibility of the Developer and MSU, as applicable, and shall not be reimbursed from State & Local TIF Revenues.

Section 2.3. Funding of Administrative Costs. When sufficient funds are available in the Special Allocation Fund, the City (i) will withdraw from the Special Allocation Fund an annual amount of \$5,000 (which annual amount shall, starting in January 2023 and in each succeeding January thereafter, be increased by 2%) for routine annual Administrative Costs, and (ii) may withdraw from the Special Allocation Fund to pay additional Administrative Costs on an as-needed basis an additional amount not to exceed \$20,000 in any calendar year *plus* the amount of any State Program Fees. If Administrative Costs in any year exceed the amount available in the Special Allocation Fund during such year, the unpaid portion of such Administrative Costs shall carry over to the next or any subsequent years until paid in full. In the event of an amendment to the Redevelopment Plan or this Agreement, which requires the City to incur costs and expenses that are in addition to Administrative Costs, the City may require that the party requesting such amendment(s) execute a funding agreement to cover the City's costs and expenses associated with processing and considering such proposal.

ARTICLE III. REIMBURSEMENT OF COSTS

Section 3.1. Reimbursement.

A. *Obligation to Reimburse.* Subject to the terms and conditions of this Agreement, the City shall reimburse itself and MSU from State & Local TIF Revenues for all certified Reimbursable Project Costs in an amount not to exceed the Reimbursable Project Costs Cap, which shall be paid in the order of priority set forth in Section 3.7, until all funds have been disbursed from the Special Allocation Fund following the later of the two Completion Dates. Unless terminated earlier in accordance with this

Agreement, Tax increment financing shall remain active within the Redevelopment Project Areas until the applicable Completion Dates, and the collection of State & Local TIF Revenues within the Redevelopment Project Area shall cease on the applicable Completion Dates. Only the State & Local TIF Revenues on deposit in the Special Allocation Fund up to and on the applicable Completion Date shall be made available for reimbursement to the City or MSU following such Completion Date. Any Reimbursable Project Costs that have not been reimbursed with funds on deposit in the Special Allocation Fund through the later of the two Completion Dates shall remain unreimbursed and the City shall have no obligation to provide reimbursement for such costs. The amounts provided as reimbursement for any line-item of costs in the "Reimbursable Project Costs" column of the Redevelopment Project Costs Budget may exceed the amounts for each such line-item set forth in the Redevelopment Project Costs Budget; *provided that* (1) the amounts certified as Reimbursable Project Costs for the line-item designated as "JVIC Expansion" shall not exceed the amount shown for such line-item in the "Reimbursable Project Costs" column, and (2) the total reimbursement to the City and MSU for all costs shall not exceed the Reimbursable Project Costs Cap. Reimbursement from State & Local TIF Revenues shall occur as State & Local TIF Revenues become available in the Special Allocation Fund, and disbursements from the Special Allocation Fund shall be made on a quarterly basis. The City shall have no obligation to make any reimbursement payments until funds are available in the Special Allocation Fund. In order to receive reimbursement, MSU shall submit an Application for Reimbursable Project Costs in substantial compliance with **Exhibit B** for all costs for which MSU seeks reimbursement, which shall be limited to costs shown in the "JVIC Expansion" line item of the Redevelopment Project Costs Budget. Prior to reimbursing itself for any costs, the City shall complete and certify an Application for Reimbursable Project Costs in substantial compliance with **Exhibit B** for all costs for which the City seeks reimbursement (which shall be limited to costs shown in the "Stormwater Improvements," "Street Improvements," "Sanitary Sewer Improvements," and "TIF Formation Costs" line items of the Redevelopment Project Costs Budget, subject to adjustment among such line items as described in this subsection) and shall provide a copy to MSU. The City will not provide reimbursement for any cost that is not a "redevelopment project cost" under Section 99.805(15) of the TIF Act.

B. Interest on Reimbursable Project Costs. Reimbursable Project Costs which have been certified by the City through an approved Application for Reimbursable Project Costs in accordance with this Agreement (whether incurred by the City or MSU) shall accrue simple interest at the Reimbursement Interest Rate starting on the day that the City approves such application in accordance with Section 3.2 until the principal amount of such certified Reimbursable Project Costs are paid, or until this Agreement is terminated. Interest due on certified Reimbursable Project Costs shall be calculated on an actual/365 basis. State & Local TIF Revenue distributed to pay Reimbursable Project Costs shall be applied first to accrued and unpaid interest, then to principal. Unpaid interest shall accrue but shall not be compounded.

C. City Recordkeeping. The City may select and engage the services of a qualified third party to administer the collection and payment of State & Local TIF Revenues in accordance with this Agreement, which may include tracking interest accrual as provided in this Section. All costs and expenses incurred by the City for such services shall be paid and reimbursed to the City as Administrative Costs.

D. Limit on Interest and Financing Cost Reimbursement. Except as described in this Section 3.1, no amounts representing interest on Reimbursable Project Costs will be paid under this Agreement.

Section 3.2. Reimbursement Process.

A. All requests for reimbursement of Reimbursable Project Costs shall be made on an Application for Reimbursable Project Costs in substantial compliance with **Exhibit B**. No person other than the City and MSU may submit an Application for Reimbursable Project Costs, and any invoices, bills or claims by contractors, engineers, professionals or other service providers who have performed work or provided goods or services to the City or MSU in furtherance of the Redevelopment Plan which are

Reimbursable Project Costs must receive payment from the City or MSU, as applicable, before such amounts may be submitted for reimbursement in accordance with this Section, unless the City or MSU, as applicable, expressly authorizes in writing payment directly to a contractor or service provider as a Reimbursable Project Cost and the contractor or service provider submits lien waivers for the work performed, if applicable to such work, at the time of such reimbursement request. MSU shall, at the City's request with respect to Reimbursable Project Costs incurred for the JVIC Expansion, provide itemized invoices, receipts, or other information, if any, requested by the City to confirm that any such cost is so incurred and does so qualify.

B. The Parties agree that the categories of expenses and amounts associated with each category as set forth in the "Reimbursable Project Costs" column of the Redevelopment Project Costs Budget, to the extent actually incurred by the City (with respect to the "Stormwater Improvements," "Street Improvements," "Sanitary Sewer Improvements," or "TIF Formation Costs" line items), or MSU (with respect to the "JVIC Expansion" line item) for the Redevelopment Project and certified by the City, up to the total Reimbursable Project Costs Cap, constitute Reimbursable Project Costs which are eligible for reimbursement in accordance with the TIF Act and this Agreement.

C. MSU may submit an Application for Reimbursable Project Costs to the City not more often than once each calendar month. The City shall either accept or reject each Application for Reimbursable Project Costs within 15 days after the submission thereof. If the City determines that any cost identified as a Reimbursable Project Cost is not a "redevelopment project cost" under Section 99.805(15) of the TIF Act or otherwise does not qualify for reimbursement under this Agreement, the City shall so notify MSU in writing within said 15-day period, identifying the ineligible cost and the basis for determining the cost to be ineligible, whereupon MSU shall have the right to identify and substitute other Redevelopment Project Costs as Reimbursable Project Costs with a supplemental application for payment, subject to the limitations of this Agreement and provided that all such costs must relate to the JVIC Expansion. The City may also request such additional information from MSU as may be required to process the requested reimbursement, and the time limits set forth in this paragraph shall be extended by the duration of time necessary for MSU to respond to such request by the City. If the City does not reject the Application, identify ineligible costs, or request additional information from MSU within the 30-day response period, such Application will be deemed approved by the City.

D. With respect to any Application for Reimbursable Project Costs that the City completes and certifies itself for Reimbursable Project Costs incurred by the City, the City shall, before approval of such application, provide a copy to MSU. If MSU has any objection to approval of any such application based on its belief that any cost identified as a Reimbursable Project Cost is not a "redevelopment project cost" under Section 99.805(15) of the TIF Act or otherwise does not qualify for reimbursement under this Agreement, MSU shall so notify the City in writing within 15 days of delivery of such copy (starting with the mailing date of posted mail or the date on which an email providing such copy was sent), identifying the ineligible cost and the basis for determining the cost to be ineligible. The City shall then determine whether to approve, reject or revise the Application for Reimbursable Project Costs. Absent manifest error, the City's approval of any such application after complying with the requirements of this subsection shall be determinative.

E. In the event that there is any dispute between MSU and one or more third parties, or among two or more third parties, regarding the right to receive payments from State & Local TIF Revenues, the City may withhold the payment of State & Local TIF Revenues until such dispute is resolved and City is provided with the written statement signed by MSU and such third parties involved in such dispute advising that the dispute has been resolved (a "**Disbursement Right Resolution Notice**"). In the event that the City does not receive a Disbursement Right Resolution Notice within sixty (60) days after the date that the City was required to make a disbursement of State & Local TIF Revenues in accordance with this Agreement

but declined to do so in the exercise of its rights under the first sentence of this paragraph E, then within thirty (30) days after the end of such sixty (60) day period, the City shall transfer such funds into the trust of the County Circuit Court and request an order from the Circuit Court that seeks to have the dispute resolved by the Court among the parties who claim an interest in such funds. All costs incurred by the City to seek and receive such Circuit Court order shall be funded and paid as Administrative Costs under this Agreement and shall be reimbursed to the City in addition to the amounts allowed under the Administrative Costs cap that is set forth in Section 2.3 hereof.

Section 3.3. Limitation on Source of Funds for Reimbursement. Notwithstanding any other term or provision of this Agreement, Reimbursable Project Costs are payable only from the Special Allocation Fund and from no other source. In no event will the City appropriate funds from the City's general fund or from any fund other than the Special Allocation Fund to pay for Reimbursable Project Costs. The City shall have no obligation to make any payment of Reimbursable Project costs from any source of funds collected or maintained by the City other than State & Local TIF Revenues.

Section 3.4. Economic Activity Taxes.

A. Documentation of Economic Activity Taxes.

1. MSU, its successors and assigns shall impose a requirement on all Tenants to provide to the City documentation of Missouri sales tax receipts and filings for each business in the Redevelopment Area located on property owned or controlled by MSU, indicating the type and amount of the Economic Activity Taxes paid by each such business. MSU hereby agrees, to the extent practicable, that each lease shall provide that the City is an intended third-party beneficiary of such requirement, and the City has a separate and independent right to enforce such requirement directly against any such Tenant.

2. The City and MSU agree to cooperate and take all reasonable actions necessary to cause the Economic Activity Taxes to be paid into the Special Allocation Fund, including the City's enforcement and collection of all such payments through all reasonable and ordinary legal means of enforcement.

Section 3.5. State Supplemental TIF.

A. Documentation of State Supplemental TIF.

1. MSU, its successors and assigns shall impose a requirement on all Tenants to provide to the City and the State documentation of the state income tax withheld on behalf of new employees of employers within the Redevelopment Area on property owned or controlled by MSU, including filing any forms or reports required at the times required by the State Reporting Requirements. MSU hereby agrees, to the extent practicable, that each lease shall provide that the City is an intended third-party beneficiary of such requirement, and the City has a separate and independent right to enforce such requirement directly against any such Tenant.

2. The City and the Owner agree to cooperate and take all reasonable actions necessary to cause the State Supplemental TIF to be paid into the Special Allocation Fund.

Section 3.6. Special Allocation Fund. The City has established and shall maintain the Special Allocation Fund which shall contain the following separate segregated accounts, into which the following deposits shall be made: (1) Payments in Lieu of Taxes shall be deposited into the PILOT Account within the Special Allocation Fund; (2) Economic Activity Taxes, subject to annual appropriation by the City, shall be deposited into the Economic Activity Taxes Account within the Special Allocation Fund; (3) State

Supplemental TIF received by the City shall be deposited in the State Supplemental TIF Account of the Special Allocation Fund, and (4) any other amounts shall be deposited into such other accounts or sub-accounts as are required by this Agreement or as City staff may deem appropriate in connection with the administration of the Special Allocation Fund.

Section 3.7. Disbursements from Special Allocation Fund. All disbursements from the PILOT Account, the Economic Activity Taxes Account and the State Supplemental TIF Account will be made from such accounts in such order as the City shall determine, provided that disbursement of State Supplemental TIF from the State Supplemental TIF Account shall also be subject to the State Reimbursement Restrictions and shall only be applied to State TIF Reimbursable Project Costs. Such disbursements shall be paid out for the following purposes in the following order of priority:

1. Payment of the City SAF Administration Fee;
 2. Payment of Administrative Costs;
 3. Payment of any costs of the City or MSU incurred in defense of actions contesting the Redevelopment Plan;
 4. Payment of the accrued interest on MSU's certified Reimbursable Project Costs;
 5. Payment of the principal of MSU's certified Reimbursable Project Costs;
 6. Payment of the accrued interest on the City's certified Reimbursable Project Costs;
- and
7. Payment of the principal of the City's certified Reimbursable Project Costs.

Section 3.8. Lease of Property. MSU may lease Property within the Redevelopment Area. To the extent practicable and using Best Efforts, MSU shall insert in any such lease the following language, or language that is substantially similar to the following after being approved by the City Attorney, and shall have such lease signed by the lessee indicating acknowledgment and agreement to the following provision:

Economic Activity Taxes and State Tax Withholding Information: Tenant acknowledges that the leased premises are a part of a Tax Increment Financing redevelopment area ("TIF District") created by the City of Springfield, Missouri (the "City") and that certain taxes generated by Tenant's economic activities, including sales taxes, will be applied toward the costs of certain public improvements within the TIF District. Upon the request of Landlord or the City, Tenant shall forward to the City copies of Tenant's State of Missouri sales tax returns filed with the Missouri Department of Revenue for its property located in the TIF District, and, upon request, shall provide such other reports and returns regarding other local taxes generated by Tenant's economic activities in the TIF District as the City shall require, all in the format prescribed by the City. Additionally, the TIF District is supported by a portion of the Missouri income tax withheld on behalf of new employees of employers within the TIF District. Upon the request of Landlord or the City, Tenant shall provide to the City and, at the City's direction, the Missouri Department of Revenue and/or the Missouri Department of Economic Development, documentation of the state income tax withheld on behalf of new employees of the Tenant within the TIF District, including filing any forms (including Form DED-941 TIF and Form DOR 941) or reports required at the times required by the State of Missouri, per notification of such requirements by the City. Tax confidentiality shall be protected by the City as required by law. Tenant acknowledges that the City is a third-party beneficiary of the obligations in this Section, and that the City may enforce these obligations in any manner provided by law.

MSU shall use reasonable efforts to enforce this lease provision. At the request of the City, MSU shall provide a certification to the City confirming that any leases entered into by MSU as lessor within the Redevelopment Area include the provisions satisfying the obligation as set forth in this Section. Failure of MSU to require that such restrictions be placed in any such lease shall in no way modify, lessen, or diminish the obligations and restrictions set forth herein relating to the Redevelopment Area or the Redevelopment Project and the City's rights of enforcement and remedies under this Agreement and the TIF Act.

ARTICLE IV. DEFAULTS AND REMEDIES

Section 4.1. City Event of Default. Subject to Section 4.5, a “**City Event of Default**” means default in the performance of any obligation or breach of any covenant or agreement of the City in this Agreement (other than a covenant or agreement, a default in the performance or breach of which is specifically dealt with elsewhere in this Agreement), and continuance of such default or breach for a period of thirty (30) days after there has been given to the City by MSU a written notice specifying such default or breach and requiring it to be remedied; provided, that if such default or breach cannot be fully remedied within such 30-day period, but can reasonably be expected to be fully remedied and the City is diligently attempting to remedy such default or breach, such default or breach shall not constitute an event of default if the City shall immediately upon receipt of such notice diligently attempt to remedy such default or breach and shall thereafter prosecute and complete the same with due diligence and dispatch.

Section 4.2. MSU Event of Default. Subject to Section 4.5, an “**MSU Event of Default**” means default in the performance of any obligation or breach of any covenant or agreement of MSU in this Agreement (other than a covenant or agreement, a default in the performance or breach of which is specifically dealt with elsewhere in this Agreement), and continuance of such default or breach for a period of thirty (30) days after there has been given to MSU by the City a written notice specifying such default or breach and requiring it to be remedied; provided, that if such default or breach cannot be fully remedied within such 30-day period, but can reasonably be expected to be fully remedied and MSU is diligently attempting to remedy such default or breach, such default or breach shall not constitute an event of default if MSU shall immediately upon receipt of such notice diligently attempt to remedy such default or breach and shall thereafter prosecute and complete the same with due diligence and dispatch.

Section 4.3. Remedies Upon a City Event of Default.

A. Upon the occurrence and continuance of a City Event of Default, MSU shall have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:

1. If the City Event of Default relates to an obligation to MSU, MSU shall have the right to terminate its obligations under this Agreement.

2. MSU may pursue any available remedy at law or in equity by suit, action, mandamus, or other proceeding to enforce and compel the performance of the duties and obligations of the City as set forth in this Agreement, to enforce or preserve any other rights or interests of MSU under this Agreement or otherwise existing at law or in equity and to recover any damages incurred by MSU resulting from such City Event of Default.

B. If MSU has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to MSU, then and in every case MSU and the City shall, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of MSU shall continue as though no such proceeding had been instituted.

C. The exercise by MSU of any one remedy shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by MSU shall apply to obligations beyond those expressly waived.

D. Any delay by MSU in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this paragraph shall not operate as a waiver of such rights or limit it in any way. No waiver in fact made by MSU of any specific default by the City shall be considered or treated as a waiver of the rights with respect to any other defaults, or with respect to the particular default except to the extent specifically waived.

Section 4.4. Remedies Upon an MSU Event of Default.

A. Upon the occurrence and continuance of an MSU Event of Default, the City shall have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:

1. If the MSU Event of Default relates to an obligation to the City, the City shall have the right to terminate its obligations under this Agreement.

2. The City may pursue any available remedy at law or in equity by suit, action, mandamus, or other proceeding to enforce and compel the performance of the duties and obligations of MSU as set forth in this Agreement, to enforce or preserve any other rights or interests of the City under this Agreement or otherwise existing at law or in equity and to recover any damages incurred by the City resulting from such MSU Event of Default.

B. If the City has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to the City then and in every case the City and MSU shall, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of the City shall continue as though no such proceeding had been instituted.

C. The exercise by the City of any one remedy shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by the City shall apply to obligations beyond those expressly waived.

D. Any delay by the City in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this paragraph shall not operate as a waiver of such rights or limit it in any way. No waiver in fact made by the City of any specific default by MSU shall be considered or treated as a waiver of the rights with respect to any other defaults, or with respect to the particular default except to the extent specifically waived.

Section 4.5. Excusable Delay. The parties understand and agree that neither the City nor MSU shall be deemed to be in default of this Agreement because of an Excusable Delay. The additional time given in any circumstance for Excusable Delay shall be that amount of time during which the party claiming Excusable Delay was reasonably prevented from taking action due to such Excusable Delay.

ARTICLE V. GENERAL PROVISIONS

Section 5.1. Term. Unless earlier terminated as provided herein, this Agreement shall remain in full force and effect so long as tax increment allocation financing shall apply to one of the Redevelopment Project Areas. At the dissolution of the Redevelopment Area this Agreement shall terminate and become

null and void. This Agreement shall also terminate upon the execution of a comprehensive redevelopment agreement among the City, MSU and the Developer which states that it terminates this Agreement.

Section 5.2. Conflict of Interest. No member of the governing body of the City or MSU or of any branch of the City's government that has any power of review or approval of any of the Developer's undertakings shall participate in any decisions relating thereto which affect such person's personal interests or the interests of any corporation or partnership in which such person is directly or indirectly interested. Any person having such interest shall immediately, upon knowledge of such possible conflict, disclose, in writing, to the City or MSU, as applicable, the nature of such interest and seek a determination with respect to such interest by the City or MSU, as applicable, and, in the meantime, shall not participate in any actions or discussions relating to the activities herein proscribed.

Section 5.3. Severability. If any provision, covenant, agreement or portion of this Agreement, or its application to any person, entity, or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, or portions of this Agreement and, to that end, any provisions, covenants, agreements, or portions of this Agreement are declared to be severable.

Section 5.4. Missouri Law; Venue. This Agreement shall be construed in accordance with the laws of the State of Missouri. The Parties agree that the exclusive venue for the resolution of any dispute relating to the subject matter of this Agreement shall be in the Circuit Court of Greene County, Missouri.

Section 5.5. Notices. All notices and requests required pursuant to this Agreement shall be sent as follows:

To the City:

City Manager
City of Springfield
Busch Municipal Building
840 Boonville
Springfield, MO 65802

With a copy to:

City Attorney
City of Springfield
Busch Municipal Building
840 Boonville
Springfield, MO 65802

To MSU:

Allen Kunkel
Jordan Valley
Innovation Center
524 N. Boonville Ave.
Springfield, MO 65806

With a copy to:

General Counsel
Carrington Hall 205
Missouri State University
901 S. National Ave.
Springfield, MO 65897

or at such other addresses as the Parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

Section 5.6. 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 agreement.

Section 5.7. Electronic Storage. The Parties agree that the transaction described herein may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files, and other reproductions of original executed documents shall be deemed to be authentic

and valid counterparts of such original documents for all purposes, including the filing of any claim, action, or suit in the appropriate court of law.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

CITY OF SPRINGFIELD, MISSOURI

By: _____
Jason Gage, City Manager

(SEAL)

ATTEST:

Anita Cotter, City Clerk

**BOARD OF GOVERNORS OF
MISSOURI STATE UNIVERSITY**

By: _____
Clifton M. Smart, III
President

ATTEST:

Rowena Stone
Secretary to the Board of Governors

EXHIBIT A **REDEVELOPMENT PROJECT COSTS BUDGET**

Cost Category	Total Cost	Private Costs		Public Costs				Funding to be Determined	Redevelopment Project Costs	Reimbursable Project Costs ¹	State TIF Reimbursable Project Costs ¹
		Vecino	Vecino / New Market Tax Credits	MSU	City	TDD					
Office Building ²	\$ 25,000,000	\$ 25,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000,000	\$ -	\$ -
Central Commons	\$ 750,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000	\$ 750,000	\$ -	\$ -
JVIC Expansion ²	\$ 14,397,284	\$ -	\$ 9,797,284	\$ 4,600,000	\$ -	\$ -	\$ -	\$ -	\$ 14,397,284	\$ 3,000,000	\$ 3,000,000
Stormwater Improvements	\$ 2,130,000	\$ -	\$ -	\$ -	\$ 2,130,000	\$ -	\$ -	\$ -	\$ 2,130,000	\$ 2,130,000	\$ 2,130,000
Street Improvements	\$ 800,000	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ -	\$ -	\$ 800,000	\$ 800,000	\$ 800,000
Sanitary Sewer Improvements	\$ 220,000	\$ -	\$ -	\$ -	\$ 220,000	\$ -	\$ -	\$ -	\$ 220,000	\$ 220,000	\$ 220,000
Parking Garage	\$ 12,000,000	\$ -	\$ -	\$ 6,000,000	\$ -	\$ 6,000,000	\$ -	\$ -	\$ 12,000,000	\$ -	\$ -
TIF Formation Costs	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000
Totals	\$ 55,397,284	\$ 25,000,000	\$ 9,797,284	\$ 10,600,000	\$ 3,250,000	\$ 6,000,000	\$ 750,000	\$ -	\$ 55,397,284	\$ 6,250,000	\$ 6,250,000

¹ Reimbursable Project Costs will accrue interest from the date certified until the date reimbursed at the Reimbursement Interest Rate.

² Demolition costs of blighted structures are included in total costs of the Office Building and JVIC Expansion.

EXHIBIT B

APPLICATION FOR REIMBURSABLE PROJECT COSTS

TO: City of Springfield, Missouri
Attention: Economic Development Director

Re: Springfield IDEA Commons Redevelopment Project

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the TIF Reimbursement Agreement dated as of _____, 20__ (the "Agreement") between the City of Springfield, Missouri (the "City") and Missouri State University ("MSU"). In connection with said Agreement, the undersigned hereby states and certifies that:

1. Each item listed on *Schedule I* hereto is a Reimbursable Project Cost and was incurred in connection with the construction of the Redevelopment Project. *Schedule I* sets out the extent to which such Reimbursable Project Costs qualify as State TIF Reimbursable Project Costs.

2. These Reimbursable Project Costs have been paid by the undersigned and are reimbursable under the Redevelopment Plan and the Agreement.

3. Each item listed on *Schedule I* has not previously been paid or reimbursed from money derived from the Special Allocation Fund, and no part thereof has been included in any other Application previously filed with the City.

4. There has not been filed with or served upon the undersigned any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.

5. All necessary permits and approvals required for the work for which this certificate relates have been issued and are in full force and effect.

6. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Agreement.

7. The undersigned is not in default or breach of any term or condition of the Agreement, and no event has occurred, and no condition exists which constitutes an Event of Default of the undersigned under the Agreement.

8. All of the undersigned's representations set forth in the Agreement remain true and correct as of the date hereof.

Dated this _____ day of _____, 20__.

**BOARD OF GOVERNORS OF
MISSOURI STATE UNIVERSITY**

By: _____

Name: _____

Title: _____

CITY OF SPRINGFIELD, MISSOURI

By: _____

Name: _____

Title: _____

The costs included in this application have been approved for payment this

____ day of _____, 20__:

CITY OF SPRINGFIELD, MISSOURI

By: _____

Name: _____

Title: _____

Schedule 1

Reimbursable Project Costs:

Payee:	Amount:	Description of Reimbursable Project Costs:	Amount of Eligible State TIF Reimbursable Project Costs:

*[**alternate schedule of JVIC Expansion costs**]*

Reimbursable Project Costs:

MSU deposited \$3,000,000 into an account controlled by The Vecino Group, LLC (the “Developer”) on _____, 20__, as evidenced by the materials attached. The following expenses were incurred by the Developer and are allocable to the MSU contribution as follows:

Payee:	Amount:	Description of Total Costs of JVIC Expansion:	Amount Allocable to MSU Contribution (Reimbursable Project Costs):	Amount of Eligible State TIF Reimbursable Project Costs:

One-rdg. _____
P. Hmgs. _____
Pgs. 4
Filed: 10-11-22

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022- 262

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the budget of the City of Springfield for Fiscal Year 2022-2023, in the
2 amount of \$950,000, to appropriate a portion of the Level Property
3 Tax-Debt Service Fund reserve to the Level Property Tax-Operating
4 Fund for additional funding needed for the Fire Station #7
5 reconstruction project.
6
7

8 WHEREAS, in November 2017, the citizens of Springfield passed the
9 reauthorization of the level property tax to support City Council's priorities of Public
10 Safety, Fiscal Sustainability, and Economic Vitality; and
11

12 WHEREAS, in February 2020, City Council passed Special Ordinance 27279
13 authorizing the issuance of Special Obligation Improvement Bonds to provide funds for
14 costs related to improvements to the City's stormwater system and certain fire stations
15 and public works buildings; and
16

17 WHEREAS, the Fire Station #7 reconstruction project is anticipated to incur
18 expenses beyond the original estimate, which was determined prior to the 2017 level
19 property tax reauthorization; and
20

21 WHEREAS, a portion of the Level Property Tax-Debt Service Fund reserve may
22 be appropriated to the Level Property Tax-Operating Fund to satisfy these additional
23 expenses.
24

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

28 Section 1 – The budget for Fiscal Year 2022-2023 of the City of Springfield is
29 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
30 No. 023, a copy of which is attached hereto and incorporated herein by this reference
31 as "Exhibit A."
32

33 Section 2 – City Council finds that the budget adjustment made above has been
34 recommended by the City Manager.

35
36 Section 3 – The City Manager is directed to cause the appropriate entries to be
37 made in the books and records of the City.

38
39 Section 4 – This Ordinance shall be in full force and effect from and after
40 passage.

41
42 Passed at meeting: _____

43
44 _____
45 Mayor

46
47 Attest: _____, City Clerk

48
49 Filed as Ordinance: _____

50
51
52 Approved as to form: Jill Bunn, Assistant City Attorney

53
54
55 Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2022- 262

FILED 10-11-22

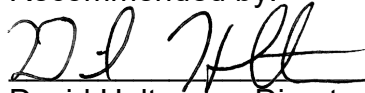
ORIGINATING DEPARTMENT: Finance

PURPOSE: To amend the budget of the City of Springfield for Fiscal Year 2022-2023, in the amount of \$950,000, to appropriate a portion of the Level Property Tax-Debt Service Fund reserve appropriation to the Level Property Tax-Operating Fund for additional funding needed for the Fire Station #7 reconstruction project.

BACKGROUND INFORMATION: In February 2020, Special Ordinance 27279 was passed for the issuance of Special Obligation Improvement Bonds, Series 2020, not to exceed \$19,000,000, for the purpose of providing funds to pay costs related to improvements to the City's stormwater system and certain fire stations and public works buildings. These bonds are paid from the level of property tax to support City Council's priorities of Public Safety, Fiscal Sustainability, and Economic Vitality.

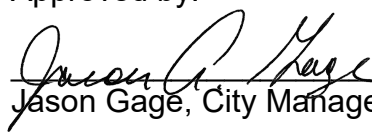
The general construction cost for Fire Station #7 reconstruction was estimated at \$2,480,800 at the time the level property tax plan was formed which was determined prior to the 2017 vote. Although a modest inflationary factor was including the plan, the recent increase in inflation has outpaced this estimate. Based on new architectural estimates, an additional \$1,192,000 is needed to bid the project. \$242,000 of the bond contingency will be utilized to fund the remaining amount needed. This portion was budgeted within the special ordinance 27279, thus no additional budget adjustment is necessary for this amount. The design of this project began in August 2019, and the construction phase is scheduled to begin in December 2022. Project completion is scheduled for the end of December 2023.

Recommended by:



David Holtmann, Director of Finance

Approved by:



Jason Gage, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
023

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
25100	09	14120	417010	000000	00000	\$ 950,000	Transfer from LPT debt service fund
Net Revenue Adjustment						\$ 950,000	

Expenditures:

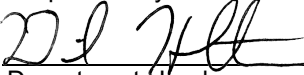
Fund	Dept	Org	Account	P&G	Location	Amount	Description
33030	09	14120	509910	000000	00000	\$ 950,000	Transfer to LPT operating (pay-as-you-go project funding)
25100	20	73020	509110	102627	00000	950,000	LPT operating - Fire Station # 7 reconstruction
Net Expenditure Adjustment						\$ 1,900,000	

Fund Balance Appropriation:

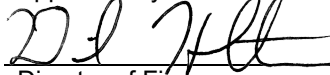
Fund	Title	Amount
33030	Level Property Tax Fund	\$ (950,000)

Explanation: To amend the FY2022-23 budget by appropriating available property tax fund balance for the reconstruction of Fire Station # 7.

Requested By:


Department Head 10-11-22
Date

Approved By:


Director of Finance 10-11-22
Date

City Manager Date

Authorization:

Council Bill No. 2022-262
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 8
Filed: 10-11-22

Sponsored by: Simpson, McGull,
Lear, and Hardinger

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022-263

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Special Ordinance 27730 to revise funding appropriated for continuing
2 COVID-19 services; amending the budget for Fiscal Year 2022-2023 to
3 appropriate funds from the City's Coronavirus State and Local Fiscal
4 Recovery Funds, established by the American Rescue Plan Act
5 ("ARPA") of 2021, for certain projects as recommended by the City
6 Council ARPA Review Committee; allotting \$7,000,000 of the City's
7 Coronavirus State and Local Recover Funds set aside for projects
8 related to homelessness and housing for certain projects as
9 recommended by the City Council ARPA Review Committee; and
10 authorizing the City Manager to enter into funding agreements as
11 necessary with recipients of such funds. (The City Council ARPA
12 Review Committee voted to recommend this appropriation to City
13 Council.)
14 _____
15

16 WHEREAS, the American Rescue Plan Act of 2021 ("ARPA"), signed into law on
17 March 11, 2021, established Coronavirus State and Local Fiscal Recovery Funds to
18 provide emergency funding for eligible state, local, territorial, and Tribal governments;
19 and
20

21 WHEREAS, the City was awarded \$40,276,290 in Coronavirus State and Local
22 Fiscal Recovery Funds, and City Council accepted these ARPA funds through Special
23 Ordinance 27538 passed on July 26, 2021; and
24

25 WHEREAS, City Council, through Special Ordinance 27730 adopted on July 25,
26 2022, set aside \$7,000,000 of the City's Coronavirus State and Local Fiscal Recovery
27 Funds for projects related to homelessness and housing, with such projects to be
28 recommended by the City Council ARPA Review Committee; and
29

30 WHEREAS, the City Council ARPA Review Committee met on October 11, 2022,
31 and voted to recommend the allotment of the funds set aside for projects related to
32 homelessness and housing as follows:
33

\$2,785,297 to be utilized together with the \$2,215,703 Non-Congregate Shelter Allocation enumerated within the City's HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development ("HUD"), with this joint funding to allow for the acquisition, construction, renovation, or rehabilitation of buildings to create one or more non-congregate shelters;

\$3,000,000 to be awarded to the Community Partnership of the Ozarks' purpose-driven day center project;

\$650,000 to be awarded to The Connecting Grounds proposal for a respite house, storage facility, showers, and outreach; and

\$564,703 for affordable housing home ownership program(s) to be determined through a request for proposal ("RFP") process; and

WHEREAS, at its October 11, 2022 meeting, the City Council ARPA Review Committee further stated that, in addition to the necessary protocols required with ARPA, the recipients of these homeless/housing funds, if applicable, must be members of the Ozarks Alliance to End Homelessness – Federally designated Continuum of Care; and

WHEREAS, City Council, through Special Ordinance 27730 adopted on July 25, 2022, amended the amount of ARPA funds appropriated to support continuing COVID-19 critical services from \$8,000,000 to \$3,026,290; and

WHEREAS, at its October 11, 2022 meeting, the City Council ARPA Review Committee voted to recommend amending the amount of ARPA funds appropriated to support continuing COVID-19 critical services from \$3,026,290 to \$2,776,290; and

WHEREAS, at its October 11, 2022 meeting, the City Council ARPA Review Committee voted to recommend funding for the Lincoln Cemetery Maintenance in the amount of \$100,000, and for the Court Appointed Special Advocate ("CASA") project for a clubhouse and playground for children in foster care in the amount of \$150,000.

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

Section 1 – Special Ordinance 27730 is hereby amended to change the amount of ARPA funds appropriated to support continuing COVID-19 critical services from \$3,026,290 to \$2,776,290.

Section 2 – The budget for Fiscal Year 2022-2023 is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 025, a copy of which is attached hereto and incorporated herein by reference as "Exhibit A," to appropriate funds from the City's Coronavirus State and Local Fiscal Recovery Funds, established

by the American Rescue Plan Act of 2021, for the following projects and in the following amounts as recommended by the City Council ARPA Review Committee:

The Lincoln Cemetery Maintenance in the amount of \$100,000; and

The Court Appointed Special Advocate (“CASA”) project for a clubhouse and playground for children in foster care in the amount of \$150,000.

Section 3 – City Council finds the budget adjustment 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 – Funds are hereby allotted from the \$7,000,000 of the City’s Coronavirus State and Local Fiscal Recovery Funds, which City Council set aside for homelessness and housing projects, for the following projects and in the following amounts, with the requirement that the recipients of these funds, if applicable, be members of the Ozarks Alliance to end Homelessness - Federally designated Continuum of Care:

\$2,785,297 to be utilized together with the \$2,215,703 Non-Congregate Shelter Allocation enumerated within the City’s HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development (“HUD”), with this joint funding to allow for the acquisition, construction, renovation, or rehabilitation of buildings to create one or more non-congregate shelters;

\$3,000,000 to be awarded to the Community Partnership of the Ozarks’ purpose-driven day center project;

\$650,000 to be awarded to The Connecting Grounds proposal for a respite house, storage facility, showers, and outreach; and

\$564,703 for affordable housing home ownership program(s) to be determined through a request for proposal (RFP) process.

Section 6 – City Council hereby authorizes the City Manager, or his designee, to develop and enter into any necessary funding agreements with recipients of funds appropriated and allocated in this Ordinance for the projects identified in Sections 2 and 5 above, provided that any agreements or documents executed pursuant to this authority are in a form approved by the City Attorney.

Section 7 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

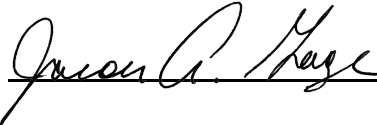
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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: , Assistant City Attorney

Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2022- 263

FILED: 10-11-22

ORIGINATING DEPARTMENT: City Manager

PURPOSE: Amending Special Ordinance 27730 to revise funding appropriated for continuing COVID-19 services; 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 ("ARPA"), for certain projects as recommended by the City Council ARPA Review Committee; allotting \$7,000,000 of the City's Coronavirus State and Local Recover Funds set aside for projects related to homelessness and housing 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)

BACKGROUND INFORMATION: The American Rescue Plan Act of 2021 was passed by Congress on March 10, 2021, and signed into law on March 11, 2021. The Act provides \$1.9 trillion in aid for families, governments, businesses, schools, non-profits, and others impacted by COVID-19. The Act includes, among other things \$656 billion for direct financial assistance to individuals, businesses and non-profits; \$56 billion in assistance to individuals and families; \$211 billion for education and childcare programs; \$86 billion for health programs; \$40 billion for transportation, including airports and rail; \$61 billion for a variety of other programs and \$350 billion for state and local governments in a Fiscal Recovery Fund. Of the \$350 billion in the Fiscal Recovery Fund administered by the U.S. Department of the Treasury, the City of Springfield directly received an allocation of \$40,276,290.

The City received the Fiscal Recovery Funds from the U.S. Department of the Treasury in two allotments, \$20,138,145 on June 7, 2021, and the remaining \$20,138,145 on June 9, 2022. David Holtmann, Director of Finance for the City of Springfield, reported to the ARPA Review Committee at their meeting on April 19, 2022, the total revenue reduction due to the pandemic for the City of Springfield, as calculated utilizing the guidelines from the U.S. Department of the Treasury, to be \$72,535,871 for Fiscal Year 2020 and Fiscal Year 2021 combined. This amount eclipses the City of Springfield's total ARPA funds received by more than \$32 million just for Fiscal Year 2020 and Fiscal Year 2021. This gives us the broad flexibility for expenditures, authorized in the Act, under the category of provision of government services to the extent of the reduction in revenue.

Special Ordinance 27730 adopted by City Council on July 25th, 2022, set aside \$7,000,000 for homeless/housing projects to be recommended by the City Council ARPA Review Committee. The City Council ARPA Review Committee met on October 11th, 2022, and voted to recommend the allotment of the homeless/housing funds in the following manner:

\$2,785,297 of this set aside funding to be utilized together with the \$2,215,703 Non-Congregate Shelter Allocation enumerated within the City's HOME-ARP Allocation Plan approved by the U.S. Department of Housing and Urban Development ("HUD"). This joint funding will allow for the acquisition, construction, renovation, or rehabilitation of buildings to create one or more non-congregate shelters.

\$3,000,000 to be awarded to The Community Partnership of the Ozarks' purpose-driven day center project.

\$650,000 to be awarded to The Connecting Grounds proposal for a respite house, storage facility, showers, and outreach.

\$564,703 for affordable housing home-ownership program(s) to be determined through a request for proposal ("RFP") process.

The City Council ARPA Review Committee stated that in addition to the necessary protocols required with ARPA, that the recipients of these homeless/housing funds, if applicable, must be members of the Ozarks Alliance to end Homelessness - Federally designated Continuum of Care.

Special Ordinance 27730 adopted by City Council on July 25th, 2022, also amended the budget for Fiscal Year 2021-2022 from \$8,000,000 to \$3,026,290 to support the Springfield-Greene County Health Department for continuing COVID-19 critical services. The ARPA Review Committee is now recommending, with the approval of this Ordinance, to amend the funds to be set aside for potential COVID-19 response to \$2,776,290. This funding allocation will remain for COVID-19 pandemic utilization unless/until these funds are reallocated by City Council for other ARPA projects, as funds become available.

The City Council ARPA Review Committee also recommended funding for:

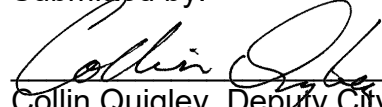
The Lincoln Cemetery Maintenance in the amount of \$100,000, and

Court Appointed Special Advocate ("CASA") project for a clubhouse and playground project for children in foster care in the amount of \$150,000.

With approval of this Ordinance, the City Manager is authorized to work with the entities for the approved projects and to develop and approve funding agreements that will detail the parameters for project reimbursements, auditing reviews, completion timetables, as well as other requirements as needed to ensure successful project completion.

REMARKS: The City Council ARPA Review Committee recommends approval.

Submitted by:


Collin Quigley, Deputy City Manager

Approved by:


Jason Gage, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
025

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

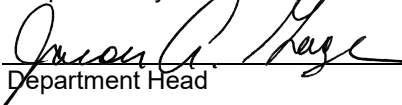
Fund	Dept	Org	Account	P&G	Location	Amount	Description
22520	09	18050	504580	000000	00000	\$ 100,000	Lincoln Cemetery repair and maintenance
22520	09	18050	504580	000000	00000	150,000	Court Appointed Special Advocates - CASA
22520	11	18030	500110	000000	00000	(125,000)	Reallocate COVID-19 response funding for Health
22520	11	18030	504580	000000	00000	(125,000)	Reallocate COVID-19 response funding for Health
Net Expenditure Adjustment						\$ -	

Fund Balance Appropriation:

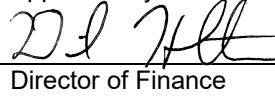
Fund	Title	Amount

Explanation: To amend the FY2022-23 budget by reappropriating American Rescue Plan Act funds allocation from the Springfield-Greene County Health Department to Lincoln Cemetery and CASA projects.

Requested By:

 10-11-22
Department Head Date

Approved By:

 10-11-22
Director of Finance Date

Authorization:

Council Bill No. 2022-263
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 11-08-22

Sponsored by: Hardinger

COUNCIL BILL 2022- 264 RESOLUTION

A RESOLUTION

1 EXTENDING the declaration of an economic and housing access calamity for the
2 purpose of continuing to allow service providers to provide food and
3 lodging for the working poor and unemployed in the community; and
4 providing a term for same.
5
6

7 WHEREAS, City Council first declared an economic and housing access calamity
8 on December 14, 2009, by Resolution 9737; and
9

10 WHEREAS, said declaration has been renewed and revised, with the most
11 recent renewal occurring by passage of Resolution 10540 on December 14, 2020; and
12

13 WHEREAS, the statewide poverty level is 12.7 percent while Springfield's level is
14 21.7 percent, according to the 2016-2020 American Community Survey 5-Year
15 Estimates; and
16

17 WHEREAS, the demand for housing and food services remains strong, and local
18 service providers offering food and lodging for the homeless continue to experience
19 high demand for services.
20

21 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI as follows, that:
23

24 Section 1 – City Council hereby extends the declaration of an economic and
25 housing calamity for the working poor and unemployed within the City of Springfield until
26 City Council finds that: (1) there is no longer a need for the declaration of an economic
27 and housing calamity; (2) Springfield's "individuals below poverty level" falls below the
28 state level; or (3) April 30, 2025, whichever occurs first.
29

30 Section 2 – Individuals, agencies, or churches that can meet City building, safety,
31 and health codes may establish facilities during the duration of this calamity to provide
32 food and lodging to the unemployed and working poor who are without a permanent
33 residence or dwelling, and these facilities shall not be considered “shelters” as that term
34 is defined in Section 36-321 of the City Code of Springfield, Missouri. Density of
35 population shall be determined in accordance with the City Code unless a different

delegating density is set by the City Manager after consultation with the directors of the appropriate Departments. The Departments of Fire, Health, and Building Development Services, together with the City Manager, shall determine the applicability of the various City Code provisions and whether a facility meets such code provisions, as well as whether any Codes may be adjusted administratively on a site-by-site basis to meet the intent of this Resolution.

Section 3 – Individuals, agencies, and churches shall not be required, or considered to be required, to take any action by the passage of this Resolution, and any acts in furtherance of assisting the working poor and unemployed homeless in the City shall be voluntary.

Section 4 – The City Manager is hereby directed to develop appropriate requirements to ensure the health and safety of persons being lodged in any facility opened or operated in response to this declaration of a calamity. Such requirements may include, but may not be limited to, the number of persons who may be in one of these facilities, registration of the facilities on a monthly or more often basis so that compliance with codes and requirements may be ensured, and the type of structures which may be used for such facilities based on the construction of the facilities under the Building Code.

Section 5 – The City Manager is hereby directed to report to Council on an annual basis information related to each facility, including, but not limited to, the number of nights open, the number of persons assisted with meals, the number of persons assisted with lodging, the number of calls for service, and compliance with City Codes.

Section 6 – This Resolution shall be effective immediately upon adoption.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

EXPLANTION TO COUNCIL BILL 2022- 264

FILED: 11/08/22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt a resolution re-establishing the declaration of an economic and housing access calamity that enables individuals, agencies, churches, or not-for-profits to be able to meet building, safety, and health codes for such a use to provide food and lodging to the unemployed and working poor who are without a permanent residence or dwelling; and, that such calamity shall be in effect from the date of passage until this Resolution is repealed or renewed, or Springfield, Missouri's "individuals below poverty level" falls below the state level, or until April 30, 2025, whichever occurs first.

BACKGROUND: Overnight shelters, and other services, are permitted by Section 36-303(34) of the Zoning Ordinance of the City of Springfield, Missouri, when Council declares an economic and housing access calamity. Passage of this Resolution does not require individuals, agencies, churches, and not-for-profits to take any action. Any acts assisting the unemployed and working poor in Springfield shall be voluntary.

City Council first adopted a resolution declaring an economic and housing access calamity on December 14, 2009. Council has extended the declaration seven additional times, most recently on December 14, 2020.

The Coronavirus Pandemic necessitated the need to reduce the capacity of individual crisis cold weather shelters throughout the city to combat the highly contagious virus. However, a secondary result of these COVID-19 restrictions, was the increase in the number of sites providing overnight lodging to the unsheltered in the community, allowing for the enlargement of total sheltering capacity within the city.

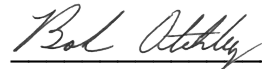
Passage of this Resolution will continue to allow individuals, churches, agencies, and not-for-profits able to meet building, safety, and health codes to provide food and lodging until the City Council finds that: (1) there is no longer a need for the declaration of an economic and housing access calamity, (2) Springfield, Missouri's "individuals living below poverty level" falls below the state level, or (3) April 30, 2025, whichever occurs first. Currently, the statewide poverty level is 12.7 percent, while Springfield's poverty level is 21.7 percent (2016-2020 American Community Survey 5-Year Estimates).

In addition, this Resolution directs the City Manager or his designee to review each facility and compile an annual report to City Council. The report is to contain information including but not limited to number of nights open, number of persons assisted, calls for service, compliance with city codes, etc.

The Ozarks Alliance to End Homelessness, Prosper Springfield, and other groups continue to meet to develop strategies to address the issues associated with poverty over the long term.

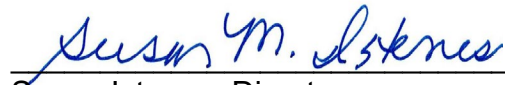
REMARKS: Staff recommends approval.

Submitted by:



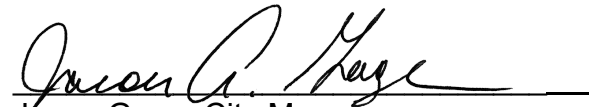
Bob Atchley, Senior Planner

Recommended by:



Susan Istenes, Director

Approved by:



Jason Gage, City Manager

EXPLANATION TO COUNCIL BILL 2022- 265

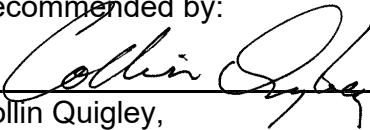
FILED: 11-08-22

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To elect David Mercer as a judge of the Springfield Municipal Court for a term of four years.

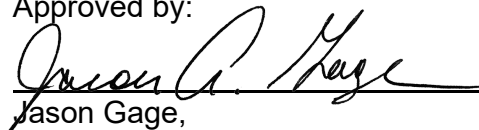
BACKGROUND INFORMATION: City Charter Section 12.2 states that the Springfield Municipal Court shall be presided over by judges elected by City Council on nomination by the City Manager. The City Manager nominates David Mercer to be a judge of the Springfield Municipal Court. City Charter Section 12.2 also provides that a judge shall serve a four-year term. Judge Mercer's term will begin December 1, 2022, and will end November 30, 2026.

Recommended by:



Collin Quigley,
Deputy City Manager

Approved by:



Jason Gage,
City Manager

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 11-08-22

Sponsored by: Simpson

COUNCIL BILL 2022- 266 RESOLUTION

A RESOLUTION

1 APPROVING the use of funds from the 1/4-Cent Capital Improvements Sales Tax
2 Minor Neighborhood Improvement Program in the amount of \$834 to
3 support the fabrication and installation of neighborhood identification
4 signs for the Brentwood Neighborhood Association (Zone 4).
5
6

7 WHEREAS, City Council adopted and approved the Neighborhood Identification
8 Sign Program ("Program"), a policy and guidelines for the placement of neighborhood
9 identification signs on rights-of-way, through Resolution 9664 in February 2009; and
10

11 WHEREAS, since the adoption of Resolution 9664, twenty-one of the City's
12 registered neighborhood organizations have requested and received neighborhood
13 identification signs through this Program; and
14

15 WHEREAS, the Brentwood Neighborhood Association was formed in October
16 2018 and has requested neighborhood identification signs, the estimated cost of which
17 is \$834; and
18

19 WHEREAS, Zone 4 Councilmember Matthew Simpson has indicated support for
20 funding the signs from the 1/4-Cent Capital Improvements Sales Tax Minor
21 Neighborhood Improvement Program (Zone 4 Pothole Funds), the current balance of
22 which is \$88,804; and
23

24 WHEREAS, if this project is funded, the revised Zone 4 account balance will be
25 \$87,970, and this would be the first project approved during Fiscal Year 2022-2023 for
26 funding from the Pothole Funds.
27

28 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
29 SPRINGFIELD, MISSOURI, as follows, that:
30

31 Section 1 – City Council hereby approves the allocation of funds from the 1/4-
32 Cent Capital Improvements Sales Tax Minor Neighborhood Improvement Program in
33 the amount of \$834 to support the fabrication and installation of neighborhood

34 identification signs for the Brentwood Neighborhood Association, the boundaries for
35 which are indicated in "Exhibit A," attached hereto and incorporated herein by reference.

36
37 Section 2 – This Resolution shall be in full force and effect immediately upon
38 adoption.

39
40 Passed at meeting: _____

41
42 _____
43 Mayor

44
45 Attest: _____, City Clerk

46
47 Filed as Resolution: _____

48
49
50 Approved as to form: Jill Bennis, Assistant City Attorney

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52
53 Approved for Council action: Jason A. Hage, City Manager

EXPLANATION TO COUNCIL BILL 2022- 266

FILED: 11-08-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Adopting a resolution approving the use of funds from the Minor Neighborhood Improvement Program from the ¼-cent Capital Improvement Sales Tax in the amount of \$834 to support the fabrication and installation of Neighborhood Identification Signs for the Brentwood Neighborhood Association (Zone 4).

BACKGROUND INFORMATION: In February 2009, City Council adopted a policy and guidelines for the placement of neighborhood identification signs on right-of-way. The Neighborhood Sign Program is intended to communicate clear and identifiable boundaries that create a sense of place through the placement of neighborhood identification signs that represent the individual character and identity of the neighborhood. Since the policy was adopted in 2009, twenty-one of the City's registered neighborhood organizations have requested and received neighborhood identification signs through this program. The Brentwood Neighborhood Association (see "Exhibit A") was formed in October 2018 and has requested neighborhood identification signs. The estimated total cost of the project is \$834.

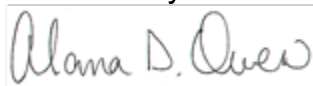
Zone 4 Councilmember Matt Simpson has indicated support for funding of the neighborhood identification signs from the Minor Neighborhood Improvement Program (Zone 4 Pothole Funds) from the ¼-cent Capital Improvement Sales Tax. The current balance of the Zone 4 account is \$88,804. If this project is approved for Zone 4 funding, the revised Zone 4 account balance will be \$87,970 and this would be the first project approved during Fiscal Year 2023 for funding from the Pothole Funds.

Supports the following City Council Priorities:

- Promote Quality of Place

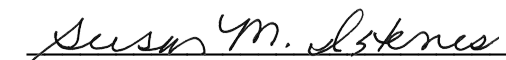
REMARKS: The Planning and Development staff recommends approval of this Council resolution.

Submitted by:



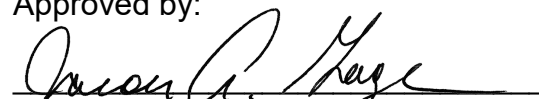
Alana D. Owen, AICP, Senior Planner

Recommended by:

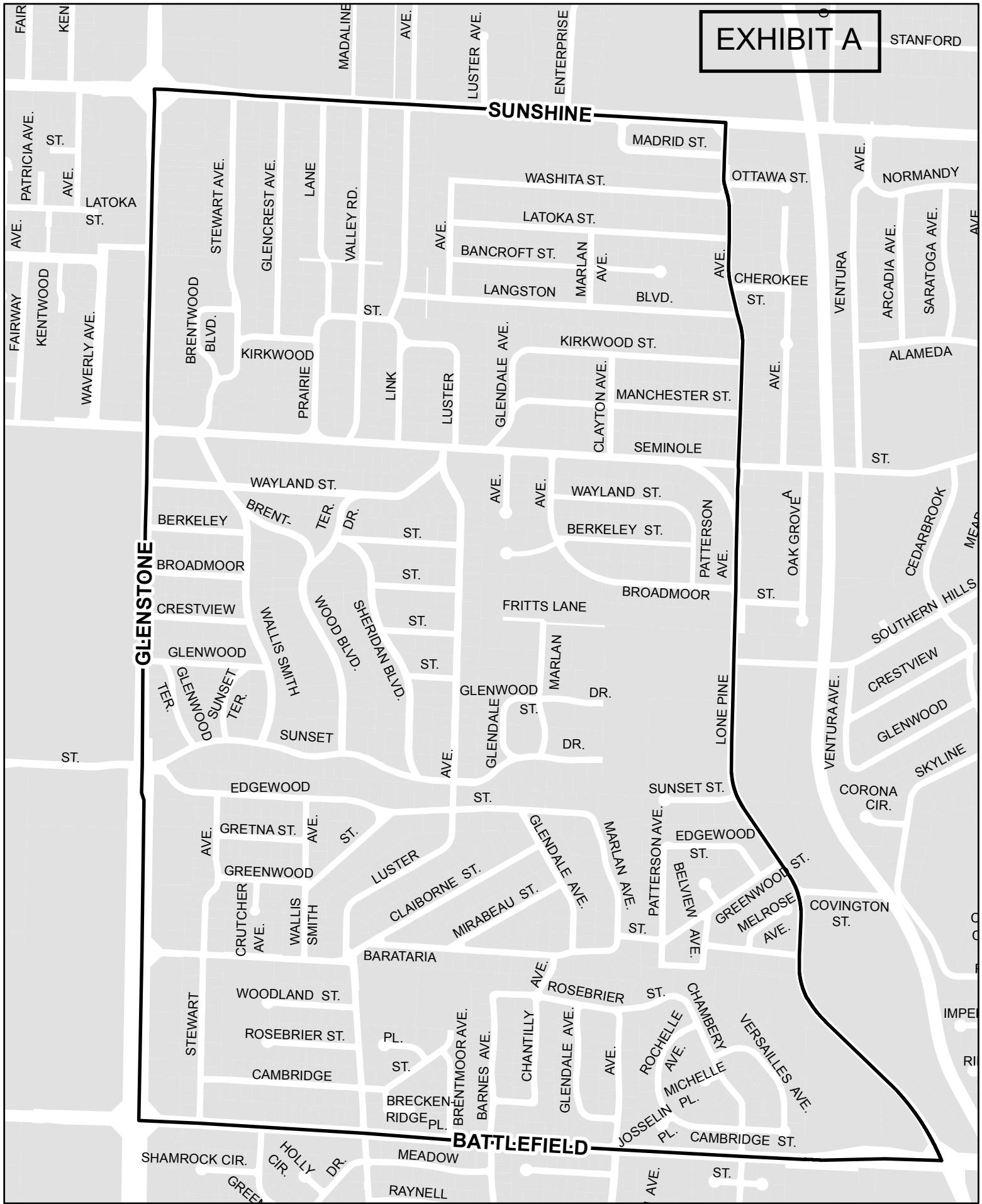


Susan Istenes, AICP
Director

Approved by:



Jason Gage, City Manager



One-rdg. X
P. Hrngs.
Pgs. 10
Filed: 11-08-22

Sponsored by: Schilling

COUNCIL BILL 2022-267 RESOLUTION

A RESOLUTION

1 DECLARING the intent of the City of Springfield to annex approximately 1.14 acres of
2 private property and approximately 0.38 acres of public street right-of-
3 way, generally located at 354 West Buena Vista Street, and referenced
4 as Annexation A-4-2022, into the City. (Staff recommends approval.)
5
6

7 WHEREAS, the owner of the private property generally located at 354 West
8 Buena Vista Street has petitioned for voluntary annexation into the City of Springfield;
9 and
10

11 WHEREAS, the proposed annexation also include approximately 0.38 acres of
12 public street right-of-way; and
13

14 WHEREAS, the property to be annexed is within the Urban Service Area and is
15 immediately adjacent to the City of Springfield; and
16

17 WHEREAS, the City is required to announce its intention to initiate annexation
18 procedures as required by law.
19

20 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
21 SPRINGFIELD, MISSOURI, as follows, that:
22

23 Section 1 – City Council hereby announces its intention to annex approximately
24 1.14 acres of private property and approximately 0.38 acres of public street right-of-way,
25 generally located at 354 West Buena Vista Street, and more completely described in
26 “Exhibit A,” which is attached hereto and incorporated herein by this reference, into the
27 City of Springfield.
28

29 Section 2 – The City Manager, or designee, is hereby authorized to do all things
30 necessary and convenient to carry out the intent of this Resolution.
31

32 Section 3 – This Resolution shall be in effect immediately upon adoption.
33

34 Passed at meeting:
35

Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022 - 267

FILED: 11-08-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: Declaring the intent of the City of Springfield, to annex approximately 1.14 acres of private property and approximately 0.38 acre of public street right-of-way generally located at 354 West Buena Vista Street into the City of Springfield. (Staff recommends approval.)

BACKGROUND INFORMATION: The owner of the private property generally located at 354 West Buena Vista Street is requesting annexation into the City of Springfield (See "Exhibit B," Location Sketch). The owner of the property has signed a petition requesting voluntary annexation into the City of Springfield (See "Exhibit C," Annexation Petition). The proposed annexation includes the adjacent public right-of-way of Buena Vista Street which is currently maintained by Greene County. The property is within the City of Springfield's Urban Service Boundary and is contiguous and compact to the City of Springfield. The owner is proposing to annex and rezone for a new retail development.

This Resolution only initiates the proposed annexation and does not annex the property. The property is currently zoned Greene County C-2, General Commercial District. The owner is requesting that the property be rezoned to a GR, General Retail District which will be concurrently reviewed with the annexation public hearing in December. The City Council is required to hold a public hearing before the proposed annexation can be approved (see "Exhibit D," Annexation Schedule).

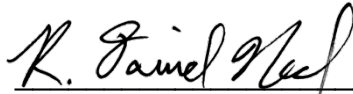
If this request is approved, staff will submit a Council Bill for a public hearing to consider annexation of this property.

REMARKS: Staff recommends approval to initiate the annexation based on the following:

1. The area to be annexed is contiguous to the City of Springfield and within the Urban Service Area. See "Exhibit B" for the location of the private property to be annexed.
2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation.
3. The property owner has petitioned the City for annexation.
4. All City services can be provided to the property.
5. The City will receive sales and property tax revenue once annexed.

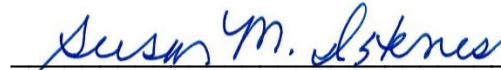
RECOMMENDATIONS: Staff recommends the initiation of the annexation of the subject property.

Submitted by:



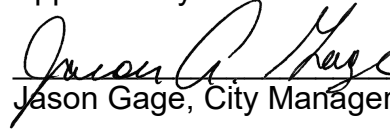
Daniel Neal, Senior Planner

Reviewed by:



Susan Istenes, AICP
Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Location Map and Sketch

Exhibit C, Annexation Petition

Exhibit D, Annexation Schedule

EXHIBIT A

DESCRIPTION W/ RIGHT-OF-WAY

A TRACT OF LAND BEING ALL OF LOT 1, SHADOWOOD 2ND ADDITION AND ADJACENT RIGHT OF WAY OF BUENA VISTA STREET, LOCATED IN SECTION 13, TOWNSHIP 28 NORTH, RANGE 22 WEST, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING "X" IN CONCRETE AT THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO LYING ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 160 (CAMPBELL AVENUE);

THENCE NORTH 00°57'50" EAST, ALONG THE WEST LINE OF SAID LOT 1 AND ITS EXTENSION, A DISTANCE OF 265.44 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BUENA VISTA STREET;

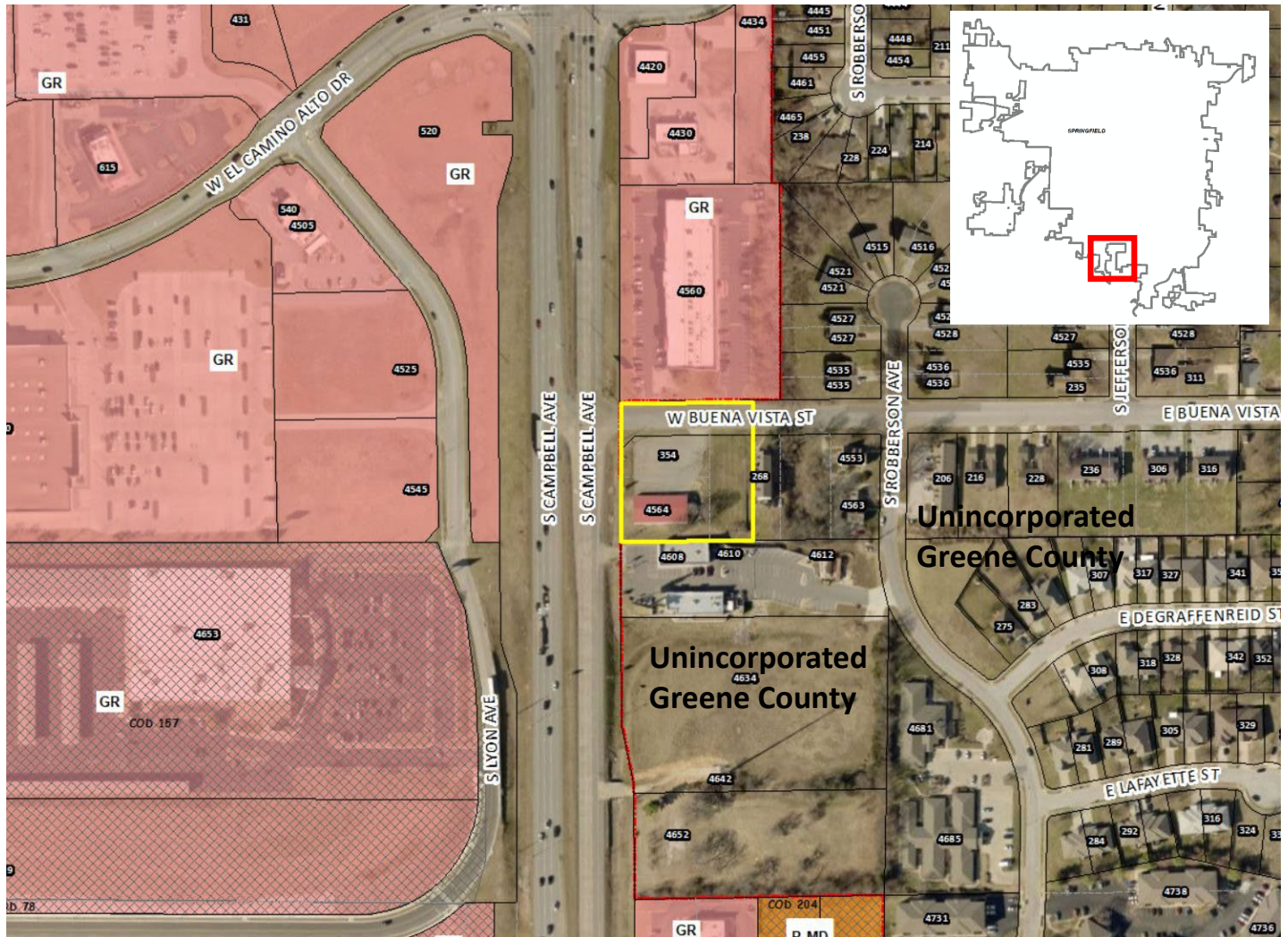
THENCE SOUTH 89°24'03" EAST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 249.23 FEET TO THE INTERSECTION OF THE EXTENSION OF THE EAST LINE OF SAID LOT 1 AND SAID NORTH RIGHT OF WAY LINE OF BUENA VISTA STREET;

THENCE SOUTH 00°45'16" WEST, ALONG THE SAID EXTENSION OF THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF SAID LOT 1, A DISTANCE OF 265.07 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE NORTH 89°29'08" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 250.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 66,239 SQUARE FEET OR 1.52 ACRES.

EXHIBIT B ANNEXATION INITIATION



Unincorporated
Greene County

Unincorporated
Greene County

LOCATION:

LOCATION:	354 W. Buena Vista Street
CURRENT ZONE:	County C-2, General Commercial District
PROPOSED ZONE:	GR, General Retail District
CASE NUMBER:	A-4-2022



Voluntary Annexation Application

E-PLANS INSTRUCTIONS

PLEASE FOLLOW STEPS BELOW BEFORE SUBMITTING THIS APPLICATION

1. Apply and pay your processing fees.
2. Wait for a "pre-screen complete" e-mail from the City of Springfield with instructions for ProjectDox review process.
3. Complete this application and upload a digital (pdf) copy through ProjectDox.

Office Use Only

Case No.	
Date Filed	
Received By	
Receipt No.	

Fee Amount Paid? \$ _____

[*See Fee Schedule](#)

Property Location: 354 W Buena Vista, Springfield, MO

Property Owner's Information (full name(s) of all legal property owners listed on deed):

Name of current property owner(s): Hale Real Est LLC

If corporation, Corporate Official: _____

Mailing Address: 48 Brokenbow Rd Buffalo Mo Zip Code: 65622

Telephone: _____ E-mail: _____

PROPERTY OWNER'S SIGNATURE: Robert Mitchell Hale
(if corporation, need signature of one official)

Contact Person Handling Application:

Name(s): Christopher Wynn PE - CJW Transportation Consultants, LLC

If corporation: Corporate Official: _____

Mailing Address: 5051 S National Ave Ste 7A Zip Code: 65810

Telephone: (417) 889-3400 E-mail: cwynn@gocjw.com

Current Use of the Property: Season Sales

Current County Zoning: C-2 **Proposed City Zoning:** GR

LAND DESCRIPTION (attach legal description of property and label as Exhibit A):

ALL OF ONE (1), SHADOWWOOD 2ND ADDITION BEING A REPLAT OF PARCEL 1 AND PARCEL 2 AND PARCEL 3 OF LOT 2 OF SHADOWWOOD SUBDIVISION AMENDED PLAT, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

PROPERTY CONDITIONS/ANOMALIES (which can be reasonably known):

PETITION

TO: THE CITY OF SPRINGFIELD, MISSOURI, A MUNICIPAL CORPORATION

We, the undersigned petitioner(s), submit to the City Council of the City of Springfield, Missouri as follows:

- 1) The undersigned are the fee and simple owner(s) of record of the real estate in Greene County, Missouri more fully described in Exhibit A, and
- 2) The request and petition to the City of Springfield, Missouri to annex the land described in Exhibit A is not now a part of any corporate limits of any incorporated City, and
- 3) The land described in Exhibit A is contiguous to the existing corporate limits of the City of Springfield, Missouri, and
- 4) The request and petition is voluntarily made and is submitted under the provisions of Section 71.012RSMo. 1986, as amended (Voluntary Annexation).

SIGNED: Robert Mitchell Hale

SIGNED: _____

STATE OF MISSOURI
COUNTY OF GREENE SS.

MARRIED PERSON'S ACKNOWLEDGEMENT

On this _____ day of _____, 20____, before me, a Notary Public in and for said state, personally appeared _____, and _____ to me known to be the persons described in and who executed the foregoing document, and acknowledged that he/she executed the same as his/her free act and deed.

And the said person further declared himself/herself to be married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written.

"Notary Seal"

Notary Public: _____

Print Name: _____

STATE OF MISSOURI
COUNTY OF GREENE SS.

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

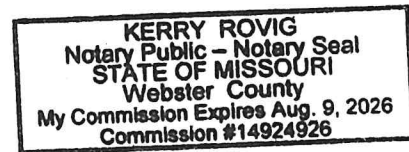
On this 14 day of October, 2022, before me appeared Robert Mitchell Heil, to me personally known, who, being by me duly sworn did say that he/she is the owner of Hale Real Estate LLC, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the day and year first above written.

"Notary Seal"

Notary Public: [Signature]

Print Name: Kerry Rovig



STATE OF MISSOURI
COUNTY OF GREENE SS.

UNMARRIED PERSON'S ACKNOWLEDGEMENT

On this _____ day of _____, 20____, before me, a Notary Public in and for said state, personally appeared _____, to me known to be the person described in and who executed the foregoing document, and acknowledged that he/she executed the same as his/her free act and deed.

And the said person further declared himself/herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in _____ the day and year first above written.

"Notary Seal"

Notary Public: _____

Print Name: _____

EXHIBIT D

ANNEXATION SCHEDULE
ANNEXATION A-4-2022

ANNEXATION:

Initiate annexation	November 14, 2022
City Council public hearing	December 12, 2022
City Council second reading and vote	January 9, 2023

One-rdg. X
P. Hrngs.
Pgs. 31
Filed: 11-08-22

Sponsored by: Hosmer

COUNCIL BILL 2022- 268 RESOLUTION

A RESOLUTION

1 AUTHORIZING the City Manager, or his designee, to apply for a Strengthening Mobility
2 and Revolutionizing Transportation federal grant of up to \$2,000,000
3 from the U.S. Department of Transportation to support the planning,
4 development, implementation, and evaluation of an emergency vehicle
5 traffic signal priority system prototype and improved traffic monitoring
6 camera video sharing among the Transportation Management Center,
7 Springfield Fire Department, and Springfield-Greene County 911
8 Emergency Communications.
9
10

11 WHEREAS, the Infrastructure Investment and Jobs Act (“IIJA”) was signed into
12 law by the President of the United States on November 15, 2021; and
13

14 WHEREAS, the IIJA provides \$550 billion from 2022 through 2026 for investment
15 in infrastructure, including roads, bridges, mass transit, water infrastructure, resilience,
16 and broadband; and
17

18 WHEREAS, the IIJA established the Strengthening Mobility and Revolutionizing
19 Transportation (“SMART”) Grants Program, with \$100 million appropriated annually to
20 provide eligible public sector agencies with Stage 1 grants of up to two million dollars to
21 conduct demonstration projects focused on advanced smart community technologies
22 and systems to improve transportation efficiency and safety; and
23

24 WHEREAS, if awarded, the Public Works Department, in partnership with
25 Springfield Fire Department, Springfield-Greene County 911 Emergency
26 Communications, Parsons Corporation, and SWARCO McCain, Inc., and in cooperation
27 with the Missouri Department of Transportation, would utilize grant funds to develop an
28 innovative solution that utilizes real-time data from a variety of existing systems to
29 provide traffic signal priority operation for Fire responders and traffic video sharing to
30 reduce emergency vehicle response times and incident clearance times, while
31 minimizing disruption to the transportation network; and
32

33 WHEREAS, the grant application would request a total of up to \$2,000,000 in
34 federal funds to cover project expenses including planning, preliminary engineering and
35 design work, software/systems development and information technology work,

procurement of equipment, construction and equipment installation, data analysis and performance reporting, and licensing, service, and maintenance fees.

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

Section 1 – The City Manager, or his designee, is hereby authorized to apply for a grant of up to \$2,000,000 from the U.S. Department of Transportation for the purpose of funding development of a traffic signal priority operation or other solutions intended to reduce emergency vehicle response and incident clearance times.

Section 2 – This Resolution shall be in effect from and after passage.

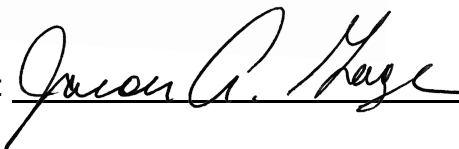
Passed at Meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to Form:  _____, Assistant City Attorney

Approved for Council Action:  _____, City Manager

EXPLANATION TO COUNCIL BILL 2022- 268

FILED: 11-08-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to apply for Federal grant funds from the U.S. Department of Transportation (“DOT”) to support the planning, development, implementation, and evaluation of an emergency vehicle traffic signal priority system prototype and improved traffic monitoring camera video sharing among the Transportation Management Center, Springfield Fire Department, and Springfield-Greene County 911 Emergency Communications.

BACKGROUND INFORMATION: On November 15, 2021, the President of the United States signed the Infrastructure Investment and Jobs Act (“IIJA”), also known as the “Bipartisan Infrastructure Law” (“BIL”), into law. The BIL provides \$550 billion from 2022 through 2026 for new Federal investment in infrastructure including roads, bridges, and mass transit, water infrastructure, resilience, and broadband. The BIL investment in infrastructure is intended to help grow the economy, enhance U.S. competitiveness, create jobs, and build our safe, resilient, and equitable transportation future.

The Strengthening Mobility and Revolutionizing Transportation (“SMART”) Grants Program was established by the BIL with \$100 million appropriated annually to provide eligible public sector agencies with Stage 1 grants of up to \$2 million to conduct demonstration projects focused on advanced smart community technologies and systems to improve transportation efficiency and safety. A SMART grant may be used to carry out a project that demonstrates at least one of the following:

- Coordinated automation
- Connected vehicles
- Sensors
- Systems integration
- Delivery/logistics
- Innovative aviation
- Smart grid
- Traffic signals

The discretionary grant program was established to fund purpose-driven innovation to build data and technology capacity and expertise for State, local, and Tribal governments. Communities should target their real-world challenges where the use of new technologies and approaches can create benefits.

If awarded, the Public Works Department, in partnership with Springfield Fire Department (“SFD”), Springfield-Greene County 911 Emergency Communications, Parsons Corporation, and SWARCO McCain, Inc., and in cooperation with the Missouri

Department of Transportation, would utilize grant funds to develop an innovative solution that utilizes real-time data from a variety of existing systems to provide traffic signal priority (“TSP”) operation for Fire responders and traffic video sharing to reduce emergency vehicle response times and incident clearance times, while minimizing disruption to the transportation network.

The proposed concept of operations can be described in the following steps:

1. 911 receives a call for service and dispatches emergency responders.
2. Computer aided dispatch (“CAD”) data is transmitted to the Transportation Management Center of the Ozarks (“TMC”) through an existing software interface. Data to include incident location (to determine “destination”) and SFD dispatched unit(s).
3. Automatic vehicle locating (“AVL”) data for responding unit(s) is transmitted through a new software interface (to determine “origin”).
4. The system will transmit video through a new interface from the closed-circuit television (“CCTV”) traffic monitoring camera nearest the incident location to the responding SFD vehicles so personnel can better prepare for arrival and response.
5. Based on the “origin” and “destination” data, the system will identify the signalized intersections along the responder route(s) to be included in the TSP operation.
6. The system will pull and continuously monitor traffic signal phase and timing data for the set of signals through an interface with the existing traffic signal system software.
7. Utilizing AVL and real-time traffic vehicle detection and travel time data, the system will continuously estimate arrival time of the responding vehicle to each signal and place an initial request for TSP to all signals along the route based on the estimated arrival time.
8. The system will predict the phase state for each traffic signal at time of arrival and may initiate signal timing adjustments if necessary to facilitate passage of the emergency vehicle.
9. Each signal will enter a recovery mode following the passage of the emergency vehicle, whereby the system will continue to adjust signal phase timing during subsequent cycles to alleviate resulting queues and expedite the return to normal traffic conditions.

The proposed project would include Fire Department vehicles from Station 1, located at 720 E. Grand Street, and traffic signals at nine intersections along Grand Street from Fort Avenue to National Avenue to demonstrate and evaluate the benefits to incident response and related impacts to traffic flow within the SF01 response zone.

The grant application would request a total of up to \$2,000,000 in federal funds to cover project expenses including planning; preliminary engineering and design work; software/systems development and information technology work; procurement of

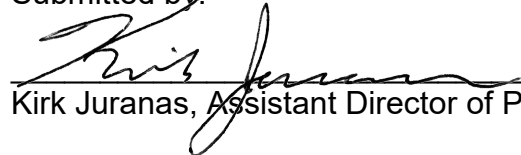
equipment; construction and equipment installation; licensing, service, and maintenance fees; and data analysis and performance reporting. The SMART Grant Program does not require a local match for Stage 1, which is for planning and prototyping. The Notice of Funding Opportunity ("Exhibit A") includes details on the application process.

Supports the following 2022 City Council Core Priorities:

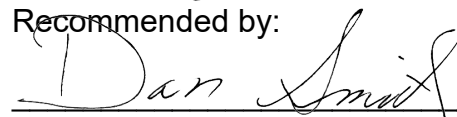
- Quality of Place
- Economic Vitality
- Public Safety

REMARKS: A Transportation Improvement Program (TIP) project has been prepared to allow the use of federal funds, if awarded, for this project. Public Works recommends approval of this Council bill.

Submitted by:


Kirk Juranas, Assistant Director of Public Works

Recommended by:


Dan Smith, Director of Public Works

Approved by:

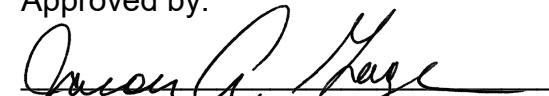

Jason Gage, City Manager

EXHIBIT A

SMART Grants Notice of Funding Opportunity

AGENCY: Office of the Assistant Secretary for Research and Technology (OST-R), U.S. Department of Transportation (DOT or the Department)

ACTION: Notice of Funding Opportunity (NOFO), Assistance Listing #20.941

SUMMARY: The purpose of this notice is to solicit applications for Strengthening Mobility and Revolutionizing Transportation (SMART) grants. Funds for the fiscal year (FY) 2022 SMART Grants Program are to be awarded on a competitive basis to conduct demonstration projects focused on advanced smart city or community technologies and systems to improve transportation efficiency and safety.

DATES: Applications must be submitted by 5:00 PM EST on Friday, November 18, 2022. Late applications will not be accepted.

ADDRESSES: Applications must be submitted via Valid Eval, an online submission proposal system used by USDOT, at [https://usg.valideval.com/teams/USDOT SMART 2022/signup](https://usg.valideval.com/teams/USDOT_SMART_2022/signup).

FOR FURTHER INFORMATION: Please contact SMART Grant Program staff via email at smart@dot.gov, or call Roxanne Ledesma at 202-774-8003. A telecommunications device for the deaf (TDD) is available at 202-366-3993. In addition, USDOT will regularly post answers to questions and requests for clarifications, as well as schedule information regarding webinars providing additional guidance, on USDOT's website at <https://www.transportation.gov/smart>. The deadline to submit technical questions is Friday, November 4, 2022.

SUPPLEMENTARY INFORMATION: Each section of this notice contains information and instructions relevant to the application process for SMART grants. All applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

Section	Content	Page #
A	Program Description	2
B	Federal Award Information	4
C	Eligibility Information	5
D	Application and Submission Information	10
E	Application Review Information	15
F	Federal Award Administration Information	19
G	Federal Awarding Agency Contacts	24
H	Other Information	24

Office of the Assistant Secretary for Research and Technology (OST-R), USDOT. Notice of Funding Opportunity for the Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program

A. Program Description

1. Overview

Section 25005 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”) authorized and appropriated \$100 million to be awarded by the Department of Transportation (DOT) for FY 2022 for the SMART Grants Program. This NOFO solicits applications for activities to be funded under the SMART Grants Program. The FY22 funding will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64355).¹

The purpose of the SMART Grants Program is to conduct demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety. The program funds projects that are focused on using technology interventions to solve real-world challenges and build data and technology capacity and expertise in the public sector.²

2. Program Structure

The SMART Grants Program includes two stages: *Stage 1 Planning and Prototyping Grants (Stage 1 grants)* and *Stage 2 Implementation Grants (Stage 2 grants)*. The program structure is based on a belief that planning, prototyping, and partnership are critical to advancing the state of the practice for data and technology projects in the public sector. USDOT anticipates that only recipients of Stage 1 Planning and Prototyping Grants will be eligible for Stage 2 Implementation Grants and anticipates funding projects of up to \$2,000,000 per project for Stage 1 and up to \$15,000,000 per project for Stage 2.

Stage 1 recipients should build internal buy-in and partnerships with stakeholders to refine and prototype their concepts, and report on results. Stakeholders can include public, private, academic, and nonprofit organizations; organized labor and workforce organizations; and community organizations and networks. At the conclusion of Stage 1, recipients should have the information to either create a fully realized implementation plan with robust performance metrics; or to make an informed decision not to proceed with the concept. Stage 1 results may uncover previously unknown institutional barriers, technical limitations, or poor performance relative to conventional solutions. The SMART Grants Program expects to document lessons learned from Stage 1 projects, knowing that these findings will be broadly beneficial to the transportation sector.

¹ The priorities of Executive Order 14052, “Implementation of the Infrastructure Investments and Jobs Act” are as follows: to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards and equal employment opportunity, strengthen infrastructure resilience to hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners. <https://www.federalregister.gov/documents/2021/11/18/2021-25286/implementation-of-the-infrastructure-investment-and-jobs-act>

² For more information and illustrative use cases, please see www.transportation.gov/SMART.

Stage 2 implementation projects should result in a scaled-up demonstration of the concept, integrating it with the existing transportation system and refining the concept such that it could be replicated by others. If demonstration at scale identifies critical challenges, gaps, or negative impacts, they should be clearly stated and documented so that other communities that take on similar projects can learn from them and adapt.

This NOFO solicits applications only for Stage 1 grants. USDOT anticipates that an FY23 SMART Grants Program NOFO will solicit applications for both Stage 1 and Stage 2 grants.

3. Departmental Priorities

The *FY 2022-2026 U.S. Department of Transportation Strategic Plan* establishes USDOT's strategic goals: safety, economic strength and global competitiveness, equity, climate and sustainability, transformation, and organizational excellence.³ The USDOT Innovation Principles guide Departmental actions related to innovation generally as well as the transformation strategic goal.⁴ Applicants are encouraged to review the Innovation Principles, along with other resources accessible on the SMART Grants website⁵ and to incorporate them into the design of applications for the SMART Grants Program.

4. SMART Grants Program Priorities

As established in BIL, projects funded by the SMART Grants Program use advanced data, technology, and applications to provide significant benefits to a local area, a State, a region, or the United States. These benefits are identified in BIL and align to the following categories:

- **Safety and reliability:** Improve the safety of systems for pedestrians, bicyclists, and the broader traveling public. Improve emergency response.
- **Resiliency:** Increase the reliability and resiliency of the transportation system, including cybersecurity and resiliency to climate change effects.
- **Equity and access:** Connect or expand access for underserved or disadvantaged populations. Improve access to jobs, education, and essential services.
- **Climate:** Reduce congestion and/or air pollution, including greenhouse gases. Improve energy efficiency.
- **Partnerships:** Contribute to economic competitiveness and incentivize private sector investments or partnerships, including technical and financial commitments on the proposed solution. Demonstrate committed leadership and capacity from the applicant, partners, and community.
- **Integration:** Improve integration of systems and promote connectivity of infrastructure, connected vehicles, pedestrians, bicyclists, and the broader traveling public.

The Department will prioritize SMART grants funding applications that demonstrate the following characteristics, identified in BIL:

³ See: FY 2022-26 USDOT Strategic Plan (<https://www.transportation.gov/dot-strategic-plan>), page 6. Last updated April 7, 2022.

⁴ See: USDOT Innovation Principles (<https://www.transportation.gov/priorities/innovation/us-dot-innovation-principles>). Released January 6, 2022; last updated July 14, 2022.

⁵ Other resources can be found at www.transportation.gov/SMART, and include the USDOT Strategic Plan, the USDOT Equity Action Plan, and the National Roadway Safety Strategy.

- **Fit, scale, and adoption:** Right-size the proposed solution to population density and demographics, the physical attributes of the community and transportation system, and the transportation needs of the community. Confirm technologies are capable of being integrated with existing transportation systems, including transit. Leverage technologies in repeatable ways that can be scaled and adopted by communities.
- **Data sharing, cybersecurity, and privacy:** Promote public and private sharing of data and best practices and the use of open platforms, open data formats, technology-neutral requirements, and interoperability. Promote industry best practices regarding cybersecurity and technology standards. Safeguard individual privacy.
- **Workforce development:** Promote a skilled and inclusive workforce.
- **Measurement and validation:** Allow for the measurement and validation of the cost savings and performance improvements associated with the installation and use of smart city or community technologies and practices.

To accomplish these objectives, the SMART Grants Program will fund projects that focus on using technology interventions to solve real-world challenges facing communities.

SMART will focus on building data and technology capacity and expertise for State, local, and Tribal governments. Technology investment is most beneficial when tailored to the needs of the community. SMART recognizes that many public sector agencies are challenged to find the resources and personnel to engage with new technologies; this is reflected in the program design, which builds in the time and support needed for projects to succeed. SMART will support and grow a strong, diverse, and local workforce.

Successful projects will seek to build sustainable partnerships across sectors and levels of government as well as collaborate with industry, academia, nonprofits, and other traditional and non-traditional partners. **Successful projects will also support the creation of good-paying jobs with the free and fair choice to join a union.**

See Section E.1.i for more detail on merit criteria that implement priorities outlined above.

B. Federal Award Information

1. Total Funding Available

The BIL established the SMART Grants Program with \$500,000,000 in advanced appropriations, including \$100,000,000 for FY 2022. Therefore, this Notice makes available up to \$100,000,000 for FY 2022 grants under the SMART Grants Program. USDOT anticipates using up to 2% of this funding for administrative costs. Refer to Section D for greater detail on additional funding considerations and Section D.7 for funding restrictions.

2. Availability of Funds

Grant funding obligation occurs when a selected applicant and USDOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements. Any costs incurred prior to USDOT's obligation of funds for activities ("pre-award costs") are ineligible for reimbursement. SMART Program Grant funds are available until expended. USDOT retains the right to prioritize projects for selection that are most likely to achieve an efficient timeline and be completed within the expected period of performance (18 months).

3. Award Size and Anticipated Quantity

USDOT expects to award between 30 and 50 Stage 1 grants of up to \$2,000,000 per award. The Department reserves the right to make more, or fewer, awards. USDOT reserves the discretion to alter maximum award sizes upon receiving the full pool of applications and assessing the needs of the program in relation to the priorities in Section A.3 and A.4. USDOT also reserves the right not to award the full funding amount requested by an applicant.

4. Start Dates and Period of Performance

USDOT expects to obligate SMART award funding via a signed grant agreement between the Department and the recipient, as flexibly and expeditiously as possible, within 12 months after project selections have been announced. The expected period of performance for Stage 1 SMART grant agreements is up to 18 months.

5. Data Collection Requirements

i. Data Management

To fulfill the reporting requirements and in accordance with the [USDOT Public Access Plan](#), award recipients must consider, budget for, and implement appropriate data management for data and information outputs acquired or generated during the grant. Applicants are expected to account for data and performance reporting in their budget submission. Requirements include a project:

- Defaulting to open access when appropriate (exceptions include protecting personally identifiable information [PII], Indigenous data sovereignty, or confidential business information [CBI]);
- Protecting PII, intellectual property rights, and CBI;
- Utilizing, when possible, open licenses and protecting USDOT's non-exclusive copyright to data and corresponding outputs;
- Making the source code or tools necessary to analyze the data available to the public, if relevant;
- Providing relevant metadata (in a DCAT-US file, and, optionally, a discipline-appropriate metadata standard file), and data documentation (README.txt files, data dictionaries, code books, supporting files, imputation tables, etc.); and
- Where applicable, considering contributing data to voluntary resources such as [NHTSA's AV TEST Initiative](#).

Projects should implement data management best practices including, but not limited to, implementation of published data specifications and standards (formal and informal); increasing data discoverability and data sharing; and enabling interaction of systems, interoperability, and integration of data systems.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for the SMART Grants Program include:

- A. a State⁶;
- B. a political subdivision of a State⁷;
- C. a federally recognized Tribal government;
- D. a public transit agency or authority;
- E. a public toll authority;
- F. a metropolitan planning organization; or
- G. a group of two or more eligible entities listed above in Section C.1 applying through a single lead applicant (Group Application).

Collaborative Applications

Eligible entities may choose to collaborate across different regions or geographies on projects with similar characteristics, addressing similar problems and with similar technologies, potentially sharing common resources such as partnerships with industry, nonprofits, academic institutions, or community foundations. If these entities choose not to apply as a group with a single lead applicant, they should identify their application as a collaborative application.

- Each organization in a collaborative application must submit an individual application.
- Collaborative applications can include any type of eligible entity.
- Each individual application in a collaborative application will be evaluated on its own merits and USDOT reserves the right to fund all, some, or none of the associated applications, with the same anticipated funding (i.e., up to \$2,000,000 per individual award).

2. Cost Sharing or Matching

Cost sharing or matching is not required for Stage I: Planning and Prototyping.

3. Eligible Activities

The SMART Grants Program funds multiple technology areas, as listed below. Projects *must* demonstrate at least one technology area and *may* demonstrate more than one technology area. USDOT will evaluate each application on its merits, and there is no expectation that applications demonstrate more than one technology area.

As stated in BIL Section 25005 (e)(1), the following technology areas are eligible projects under SMART.

Technology Area	Definition
Coordinated Automation	Use of automated transportation and autonomous vehicles while working to minimize the impact on the accessibility of any other user group or mode of travel.

⁶ U.S. territories are eligible applicants.

⁷ For the purposes of the SMART Grants Program Notice of Funding Opportunity, a political subdivision of a State is defined as a unit of government created under the authority of State law. This includes cities, towns, counties, special districts, and similar units of local government, such as public port or airport authorities, if created under State law.

Technology Area	Definition
Connected Vehicles	Vehicles that send and receive information regarding vehicle movements in the network and use vehicle-to-vehicle and vehicle-to-everything communications to provide advanced and reliable connectivity.
Intelligent, Sensor-Based Infrastructure	Deployment and use of a collective intelligent infrastructure that allows sensors to collect and report real-time data to inform everyday transportation-related operations and performance.
Systems Integration	Integration of intelligent transportation systems with other existing systems and other advanced transportation technologies.
Commerce Delivery and Logistics	Innovative data and technological solutions supporting efficient goods movement, such as connected vehicle probe data, road weather data, or global positioning data to improve on-time pickup and delivery, improved travel time reliability, reduced fuel consumption and emissions, and reduced labor and vehicle maintenance costs.
Leveraging Use of Innovative Aviation Technology	Leveraging the use of innovative aviation technologies, such as unmanned aircraft systems, to support transportation safety and efficiencies, including traffic monitoring and infrastructure inspection.
Smart Grid	Developing a programmable and efficient energy transmission and distribution system to support the adoption or expansion of energy capture, electric vehicle deployment, or freight or commercial fleet fuel efficiency.
Smart Technology Traffic Signals	Improving the active management and functioning of traffic signals, including through: • Use of automated traffic signal performance measures; • Implementing strategies, activities, and projects that support active management of traffic signal operations, including through optimization of corridor timing; improved vehicle, pedestrian, and bicycle detection at traffic signals; or the use of connected vehicle technologies; • Replacement of outdated traffic signals; or • For an eligible entity serving a population of less than 500,000, paying the costs of temporary staffing hours dedicated to updating traffic signal technology.

Projects must comply with relevant federal, state, and local laws and regulations to be eligible. These vary by technology area, and it is the responsibility of the applicant to understand the requirements for their application. This section briefly discusses a few notable examples and is not comprehensive.

Innovative aviation projects must show understanding and awareness of, and comply with, all FAA and other federal, state, and local regulations relevant to the technologies and usages thereof. For instance, in the case of innovative aviation projects involving small, unmanned aircraft systems (UAS), applicants are responsible for complying with regulations which may include, and are not limited to the following, as necessary to achieve desired outcomes:⁸

- 14 CFR Part 91 General Operating and Flight Rules⁹
- 14 CFR Part 107 small UAS rule; Small UAS¹⁰
- UAS Operations over People rule; Operations Over People General Overview¹¹
- UAS Remote identification rule; UAS Remote Identification Overview¹²

Proponents of innovative aviation projects are also responsible for using U.S. government tools and resources which may include, and are not limited to the following, as necessary to fulfill requirements to operate technologies and achieve desired outcomes:

- FAA DroneZone, used to register UAS¹³
- FAA Low Altitude Authorization and Notification Capability (LAANC), used to obtain airspace authorization to fly in controlled airspace¹⁴
- Part 107 Waiver Resources,¹⁵ used to enable more complex UAS operations¹⁶

Projects that use communications technologies must either 1) use Vehicle-to-Everything (V2X) services that utilize Cellular Vehicle-to-Everything (C-V2X) based technology designed to operate within the 30 MHz of spectrum (5.895 - 5.925 GHz) that are consistent with the final rules established in relation to Federal Communications Commission (FCC) ET Docket No. 19-138 and future Report and Orders effective at the time when the Department selects projects for funding under the FY22 SMART Grants Program, or 2) leverage other communications technologies that can support V2X services and operate in spectrum outside of the 5.895 -5.925 GHz range.

Projects that involve equipping or retrofitting motor vehicles with additional technologies are only eligible if the vehicles are publicly owned, leased or used in a contracted service; equipping privately owned and operated vehicles outside of a leased or contracted service is not an eligible activity. Projects involving motor vehicles must involve only vehicles that comply with all applicable Federal Motor Vehicle Safety Standards (FMVSSs) and Federal Motor Carrier Safety Regulations (FMCSRs), or vehicles

⁸ Other terminologies exist, using the FAA terminology “unmanned aircraft systems” for simplicity;

⁹14 CFR Part 91 <https://www.ecfr.gov/current/title-14/chapter-I/subchapter-F/part-91>.

¹⁰ 14 CFR Part 107 <https://www.ecfr.gov/current/title-14/chapter-I/subchapter-F/part-107>

¹¹FAA Operations Over People General Overview

https://www.faa.gov/uas/commercial_operators/operations_over_people. Last updated November 17, 2021.

¹²FAA Final Rule on Remote ID

https://www.faa.gov/uas/getting_started/remote_id#:~:text=Remote%20ID%20will%20provide%20information,drone's%20owner%20from%20the%20FAA. Last updated July 13, 2022.

¹³ FAA DroneZone; <https://faadronezone.faa.gov/>.

¹⁴ FAA UAS Data Exchange (LAANC); https://www.faa.gov/uas/programs_partnerships/data_exchange.

¹⁵ Part 107 Waiver resources; https://www.faa.gov/uas/commercial_operators/part_107_waivers.

¹⁶ For additional questions or information, please contact the FAA UAS Support Center at https://www.faa.gov/uas/contact_us.

that are exempt from the requirements in a manner that allows for the legal acquisition and operation of the vehicles in the proposed project.

For all technology areas, if an exemption, waiver, permit, or other special permission is required in order to conduct the proposed project, it will strengthen a Stage 1 application if the applicant can affirm that it has already received such permission. If the project is selected for award, the lack of a required exemption, waiver, permit, or special permission may impact the Department's funding timeline or result in special conditions in the grant agreement. For future rounds of SMART that include Stage 2 applications, Stage 2 applicants will be required to obtain all necessary exemptions, waivers, permits, or special permissions before submitting an application and provide such affirmation. The selection of a project to receive a SMART grant is not a determination of the merit of any waiver or exemption.

4. Eligible Costs

Broadly, eligible activity costs must comply with the cost principles set forth in 2 CFR Part 200, Subpart E (i.e., 2 CFR § 200.403 and § 200.405). USDOT reserves the right to make cost eligibility determinations on a case-by-case basis. Eligible development and construction activities for grant funding are the following:

- planning;
- feasibility analyses;
- revenue forecasting;
- environmental review;
- permitting;
- preliminary engineering and design work;
- systems development or information technology work;
- acquisition of real property (including land and improvements to land relating to an eligible project);
- construction;
- reconstruction;
- rehabilitation;
- replacement;
- environmental mitigation;
- construction contingencies; and
- acquisition of equipment, including vehicles.

The following are not eligible costs for SMART Grants Program funding:

- reimbursement of any pre-award costs or application preparation costs of the SMART grant application;
- traffic or parking enforcement activity; or
- purchase or lease of a license plate reader.

Federal funds may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

For grant recipients receiving an award, project evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200). For more information on required reporting, see Section F.3. An eligible entity may not use more than 3 percent of the amount of a SMART grant for each fiscal year to achieve compliance with applicable planning and reporting requirements.

D. Application and Submission Information

1. Address to Request Application Package

All grant application materials can be accessed at grants.gov under the Notice of Funding Opportunity Number DOT-SMART-FY22-01. Applicants must submit their applications via Valid Eval at https://usg.valideval.com/teams/USDOT_SMART_2022/signup. Potential applicants may also request paper copies of materials at:

Telephone: 202-366-4114

Mail: U.S. Department of Transportation
1200 New Jersey Avenue SE
W84-322
Washington, DC 20590

2. Content and Form of Application Submission

The application must include the following: Standard Forms (SF); Key Information Questions; Project Narrative and Summary Budget Narrative. This information must be submitted via Valid Eval at https://usg.valideval.com/teams/USDOT_SMART_2022/signup. More detailed information about each application material is provided below.

- i. **Standard Forms:** All applicants must submit the following Standard Forms: Application for Federal Assistance (SF-424), Budget Information for Non-Construction Programs (SF-424A), Assurances for Non-Construction Programs (SF-424B). If applicable, also include Assurances for Construction Programs (SF-424D), Budget Information for Construction Programs (SF-424C) and/or Disclosure of Lobbying Activities (SF-LLL).
- ii. **Key Information Questions:** This is a preview list of the questions that are asked on USDOT's automated proposal website at https://usg.valideval.com/teams/USDOT_SMART_2022/signup. After registering in the system, the applicant will be prompted to answer these questions on the website.

Title	Instructions
1. Project Name	Enter a concise, descriptive title for the project. This should be the same title used in the Grants.gov SF-424 submission and the application narrative.
2. Lead Applicant Name	This should be consistent with Q. 8.a. of the SF-424.

Title	Instructions
3. Lead Applicant Unique Entity Identifier (UEI)	See Section D.3 below for more information about obtaining a UEI from SAM.gov.
4. Eligible Entity Type	Indicate the eligible entity type for your application: A. a State; B. a political subdivision of a State; C. a federally recognized Tribal government; D. a public transit agency or authority; E. a public toll authority; F. a metropolitan planning organization; or G. A group application of 2 or more eligible entities described in (A) through (F).
5. Was a similar application submitted in the past two years, or do you anticipate a similar application will be submitted for funding in the coming year for this project under any other USDOT discretionary grant programs?	(If yes, please include the name of the discretionary grant program, the project title of similar grant application, and the name of the lead applicant, if different than the lead applicant on this application.)
6. Was federal funding previously received for this project?	(If yes, indicate the amount of federal funding received and the relevant grant number
7. Is this a group application, through a single, lead-applicant?	(If yes, please provide organizational name(s) of sub-recipient(s) that will receive funds and other key partners.)
8. Is this a collaborative application, with each applicant applying separately?	(If yes, please indicate the organizational name(s) of the other eligible applicant(s) with which you are collaborating.)
9. What additional organizations will be considered partners on this project?	(List all critical project partners, including partners that are not eligible applicants. This could include industry, academia, nonprofits, and other traditional and non-traditional partners.) ¹⁷
10. Brief Project Description	Describe the project in plain language, using no more than 100 words. Please do not describe the project's benefits, background, or alignment with the selection criteria in this description field. A longer, narrative description will be provided in the Project Narrative. The Brief Project Description of successful applicant may be published by

¹⁷ Letters of Commitment should be written for critical partners only. For a Letter of Commitment template, see www.transportation.gov/SMART.

Title	Instructions
	USDOT and, therefore, must not contain classified, proprietary or confidential information.
11. Primary Project Location	Indicate the primary location at which the project will take place. If more than one location, please list additional locations in the next question.
12. Other Project Locations	Identify additional project locations, if applicable.
13. Community Size	Indicate the size of the community to be supported (large community; mid-sized community; regional partnership; or rural community). See definitions in Section F.1 that your project primarily benefits.
14. Project Location Primary Census Tract	Identify the primary anticipated census tract number(s) of the planned project.
15. Other Project Census Tracts	Identify Census tract information for other anticipated areas of the planned project location, if applicable.
16. Is the project located (entirely or partially) in an Historically Disadvantaged Community?	Indicate yes or no, and which one of the following tools two designation methods you are using: 1) DOT's Historically Disadvantaged Community (HDC) Status Tool via https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a. Provide a screenshot of the location of the proposed project using the HDC Status Tool.¹⁸ 2) Federally designated community development zones (for example: Opportunity Zones, Empowerment Zones, Promise Zones, Choice Neighborhoods, or Rural Partners Network-designated Community Networks). 3) The Climate and Economic Justice Screening Tool (CEJST) via screeningtool.geoplatform.gov. Provide a screenshot of the location of the proposed project using CEJST.
17. Project Cost: Amount Requested	Total dollar amount requested
18. Project Cost: Total Project Cost	Total project cost, including dollar amount requested and other funding contributions
19. Proposed Duration of Stage 1 Project (in months)	May be up to 18 months
20. Technology area(s)	Select the primary technology area with which your project aligns and, if applicable, any secondary technology areas: A. coordinated automation; B. connected vehicles; C. intelligent, sensor-based infrastructure; D. systems integration;

¹⁸ For technical assistance using the tool, please contact GMO@dot.gov.

Title	Instructions
	E. commerce delivery and logistics; F. leveraging use of innovative aviation technology; G. smart grid; or H. smart technology traffic signals <i>Note that applications are not scored on the number of technology areas indicated, so it is important to only select the area(s) with which your project aligns.</i>
21. Does this project relate to traffic or parking enforcement; or license plate reader activities?	Indicate “Yes” or “No.” Note that SMART grants shall <u>not</u> be used for any traffic or parking enforcement activity, or to purchase or lease a license plate reader .
22. Is an exemption, waiver, permit, or special permission required to conduct the proposed project?	(If yes, indicate the exemption, waiver, permit, or special permission obtained. If waiver has not been obtained, please indicate the plan or process for obtaining it in your Project Narrative.)

- iii. **Project Narrative:** The primary purpose of the Narrative is for the applicant to state their case for meeting the merit criteria laid out in Section E. The Narrative should not exceed seven pages; this does not include the Appendices. The Narrative should be in PDF format, with font size of no less than 12-point Times New Roman, single spaced, minimum 1-inch margins on all sides, and with page numbers. Suggested approximate lengths for each subsection are noted in parentheses.

a. Overview/Project Description (1-2 pages)

This section should provide a clear, concise description of the project, the real-world issues and challenges to be addressed, and the proposed technology(ies) to be used. Include a brief discussion of desired outcomes for a potential Stage 2 grant. Applicants should also briefly discuss how the proposed project addresses the goals of the SMART program and how the project plans to improve upon the status quo of the transportation system.

b. Project Location (1 paragraph)

This section should provide a description of the geographic area or jurisdiction the project will service, including whether or not the area in question is considered a large, midsized or rural community; whether or not the applicant is a regional partnership; and to what extent the project is located (entirely or partially) in an Historically Disadvantaged Community.¹⁹ Note that while applicants are asked to

¹⁹ In support of Executive Order 14008, USDOT has been developing a geographic definition of Disadvantaged Communities as part of its implementation of the Justice40 Initiative. Consistent with OMB’s Interim Guidance for

provide exact locations for each project in the key information table above, if selected for an award, the exact location may be adjusted during the Stage 1 planning process; therefore this section should explain and identify which geographic locations are under consideration for projects to be implemented and what analysis will be used in a final determination. Refer to Section D.2.ii of the Notice to provide specific location data.

c. Community Impact (1 paragraph)

This section should provide a description of how the project anticipates it will provide and measure benefits to the Historically Disadvantaged Communities detailed in the Project Location Section (If applicable). This section may also outline benefits that would accrue to Historically Disadvantaged Communities outside of the specific project location. Applicants should also briefly discuss potential negative externalities of the proposed projects, who would experience them, and how they might be measured over time.

d. Technical Merit Overview (2 pages)

This section should provide an overview of the technical merit of the proposed project, responding to the criteria for evaluation and selection in Section E.1.i of this Notice and including a compelling narrative to highlight how the application addresses the following Technical Merit criteria:

- Identification and Understanding of the Problem to Be Solved
- Appropriateness of Proposed Solution
- Expected Benefits

e. Project Readiness Overview (2 pages)

This section should provide an overview of the project readiness, responding to the criteria for evaluation and selection in Section E.1.ii of this Notice and including a compelling narrative to highlight how the application addresses the following Project Readiness criteria:

- Feasibility of Workplan
- Community Engagement and Partnerships
- Leadership and Qualifications.

iv. Appendices

a. Appendix I – Resumes

Applicants should submit the abbreviated resumes of the key individuals involved in the project. This appendix should be no more than three pages.

b. Appendix II – Summary Budget Narrative

Applicants shall provide a summary budget narrative that corresponds to and describes information contained in the applicant's SF-424A. The narrative should describe all planned project costs for Stage 1

the Justice40 Initiative, Disadvantaged Communities include (a) certain qualifying Census tracts, (b) any Tribal land, or (c) any territory or possession of the United States.

(i.e., direct labor, travel, equipment, supplies, contractual, construction, and other) and how these planned costs relate to the project scope. The summary budget narrative must be sufficiently clear, concise, and detailed to describe how funds will be spent on the project. Applicants are expected to account for data and performance reporting in their budget submission, consistent with section B.5.i of this NOFO.

c. Appendix III- Letters of Commitment

Applicants should submit letters of commitment for critical partners involved in the project. This appendix should be no more than 10 pages, and each letter should be no more than 2 pages.

3. Unique Entity identifier and System for Award Management (SAM)

Each applicant is required to: (i) be registered in SAM (<https://sam.gov/content/home>) before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. USDOT may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time USDOT is ready to make an award, USDOT may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

4. Submission Date and Time

Applications must be submitted by 5:00 PM EST on Friday, November 18, 2022.

5. Funding Restrictions

Per BIL requirements, of the funds awarded each fiscal year for the SMART Grants Program, not more than 40 percent shall be used to provide SMART grants for eligible projects that primarily benefit large communities; not more than 30 percent shall be provided for eligible projects that primarily benefit mid-sized communities; and not more than 30 percent shall be used to provide SMART grants for eligible projects that primarily benefit rural communities or regional partnerships.

In addition, an eligible entity may not use more than three percent of the amount of a SMART grant for each fiscal year to achieve compliance with applicable planning and reporting requirements.

6. Other Submission Requirements

The complete application must be submitted via Valid Eval, an online submission proposal system used by USDOT at https://usg.valideval.com/teams/USDOT_SMART_2022/signup.

E. Application Review Information

1. Criteria

This section specifies the criteria USDOT will use to evaluate and select applications for Stage 1 SMART grant awards. These include Technical Merit Criteria, Project Readiness and Other Considerations.

i. Technical Merit Selection Criteria

Stage 1 Grants will be evaluated against three technical merit criteria:

- Technical Merit Criterion #1: Identification and Understanding of the Problem to Be Solved
 - The applicant demonstrates a thorough understanding of existing conditions
 - The proposed solution addresses a documented and critical problem or need
 - Technical Merit Criterion #2: Appropriateness of Proposed Solution
 - Technologies proposed are sufficiently developed such that there is good reason to anticipate public benefits from their use
 - The proposed solution is repeatable and could rapidly be scaled
 - The proposed solution represents a demonstrable improvement over the status quo
 - The proposed solution is appropriate for the location's population density and existing transportation system, including public transportation
 - Technical Merit Criterion #3: Expected Benefits
 - The application clearly explains the rationale for expecting that the proposed project will use advanced data, technology, and applications to provide significant benefits in alignment with Departmental and Program Priorities in Section A.3 and A.4.
 - Departmental Priorities include the FY22-26 Strategic Goals and Innovation Principles and Program Priorities include safety, reliability, and resiliency; equity and access; climate; partnerships; and integration
- ii. Project Readiness Selection Criteria

Project Readiness focuses on the extent to which the applicant will be able to substantially execute and complete the full scope of work in the Stage 1 Grant application within 18 months of when the grant is executed.

- Project Readiness Criterion #1: Feasibility of Workplan
 - The application clearly describes a thorough and realistic workplan and timeline. The application should also demonstrate the ability to complete the project in the proposed period of performance.
 - The application identifies and understands the legal, policy, and regulatory requirements and identifies and accounts for any relevant exemptions, waivers, permits, or special permissions required to conduct the proposed project.
 - The application identifies ways to measure and validate the project's expected benefits and community impacts, as well as performance improvements and cost savings.
 - ~~○ The application identifies a practical approach to developing internal workforce capacity regarding data and technology projects, including a plan for an appropriately skilled and trained workforce to carry out the project.~~
 - **The application describes how the project will use training and education programs and activities to meet workforce capacity needs and promote inclusion in the workforce.**
 - **The application identifies the necessary planning and engagement activities that, as projects are fully implemented during Stage 2, will ensure high-quality job creation by supporting good-paying jobs with a free and fair choice to join a union, incorporating strong labor standards (e.g., wages and benefits at or above prevailing, use of project labor agreements, registered apprenticeship programs, pre-apprenticeships tied to**

registered apprenticeships, etc.), and/or providing workforce opportunities for historically underrepresented groups (e.g., workforce development program, etc.).

- Project Readiness Criterion #2: Community Engagement and Partnerships
 - The proposed solution demonstrates a community-centered approach that includes meaningful, continuous, accessible engagement with a diverse group of public and private stakeholders. The proposed solution articulates strategies to provide access to persons with disabilities and limited English proficient individuals.
 - The application shows plans to build sustainable partnerships across sectors and governmental jurisdictions and collaborate with industry, academia, and nonprofits, such as community, workforce development, and labor organizations.
 - The applicant engages relevant private sector stakeholders and technical experts and elicits their perspective on implementation of the proposed solution.
 - The application establishes commitment of one or more key partner(s), if relevant, as identified in the project narrative. This should be demonstrated by a Letter of Commitment submitted as an attachment to the proposal, as well as a Memorandum-of-Understanding signed prior to any Grant Agreement. A key partner may be a public agency, utility company, private sector company, or some other entity that is central, and critical, to the project.
- Project Readiness Criterion #3: Leadership and Qualifications
 - The application demonstrates relevant and necessary technical expertise of the project team.
 - The application details relevant experience of leadership in managing multi-stakeholder projects.
 - The application shows continuity of committed leadership and the applicant's functional capacity to carry out the proposed project and, where applicable, to maintain and operate the project after the conclusion of Stage 2.

iii. Additional Consideration: Benefit to Historically Disadvantaged Communities

The Department seeks to award projects under the SMART Grants Program that address environmental justice, particularly for communities that disproportionately experience climate change-related consequences. Environmental justice, as defined by the Environmental Protection Agency, is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.²⁰ As part of the Department's implementation of Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619), the Department seeks to fund projects that, to the extent possible, target at least 40 percent of resources and benefits towards low-income communities, disadvantaged communities, communities underserved by affordable transportation, or overburdened communities. Projects that have not sufficiently considered climate change and environmental justice in their planning, as determined by the Department, will be required to do so before receiving funds.

2. Review and Selection Process

²⁰ Environmental Justice at the EPA, <http://www.epa.gov/environmentaljustice/>

This section addresses the BIL requirement to include a full description in the NOFO of the method by which applicants will be evaluated. The SMART Grant Program review and selection process consists of eligibility reviews, Technical Merit and Project Readiness criteria review, and Senior Review Team review. The Secretary will make the final selections for award.

i. Eligibility Review

For each application, an initial review will assess whether the applicant is eligible (based on eligibility information in Section C) and contains all of the information requested in Section D for a complete application. Eligible and complete applications received by the deadline will be reviewed for their merit based on the selection criteria in Section E.1.i and E.1.ii.

ii. Technical Merit and Project Readiness Criteria Ratings

Teams comprising USDOT staff, Federal inter-agency partner staff, and contractor staff review all eligible and complete applications received by the deadline for a Technical Merit and Project Readiness Review and assign ratings as described in the table below. For each criterion, USDOT will consider whether the application narrative is responsive to the selection criterion focus areas which will result in a rating of ‘High,’ ‘Medium,’ ‘Low,’ or ‘Non-Responsive:’

Rating Scale	High	Medium	Low	Non-Responsive
Description	The application is substantively and comprehensively responsive to the criterion. It makes a strong case about advancing the program goals as described in the criterion descriptions.	The application is moderately responsive to the criterion. It makes a moderate case about advancing the program goals as described in the criterion descriptions.	The application is minimally responsive to the criterion. It makes a weak case about advancing the program goals as described in the criterion descriptions.	The application is counter to the criterion or does not contain sufficient information. It does not advance or may negatively impact criterion goals.

Based on the criteria ratings, an overall application merit rating of ‘Highly Recommended,’ ‘Recommended,’ ‘Not Recommended,’ or ‘Ineligible’ will be assigned as a result of evaluation team consensus discussion. Only applications rated as ‘Highly Recommended’ or ‘Recommended’ will be reviewed by a Senior Review Team (SRT). Applications rated ‘Not Recommended’ or ‘Ineligible’ will not be evaluated further and will not be considered for award.

iii. Senior Review Team (SRT) Phase

Once every eligible and complete application has been assigned an overall rating based on the methodology above, all “Highly Recommended” applications will be included in a list of Applications for Consideration. The SRT will review whether the list of “Highly Recommended” applications is sufficient to ensure that of the funds awarded each fiscal year for the SMART Grants Program, not more than 40 percent will be used to provide SMART grants for eligible projects that primarily benefit large communities; not more than 30 percent will be used to provide SMART grants for eligible projects that

primarily benefit midsized communities; and not more than 30 percent will be used to provide SMART grants for eligible projects that primarily benefit rural communities or regional partnerships. “Recommended” applications may be added to the proposed list of Applications for Consideration until a sufficient number of applications are on the list to ensure that all the legislative requirements can be met. The Department will consider the diversity of technology areas across all applications when reviewing recommendations.

iv. Highly Rated Applications for USDOT Secretary’s Review

The SRT will present the list of Applications for Consideration to the Secretary, either collectively or through a representative of the SRT. The SRT may advise the Secretary on any application on the list of Applications for Consideration, including options for reduced or increased awards, and the Secretary will make final selections. The Secretary’s selections identify the applications that best address program requirements and are most worthy of funding. The Secretary will consider contributions to geographic diversity among grant recipients, including the need for balancing the needs of rural communities, midsized communities, and large communities. The Secretary also may consider benefits to economically disadvantaged communities, Federally Recognized Tribes, and geographic and organizational diversity when selecting SMART Grants Program awards.

3. Additional Information

Prior to entering into a grant agreement, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. The Department must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System [FAPIIS]). An applicant may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered. The Department will consider comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant’s integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants. Because award recipients under this program may be first-time recipients of Federal funding, USDOT is committed to implementing the program as flexibly as permitted by statute and to providing assistance to help award recipients through the process of securing a grant agreement and delivering SMART Grant projects. Award recipients are encouraged to identify any needs for assistance in delivering the projects and strategies so that USDOT can provide directly, or through a third party, sufficient support and technical assistance to mitigate potential execution risks.

F. Federal Award Administration Information

1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce awarded applications by posting a list of selected recipients at www.transportation.gov/smart. The posting of the list of selected award recipients will not constitute an authorization to begin performance. Following the announcement, the Department will contact the point of contact listed in the applicant SF-424 to initiate negotiation of a grant agreement.

2. Administrative and National Policy Requirements

i. Critical Infrastructure Security, Cybersecurity, and Resilience

It is U.S. policy to strengthen the security and resilience of its critical infrastructure against both physical and cyber threats. Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cybersecurity risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cybersecurity and resilience in their planning, design, and project oversight, as determined by USDOT and the Department of Homeland Security, will be required to do so before receiving funds for deployment, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience and the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems.

ii. Prohibited Telecommunications Equipment and Services

Federal award recipients and sub-recipients are prohibited from obligating or expending grant funds to procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use “covered telecommunications equipment or services” as a substantial or essential component of any system, or as critical technology as part of any system. “Covered telecommunications equipment or services” means telecommunications and video surveillance equipment or services produced by Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). “Covered telecommunications equipment or services” also includes telecommunications or video surveillance equipment or services provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity that is owned or controlled by the government of the People’s Republic of China. Entities added to this list will be incorporated into the excluded parties list in the System for Award Management (SAM) (www.sam.gov). When a user conducts a search of the excluded parties list, a record will appear describing the nature of the exclusion for any entity identified as covered by this prohibition. See Section 889 of [Public Law 115-232](#) (National Defense Authorization Act for Fiscal Year 2019) and [2 CFR 200.216](#) & [200.471](#).

iii. Domestic Preference Requirements

As expressed in Executive Order 14005, Ensuring the Future Is Made in All of America by All of America’s Workers (86 FR 7475)²¹, it is the policy of the Executive Branch to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Projects under this notice will be subject to the domestic preference requirements at § 70914 of the Build America, Buy America Act, as implemented by OMB and USDOT, and any awards will contain the award terms specified in OMB Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure²².

Applicants should note that the Department has proposed a Build America, Buy America Act waiver for Stage 1 grants awarded in FY 2022 of the SMART Grants Program for the limited cases where the Buy America would apply for planning and prototyping activities. Data will be collected for Stage 1 FY 2022

²¹ <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>

²² ²² <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>

awards that will help inform the application of Buy America requirements to the funding of implementation activities under the program and identify any current gaps in the domestic availability of products that could potentially be filled by American suppliers. The Department anticipates finalizing the waiver during the open period. Please consult www.transportation.gov/smart for the most up-to-date information.

iv. Civil Rights and Title VI

SMART award recipients should demonstrate compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements. The Department's and the applicable Operating Administrations' Offices of Civil Rights may work with awarded grant recipients as appropriate to ensure full compliance with Federal civil rights requirements.

Recipients of Federal transportation funding will be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements. The Department's and the applicable Operating Administration's Offices of Civil Rights will be providing resources and technical assistance to ensure full and sustainable compliance with Federal civil rights requirements.

v. National Environmental Policy Act of 1969 (NEPA)

Funding recipients must comply with NEPA under 42 U.S.C. §§ 4321 et seq. and the Council on Environmental Quality's NEPA implementing regulations at 40 CFR §§ 1500-1508, where applicable.

3. Reporting

This section discusses reporting requirements for SMART.²³ USDOT will provide additional information and detail regarding reporting requirements and formats to recipients. All final reports under this agreement will be made publicly available. All publications resulting from this program shall follow USDOT publication guidelines and comply with the current USDOT Public Access Plan. In addition, data from these efforts are expected to be made widely available where appropriate, also in accordance with the USDOT Public Access Plan²⁴.

i. Progress Reporting on Grant Activities

Each applicant selected for a Stage 1 Grant must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the SMART grant program. A standard reporting form for the quarterly progress reports will be provided for

²³ Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges federal awarding agencies and federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle.

²⁴ <https://www.transportation.gov/sites/dot.gov/files/docs/Official%20DOT%20Public%20Access%20Plan.pdf>

grantees to summarize status updates including activities accomplished during the quarter, financial and schedule reporting, anticipated activities for the next quarter, and a description of project challenges and lessons learned.

ii. Evaluation and Data Management Plan

Recipients and subrecipients are required to incorporate program evaluation including associated data collection activities, from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting agency priority goals.²⁵

Each applicant selected for a Stage 1 Grant must submit an evaluation and data management plan no later than three months after receiving the grant that provides an overview of how the project will be evaluated and how the data being collected will be managed and stored.²⁶ The plan must describe the anticipated impact areas (i.e., goals) of the project if implemented at scale and the methods that will be used to estimate the anticipated benefits and costs associated with implementation. Based on these project goals, the plan must include robust performance metrics and measurable targets to inform whether the proof-of-concept or prototype meets expectations and whether full implementation would meet program goals. The applicants selected for a Stage 2 Grant must update this evaluation and data management plan to include robust performance metrics and targets for the at-scale implementation, a detailed description of the evaluation methods that will be used to measure the anticipated impacts, and an overview of data sharing opportunities.²⁷ The updated plan must also provide more detailed information on the types of data being collected and how that data will be managed and stored (e.g., cybersecurity practices, how privacy is protected, the entities that have access to the data).

iii. Implementation Report

Each applicant selected for a Stage 1 Grant must submit an implementation report that assesses the anticipated costs and benefits of the project and demonstrates the feasibility of at-scale implementation. A draft report shall be submitted no later than one year after receiving the grant, and the final report shall be submitted by the end of the period of performance. This timeline may be adjusted for projects with a period of performance that differs from 18 months.

Per BIL requirements, grant recipients must submit implementation reports that describe the deployment and operational costs of each project as compared to the benefits and savings from the project. The reports must also describe:

1. the means by which the project has met the original expectation, as projected in the grant application, including data describing the means by which the project met the specific goals.

Examples include:

- a. reducing traffic-related fatalities and injuries;
- b. reducing traffic congestion or improving travel-time reliability;

²⁵ Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” 5 U.S.C. § 311.

²⁶ Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

²⁷ Data sharing opportunities may include either interagency data sharing or open data sharing with the public.

- c. the effectiveness of providing to the public real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions; and
 - d. reducing barriers or improving access to jobs, education, or various essential services;
- 2. lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

For the implementation reports during Stage 1, grant recipients will provide an analysis of the anticipated costs and benefits and address project expectations by providing:

- 1. data on the performance metrics for the proof-of-concept or prototype;
- 2. preliminary baseline data for an evaluation of an at-scale implementation;²⁸
- 3. a detailed description of the communities that would be impacted by at scale implementation and the anticipated distribution of benefits;
- 4. additional quantitative data to substantiate key assumptions;
- 5. anticipated and/or estimated impact and effectiveness of the project based on the performance metrics; and
- 6. anticipated and/or estimated distribution of benefits within the community being served.

During Stage 1, grant recipients may uncover previously unknown institutional barriers or technical limitations. In the implementation report, grantees will describe the requirements for successful deployment and assess the feasibility of an at-scale implementation. The assessment will include identified strategies or demonstrated progress in addressing the following implementation feasibility and readiness factors by the end of the Stage 2 Grant.

- a. Legal, Policy, and Regulatory Requirements (e.g., environmental permits and reviews; public outreach; State and local approvals; equity and accessibility requirements)
- b. Procurement and Budget (e.g., availability of suppliers and equipment; an analysis of the cost differential to comply with Build America Buy America; reliability of cost estimates; critical property acquisition)
- c. Partnerships (e.g., MOUs for stakeholder coordination; private sector and user adoption and acceptance)
- d. Technology Suitability (e.g., systems engineering including Concept of Operations [ConOps] and Detailed Design; reliability and maturity of technology; compatibility with existing infrastructure, procurement processes)
- e. Data Governance (e.g., storage capability; database analytic capability; integration requirements; sharing agreements; cybersecurity and privacy protocols)
- f. Workforce Capacity (e.g., availability of ~~workforce~~ **workers for** ~~from~~ development, and installation, to operations and maintenance; availability of workforce training; agency capacity for deployment, operation, and evaluation; and **an assessment of how full implementation at the conclusion of Stage 2, if funded, would harness beneficial impacts and mitigate negative impacts of new technologies on the availability of good-paying jobs with a free and fair choice to join a union**)

²⁸ For applicants selected for a Stage 2 Grant, refined or updated baseline data may be required for the project evaluation.

- g. Sustainability (e.g., agency/institutional capacity for continued operations following the grant funded period; revenue needs for continued operations)
- h. Community Impact (e.g., distribution of benefits and negative impacts across the community, including Historically Disadvantaged Communities; meaningful community engagement efforts, including strategies to provide access to persons with disabilities and limited English proficient individuals)
- i. Other Relevant Factors.

The final implementation report must also describe initial project goals, challenges and lessons learned related to implementation. It should include an analysis of the success, challenges and validity of the initial approach; any changes or improvements they would make in Stage 2, if recommended for award; and any anticipated challenges to continued maintenance and operations (i.e., after the Stage 2 grant funds have been expended).

iv. Program Evaluation

As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by USDOT or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. USDOT may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or USDOT staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or USDOT staff.

v. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

vi. Knowledge Transfer Activities

In order to disseminate lessons learned to the public and to encourage collaboration between recipients, USDOT will coordinate various knowledge transfer activities which may include webinars, peer exchanges or attendance at conferences and meetings. The activities will be tailored to address the needs and interests of the grantees and serve as a resource for connecting grantees facing similar

technical and institutional challenges. Recipients will share status updates and technical knowledge, and exchange information about their progress, challenges, and lessons learned. The SF-424A should include travel costs, assuming two in-person meetings in Washington, D.C.

G. Federal Awarding Agency Contacts

For further information concerning this notice, please contact the Office of the Assistant Secretary for Research and Technology via email at smart@dot.gov no later than ten business days prior to the NOFO closing. In addition, up to the application deadline, the Department will post answers to common questions and requests for clarifications on the Department’s website at www.transportation.gov/smart. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact the Department directly with questions, rather than through intermediaries or third parties. Department staff may also conduct briefings on the SMART grant selection and award process upon request. On request of an eligible entity that submitted an application per Section D with respect to a project that is not selected for a SMART grant, Department staff will provide to the eligible entity technical assistance and briefings relating to the project.

H. Other Information

User-friendly information and resources regarding USDOT’s discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at transportation.gov/rural.

1. Definitions

Term	Definition
Large community	A community with a population of not less than 400,000 individuals, as determined under the most recent annual estimate of the Bureau of the Census.
Midsized community	Any community that is not a large community or a rural community.
Political subdivision of a state	A unit of government created under the authority of State law. This includes cities, towns, counties, special districts, and similar units of local government, such as public port or airport authorities, if created under State law.
Regional partnership	A partnership composed of two or more eligible entities located in jurisdictions with a combined population that is equal to or greater than the population of any midsized community.
Rural community	The term “rural community” means a community that is located in an area that is outside of an urbanized area (as defined in section 5302 of title 49, United States Code, which defines “rural” as a community with a population of less than 50,000 individuals).
Resiliency	The ability to prepare for and adapt to changing conditions and withstand, recover, and reorganize rapidly from disruptions to a community (e.g., population, economy, etc.). Resilience includes the ability to withstand and recover from manmade and naturally occurring threats or incidents, including widespread and long-term threats or incidents.
Historically Disadvantaged Community	For the purposes of the SMART NOFO, applicants may demonstrate the “historical disadvantage” of the project area according to ONE of the following tools: 1) DOT’s Historically Disadvantaged Community (HDC) Status Tool via https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a.

Term	Definition
	<u>21</u>) Federally designated community development zones (for example: Opportunity Zones, Empowerment Zones, Promise Zones, Choice Neighborhoods, or Rural Partners Network-designated Community Networks). <u>32</u>) The Climate and Economic Justice Screening Tool (CEJST) via screeningtool.geoplatform.gov.

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Pgs. 16
Filed: 11-08-22

Sponsored by: Lear

COUNCIL BILL 2022- 269 RESOLUTION

A RESOLUTION

1 ADOPTING the *Forward SGF Comprehensive Plan* as the comprehensive plan for the
2 City of Springfield, Missouri. (Planning and Zoning Commission and staff
3 recommend approval.)
4 _____
5

6 WHEREAS, the Planning and Zoning Commission, by state statute and Section
7 11.2 of the Springfield City Charter, has the authority and the responsibility to prepare
8 and recommend to City Council a master plan for the development of the City of
9 Springfield, Missouri; and
10

11 WHEREAS, Section 11.5 of the City Charter provides that the master plan for the
12 City, with the accompanying maps, plats, charts, and descriptive and explanatory
13 matter, shall generally guide the physical development or redevelopment of the City;
14 and
15

16 WHEREAS, Section 11.6 of the City Charter provides that the Commission may
17 adopt the master plan as a whole by a single resolution, or may by successive
18 resolutions adopt successive parts of the plan, said parts corresponding to major
19 geographical sections of the City or to functional divisions of the subject matter of the
20 plan, and may adopt any amendment or extension thereof or addition thereof; and
21

22 WHEREAS, Section 11.6 of the City Charter requires City Council approve the
23 master plan for it to have legal effect; and
24

25 WHEREAS, the Planning and Zoning Commission, on March 10, 2016,
26 requested that City Council allocate funding and resources to develop a new master
27 plan for the City of Springfield; and
28

29 WHEREAS, City Council approved Level Property Tax funding for this request in
30 2017 and 2018, directing staff to prepare a new 20-year master plan; and
31

32 WHEREAS, the City refers to its master plan as the “comprehensive plan,” and
33 uses the terms “master plan” and “comprehensive plan” interchangeably; and
34

35 WHEREAS, after due notice and public hearing, the Commission adopted

36 *Forward SGF Comprehensive Plan* as the City's comprehensive plan on November 14,
37 2022.

38
39 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
40 SPRINGFIELD, MISSOURI, as follows, that:

41
42 Section 1 – City Council hereby approves the *Forward SGF Comprehensive*
43 *Plan*, a copy of which is on file in the City Clerk's Office, as the City's comprehensive
44 plan.

45
46 Section 2 – This Resolution shall be in effect immediately upon adoption.

47
48 Passed at meeting: _____

49
50
51 _____
52 Mayor

53 Attest: _____, City Clerk

54
55 Filed as Resolution: _____

56
57
58 Approved as to form: Jill Bennis, Assistant City Attorney

59
60
61 Approved for Council action: Jason A. Hays, City Manager
62

EXPLANATION TO COUNCIL BILL 2022- 269

FILED: 11-08-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To approve a resolution adopting the *Forward SGF Comprehensive Plan* as the Comprehensive Plan for the City of Springfield, Missouri. (Staff recommends approval).

BACKGROUND INFORMATION:

The City of Springfield has prepared a new comprehensive plan following an extensive public outreach effort beginning in 2019. The *Forward SGF Comprehensive Plan* will replace the City's previously adopted comprehensive plan, the *Vision 20/20 Comprehensive Plan*.

The Springfield City Charter, Section 11.2, states that the "planning and zoning commission shall have the power and shall be required to: Prepare and recommend to the City Council a master plan, and amendments thereto, for the physical development of the City...". The City refers to its "master plan" as the "comprehensive plan," and considers these terms interchangeable. On March 10, 2016, the Planning and Zoning Commission requested City Council to allocate funding and resources to develop a new comprehensive plan. City Council approved Level Property Tax funding for the request in 2017 and 2018, directing staff to prepare a new 20-year comprehensive plan.

The Planning and Development Department, Planning and Zoning Commission, and three Advisory Teams, along with Chicago-based planning consultant Houseal Lavigne and Associates, embarked on an extensive public outreach campaign to gain citizen input on the new comprehensive plan, the *Forward SGF Comprehensive Plan*, in the spring of 2019. This effort yielded approximately 10,000 points of interaction with the Springfield community through on-line and in-person engagement during plan development.

While being delayed almost a year, by the pandemic, the plan was developed over a three-year period, culminating in a community-wide presentation "Forward SGF Reveal" event at Hammons Field in September. In addition, the Planning and Development staff conducted public feedback sessions in each of the four council zones over the course of September and October.

STAFF COMMENTS:

The *Forward SGF Comprehensive Plan* includes an Appendix, which includes 13 supplemental plans and studies previously adopted as elements of the City's Comprehensive Plan. These plans and studies are to remain in effect as elements of the *Forward SGF Comprehensive Plan*. The Comprehensive Plan also includes three supplemental plans that are new or have been revised and have not been previously

adopted, by Commission or Council. These three plans are included in the Appendix by reference and will be adopted as elements of the *Forward SGF* Comprehensive Plan.

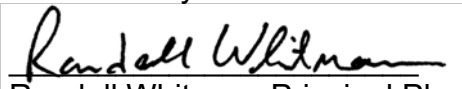
FINDINGS FOR STAFF RECOMMENDATION:

1. The *Forward SGF Comprehensive Plan* has been prepared under the direction of and has been presented to the Planning and Zoning Commission for final review and subsequent adoption on November 14, 2022.
2. The *Forward SGF Comprehensive Plan* will generally guide the physical development or redevelopment of the city.

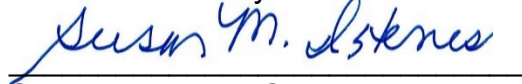
REMARKS:

The Planning and Zoning Commission held a public hearing on November 14, 2022, and approved, by a vote of to , a resolution adopting the *Forward SGF Comprehensive Plan* as the Comprehensive Plan for the City of Springfield, Missouri, a copy of which has been certified by the Planning and Zoning Commission (see the attached "Exhibit D").

Submitted by:


Randall Whitman, Principal Planner

Recommended by:


Susan Istenes, AICP
Director

Approved by:


Jason Gage, City Manager

EXHIBITS:

Exhibit A, Requirements for Approval

Exhibit B, Staff Report

Exhibit C, Resolution, Certified by the Planning and Zoning Commission

Exhibit D, Forward SGF, Comprehensive Plan

EXHIBIT A

REQUIREMENTS FOR APPROVAL

1. The Planning and Zoning Commission may adopt the Comprehensive (Master) Plan as a whole by a single resolution or may by successive resolutions adopt successive parts of the Plan.
2. The adoption of the Plan, or any such part, amendment, extension, or addition shall be by resolution carried by the affirmative vote of not less than a majority of the Planning and Zoning Commission, but before the adoption of the Plan or any such part or any modification, extension or addition, the Planning and Zoning Commission shall hold at least one public hearing on the proposed action.
3. City Council shall approve an attested copy of the Plan certified by the Planning and Zoning Commission. (EXHIBIT E).

EXHIBIT B

STAFF REPORT

PLANNING AND DEVELOPMENT DEPARTMENT

DATE: October 27, 2022
TO: Mayor, City Council, and the Planning and Zoning Commission
FROM: Randall Whitman, Principal Planner
SUBJECT: Forward SGF Comprehensive Plan

REQUEST

Approval of a Resolution adopting the Forward SGF Comprehensive Plan for the City of Springfield.

HISTORY

The City of Springfield adopted Vision 20/20 over the course of several years in 1997-2001. The Vision 20/20 – Comprehensive Plan (Master Plan) had a 20-year horizon ending in 2020. In March of 2016 the City of Springfield Planning and Zoning Commission requested the City Council to appropriate funds to have the Comprehensive Plan updated. After identification of level-property funding in 2018, the City of Springfield embarked on the development of a new Comprehensive Plan (Master Plan), Forward SGF in 2018.

PLANNING AND ZONING COMMISSION AUTHORITY

Land Development Code: Section 36-271 Definitions:

Master plan: A comprehensive *plan* prepared by or under the direction of the Planning Commission and adopted by the city council which indicates the general locations recommended for the various functional classes of public works, places and structures, and the general physical development of the City of Springfield and includes any unit or part of such *plan* separately adopted and any amendment to such plan or parts thereof.

City Charter: Section 11.5. - Master plan; generally.

The master plan with the accompanying maps, plats, charts, descriptive and explanatory matter, shall generally guide the physical development or redevelopment of the City and may include, among other things, goals, objectives, policies, standards, and recommendations for the following:

- a) The general location, character, and extent of streets, bridges, parks, waterways, and other public ways, grounds, and spaces;
- b) The general location of public buildings and other public property;
- c) The general location and extent of public utilities, whether publicly or privately owned;

- d) The removal, relocation, widening, extension, narrowing, vacation, abandonment, or change of use in such existing or future public ways, grounds, spaces, buildings, property, or utilities;
- e) The general location, character, and extent of residential, commercial, industrial, and other uses of land.

The enumeration of the above is not intended in any way to limit the commission and the city council from adopting other elements to the master plan.

City Charter: Section 11.6. – Adoption of master plan.

The commission may adopt the *master plan* as a whole by a single resolution or may by successive resolutions adopt successive parts of the *plan*, said parts corresponding to major geographical sections of the city or to functional divisions of the subject matter of the *plan*, and may adopt any amendment or extension thereof or addition thereto. The adoption of the *plan*, or any such part, amendment, extension, or addition shall be by resolution carried by the affirmative vote of not less than a majority of the commission, but before the adoption of the *plan* or any such part or any modification, extension or addition, the commission shall hold at least one public hearing on the proposed action. An attested copy of the *plan* or part thereof shall be certified to the council. Neither the *master plan*, nor any element of the *plan*, shall have the legal effect set out in Section 11.7 of this chapter unless the *plan*, or the element of the *plan* in question, shall have been approved by the city council.

City Charter: Section 11.7. – Legal status of master plan.

- 1) *Master plan to provide general guidelines. The master plan shall be prepared and maintained as a general guide for the orderly and efficient development and redevelopment of the City of Springfield. The master plan shall be kept current through review not less than every five years. When required by this Charter or otherwise deemed necessary, such review shall include proposed revisions or alterations in the master plan and public hearings thereon.*
- 2) *Regulations to generally conform to master plan. All rezoning of land, subdivision plats, development proposals, and the zoning ordinance, subdivision ordinance and the zoning map should generally conform with the guidelines set forth in the master plan and should be reviewed for consistency with the master plan; provided, however, inconsistencies with the master plan shall not constitute cause to invalidate any such matter. The master plan shall not have the effect of a regulatory ordinance.*
- 3) *Master plan to guide public improvements. The master plan shall provide guidelines for the location of public streets, parks and other public ways, grounds and spaces, public buildings and structures, facilities of public or private utilities, and the acquisition of real property by the city for public use. To that end the Planning and Zoning Commission shall review the following:*
 - a) *All proposals to construct or extend public streets.*
 - b) *All proposals to improve land as a park.*
 - c) *All proposals to lay out or improve other public ways, grounds, or spaces.*
 - d) *All proposals to construct public buildings and structures.*

- e) All proposals to lay out and construct facilities of public utilities, whether publicly or privately owned.
- f) All proposals to acquire real property for public purposes.

In reviewing and approving all such proposals, the function of the Planning and Zoning Commission shall be to determine whether they are generally consistent with the *master plan* of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the Planning and Zoning Commission.

In case of disapproval, the Commission shall communicate its reasons to the City Council, and the City Council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the City Council, then the submission to the planning commission shall be by the agency having jurisdiction, and the Planning Commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land, sale, or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled.

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the Commission) to the Commission, then the proposal shall be deemed to have been approved by the Commission, unless a longer period for review by the Commission shall have been authorized by the Council or by the public officials submitting the proposal. In any case in which the Commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

PROCESS

- On March 10th of 2016 the Planning and Zoning Commission requested City Council appropriate the funds to have the Growth Management and Land Use element of the Comprehensive Plan updated.
- In October 2018 City Council's Community Involvement Committee initiated the development of a new Comprehensive Plan for the City of Springfield.
- In May 2019, the City entered into a contract with Chicago-based Houseal Lavigne Associates to guide and develop a new Comprehensive Plan for the City of Springfield.

Forward SGF Community Engagement – Considered one of the cornerstones of planning, community outreach has been a priority from the launch of this initiative. Taking in nearly 10,000 points of participation and engaging with over 2,500 individuals through in-person participation, Forward SGF integrated a wide-array of outreach, including traditional workshops, virtual tools, three live / broadcasted speaker series events, and social media to reach community members. Highlights include the coordination of over 1,300 community members in 57 "Issues and Opportunity Identification" workshops and three community-wide visioning workshops with over 800 participants in attendance.

Forward SGF Overview and Update – Over the course of project development, City Council, the Planning and Zoning Commission, Advisory Teams, and the public received an update on progress of the plan, including major milestones, such as the completion of the Issues and Opportunities Report in January 2020. Subsequent updates were presented during two community workshops in March and June 2022. Each presentation, accompanying reports, and related presentation materials were made available via the project website: WWW.ForwardSGF.com

Forward SGF Community Release - In July 2022, the City of Springfield coordinated with the Springfield Cardinals to host an afternoon Reveal event at Hammons Field where over 250 people attended. Key initiatives and recommendations from each chapter of the Plan were presented to the public and a host of community and subject matter experts were in attendance to answer questions. The Hammons Field Reveal event was subsequently followed-up by four additional workshops located in each of the four Council Zones.

City Staff have worked diligently with the Consultant team to edit the various drafts that have been presented. Collectively, staff have progressively reviewed and edited over six draft documents, compiling over 3,000 comments from staff, advisory team, and focus group members, in addition to concerns raised by the Planning and Zoning Commission. The proposed plan represents final edits made and posted to the project website for public review.

ANALYSIS

State enabling legislation and the City's Charter outline a prescriptive list of functional aspects the Plan should include to guide the physical development of the city. As with past planning efforts and current trends in urban planning, Forward SGF does provide some guidance and recommendations aimed at stabilizing and improving certain social aspects of the community, such as crime, poverty, homelessness, and overall prosperity.

Forward SGF provides guidance on the fundamental aspects of infrastructure, facility, and future land use and development outlined above, as required by the City Charter. Some components of the City's infrastructure plans are supplemented in more detailed planning work, either already adopted or in process. For instance, the Environmental Services Department is currently undertaking a comprehensive study of the collection system and treatment facilities for both the northwest and southwest systems. Once completed, plans like these will be adopted and incorporated in the City's Comprehensive Plan as elements. Neighborhood, corridor, or district plans are also prepared from time to time and when adopted are also incorporated as elements of the Plan. A complete list of past plans and amended plans that will be included as part of Forward SGF are outlined at the end of this report, under the heading **Appendix Files**.

ORGANIZATION

The Plan reacts to community input and targeted outreach efforts to clearly communicate a comprehensive 20-year vision for the city. The vision revolves around an aspirational movement to expand the prosperity of the city by focusing on one unifying principle "Quality of Place". Within the context of a Comprehensive Plan, which focuses primarily on land use and development policy, Quality of Place is defined by creating a highly livable place through:

- Investing in the development of **complete neighborhoods** that offer a unique living experience by being well-connected to public facilities, markets, neighborhood amenities, and employment centers and by providing a range of safe, healthy, and diverse housing options.

- Fostering **stewardship** in the care and ownership in neighborhoods, the built and natural environment, and the city's image, character, and identity.
- Creation of a **vital economy** that offers a range of goods, services, and employment options in vibrant urban spaces, districts, and corridors.

Forward SGF is further organized by incorporating three **themes** throughout the Plan:

- **Community Physical Image** – beautification of the city through investment in public and private infrastructure.
- **Arts, Culture, and Historic Preservation** – celebration and elevating pride and expansion in cultural and historic resources.
- **Health and Well-being** – awareness aimed at improving the health and behavioral choices of individuals and the overall community.

The Comprehensive Plan is divided into 15 chapters, but targets five core elements:

- Housing and Neighborhoods
- Economic Development
- Transportation and Mobility
- Infrastructure and Community Facilities
- Parks, Greenways, and Natural Resources

Future Land Use, Development, Growth, and Annexation are also fundamental components of the Plan:

- **Land Use and Development** – By utilizing a place-based approach to planning and development, that does not focus exclusively on the use of individual parcels, but rather the creation of identifiable and memorable places, neighborhoods, corridors, or districts with a mixture of compatible uses, development and redevelopment will focus on better integrated design and a relationship to the built and natural environment.
- **Growth Areas and Annexation** – Through a commitment to planned, sustainable, responsible growth Forward SGF prioritizes areas for economic and physical growth where infrastructure improvements and community resources can be leveraged to expand the city, while maintaining existing infrastructure and resources within the city's current corporate limits.

Top 10 Key Initiatives – Ten initiatives have been identified in the Plan that were developed based on community outreach that are critical to implementing the Quality of Place vision.

1. **Restore SGF** – is a local initiative that aims to encourage reinvestment and homeownership in Springfield's neighborhoods.
2. **Place-Based Approach** – is a new approach and shift in how the city will plan and guide development and redevelopment, focusing on design over use with an emphasis on creating quality places.
3. **Comprehensive City Code Update** – one of the most critical tools to successively implementing the Plan, development codes will be reviewed and aligned with the guidance from Forward SGF.

4. **Ungap the Map** – expanding and closing gaps between existing segments of the trail network will connect neighborhoods and community amenities city-wide, while creating alternative recreation and transportation options for residents.
5. **Entrepreneurial Stewardship** – cultivating an environment for small business growth, live-work opportunities, and start-ups is an essential component of the city's economic development planning efforts.
6. **Corridor Improvements** – planning for access, beautification, and multi-modal improvements along key city corridors is an essential strategy to improving quality of place and implementing recommendations in numerous core elements of the Plan.
7. **Neighborhood Commercial Hubs and Planning** – creating places that serve as small-scale neighborhood activity centers is championed in the neighborhood and economic development chapters as a key strategy to increase quality places and complete neighborhoods.
8. **Connecting to Nature** – championing outdoor recreation opportunities, sustainable development, and ecotourism is key to improving stewardship and awareness of the intrinsic value of the local ecology and natural resources that make Springfield a great place to live and visit.
9. **Growth and Annexation Plan** – establishing a strategy to manage existing and planned improvements for balanced growth that does not compromise available resources, in the short-term is critical to long-term sustainability of the city.
10. **Regional Planning and Partnerships** – promoting and participating in planning efforts with surrounding communities and agencies is critical to the long-term health and success of the city and region.

Area and Subarea Plans – Forward SGF predominately guides the future growth and improvement of the city from a comprehensive perspective, limiting planning guidance at the parcel level to Land Use, Development, Growth, and Annexation. The exception to that comprehensive approach is the inclusion of the following targeted Area plans for **Downtown** and **Commercial Street**, and five **Subarea Plans**:

Downtown Plan – As a guide for the continued revitalization of the city's urban core, this targeted plan presents a vision and a unifying effort for a variety of initiatives and strategies to guide growth and improvement in Downtown Springfield. The Downtown Plan included an Advisory Team specifically selected for this area, as well as targeted community engagement events focused on the Downtown area.

Commercial Street Plan (Area Plan) - The Commercial Street Plan was completed by Progressive Urban Management Associates (PUMA) and has been incorporated as a component of Forward SGF. This element of the Plan serves as a guide for the continued revitalization of historic commercial street and establishes a vision for a diverse, safe, and inviting mixed-use area that provides a quality environment within the district and the surrounding neighborhoods. The planning process for Commercial Street also included a separate Advisory Team and targeted community engagement activities and events dedicated to planning for the future of the district.

Subarea Plans - Forward SGF includes five Subarea plans that build on the core elements of the Plan. The five subareas are Glenstone Avenue, Trafficway Street, Chestnut Expressway, Lake Springfield, and Boonville Avenue Corridor. These five areas were chosen because they exhibit significant potential for change. The Subarea Plans highlight key concepts and strategies for land use and development, multimodal connectivity, and streetscaping and placemaking within each subarea. The Subarea Plans provide insight on how city-wide policies can be applied to these specific subareas, but also serve as a model for similar areas within the community. Further planning is already underway for the Lake Springfield Master Plan funded with a grant from the U.S. Department of Commerce's Economic Development Administration (EDA) and the Hatch Foundation.

Appendix Files – Additional Plans, studies, and reports are being incorporated into the Comprehensive Plan, as components of the **Forward SGF Appendix**.

Previously Adopted Plans – The following plans and studies, which were previously adopted as elements of the City's Comprehensive Plan, are to remain in effect as elements of the Forward SGF Comprehensive Plan:

- Ozarks Technical Community College – Springfield Campus Master Plan, May 2010
- College Street Corridor Plan, August 2012
- Galloway Redevelopment Area - Design Guidelines, October 2019
- Grant Avenue Parkway Corridor Plan, March 2021
- IDEA Commons Plan, October 2010
- Jordan Valley Concept Plan, September 2005
- Jordan Valley Concept Plan Graphic, March 2015
- Midtown Neighborhood Plan, April 2001
- Phelps Grove Neighborhood Plan, April 2019
- Rountree Neighborhood Plan, November 2018
- Southeast Springfield Development Study, November 2002
- West Central Neighborhood Strategic Plan, May 1998
- West Sunshine/Highway 60 Corridor Study, March 2009

New or Revised Plans – The following plans are new or have been revised and have not previously been adopted, therefore they will be adopted as elements of the of the Forward SGF Comprehensive Plan:

- Historic Preservation Element, July 2022
- Springfield Art Museum Master Plan, May 2018
- Springfield–Greene County Park Board Parks and Recreation Master Plan, May 2021

Supporting Reports – The following reports contain supplementary material and supporting background information that were developed in concert with Forward SGF and are being included in the Plan as an essential part of the public record:

- Commercial Street Plan - Executive summary, survey, and market profile, as produced by Progressive Urban Management Associates, April 2021
- Forward SGF – Outreach Summary, December 2019
- Forward SGF – Issues and Opportunities Report, April 2020

Implementation - With the comprehensive planning process complete, the longer process of implementing the plan to facilitate change and growth begins. To realize the community's vision for the future of Springfield, the City must take a proactive role in implementing the recommendations, strategies, and policies contained within Forward SGF. The adoption of the Comprehensive Plan sets the foundation and framework for additional planning, numerous efforts, such as the following are well underway:

- **Revisions and Updates to the Land Use Code** – A Request for Proposals (RFP) was issued for this important piece of legislation that will include a comprehensive update to the Zoning Code, Subdivision Regulations, and related development codes.
- **Housing Needs and Conditions Study Evaluation, and Neighborhoods Revitalization Strategy** – A RFP was recently issued for a study which will include an assessment of current housing conditions, demographics, market demands, housing gaps, and strategies to mitigate identified gaps.
- **Transportation Master Plan** – The City is actively preparing an RFP for the preparation of a comprehensive transportation study and plan. This plan will include a review of the Major Thoroughfare Plan, Functional Classification System, and the addition of an Access Management Plan, and related transportation policies.
- **City Utilities Transit Study** – City Utilities has recently issued an RFP for a comprehensive study and plan of the public transportation system.
- **Treatment Plant and Collection System Master Planning** – Environmental Services is in the process of developing master plans for both treatment and collection systems for the Northwest and Southwest facilities. These studies will provide guidance for further growth and subsequent system expansion and improvements for the City's entire wastewater treatment and collection system.
- **Lake Springfield Master Plan** – A multi-disciplined consultant team has been selected following receipt of a Federal Economic Development Planning Grant to develop a master plan for the Lake Springfield area, including future use of the decommissioned powerplant and the redevelopment and public improvement of the surrounding James River and Lake Springfield properties.

As this list of initial work makes clear, implementation of Forward SGF will require active cooperation of elected and appointed officials, City staff, partner organizations, the local business community, property owners, developers, and residents to make the Comprehensive Plan a reality.

Lastly, staff is committed to fulfilling the charged outlined in the City Charter, by keeping the Plan current through review, of not less than every five years. Analyzing and reviewing the plan along with accompanying components in concert with local and national trends, capital planning efforts, and policy changes will help to ensure the plan remains current and the legacy of the vision realized in 2040.

EXHIBIT C

APPROVED RESOLUTION AND COPY OF THE FORWARD SGF COMPREHENSIVE
PLAN, CERTIFIED BY THE PLANNING AND ZONING COMMISSION

**A RESOLUTION ADOPTING THE COMPREHENSIVE PLAN FOR THE CITY OF
SPRINGFIELD, MISSOURI.**

WHEREAS, the City of Springfield (the "City") is committed to retaining and enhancing the desirability and livability of its community, and has sought to create a vision of the community through the development of a comprehensive plan or master plan (the "Plan") for the city; and,

WHEREAS, the Planning and Zoning Commission of the City of Springfield, Missouri (the "Commission"), is required by Section 89.340 of the Missouri Revised Statutes and Section 11.2 of the Charter, and has the authority and responsibility to develop a master plan (Plan) for the physical development of the City; and,

WHEREAS, Section 11.5 of the City Charter provides that the master plan (Plan) for the physical development of the City, with the accompanying maps, charts, descriptive and explanatory matter, shall show the Commission's recommendations for the development of the City territory; and,

WHEREAS, Section 11.6 of the Charter provides that the commission may adopt the master plan as a whole by a single resolution, or may by successive resolutions adopt successive parts of the plan, said parts corresponding to major geographical sections of the city or to functional divisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto; and,

WHEREAS, on November 14, 2022, the Commission, under authority granted to it by the Missouri Revised Statutes, and the City Charter, after a duly called public hearing, and after considering the views of all those who came before it, voted to approve the Plan on file with the Executive Secretary of the Commission, as the official comprehensive plan for the City.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SPRINGFIELD, MISSOURI AS FOLLOWS:

Section 1. The Springfield Comprehensive Plan on file with the Executive Secretary of the Commission, is hereby approved and the Commission hereby orders that the Plan be made available to the public.

Section 2. All maps, descriptive matter and other matters in the Plan are intended by the Commission to be a part of the Comprehensive Plan.

Section 3. All prior comprehensive plans, portions thereof, updates thereto, or additions thereto, are hereby repealed to the extent they are inconsistent with the Plan.

Section 4. The Executive Secretary of the Commission is instructed to:

- a) Record or otherwise make available a copy of the Comprehensive Plan in the office of the Greene County Recorder of Deeds.
- b) File the Comprehensive Plan in the office of the Commission.
- c) Give a certified copy of the Comprehensive Plan to the City Council and keep a certified copy on file; and
- d) Make the Comprehensive Plan available for public inspection during normal office hours.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER 2022.

Randy Doennig, Chairman
Planning and Zoning Commission

Susan Istenes, AICP
Director of Planning and Development,
Executive Secretary of the Planning and Zoning Commission

EXHIBIT D

FORWARD SGF – COMPREHENSIVE PLAN

On file in the City Clerk's Office

One-rdg. X
P. Hrngs.
Pgs. 6
Filed: 11-08-22

Sponsored by: Schilling

COUNCIL BILL 2022- 270 RESOLUTION

A RESOLUTION

1 AUTHORIZING the City Manager, or his designee, to apply for up to \$3.7 million in
2 funds from the State of Missouri Department of Economic
3 Development American Rescue Plan Act Community Revitalization
4 Grant Program, with such funds to be used for the Renew Jordan
5 Creek Project efforts of developing public amenities from Boonville
6 Avenue to Main Avenue.
7 _____
8

9 WHEREAS, the Missouri Department of Economic Development (“DED”) has
10 allocated \$10 million in American Rescue Plan Act (“ARPA”) Community Revitalization
11 Grant Program funds to southwest Missouri under House Bill 3020; and
12

13 WHEREAS, the City may request up to twenty-five percent (25%) of these funds
14 through a competitive process for local projects to spur economic recovery and build
15 stronger communities, with a required fifty percent (50%) cost share; and
16

17 WHEREAS, grant funding, if awarded, would supplement the City’s 1/4-Cent
18 Capital Improvement Sales Tax, the 1/8-Cent Transportation Sales Tax, and Level
19 Property Tax Funds, and would fund up to 50% of Renew Jordan Creek Project efforts,
20 including greening of impervious surfaces, construction of equitable gathering spaces,
21 and increasing pedestrian connectivity.
22

23 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
24 SPRINGFIELD, MISSOURI, as follows, that:
25

26 Section 1 – The City Manager, or his designee, is hereby authorized to apply for
27 up to \$3.7 million in funds from the DED ARPA Community Revitalization Grant
28 Program, with such funds to be used for Renew Jordan Creek Project efforts.
29

30 Section 2 – This Resolution shall be in effect from and after passage.
31

32 Passed at meeting: _____
33
34

35 _____
Mayor

36 Attest: _____, City Clerk

37

38 Filed as Resolution: _____

39

40

41 Approved as to form: Jill Bennis, Assistant City Attorney

42

43

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

EXPLANATION TO COUNCIL BILL 2022- 270

FILED: 11-08-22

ORIGINATING DEPARTMENT: Economic Vitality

PURPOSE: Authorizing the City Manager, or designee, to apply for funds up to an amount of \$3.7 million from the State of Missouri Department of Economic Development (“DED”) ARPA Community Revitalization Program for Renew Jordan Creek. Funds will be used to develop the public amenities from Boonville to Main Ave via a ribbon of beautified greenspace, plazas, and trails. Elements will include greening of impervious surface, constructing equitable gathering spaces, recreation, pedestrian connectivity, programing, and placemaking as recommended in the Renew Jordan Creek Concept Plan.

BACKGROUND INFORMATION:

Through the Department of the Treasury, DED Community Revitalization funds have been made available in the amount of \$100 million statewide with \$10 million allocated to southwest Missouri under House Bill 3020. Applicants may request up to 25% of these funds through a competitive process for local priority projects to spur economic recovery and build stronger communities, due on November 30, 2022, requiring 50% cost share.

Eligible expenses for Disproportionately Impacted Communities (“project category”) include:

1. Renovation, rehabilitation, maintenance, or costs to secure vacant and abandoned properties
2. Removal and remediation of environmental contaminants from vacant and abandoned properties
3. Demolition or deconstruction of vacant or abandoned buildings (including residential, commercial, or industrial buildings) paired with greening or other lot improvement as part of a strategy for neighborhood revitalization.
4. Converting vacant or abandoned properties into affordable housing
5. Neighborhood cleanup programs
6. Development of parks and green spaces
7. Development of recreational facilities
8. Creation of sidewalks, crosswalks, and streetlights

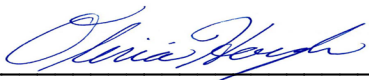
If awarded, grant funds will supplement the City’s 1/4 Cent Capital Improvement Sales Tax, 1/8 Cent Transportation Sales Taxes, and Level Property Tax Funds for up to 50% of project costs. Funds will support property acquisition, greening, pedestrian connectivity, parks, and plazas programed for equitable enjoyment. Environmental remediation may be included as needed. Renew Jordan Creek was envisioned through the Vision 20/20 planning process, recommended in the Center City Plan Element, Jordan Valley Concept Plan, Integrated Plan for the Environment and further refined and prioritized in the Forward SGF Comprehensive Plan. Improvements will be a

catalyst for new private investment, job creation, water quality improvement, flood control, placemaking, and quality of life benefits.

The Jordan Creek Concept Plan is attached as "Exhibit A."

REMARKS: This Council Bill will authorize the City to apply for State of Missouri DED ARPA funds to implement Renew Jordan Creek in support of Council Priorities of Quality of Place and Economic Vitality. If awarded, a separate Council Bill will be submitted to formally accept funds and amend the budget. Economic Vitality and Public Works recommend approval of this Council Bill.

Submitted by:


Olivia Hough, Senior Planner

Recommended by:


Amanda Ohlensehlen, Director

Approved by:


Jason Gage, City Manager



Exhibit A
Renew Jordan Creek
DRAFT Conceptual Plan Layout



Exhibit A continued
DRAFT
Conceptual Layout

One-rdg. X
P. Hrngs.
Pgs. 13
Filed: 11-08-22

Sponsored by: Simpson

COUNCIL BILL 2022-271 RESOLUTION

A RESOLUTION

1 AUTHORIZING the City Manager, or his designee, to apply for up to \$3.5 million in
2 funds from the State of Missouri Department of Economic
3 Development American Rescue Plan Act Local Tourism Asset
4 Development Grant Program, with such funds to be used for Phase II
5 construction of the Springfield Art Museum renovation and expansion.
6
7

8 WHEREAS, the Missouri Department of Economic Development (“DED”) has
9 appropriated \$30 million in American Rescue Plan Act (“ARPA”) Local Tourism Asset
10 Development Grant Program funds statewide, with \$10 million of such funds allocated
11 to a category of such funds for which the City may apply; and
12

13 WHEREAS, the City may request up to twenty-five percent (25%) of these funds
14 through a competitive process for local priority projects to spur economic recovery and
15 build stronger communities, with a required fifty percent (50%) cost share; and
16

17 WHEREAS, grant funding, if awarded, would supplement the \$13 million in public
18 and private investments already made, and \$8.5 million in appropriations, grants, and
19 donations planned to complete the \$25 million Phase II construction of the Springfield
20 Art Museum renovation and expansion and would fund up to 50% of total project costs
21 for the new educational wing, expanded west entry and event space, improvements to
22 the Art Museum grounds, and interior renovations to the auditorium, exhibition
23 preparation, art receiving and storage, and galleries as well as other interior and exterior
24 improvements.
25

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

29 Section 1 – The City Manager, or his designee, is hereby authorized to apply for
30 up to \$3.5 million in funds from the DED ARPA Local Tourism Asset Development Grant
31 Program, with such funds to be used for Phase II construction of the Springfield Art
32 Museum renovation and expansion.
33

34 Section 2 – This Resolution shall be in effect from and after passage.
35

36 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022- 271

FILED: 11-08-22

ORIGINATING DEPARTMENT: Springfield Art Museum

PURPOSE: Authorizing the City Manager, or designee, to apply for funds up to an amount of \$3.5 million from the State of Missouri Department of Economic Development (“DED”) ARPA Local Tourism Asset Development Grant Program for Phase II construction of the Springfield Art Museum renovation and expansion. Funds will be used for the design and construction of the Museum facility including a new education wing, an expanded west entry and event space, improvements to the auditorium, exhibition preparation, art receiving and storage areas, and galleries, as well as other improvements to the Museum facility and grounds.

BACKGROUND INFORMATION:

Through the Department of the Treasury, DED Tourism Development Grant funds have been appropriated under House Bill 3020 in the amount of \$30 million statewide with \$10 million allocated to Tourism Category 1, Springfield level as defined by the State. Applicants may request up to 25% of these funds through a competitive process for local priority projects to spur economic recovery and build stronger communities, due on December 14, 2022, and requiring 50% cost share.

Eligible expenses to further the statewide recovery of the tourism, travel, and hospitality industries from the negative impact of the pandemic include:

1. Upgrades to indoor and outdoor tourism, travel, and hospitality facilities. This can include COVID-19 mitigation and prevention measures as well as upgrades that were delayed due to the pandemic.
2. New indoor and outdoor tourism, travel, and hospitality facilities for which the planning, development, and/or construction were delayed due to the negative economic impact of COVID-19
3. Rehabilitation, renovation, maintenance, or costs to secure vacant or abandoned property to reduce their negative impact and position the property for current Tourism Industry uses.

If awarded, grant funds will supplement \$13 Million in public and private investment toward the project already made and an additional \$8.5 Million in appropriations, grants, and donations planned to complete the \$25 million project. If awarded, grant funds will fund up to 50% of total project costs for the new educational wing, expanded west entry and event space, improvements to the Museum grounds, and interior renovations to the auditorium, exhibition preparation, art receiving and storage, and galleries as well as

other interior and exterior improvements. The expansion and renovation project is prioritized in the Forward SGF Comprehensive Plan. Improvements will be a catalyst for new private investment, job creation, water quality and flood control, and quality of life benefits.

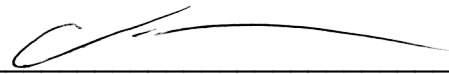
The SAM Concept Plan is attached as "Exhibit A."

REMARKS: This Council Bill will authorize the City to apply for State of Missouri DED ARPA funds to complete Phase II of construction for the Springfield Art Museum renovation and expansion. This project supports Council Priorities of Quality of Place and Economic Vitality. If awarded, a separate Council Bill will be submitted to formally accept funds and amend the budget. Springfield Art Museum and Economic Vitality recommend approval of this Council Bill.

Submitted by:

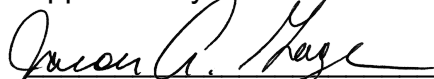
Kate Francis, Museum Affairs Officer

Recommended by:



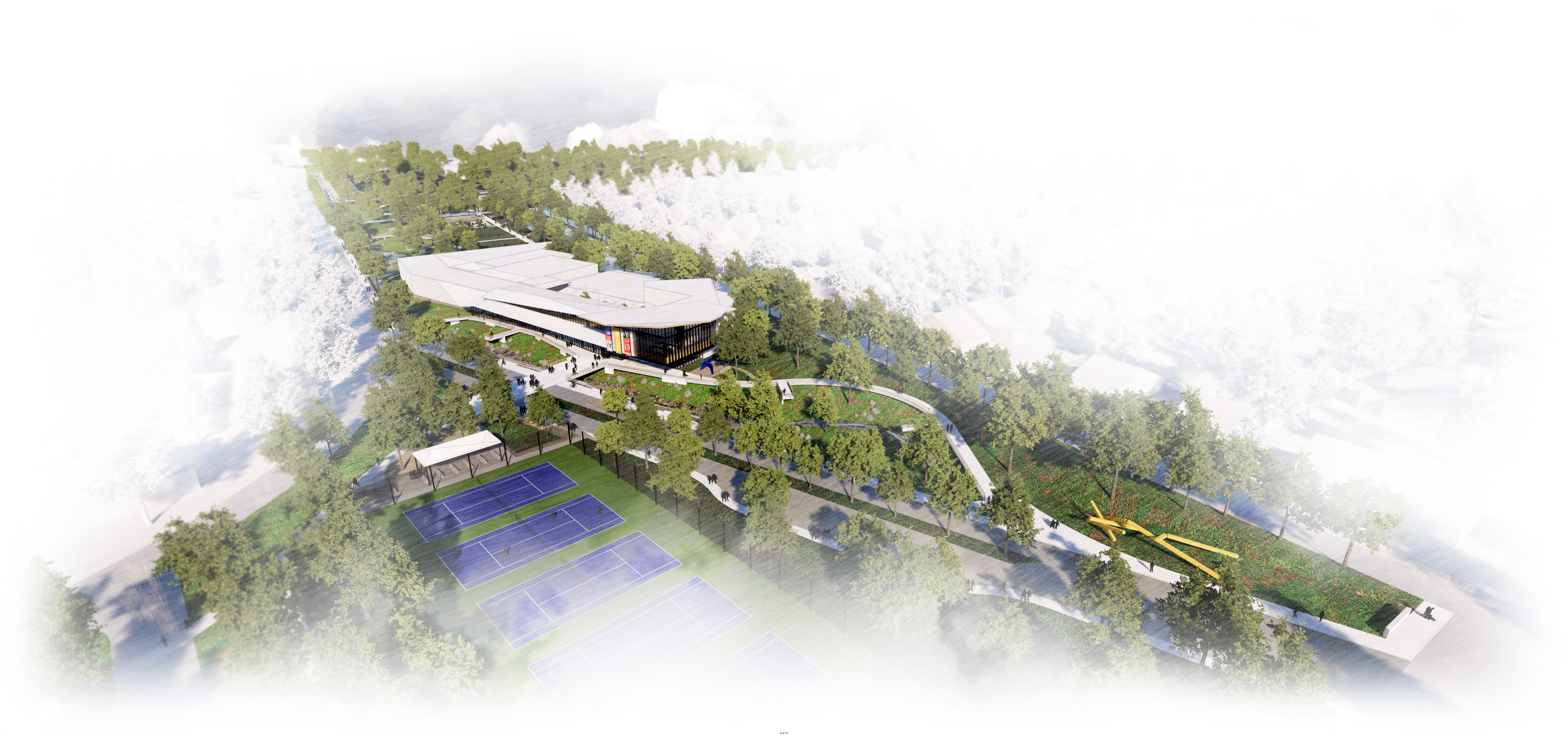
Nick Nelson, Art Museum Director

Approved by:



Jason Gage, City Manager















AUDITORIUM





One-rdg. X
P. Hrngs. _____
Pgs. 11
Filed: 11-08-22

Sponsored by: McClure

COUNCIL BILL 2022 - 272

RESOLUTION _____

A RESOLUTION

1 ADOPTING the City of Springfield's Legislative Priorities for 2023.
2 _____
3

4 WHEREAS, City Council is concerned with legislative matters at the state and
5 federal level which have an impact on the governmental operations of the City of
6 Springfield, Missouri; and
7

8 WHEREAS, City Council has identified several important legislative items that may
9 be considered by federal and state legislatures in the upcoming year; and
10

11 WHEREAS, adoption of the legislative priorities will empower City officials, staff, and
12 representatives to advocate on the City's behalf, before, and to members of the federal and
13 state legislatures.
14

15 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, as follows, that:
17

18 Section 1 – City Council hereby adopts “Exhibit A,” a copy of which is attached
19 hereto and incorporated herein by reference, as its Legislative Priorities for 2023.
20

21 Section 2 – This Resolution shall be in effect immediately upon adoption.
22

23 Passed at meeting: _____
24

25 _____
26 Mayor
27

28 Attest: _____, City Clerk
29

30 Filed as Resolution: _____
31

32 Approved as to form: Rhonda Lewsader, City Attorney
33

34 Approved for Council action: Jason A. Hays, City Manager
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EXPLANATION TO COUNCIL BILL 2022- 272

FILED: 11-08-22

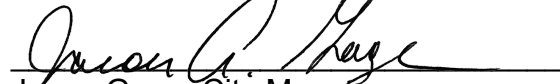
ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To adopt the City of Springfield's Legislative Priorities.

BACKGROUND INFORMATION: This Resolution adopts the City of Springfield's 2023 Legislative Priorities. These priorities, once adopted, will guide the City's elected officials and staff in their work with state and federal legislators during 2023.

On October 11, 2022, City Council reviewed and provided guidance for the Legislative Priorities at a City Council Lunch meeting. The final version of the 2023 Legislative Priorities is attached as "Exhibit A." "Exhibit B" is provided in markup form for informational purposes only.

Submitted and Approved by:


Jason Gage, City Manager

City of Springfield Legislative Priorities – 2023

General Priorities

- **Retain Local Control** – The City of Springfield opposes legislation that would reduce or remove local authority, including the setting of user and license fees.
- **Special Interest Legislation** – The City of Springfield requests that legislation with statewide impact not be used to address localized concerns.
- **Avoid Unfunded Mandates** – The City of Springfield opposes any legislation that would result in a new net cost and related tax burden to the City of Springfield and/or its citizens.
- **Promote Public Safety** – The City of Springfield supports legislation that promotes safe communities and reduces violent crime.
- **Promote Economic Vitality** – The City of Springfield supports legislation that strengthens Springfield’s ability to: compete for jobs, enhance education and workforce development, improve transportation, provide affordable housing, create healthy neighborhoods, stimulate downtown revitalization, grow tourism funding, and ensure broadband access for all citizens – all without compromising our natural environment.
- **Promote Fiscal Sustainability** – The City of Springfield supports legislation that honors municipal taxing independence, preserves current revenue streams and ensures stable service delivery and infrastructure.
- **Promote Quality of Place** – The City of Springfield supports legislation that promotes projects that improve livability, strengthens our ability to retain and attract talent, enhances our neighborhoods, enriches our visitor experience, and encourages an inclusive and welcoming community.

Specific Priorities

- **Municipal Elections** – The City of Springfield opposes legislation that would move municipal elections from April to Fall or introduce partisanship into municipal elections.

- **Public Safety** – The City of Springfield supports:
 - sustained funding for mental health service, the Pretrial Witness Protection Service fund, rape kit testing, and sexual assault reduction and victim assistance needs,
 - amending State law to match Federal law regarding the possession of handguns by minors,
 - expanding the collection of DNA samples by requiring a sample be collected from any individual aged 18 or older who is arrested for any felony crime as defined by the Revised Statutes of the State of Missouri, and
 - efforts to reduce gun violence in our community and across the state of Missouri. U.S. active shooter cases have nearly doubled (31 incidents to 61 incidents) from 2017 to 2021, killing or wounding 243 people in 2021 alone. In 2020, Missouri was ranked 4th for firearm mortality (ranked 17th in 2005) and 5th for firearm homicides per 100,000 persons. In addition, Springfield calls for shots fired has increased 82% (227 to 414 proj.) since 2019. (Sources: U.S. Dept. of Justice – Federal Bureau of Investigation, CDC, Pew Research Center and SPD data)

- **Land Bank** – For the betterment of our neighborhoods, the City of Springfield supports legislation that allows Land Banks to accept property through the judicial tax sale system without its prior tax obligations (general or special real estate taxes, penalties, liens, etc.), and adds Springfield and other communities to the list of cities enabled to form a Land Bank.

- **Payday Loans** – The City of Springfield asks our local delegation to introduce and support legislation that will limit refinancing and cap the amount of interest that can be charged by payday loan and car title loan companies that tend to prey on the poor. According to the State Commissioner of Finance’s report to the Governor, the average interest rate for “payday” loans in Missouri in 2021 was 414%.

- **Municipal Court**
 - **Failure to Appear in Court for Traffic Violation (FACT Procedure)** – The City of Springfield asks our local delegation to introduce legislation that will reinstate the FACT Procedure. In 2015, SB 5 eliminated the FACT driver’s license suspension procedure for “minor traffic violations” found in RSMo 302.341.2. Under current law, the driver’s license for those who fail to appear in Municipal Court after receiving a citation can no longer be suspended for minor traffic violations. As a result, arrest warrants are immediately issued for these defendants. The FACT process did allow for driver’s license suspensions after a 30-day warning/grace period. This process gives defendants a chance to address their case before their license is suspended. Additionally, we have found a much higher compliance rate with the FACT

process than with the warrant process. Application of a comparable practice used by the State court system and/or other legal incentives that have the result of increasing court appearances are also supported.

- **Municipal Court Warrants** – The City of Springfield asks our local delegation to introduce legislation that will allow warrants for defendants that fail to follow court judgments, amending section 4729.360.1 (3) amend RSMo 479.360.1(3) to clearly allow courts the ability to utilize warrants for those that fail to abide by the judgment of the court or fail to show cause for not abiding by the judgment of the court.
- **Municipal Community Service Support** – The City of Springfield asks our local delegation to introduce and support language to once again allow municipal courts that utilize community service in lieu of traditional sentencing to obtain program cost recovery from non-indigent probationers. We also support amendments that limit municipal liability for these programs.

- **Chronic Nuisance Properties and Dangerous Buildings**

Property Nuisances

- Provide Accelerated Abatement Process for Chronic Nuisances – The City of Springfield asks our local delegation to introduce and support a bill that will allow a single, one-year notice for the abatement of tall grass and weed nuisances to more expeditiously address chronic violation locations.
- Allow violation notices to be sent only to owners.
- Allow flexible notice mailing alternatives such as Fed Ex or UPS, as long as the recipient's signature is required.
- Allow nuisance abatement costs to run with the land.
- Allow recovery of all direct costs associated with processing and abatement of nuisances.
- Review all statutory narrative for topic and definitional clarity.

Dangerous/Unsafe Buildings

- Allow flexible notice mailing alternatives such as Fed Ex or UPS, as long as the recipient's signature is required.
- Allow recovery of all direct costs associated with processing and abatement.
- Allow for collecting of processing and abatement costs through the County Collector (real estate tax bill) in lieu of a special tax bill.
- Limit formal notice requirement to 'violation notice' and 'need to abate' purposes only.

- **State Provided Mental Health Services** – The City of Springfield asks our local delegation to introduce and support legislation investing in community mental health

services. Roughly 1 of 5 individuals live with a mental illness or substance use disorder. While progress is being made, decades of divestment has resulted in a significant need for services on the behavioral crisis continuum (includes crisis call centers, mobile crisis, 23-hour rapid access units, stabilization units, and co-responders), substance use disorder treatment and safety net services. We believe this investment will pay for itself many times over in both community dollars spent and lives saved.

- **SB 1662 Homes-based Business Law** – The City of Springfield asks our local delegation to support legislation to repeal or significantly amend the home-based work and home-based business sections of HB 1662. This new law disrupts the equitable application of municipal zoning across residential, commercial and industrial areas. It also directly pre-empts Missouri cities from applying reasonable zoning regulations necessary to adequately protect the peace, quiet and tranquility of our residential neighborhoods from an unlimited list of incompatible commercial and industrial activities.

City of Springfield Legislative Priorities – 2023

General Priorities

- **Retain Local Control** – The City of Springfield opposes legislation that would reduce or remove local authority, including the setting of user and license fees.
- **Special Interest Legislation** – The City of Springfield requests that legislation with statewide impact not be used to address localized concerns.
NEW ITEM
- **Avoid Unfunded Mandates** – The City of Springfield opposes any legislation that would result in a new net cost and related tax burden to the City of Springfield and/or its citizens.
- **Promote Public Safety** – The City of Springfield supports legislation that promotes safe communities and reduces violent crime.
- **Promote Economic Vitality** – The City of Springfield supports legislation that strengthens Springfield's ability to: compete for jobs, enhance education and workforce development, improve transportation, provide affordable housing, create healthy neighborhoods, stimulate downtown revitalization, grow tourism funding, and ensure broadband access for all citizens – all without compromising our natural environment.
- **Promote Fiscal Sustainability** – The City of Springfield supports legislation that honors municipal taxing independence, preserves current revenue streams and ensures stable service delivery and infrastructure.
- **Promote Quality of Place** – The City of Springfield supports legislation that promotes projects that improve livability, strengthens our ability to retain and attract talent, enhances our neighborhoods, enriches our visitor experience, and encourages an inclusive and welcoming community.

Specific Priorities

- **Municipal Elections** – The City of Springfield opposes legislation that would move municipal elections from April to Fall or introduce partisanship into municipal elections.

- ~~**Hotel/Motel Tax**~~ — ~~The City of Springfield asks our local delegation to introduce and support legislation enabling the Springfield electorate to vote on a hotel/motel tax or a convention and tourism and/or convention and sport tax in addition to the currently enabled hotel/motel tax and at a similar rate afforded to the voters in Kansas City and St. Louis.~~
- **Public Safety** – The City of Springfield supports:
 - sustained funding for mental health service, the Pretrial Witness Protection Service fund, rape kit testing, and sexual assault reduction and victim assistance needs, **COMBINED PRIOR LANGUAGE**
 - amending State law to match Federal law regarding the possession of handguns by minors,
 - expanding the collection of DNA samples by requiring a sample be collected from any individual aged 18 or older who is arrested for any felony crime as defined by the Revised Statutes of the State of Missouri, and
 - **efforts to reduce gun violence in our community and across the state of Missouri. U.S. active shooter cases have nearly doubled (31 incidents to 61 incidents) from 2017 to 2021, killing or wounding 243 people in 2021 alone. In 2020, Missouri was ranked 4th for firearm mortality (ranked 17th in 2005) and 5th for firearm homicides per 100,000 persons. In addition, Springfield calls for shots fired has increased 82% (227 to 414 proj.) since 2019. (Sources: U.S. Dept. of Justice – Federal Bureau of Investigation, CDC, Pew Research Center and SPD data) NEW ITEM**
 - ~~sustained funding for mental health services support for public safety intervention, including rapid access treatment programs.~~
 - ~~ongoing funding for the newly established Pretrial Witness Protection Services Fund (2020 Special Session, HB66).~~
 - ~~legislation that is intended to provide additional funding for rape kit testing, reduce the incidence of sexual assault, provide additional protections for victims of sexual assault, and require timely and ongoing sexual assault training for law enforcement, prosecutors and applicable court personnel.~~
- **Land Bank** – For the betterment of our neighborhoods, the City of Springfield supports legislation that **allows Land Banks to accept property through the judicial tax sale system without its prior tax obligations (general or special real estate taxes, penalties, liens, etc.), and** adds Springfield and other communities to the list of cities enabled to form a Land Bank. **ADDED LANGUAGE**
- ~~**Property Deed Covenant Language**~~ — ~~The City of Springfield supports legislation that requires the removal of covenant language from property deeds that~~

~~prohibits ownership or occupancy due to race, gender, nationality or other similar factors.~~ **ADDRESSED BY HB 1662**

- **Payday Loans** – The City of Springfield asks our local delegation to introduce and support legislation that will limit refinancing and cap the amount of interest that can be charged by payday loan and car title loan companies that tend to prey on the poor. According to the State Commissioner of Finance’s report to the Governor, the average interest rate for “payday” loans in Missouri in 2021 was 414%.
- **Municipal Court**
 - **Failure to Appear in Court for Traffic Violation (FACT Procedure)** – The City of Springfield asks our local delegation to introduce legislation that will reinstate the FACT Procedure. **In 2015, SB 5 eliminated the FACT driver’s license suspension procedure for “minor traffic violations” found in RSMo 302.341.2 eliminated the FACT (Failure to Appear in Court for Traffic Violation) driver’s license suspension procedure found in 302.341.1.** Under current law, the driver’s license for those who fail to appear in Municipal Court after receiving a citation can no longer be suspended for minor traffic violations. As a result, arrest warrants are immediately issued for these defendants. The prior FACT process did allow for driver’s license suspensions after a 30-day warning/grace period. This process gives defendants a chance to address their case before their license is suspended. Additionally, we have found a much higher compliance rate with the FACT process than with the warrant process. Application of a comparable practice used by the State court system and/or other legal incentives that have the result of increasing court appearances are also supported. **MINOR WORDING EDITS**
 - **Municipal Court Warrants** – The City of Springfield asks our local delegation to introduce legislation that will ~~allow warrants for defendants that fail to follow court judgments, amending section 4729.360.1 (3)~~ **amend RSMo 479.360.1(3) to clearly allow courts the ability to utilize warrants for those that fail to abide by the judgment of the court or fail to show cause for not abiding by the judgment of the court.** **MINOR WORDING EDITS**
 - **Municipal Community Service Support** – The City of Springfield asks our local delegation to introduce and support language to once again allow municipal courts that utilize community service in lieu of traditional sentencing to obtain program cost recovery from non-indigent probationers. We also support amendments that limit municipal liability for these programs.
- **Chronic Nuisance Properties and Dangerous Buildings**

Property Nuisances

- **Provide Accelerated Abatement Process for Chronic Nuisances** – The City of Springfield asks our local delegation to introduce and support a bill that will

allow a single, one-year notice for the abatement of tall grass and weed nuisances to more expeditiously address chronic violation locations.

- Allow violation notices to be sent only to owners.
- Allow flexible notice mailing alternatives such as Fed Ex or UPS, as long as the recipient's signature is required.
- Allow **nuisance** abatement costs to run with the land. **MINOR WORDING EDIT**
- Allow recovery of all direct ~~processing and abatement~~ costs associated with processing and abatement of nuisances.
- Review all statutory narrative for topic and definitional clarity

Dangerous/Unsafe Buildings

- Allow flexible notice mailing alternatives such as Fed Ex or UPS, as long as the recipient's signature is required.
 - Allow recovery of all direct costs associated with processing and abatement.
 - Allow for collecting of processing and abatement costs through the County Collector (real estate tax bill) in lieu of a special tax bill.
 - Limit formal notice requirement to 'violation notice' and 'need to abate' **purposes** only. **MINOR WORDING EDIT**
- **State Provided Mental Health Services – The City of Springfield asks our local delegation to introduce and support legislation investing in community mental health services. Roughly 1 of 5 individuals live with a mental illness or substance use disorder. While progress is being made, decades of divestment has resulted in a significant need for services on the behavioral crisis continuum (includes crisis call centers, mobile crisis, 23-hour rapid access units, stabilization units, and co-responders), substance use disorder treatment and safety net services. We believe this investment will pay for itself many times over in both community dollars spent and lives saved. **NEW ITEM****
 - **SB 1662 Homes-based Business Law – The City of Springfield asks our local delegation to support legislation to repeal or significantly amend the home-based work and home-based business sections of HB 1662. This new law disrupts the equitable application of municipal zoning across residential, commercial and industrial areas. It also directly pre-empts Missouri cities from applying reasonable zoning regulations necessary to adequately protect the peace, quiet and tranquility of our residential neighborhoods from an unlimited list of incompatible commercial and industrial activities. **NEW ITEM****
 - ~~**American Recovery Plan Act (ARPA) Funding**~~

- ~~○ Support elimination of the State's local funding match requirement for ARPA funding allocations to State-funded entities (i.e., public colleges and universities), and~~
- ~~○ Consider utilizing a portion of the State's federal ARPA allocation to assist local communities and counties, including the strengthening of public health infrastructure.~~ **ADDRESSED BY 2022 LEGISLATIVE PROCESS**

One-rdg. X
P. Hrngs.
Pgs. 9
Filed: 11-08-22

Sponsored by: Hardinger

First Reading:

Second Reading:

COUNCIL BILL 2022- 273

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to accept grant funds in the amount
2 of \$5,000 from a Show Me Zero Grant through the Missouri Highways
3 and Transportation Commission to support the City's current
4 pedestrian safety education program known as SGF Yields and enter
5 into a Show Me Zero Program Agreement; amending the budget of the
6 Department of Public Works for Fiscal Year 2022-2023 in the amount
7 of \$5,000 upon award of the grant; and declaring that this bill qualifies
8 as a one-reading bill.
9 _____

10
11 WHEREAS, the City's SGF Yields pedestrian safety education program is
12 designed to raise awareness among pedestrians and motorists regarding crosswalks
13 and crossing safety; and
14

15 WHEREAS, the Show Me Zero Grant from the Missouri Highways and
16 Transportation Commission ("MHTC") would allow the Department of Public Works to
17 continue to fund the SGF Yields program; and
18

19 WHEREAS, the City applied for the MHTC grant pursuant to City Code Section
20 2-11, with less than 60 days' notice of the application deadline, and was awarded
21 \$5,000.
22

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

26 Section 1 – The City Manager, or his designee, is authorized to accept a grant
27 from the Missouri Highways and Transportation Commission in the amount of \$5,000 to
28 fund the SGF Yields program, and to do all things necessary to receive and disburse
29 such funds, including entering into a Show Me Zero Program Agreement, said
30 agreement to be in substantial conformity with "Exhibit A," which is attached hereto and
31 incorporated herein by this reference.
32

33 Section 2 – City Council hereby authorizes the amendment of the budget of the
34 Department of Public Works for Fiscal Year 2022-2023 in the accounts and in the
35 amounts shown on Budget Adjustment No. 026, upon the awarding of grant funds, said
36 Budget Adjustment to be in the form of “Exhibit B,” which is attached hereto and
37 incorporated herein by this reference.

38
39 Section 3 – City Council hereby finds and declares this Ordinance relates to the
40 acceptance of a grant from a state or federal agency and pursuant to Section 2.16(25)
41 of the City Charter, this Ordinance may be passed in one reading. Therefore, this
42 Ordinance shall be in full force and effect from and after passage.

43
44 Passed at meeting: _____

45
46 _____
47 Mayor

48
49 Attest: _____, City Clerk

50
51 Filed as Ordinance: _____

52
53 _____
54 Approved as to form: _____, Assistant City Attorney

55
56 _____
57 Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2022- 273

FILED: 11-08-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into an agreement ("Exhibit A") to accept a Show Me Zero Grant (formerly Blueprint for Safer Roadways Grant) through the Missouri Department of Transportation ("MoDOT") to allow the City to continue the current pedestrian safety education program ("SGF Yields"), and amending the Fiscal Year 2022-2023 budget for the Department of Public Works in the amount of \$5,000 to appropriate the grant funds from MoDOT.

BACKGROUND INFORMATION: This grant will continue to fund the SGF Yields program. The SGF Yields program is designed to raise awareness among pedestrians and motorists regarding crosswalks and crossing safety. The SGF Yields program has been ongoing since 2016 as a successful campaign to improve pedestrian safety.

REMARKS: With less than 60 days between the grant announcement on April 5, 2022, and the application deadline of May 20, 2022, sufficient notice was not given to obtain City Council's authorization to apply for this grant. Pursuant to City Code Section 2-11, the City Manager authorized the application.

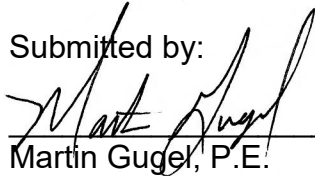
Supports the following City Council Priorities:

- Public Safety
- Quality of Place

FINANCIAL: This grant requires no local matching funds.

RECOMMENDATION: Public Works recommends passage of this council bill and budget adjustment.

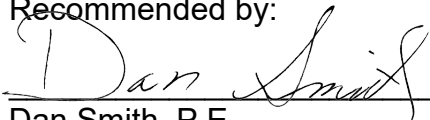
Submitted by:



Martin Gugel, P.E.

Assistant Director of Public Works

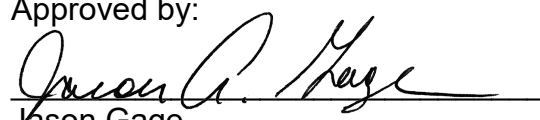
Recommended by:



Dan Smith, P.E.

Director of Public Works

Approved by:



Jason Gage

City Manager

CCO Form: HS02
Approved: 01/05 (BDG)
Revised: 01/22 (GH)
Modified: 09/22 (DH)

Award name/number: BPC-SW-B3-Z
Award year: 2023

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
SHOW ME ZERO PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the

City of Springfield a municipal corporation in the State of Missouri (hereinafter, "City");
OR

County of _____ (hereinafter referred to as "County"); OR

Department of _____, a department within the executive branch of the government of the State of Missouri (hereinafter, "Department"); OR

_____, a recognized vendor with the State of Missouri (hereinafter, "Vendor")

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The Commission has authorized State Road Funds to be used to support regional Show Me Zero activities. The purpose of this Agreement is to grant the use of such State Road Funds to the City.

(2) ACTIVITY: The State Road Funds, which are the subject of this Agreement, will support the following activity to further Missouri's Show Me Zero Program:

\$5,000 for Hand out items, Media projects, and Statue Maintenance

(3) INDEMNIFICATION :

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an

authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(4) COMMISSION REPRESENTATIVE: This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) NONDISCRIMINATION CLAUSE: The City shall also comply with all state and federal statutes applicable to the City relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(7) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(8) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(9) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel the contract for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(10) ACCESS TO RECORDS: The City and its Contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc.

These records must be available at no charge to the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(11) REIMBURSEMENT: With regard to work under this Agreement, the City agrees that funds to implement Show Me Zero activities shall only be available for reimbursement of eligible costs which have been incurred by City. The City shall supply to the Commission copies of all bid information; purchase orders; invoices; and name, date, hours worked, and rate of pay (on Program Agreements that include salaries). Any costs incurred by City prior to authorization and notification to proceed from the Commission are **not** reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments. The Commission shall not provide more than **five thousand** dollars (\$5,000.00) for this Show Me Zero safety project.

(12) USE OF FUNDS: Any employee of City whose salary or wages are paid in whole or in part with federal funds is prohibited from participating in certain partisan political activities, including, but not limited to, being a candidate for elective office pursuant to Title 5 United States Code (hereinafter, "U.S.C."), Sections 1501-1508. If an employee of City participates in activities prohibited by the Hatch Act, City shall no longer pay that employee's salary or wages with federal funds unless the requirements of 5 U.S.C. Sections 1501-1508 are not applicable to that employee pursuant to 5 U.S.C. Section 1502(c).

(13) INSPECTION OF IMPROVEMENTS AND RECORDS: The City shall assure that representatives of the Commission shall have the privilege of inspecting and reviewing the work being performed per this Agreement. The City shall also maintain all financial documents, reports, papers and other evidence pertaining to costs incurred in connection with this Program Agreement, and make such materials readily available for review at reasonable times and at no charge during this Agreement period and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission or any authorized representatives of the State of Missouri; copies shall be furnished, upon request, to authorized representatives of the Commission or State.

(14) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(15) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The City shall refund any overpayments as determined by the final audit.

(16) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(17) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have

been duly authorized, directed and empowered to execute this Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____ (DATE).

Executed by the Commission on _____ (DATE).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

By_____

Title: District Traffic Engineer

Title_____

By_____

Title_____

By_____

Title_____

ATTEST:

By_____

Title_____

Approved as to Form:

By_____

Title_____

Ordinance No_____

*Note: If agency is a County with a county commission form of government, 3 signatures are required.

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
026

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	000000	00000	\$ 5,000	Show Me Zero Grant from the Missouri Department of Transportation
Net Revenue Adjustment						\$ 5,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	504580	000000	00000	\$ 5,000	Continuation of "SGF Yields", the City's Pedestrian Safety Education Program
Net Expenditure Adjustment						\$ 5,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2022-23 budget by appropriating federal funds through the Missouri Department of Transportation for the continuation of "SGF Yields", the City's Pedestrian Safety Education Program.

Requested By:

Dan Smith 11-08-2022
Department Head Date

Approved By:

DL Hill 11-08-2022
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2022-273
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrings. X
Pgs. 16
Filed: 11-08-22

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022- 274

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 0.5 acre of property generally located at 2000 West Thoman Street
4 from HM, Heavy Manufacturing District, to R-SF, Residential
5 Single-Family District; and adopting an updated Official Zoning
6 Map. (Staff and Planning and Zoning Commission recommend
7 approval.)
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District,
12 to R-SF, Residential Single-Family District; and
13

14 WHEREAS, following proper notice, the Planning and Zoning Commission held a
15 public hearing on October 6, 2022, a copy of the Record of Proceedings from said
16 public hearing being attached hereto and incorporated herein by this reference as
17 "Exhibit B," and said Commission made its recommendation; and
18

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

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

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

29 Section 1 – The property described in "Exhibit A," which is attached hereto and
30 incorporated herein by this reference, is hereby rezoned from HM, Heavy Manufacturing
31 District, to R-SF, Residential Single-Family District. Springfield Land Development
32 Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby
33 amended, changed, and modified consistent with this Ordinance.

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

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

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

46
47 Passed at meeting: _____

48
49 _____
50 Mayor

51
52 Attest: _____, City Clerk

53
54 Filed as Ordinance: _____

55
56
57 Approved as to form: Jill Burris, Assistant City Attorney

58
59
60 Approved for Council action: Jason A. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2022 -274

FILED: 11-08-22

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 0.5 acre of property generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District to R-SF, Residential Single-Family District. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-21-2022

The applicant is proposing to rezone approximately 0.5 acre of property generally located at 2000 W. Thoman Street from HM, Heavy Manufacturing District to R-SF, Residential Single-Family District. The intent of this rezoning application is to allow for the continued single-family residential use which was mistakenly left as Heavy Manufacturing during the 1995 Citywide remapping process.

REMARKS:

The Planning and Zoning Commission held a public hearing on October 6, 2022, and recommended to approve, by a vote of 6 to 0.

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

FINDINGS FOR STAFF RECOMMENDATION:

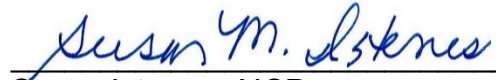
1. The *Growth Management and Land Use Plan* designates this area as appropriate for low-density housing. The R-SF district is listed as the appropriate zoning district for the land use category.
2. There has been minimal change in the conditions in the area affected by the proposed rezoning.
3. The requested R-SF zoning is consistent with the existing residential zoning in this area. This application will bring this residential property under one zoning.
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 proposed zoning will correct an error in the application of this article and will provide a viable use of the property subject to the provisions of the zoning district. The intent of this rezoning application is to allow for the continued single-family residential use which was mistakenly left as Heavy Manufacturing during the 1995 Citywide remapping. This application will bring this residential property under one consistent residential zoning district.
7. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

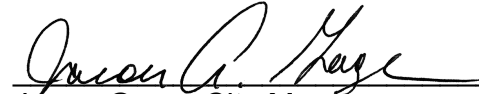
Submitted by:


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-21-2022

LOT 136, W. V. HAMELS ADDITION, SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – October 6, 2022

Z-21-2022

2000 West Thoman Street

Applicant: City of Springfield

Mr. Hosmer states that this is a request to rezone approximately 0.5 acre of property generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District (corrected from GM, General Manufacturing as stated in presentation) to R-SF, Residential Single-Family District. The Comprehensive Plan identifies this area as appropriate for Low Density Housing, however the area has been zoned GM since 1995. This would allow for the continued single-family residential use which was mistakenly left as Heavy Manufacturing during the 1995 Citywide remapping. The Transportation Plan classifies Thoman as a local roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area and stormwater detention is required. The requested rezoning to R-SF, Single-Family Residential will allow the existing residential to use to the east to be conforming. This will also bring the residential property under one consistent residential zoning district. 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. Jobe opened the public hearing.

Ms. Debbie Greek, 2000 W. Thoman, is the property owner and been there for 35 years and this has been before City Council in 1994/1995 and went over the history of the property.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Z-21-2022 (2000 West Thoman Street). Mr. Pauly seconded the motion. Ayes: Jobe, Colony, Pauly, Knuckles, Broekhoven, and Lebeck. Nays: None. Abstain: None. Absent: Doennig.



Bob Hosmer, AICP
Planning Manager

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	October 6, 2022
CITY COUNCIL PUBLIC HEARING:	November 14, 2022
	CASE: Z-21-2022
	ACRES: Approximately 0.5 acre
	LOCATION: 2000 W. Thoman Street
	EXISTING LAND USE: Single-family residential uses
	APPLICANT: City of Springfield
	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 is a majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

Request to rezone of approximately 0.5 acre of property generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District to R-SF, Residential Single-Family District.

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 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 application will bring this residential property under one zoning.
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 proposed zoning will correct an error in the application of this article and will provide a viable use of the property subject to the provisions of the zoning district. The intent of this rezoning application is to allow for the continued single-family residential use which was mistakenly left as Heavy Manufacturing during the 1995 Citywide remapping. This application will bring this residential property under one consistent residential zoning district.
7. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

Development Review Staff Report



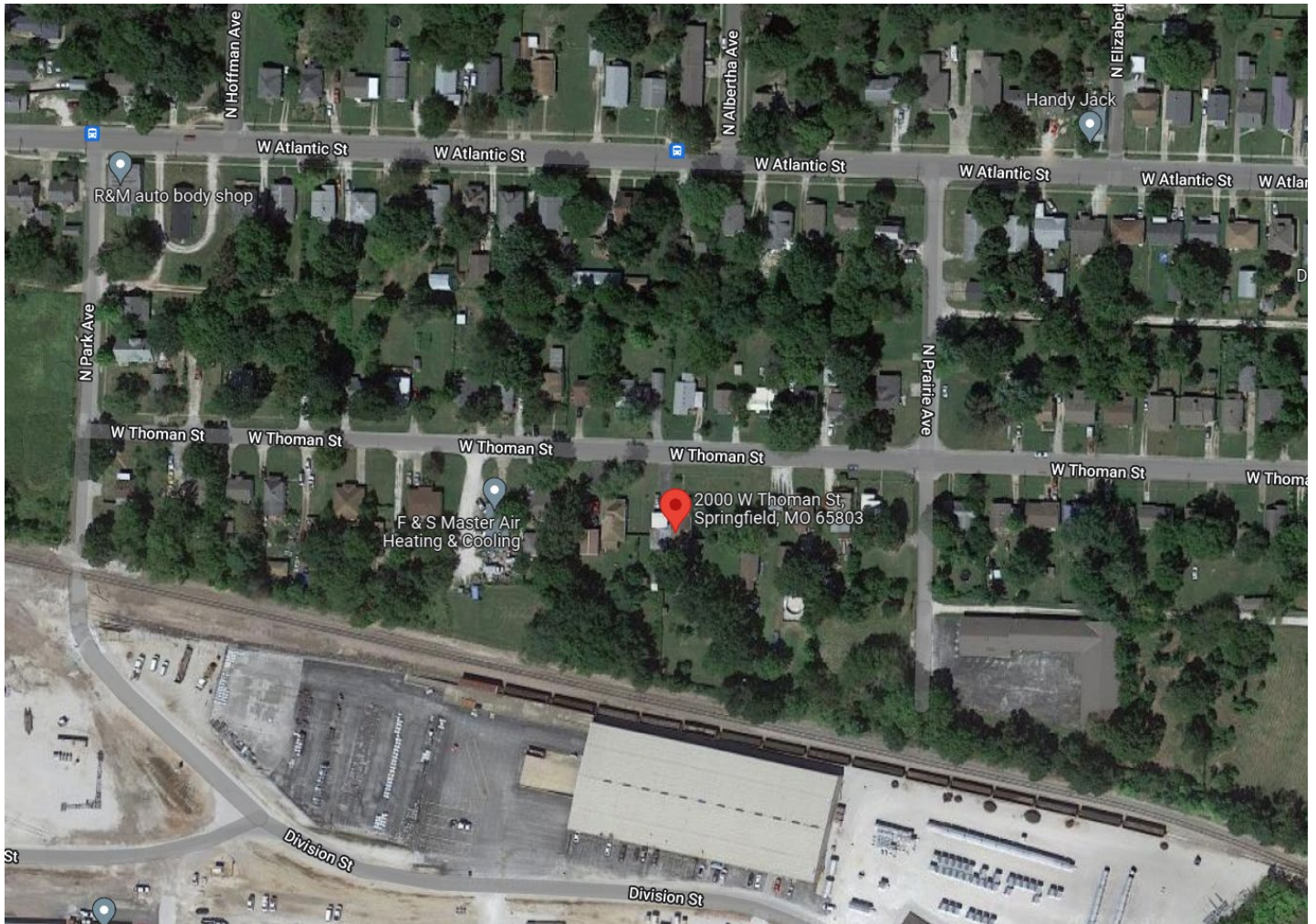
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	HM	R-SF	HM
LAND USE	Single-family residential	Vacant/undeveloped land	Single-family residential	Single-family residential

Development Review Staff Report



SURROUNDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



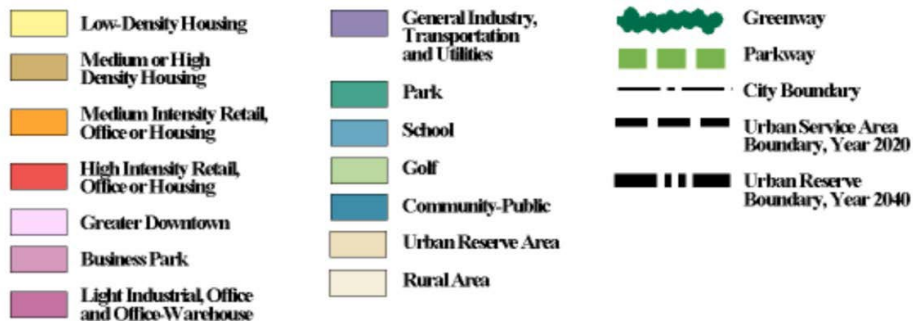
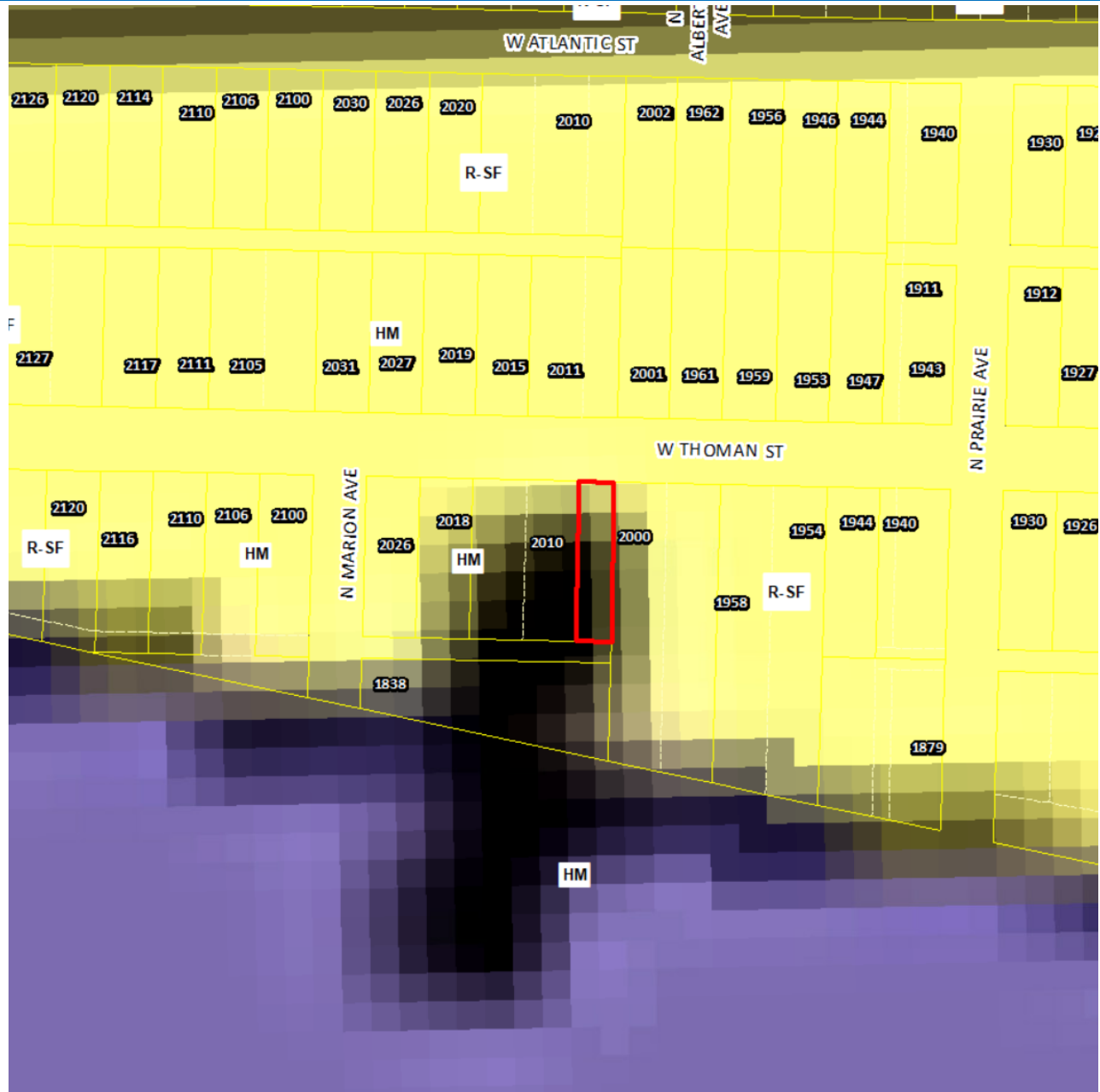
GOOGLE MAPS STREET VIEW:



Development Review Staff Report



GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property has been zoned HM since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

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

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR 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
N/A	N/A

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 0.5 acre of property generally located at 2000 West Thoman Street from HM, Heavy Manufacturing District to R-SF, Residential Single-Family District. The intent of this rezoning application is to allow for the continued single-family residential use which was mistakenly left as Heavy Manufacturing during the 1995 Citywide remapping.
2. The requested rezoning to R-SF, Single-Family Residential will allow the existing single-family residential use to be conforming.
3. The R-SF district is intended primarily for single-family detached dwellings at low residential densities of approximately seven units per acre. Internal stability, harmony, attractiveness, order, and efficiency are encouraged

Development Review Staff Report



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. A Traffic Impact Study is not required as the potential increase for trips generated by the zoning change do not exceed 100 vehicles in the a.m. or p.m. peak or 1,000 vehicles per day.
5. The proposed rezoning was reviewed by City departments, these comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 15, 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: 12 Returned: 0

Development Review Staff Report



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. Tract has access to public sewer and is in a defined sewer district.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Upper Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is 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**.

PW Stormwater has no concerns for 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.

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 fee in lieu of detention for this development will not be permitted. Detention is required because the site drains to residential properties.

Additional Stormwater Standards to be met:

1. 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.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

Traffic has no objections.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies W. Thoman Street as a Local-Residential. The standard right-of-way width for W. Thoman Street is 25-feet from the centerline. It appears additional right-of-way is not required. A survey is recommended

Development Review Staff Report



to determine the exact amount of existing right-of-way as nothing can be constructed or placed within the required right of way. W. Thoman Street is a city-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

There is no recent traffic count for W. Thoman Street. On-street parking is allowed along W. Thoman Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from W. Thoman Street. Additional access must follow spacing standards set forth in City Code section 98.

SIDEWALK

There is no existing sidewalk along the property frontage of W. Thoman Street. Sidewalk will be required to be constructed at the time of development along the property frontage on W. Thoman Street or a fee in lieu of approved by applying to the Administrative Review Committee (ARC). If approved, the fee must be paid prior to issuance of a building permit.

TRAILS, BUS STOPS, & INFORMATION

There is no Greenway Trail in the area surrounding the property pertaining to this zoning. There are no bus stops along W. Thoman Street in the vicinity of the property pertaining to this zoning.

IMPROVEMENTS

A Traffic Impact Study is not required as the potential increase for trips generated by the zoning change do not exceed 100 vehicles in the a.m. or p.m. peak or 1,000 vehicles per day.

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. Thoman Street	Local - Residential	Yes	30	25
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		1	1	6	
*Proposed Trips Generated		1	1	5	
Additional Trips Generated		0	0	-1	

*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: HM to R-SF
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, September 15
3. Meeting Location: Library Station, 2535 N. Kansas Expressway
4. Number of invitations that were sent: 98
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 1
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 issues, the property owner attended for support

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

None

I, Jared Follin (print name), attest that the neighborhood meeting was held on 9/15/22 (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 Follin
Printed name of person completing affidavit

MEETING SIGN-IN SHEET

Project:	Z-21-2022	Meeting Date:	9/15/22
Facilitator:	Jared Follin	Place/Room:	Library Station / 1st Sank Fe

[illegible]

One-rdg. _____
P. Hrngs. X
Pgs. 106
Filed 11-08-22

Sponsored by Schilling

First Reading _____

Second Reading _____

COUNCIL BILL 2022- 275

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING a redevelopment plan for the Grant Avenue Parkway Redevelopment
2 Area, which is generally bounded by West Olive Street to the north,
3 West Catalpa Street to the south, South Campbell Avenue to the east,
4 and South Douglas Avenue to the west; and declaring the Grant
5 Avenue Parkway Redevelopment Area to be blighted and its
6 redevelopment necessary for the preservation of the public peace,
7 prosperity, health, safety, morals, and welfare. (The Land Clearance
8 for Redevelopment Authority, Planning and Zoning Commission, and
9 Staff recommend approval.)
10 _____
11

12 WHEREAS, City Council, through Special Ordinance 27552, authorized the
13 expenditure of funds to finance a blight study and redevelopment plan for the area
14 within and surrounding the Grant Avenue Parkway zoning district; and
15

16 WHEREAS, the Redevelopment Plan for the Grant Avenue Parkway
17 Redevelopment Area ("Redevelopment Plan") and the Grant Avenue Parkway
18 Redevelopment Area Qualifications Study ("Blight Study"), both of which are attached
19 as "Exhibit 1," were prepared and submitted to the Land Clearance for Redevelopment
20 Authority of the City of Springfield ("Authority"); and
21

22 WHEREAS, the Authority reviewed the Redevelopment Plan and Blight Study at
23 a public meeting on October 4, 2022, and recommended declaring the Grant Avenue
24 Parkway Redevelopment Area a blighted area and approving the Redevelopment Plan;
25 and
26

27 WHEREAS, the Planning and Zoning Commission reviewed the Redevelopment
28 Plan at a public meeting on October 6, 2022, and recommended approval of the
29 Redevelopment Plan; and
30

31 WHEREAS, City Council held a public hearing on November 14, 2022, for which
32 notice was properly given in accordance with the law and all interested parties were
33 given the opportunity to be heard.

34
35 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
36 SPRINGFIELD, MISSOURI, as follows, that:
37

38 Section 1 – It is hereby found, determined, and declared that the Grant Avenue
39 Parkway Redevelopment Area, which is generally bounded by West Olive Street to the
40 north, West Catalpa Street to the south, South Campbell Avenue to the east, and South
41 Douglas Avenue to the west, and which is depicted in and more particularly described in
42 “Appendix A” to the Redevelopment Plan, which is attached hereto and incorporated
43 herein in its entirety as “Exhibit 1,” is a blighted area because it contains and has a
44 predominance of insanitary or unsafe conditions, deterioration of site improvements, or
45 the existence of conditions which endanger life or property by fire and other causes, or
46 any combination of such factors, and such factors retard the provision of housing
47 accommodations or constitute an economic or social liability or a menace to the public
48 health, safety, or welfare in its present condition and use for the reasons set forth in the
49 Blight Study attached as “Appendix B” to “Exhibit 1.” It is further found that this is an
50 area that is appropriate for the undertaking of redevelopment projects in conformance
51 with the Redevelopment Plan contained within “Exhibit 1.”
52

53 Section 2 – The Redevelopment Plan set forth in “Exhibit 1” is hereby found to be
54 a feasible and reasonable plan for the redevelopment of the applicable area and is in
55 conformity with the general plan for development of the City and said Redevelopment
56 Plan is an appropriate plan for the clearance, reconstruction, rehabilitation, and renewal
57 of the entire area and for future land uses. Said Redevelopment Plan is found to meet
58 the requirements of Section 99.430(4), RSMo, and is hereby approved and adopted.
59

60 Section 3 – This Ordinance shall be in full force and effect from and after
61 passage.
62

63 Passed at meeting: _____
64

65 _____
66 Mayor
67

68 Attest: _____, City Clerk
69

70
71 Filed as Ordinance: _____
72

73
74 Approved as to form: Jill Bennis, Assistant City Attorney
75

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

EXPLANATION TO COUNCIL BILL 2022- 275

FILED: 11/08/22

ORIGINATING DEPARTMENT: Economic Vitality

PURPOSE: To approve a redevelopment plan for the Grant Avenue Parkway Redevelopment Area, which is generally bounded by West Olive Street to the north, West Catalpa Street to the south, South Campbell Avenue to the east, and South Douglas Avenue to the west, and declare the Area to be a blighted area, and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Land Clearance for Redevelopment Authority, Planning and Zoning Commission, and Staff recommend approval.)

BACKGROUND INFORMATION: In November 2019, the City of Springfield received notice of award of a \$21 million federal Better Utilizing Investments to Leverage Development (“BUILD”) grant to develop a link between Downtown Springfield 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 active greenspace through Springfield’s urban core.

Following a robust public input process, the Springfield City Council adopted the Grant Avenue Parkway Corridor Plan (the “GAP Corridor Plan”) as an element of the City’s Comprehensive Plan on March 16, 2021, by [Resolution 10565](#). It 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. Following the recommendations of the GAP Plan, the City Council adopted the Grant Avenue Parkway zoning district (“GAP District”) on June 28, 2021, by [General Ordinance 6661](#), the regulations of which are codified in the City’s Zoning Ordinance.

In recognition of the poor conditions in and around the GAP Corridor and the need for private sector involvement in achieving the goals of the GAP Corridor Plan, the City Council allocated funding in August 2021 by [Special Ordinance 27552](#) to hire a consultant to prepare a blight study and redevelopment plan that will utilize real property tax abatement to leverage redevelopment within and surrounding the GAP Corridor. City Staff issued a request for proposals in fall 2021 and subsequently selected and hired PGAV Planners as its consultant. The scope of services in the request specified the following tasks:

1. Determine the Redevelopment Area Boundaries: Evaluate and identify areas surrounding the GAP Corridor that exhibit blighting conditions. Such areas should have a nexus with the Grant Avenue Parkway and have the potential to be redeveloped consistent with goals and objectives of the GAP Corridor Plan. The boundaries shall, at a minimum, encompass the GAP Corridor and may extend outwards up to a ¼ mile.

2. Conduct Blight Study and Prepare Report: The consultant shall conduct a study of the Redevelopment Area as it pertains the definition of a blighted area and compile its findings in a report. These findings will enable the Redevelopment Area to be declared a blighted area, which is a prerequisite for adopting a redevelopment plan that will utilize real property tax abatement.
3. Prepare Redevelopment Plan: The Redevelopment Plan should contemplate utilizing real property tax abatement pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority Law ("LCRA Law") and/or Chapter 353, RSMo, the Urban Redevelopment Corporations Law ("Chapter 353"). It shall be drafted with public input and provide a framework for remediating blight and facilitating redevelopment consistent with the GAP Corridor Plan and other applicable planning initiatives, including Forward SGF.

PGAV Planners has prepared the Redevelopment Plan for the Grant Avenue Parkway Redevelopment Area, which encompasses an approximately 265.3-acre area that is generally bounded by West Olive Street to the north, West Catalpa Street to the South, South Campbell Avenue to the east, and South Douglas Avenue to the west. Said Area includes the GAP Corridor Plan area, which is situated along that portion of the Grant Avenue Parkway Corridor located north of Fassnight Park. It also extends into portions of the West Central and Fassnight Neighborhoods, as well as the southwest portion of Downtown.

The LCRA and Urban Redevelopment Corporations Laws define a "blighted area" as:

An area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use.

The Qualifications Study ("Blight Study"), which is attached as an appendix to the Redevelopment Plan, finds the Area, as a whole, qualifies as a blighted area and is in need of revitalization. The Study demonstrates the Area constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare, due to a predominance of insanitary or unsafe conditions, deteriorated site improvements, and other conditions which endanger life or property by fire or other causes.

The purpose of the Redevelopment Plan is to remove blight and redevelop the Grant Avenue Parkway Corridor and surrounding areas consistent with the GAP Corridor Plan and the Forward SGF Comprehensive Plan. It proposes to encourage redevelopment by offering partial real property tax abatement pursuant to the LCRA Law and Chapter 353 to redevelopment projects within the Redevelopment Area that are developed in accordance with the GAP Corridor Plan and Forward SGF Comprehensive Plan as well as comply with the Zoning Ordinance and all other applicable regulations and policies of the City. It includes a general land use plan that is based on the Forward SGF placetypes and the

Corridor Framework established within the GAP Corridor Plan. Specifically, to benefit under this Redevelopment Plan, redevelopment projects that are located within the GAP Corridor must conform to the GAP Corridor Plan, and redevelopment projects that are located outside the GAP Corridor must adhere to the assigned placetypes specified in the Forward SGF Comprehensive Plan.

The Land Clearance for Redevelopment Authority (“LCRA”) reviewed the Blight Study and Redevelopment Plan on October 4, 2022 and recommended the Redevelopment Area be declared a blighted area and the Redevelopment Plan be approved by a vote of 3 to 0. The Planning and Zoning Commission subsequently reviewed the Redevelopment Plan on October 6, 2022 and recommended approval by a vote of 6 to 0.

REMARKS: The Redevelopment Plan will enable property owners and developers to request partial real property tax abatement pursuant to either the LCRA Law or Chapter 353. Upon application, the LCRA may authorize partial real property tax abatement for redevelopment projects that conform with the Redevelopment Plan and comply with the Zoning Ordinance and all applicable codes of regulations. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years. Alternatively, subject to an application to the City accompanied by appropriate justifying documentation, the City Council may authorize real property tax abatement pursuant to Chapter 353, for a period of up to 25 years, for redevelopment projects that conform with the Redevelopment Plan. Real property taxes are abated during the first ten years, based on 100% of the increase in assessed value of land and improvements. During the remaining 15 years, real property taxes are abated based on 50% of the assessed value of land and improvements. Such tax abatement will be available to redevelopment projects that are acquired through a City-established urban redevelopment corporation and are approved by the City Council following the submission of a redevelopment project application to the City that conforms to this Plan and satisfies the requirements of Chapter 353, RSMo and Chapter 40, Article III of the Springfield City Code as well as the Zoning Ordinance, the City’s economic development policies, and all other applicable codes and ordinances.

The Workable Program, as per Chapter 40, Article II, Springfield City Code, establishes a framework for the City of Springfield to evaluate and implement requests for real property tax abatement pursuant to LCRA Law. It includes essential elements such as a but-for test, tax impact analysis, verification of blight within legacy blighted areas, and enhanced notification requirements. Subject to certain criteria, the City Council may grant an exception to the but-for test and tax impact analysis if it declares, by resolution, this Redevelopment Plan to be a *Multi-Project Redevelopment Plan*. The purpose this exception is to allow flexibility to ensure that tax abatement is available for future redevelopment of areas of the City which contain widespread evidence of blight, where an area-wide plan, as opposed to a project-specific plan, for redevelopment is necessary to remediate said blight. Such resolution will be submitted for City Council consideration following the second reading of this bill and pending a vote to adopt the Redevelopment Plan.

The Land Clearance for Redevelopment Authority, the Planning and Zoning Commission, and Staff recommend City Council approval.

Submitted by:



Matt D. Schaefer, AICP
Senior City Planner

Recommended by:



Amanda Ohlensehlen, Director

Approved by:



Jason Gage, City Manager

South Grant Avenue Parkway Redevelopment Plan



CITY OF SPRINGFIELD, MO

October 3, 2022



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SECTION 1

INTRODUCTION

The Plan in Context

This document constitutes the Grant Avenue Parkway ("GAP") "Redevelopment Plan," which applies to an area approximately 265.3 acres in size, generally bounded by West Olive Street on the north, South Campbell Avenue on the east, South Douglas Avenue on the West, and West Catalpa Street on the South (the "Redevelopment Area" or "Area").¹ The Area is wholly located within the City of Springfield, Missouri (the "City"). The boundary of the Redevelopment Area is shown in the exhibit entitled Redevelopment Area Boundary included in **Appendix A** and further described in the written boundary description also contained in **Appendix A**.

The Area has been subject to recent planning efforts culminating in the Grant Avenue Parkway Corridor Plan (the "GAP Plan"), which the City adopted in 2021. The redevelopment of the Area is intended to follow the *Grant Avenue Parkway Corridor Plan* (the "GAP Plan") as adopted by the City of Springfield on March 22, 2021. The GAP Plan is appended to this Redevelopment Plan in **Appendix C**. This Redevelopment Plan proposes the following activities in order to accomplish the underlying goals of the GAP Plan:

- Construction of a variety of public improvements primarily focused on roadway improvements, pedestrian enhancements, cross-access, and parking improvements.
- Construction and rehabilitation of a variety of commercial and residential development projects as outlined in the GAP Plan.
- Acquisition of real property within the Area where property rehab or redevelopment would otherwise be impossible or would produce a less desirable development.
- Demolition and removal of existing site improvements.
- Grading and site preparation, stormwater mitigation, utility relocation, or installation.
- Financial support for property rehab or new building construction for single-family, multifamily, mixed-use, and commercial development.

The GAP Plan provides for a variety of redevelopment projects encompassing various types of residential and commercial rehab and/or land uses. Currently underway is an approximately \$26-million public

¹ Inclusive of public right-of-way.

infrastructure project constructing the “public infrastructure elements” as generally described in the GAP Plan. This project is known as the “BUILD Project.”²

The GAP Plan laid the foundation for the Grant Avenue Parkway Zoning District, which codifies recommendations made in the GAP Plan and provides the regulatory framework to manage future development along the Grant Avenue Parkway Corridor (the “Corridor”).

This Plan is meant to help facilitate the implementation of the private development goals voiced through the GAP Plan and codified in the Grant Avenue Parkway Zoning District.

Statutory Mechanisms

This Plan creates a framework for the utilization of real property tax abatement pursuant to Chapter 353 RSMo, the Urban Redevelopment Corporations Law (“Chapter 353”), and Section 99.300 to 99.715, RSMo, the Land Clearance for Redevelopment Authority Law (the “LCRA Law”). For purposes of implementing the provisions of Chapter 353, the term Redevelopment Plan shall also mean “Development Plan.”

Provisions of Chapter 353

The Missouri General Assembly adopted the Urban Redevelopment Corporations Law, Chapter 353, RSMo., in 1943. The law is often referred to simply as “Chapter 353.”

Chapter 353 allows cities and counties to:

1. Identify and designate redevelopment areas that qualify as “Blighted Areas;”
2. Adopt development plans that designate areas in need of redevelopment and state the objectives to be attained and the redevelopment projects to be undertaken;
3. Approve redevelopment projects for implementation of such development plans; and
4. Utilize the tools set forth in Chapter 353 to assist in reducing or eliminating those factors and conditions that cause the area to qualify as a “Blighted Area” through the completion of a redevelopment project.

This Plan describes the “Redevelopment Project(s)” for the Area and provides information as required by provisions of Chapter 353 RSMo. statute that the City intends to utilize in implementing the GAP Plan. While the use of Chapter 353 requires a finding by the City that the Area is a “blighted area” as defined in Chapter 353, it also defines a Chapter 353 “Area” specifically, noting: “Any such area may include buildings

² The term “BUILD Grant” appears in this reports which is defined as the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant.

or improvements not in themselves blighted, and any real property, whether improved or unimproved, the inclusion of which is deemed necessary for the effective clearance, replanning, reconstruction or rehabilitation of the area of which such buildings, improvements or real property form a part;."

Specific redevelopment projects for any real property within the Area must be carried out in accordance with the provisions of Chapter 40, Article III of the Springfield City Code. Any projects would need to follow the general concepts of this Redevelopment Plan.

Provisions of the LCRA Law

The LCRA Law allows cities and counties to:

- (1) Allow for the abatement of real property taxes, which provides a means to leverage private investment and redevelopment in accordance with an adopted redevelopment plan;
- (2) Acquire blighted or insanitary areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of the blighted or insanitary areas or the prevention of the spread or recurrence of substandard or insanitary conditions or conditions of blight;
- (3) Clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and install, construct or reconstruct roads, utilities, and site improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;
- (4) Sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, other use, or public use or to retain such land for public service, in accordance with a redevelopment plan; and
- (5) Develop, construct, reconstruct, rehabilitate, repair, or improve residences, houses, buildings, structures, and other facilities.

This document serves as the redevelopment plan for land clearance or urban renewal projects undertaken within the Redevelopment Area pursuant to the LCRA Law. As outlined in Section 99.430, RSMo., the initial step in establishing an area under the Law is for the governing body of the municipality to declare, by resolution or ordinance, that the area is a "Blighted Area" or "Insanitary Area" in need of redevelopment or in need of rehabilitation. Section 99.320 of the Law sets out the definitions of these two areas as follows:

"Blighted area," as defined pursuant to Section 99.805(1) RSMo.: an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use.

"Insanitary area": an area in which there is a predominance of buildings and improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air

sanitation or open spaces, high density of population, and overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, the transmission of disease, infant mortality, juvenile delinquency, and crime or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare.

SECTION 2

REDEVELOPMENT AREA BOUNDARIES

General Boundary Description

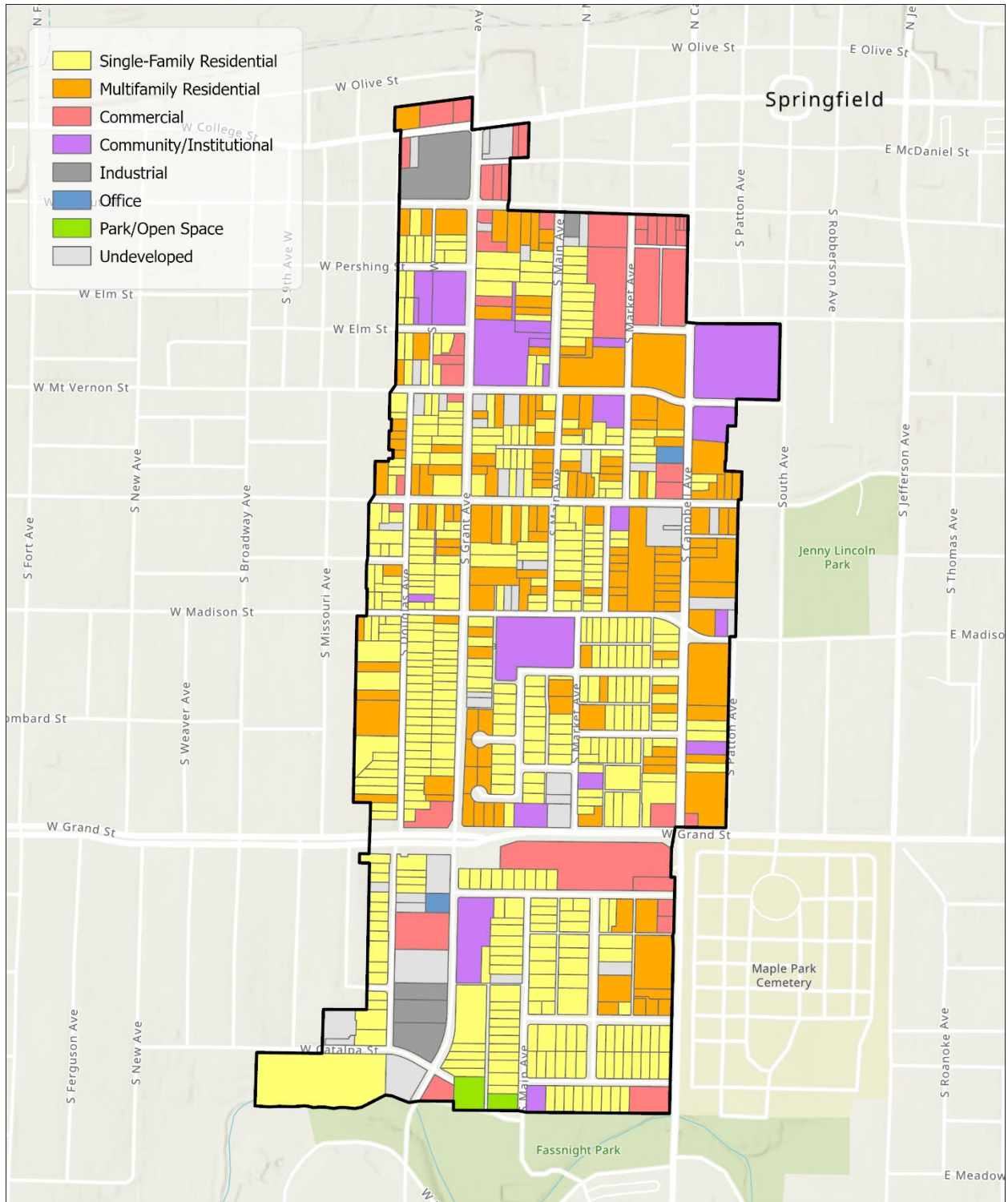
The Redevelopment Area is generally bounded by West Olive Street on the north, South Campbell Avenue on the east, South Douglas Avenue on the West, and West Catalpa Street on the South. The legal description of the Redevelopment Area and map showing the boundary of the Redevelopment Area are included in **APPENDIX A**.

SECTION 3

EXISTING CONDITIONS

The Area's land uses are representative of an older corridor originally developed primarily as a residential street except at its northern and southern extremities, where a mix of commercial and light industrial uses can be found. A mix of single-family residential properties are aligned on Grant Avenue, with varying densities and typologies. Commercial properties, primarily located at intersections of major roadways, are also found throughout the Area, along with several churches and a school (located at the West Elm Avenue intersection). Several undeveloped and vacant parcels are also located within the Area.

Maps depicting the current zoning and land use within the Redevelopment Area are shown on the following pages.

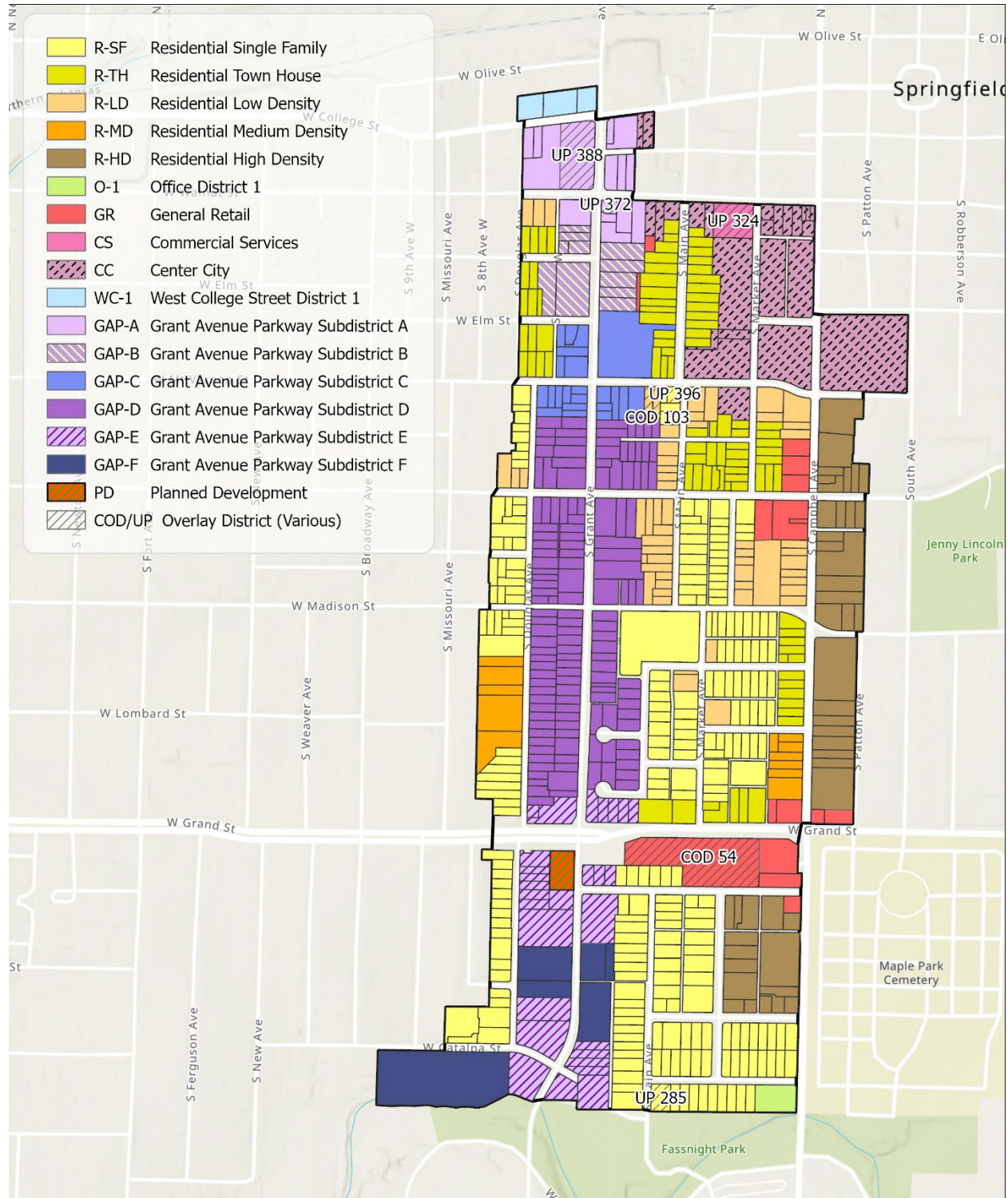


CURRENT LAND USE IN REDEVELOPMENT AREA

GRANT AVENUE QUALIFICATIONS ANALYSIS

Springfield, Missouri





ZONING WITHIN THE REDEVELOPMENT AREA

GRANT AVENUE QUALIFICATIONS ANALYSIS
Springfield, Missouri



This Plan includes certain findings as analyzed by PGAV staff, who were retained to document the conditions of the City and prepare the accompanying "Qualifications Analysis." The goal of the Qualifications Analysis of the Redevelopment Area is to determine whether the Redevelopment Area qualifies as a "Blighted Area" pursuant to both the LCRA Law and Chapter 353. As discussed in the Qualifications Analysis attached hereto as **Appendix B**, PGAV Planners determined that the Area meets the definition of "Blighted Area" set forth in Chapter 353 and the LCRA Law:

"Blighted Area" an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or menace to the public health, safety, or welfare in its present condition and use; RSMo §99.805(1). §99.320(3)

"Blighted area," the same meaning as defined pursuant to section 99.805; RSMo 353.020(3)

To remediate the conditions that cause the Area to be a "Blighted Area," including, without limitation, deterioration of site improvements, this Plan proposes that (1) Capital reinvestment occurs within the Area, (2) Maintain and increase homeownership within the Area, and (3) Modernize and improve safety, infrastructure, and beautification within the Area in coordination with the GAP Plan being undertaken by the City.

The Area meets, as a whole, the definition of a "Blighted area," as such term is defined within the LCRA Law and Chapter 353, and is a portion of the City that by reason of the predominance of insanitary or unsafe conditions; deterioration of site improvements; or the existence of such conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

SECTION 4

DEVELOPMENT PLAN AND WORKABLE PROGRAM

The GAP Plan, as found in **Appendix C**, is intended to serve as the Redevelopment Plan for purposes of Chapter 353 and the purposes of the LCRA Law. Although the GAP Plan provides recommendations for Redevelopment Project(s) as are contemplated in each of these statutes, no such project(s) has been approved by the City in accord with the requirements of either of these statutes. This Redevelopment Plan is intended to form the basis for review and approval of future redevelopment projects in accord with established City procedures and the requirements of Chapter 353 and the LCRA Law.

Workable Program

As indicated by Section 99.320 (23) of the LCRA Law, a "Workable program" is "an official plan of action, as it exists from time to time, for effectively dealing with the problem in insanitary, blighted, deteriorated or deteriorating areas within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life, for utilizing appropriate private and public resources to eliminate and prevent the development or spread of insanitary, blighted, deteriorated or deteriorating areas, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, insanitary, deteriorated and deteriorating areas, or to undertake such of the aforesaid activities or other feasible community activities as may be suitably employed to achieve the objectives of such a program."

The City has a codified Workable Program within Chapter 40, Article II of the City Code that will be used to satisfy any requirements regarding a workable program under the LCRA Law.

Redevelopment Plan

As stated on page three of the GAP Plan, *"The intent of the Plan is to promote reinvestment and redevelopment that leverages the new Parkway as an asset."* It is driven by the desire to leverage the BUILD grant that the City received to fund the design and construction of the Grant Avenue Parkway. This roadway project will transform the streetscape by providing intersection improvements, crosswalk enhancements, mid-block crossings, property cross-access opportunities, bike lanes, additional parking, and roadway reconfiguration. The GAP Plan divides the Area into six subareas (A through F) with a focus on residential rehab and redevelopment. Mixed-use development (residential over commercial uses) is focused at key intersections. The map on page nine of the GAP Plan and the accompanying graphic depicts the housing-type focus for the various subareas.

The GAP Plan also makes recommendations regarding existing and potential commercial uses. The recommendations for each subarea begin on page 16 of the GAP Plan. The subarea plans contain mapped and graphic data that describes the Redevelopment Plan for the Area. Design guidelines for building

location and appearance are provided throughout the subarea discussions. The GAP Plan also contains implementation recommendations and strategies, which are discussed beginning on page 30.

The objectives of this Redevelopment Plan include:

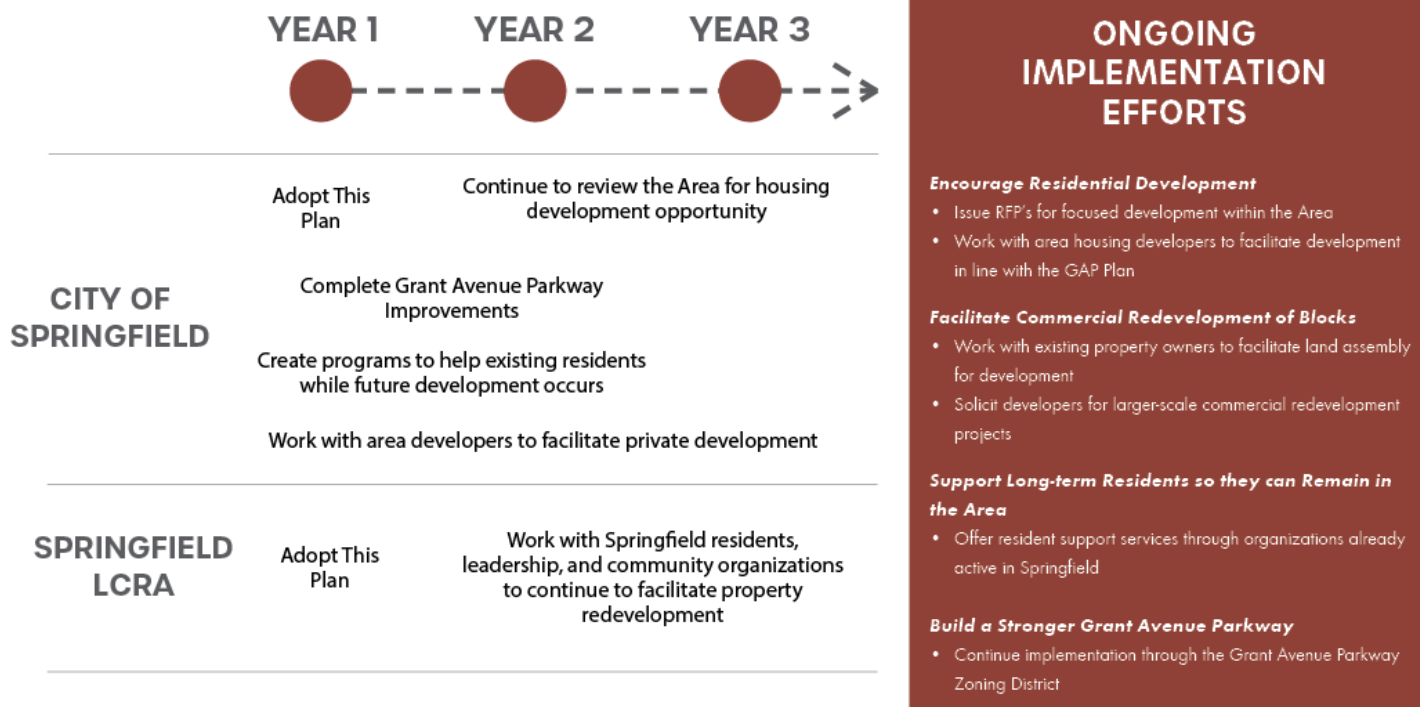
1. To facilitate redevelopment and rehabilitation of properties in the Area.
2. To improve the economic underutilization and productive use of the Area.
3. To lift-up quality of life for Area residents.
4. To improve housing without displacing long-term residents.
5. To use tax abatement in creative ways to keep affordable rents affordable.
6. To alleviate those conditions that cause the Area to be a "Blighted Area."
7. To encourage the development of affordable housing, mixed-use development that provides additional living, shopping, dining, and recreation opportunities for existing and new neighborhood residents, provides financing vehicles that will assist Area homeowners with housing rehab, and encourages and promotes a sense of place for the Area.
8. To promote the economic health of the Area, the City, and other taxing districts.
9. To enhance the tax base by inducing Area property rehab and redevelopment, and encouraging private investment, thereby increasing property values in the Area.
10. To promote health, safety, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development.
11. To stimulate employment opportunities and increased demand for services in the Area.
12. To create a land use environment that will meet the goals and objectives of the GAP Plan.
13. Further the objectives of the City's Comprehensive Plan and the Grant Avenue Parkway planning and placemaking process.
14. Facilitate and encourage private development that capitalizes on the \$26 million public investment currently underway in the Area.
15. Provide financial assistance for new small business development and support for local businesses that serve residents, improve the attractiveness of the Area, and enhance livability.
16. Provide housing rehabilitation financial assistance for existing residents/property owners and local developers/entrepreneurs for home rehab and ownership.
17. Use financing resources, existing City programs, State and Federal programs, and corporate grants or donations to provide financial support for neighborhood reinvestment and to help offset increasing construction costs for private development initiatives.
18. Provide assistance for property acquisition that focuses on Area preservation and minimizes displacement of existing residents and businesses.
19. Use City land use policy, financial assistance programs, and community engagement to promote health, safety, order, convenience, and safe and clean spaces for students and pedestrians to create a more walkable and socially engaging atmosphere for the Grant Avenue Parkway corridor.

20. Provide an implementation mechanism that will accelerate the achievement of these objectives and complement other community and economic development objectives and programs; and
21. Enhance the tax base by inducing new private investment and commercial development in the Area, thereby increasing the tax base for the benefit of all overlapping taxing jurisdictions.

The definite local objective of this Redevelopment Plan is to eliminate the conditions which qualify the Redevelopment Area as a Blighted Area under Chapter 353 and the LCRA Law. The City intends to facilitate the redevelopment of deteriorated structures when, as, and where appropriate.

Implementation

The Redevelopment Plan will be carried out in multiple phases based on proposals from property owners or developers for specific redevelopment projects on specific properties. The timing of implementation of the GAP Plan will be dependent on many factors, including real estate development market conditions and construction costs.



Use of Tax Abatement Pursuant to Chapter 353 and the LCRA Law

The City intends to use the financial tools available under the provisions of Chapter 353 and the LCRA Law as follows:

- Subject to application to the City accompanied by appropriate justifying documentation, the City may provide Chapter 353 real property tax abatement, for a period of up to 25 years, for redevelopment projects (rehab or new construction) that conform with this Plan. Such tax abatement will be available to redevelopment projects that are acquired through an urban redevelopment corporation (established by the City) and are approved by the City Council following the submission of a redevelopment project application to the City that conforms to this Plan and satisfies the requirements of Chapter 353, RSMo and Chapter 40, Article III of the Springfield City Code, the Springfield Zoning Ordinance, the applicable economic development policies of the City, and all other applicable codes and ordinances.
- Pursuant to the LCRA Law, and subject to City Council approving this plan as a multi-project redevelopment plan pursuant to City Code Section 40-19, real property tax abatement for a period of time not exceeding ten years will be available to redevelopment projects that conform with this Plan and comply with the requirements of the Springfield Zoning Ordinance and all other applicable codes and ordinances.

Review and Approval of Redevelopment Projects

Real property tax abatement for redevelopment projects pursuant to this Redevelopment Plan will be considered only upon application to the City by established requirements and processes. Reviews will be conducted by City staff and the appropriate entities, all of which are subject to public presentation and input in accordance with the applicable statutes and State and Federal open meeting laws.

Property to be Demolished

Redevelopment projects involving private property have not been specifically identified at this time. In some instances, creating new mixed-use residential development projects as identified in the GAP Plan may require the demolition of existing improvements. Upon receipt of an application for such demolition, and upon review and approval by the City of such projects, demolition of any existing buildings and/or site improvements will be identified.

Building Rehabilitation and New Construction

As noted previously in this Section, it is the City's intent to create a program that provides incentives to individual property owners for property rehab and improvement. The primary focus of this effort is on

residential properties in the Area, many of which have suffered from deterioration and allowed the Area to be declared a "blighted area." Interest from local developers with concept plans, particularly for the construction of new mixed-use commercial/residential multifamily projects, has been discussed. However, current costs for the materials needed for new construction have made it economically infeasible without some financial incentive via tax abatement or other mechanism. The same can be said of rehabilitation, whereby the costs of redevelopment, rehabilitation, and blight remediation, due in part to the prevalent existence of blight, make projects in this area economically infeasible or less attractive to private investment without some financial incentive.

Open Space and Other Amenities

The GAP Plan and the associated BUILD-grant-funded improvements to the roadway infrastructure will include certain streetscape enhancements, bike lanes, and other enhancements for the roadway and intersections with other major streets. Other than green space and/or landscape buffers that may be required by the City, the Redevelopment Plan does not propose the construction of any open space or other amenities within the Area. However, private development projects may be required to include public plaza space, open space, and pedestrian accessibility.

Property for Public Agencies

This Plan does not contemplate the sale or donation of any land to public agencies.

Zoning Changes

Within the Area, property fronting Grant Avenue lies within the Grant Avenue Parkway Zoning District (the "GAP District"). The GAP District is intended to provide greater flexibility in use by requiring a high-quality design that fosters a sense of place to promote reinvestment and redevelopment that leverages the new parkway as an asset. Those properties not within the GAP District shall be subject to the regulations of their respective zoning districts (see zoning map on page 9). This document does not propose or recommend any specific zoning changes, although it does recognize that zoning changes generally within the Area may be necessary to facilitate orderly development in accordance with this Redevelopment Plan.

Street Changes

This Plan does not propose any street changes beyond those that are associated with the roadway improvements associated with the BUILD Project.

Utility Changes

If necessary, utility lines will be relocated to accommodate the redevelopment of the Area.

Acquisition, Eminent Domain

1. The City or a Developer with an approved project must acquire the real property (including, without limitation, any leases, easements, or other encumbrances) within the Area to implement an approved Redevelopment Project and achieve the objectives of this Plan. If the Developer is unsuccessful at acquiring real property within the Area, the Developer may request that the City acquire such real property by eminent domain in accordance with Section 353.170(1), R.S.Mo., and other applicable laws.
2. As noted previously in this Section, it is the goal of this Plan to minimize the relocation of existing residents and/or businesses.

Eminent Domain by the City

Consistent with previous City policy, land acquisition using eminent domain shall occur only if such actions become necessary, either for infrastructure improvements or removal of blighting conditions. In the event it is deemed necessary, the City shall retain the power of eminent domain, rather than delegating it to a sub-entity or private corporation. The threat of condemnation shall not be used to coerce recalcitrant property owners.

Management

The City of Springfield and its affiliated entities, such as the Land Clearance for Redevelopment Authority (LCRA) or any municipal Chapter 353 redevelopment corporation the City may form, are to be the managing entities for the Redevelopment Plan. The City may ultimately award development rights via redevelopment agreements to private developers or property owners for properties within the Area subject to the provisions of Chapter 353 and the LCRA Law.

Public Property

The Plan envisions private residential, commercial, and or mixed-use development within the Redevelopment Area. No permanent public ownership or use is anticipated beyond that which is associated with City right-of-way, City parks, public schools, public facilities, or any such property that may be acquired to enable street and or utility improvements.

Relocation

If businesses or residents are to be relocated in conjunction with any redevelopment project approved in accord with the provisions of this Plan, the provisions of the City of Springfield's Municipal Code related to such relocations as provided for in Chapter 40, Article I, Sec. 40-1 or 40-2 shall apply. Section 40-1 is applicable to relocations that must comply with RSMo 523.205.2, generally applying to relocations in conjunction with Missouri redevelopment statutes under Chapter 353 or the LCRA Law. Section 40-2 is applicable to relocations that are the result of the use of funds from Federal grant programs, which are subject to the Federal Uniform Relocation Act.

Compliance with the Comprehensive Plan

The City is currently in the process of adopting Forward SGF (the “Comprehensive Plan” or “Forward SGF Comprehensive Plan”) as a new comprehensive plan for the community. Various sections of the Comprehensive Plan reference the need for mixed-use development, supporting and expanding the home repair program, diversity of housing development, affordable housing, and neighborhood connections. The GAP Plan is currently an adopted element of the City's Comprehensive Plan and will remain so following the official adoption of the Forward SGF Comprehensive Plan. The City's former comprehensive plan (the Vision 20/20 Plan), the GAP Plan, and the Forward SGF Plan all include a focus on affordable housing, neighborhood character, and neighborhood connections. This Redevelopment Plan aims to implement these goals expressed by the community through these planning documents.

The mapping and supporting graphics in the GAP Plan and the Forward SGF Comprehensive Plan constitute the General Land Use Plan of this Redevelopment Plan. The land uses and development for areas located within the GAP Plan area shall conform with the GAP Plan. The lands uses and development for areas located outside the GAP Plan area shall adhere to the future placetypes specified in the Forward SGF Comprehensive Plan. Should any amendments to the GAP Plan or Comprehensive Plan be made in the future, which result in modifications to the future placetypes shown in the map on the following page or to the GAP Plan contained herein, this Redevelopment Plan shall be deemed to be amended accordingly.



SECTION 5

FUNDING RESOURCES

Redevelopment Project Financing

It is the City's intent that funding of redevelopment project costs outside those to be used for the \$26 million Grant Avenue Parkway roadway improvements identified in the BUILD grant will use other privately and publicly available funds and a variety of other sources as discussed below.

These sources may include:

- Private loans or equity capital that are available to the developers through cash reserves, financing entities, or investment partners.
- State, federal, or local grant funding resources and/or tax credit programs.
- Revenue from the imposition of sales taxes levied by a Community Improvement District (CID) and/or Transportation Development District (TDD).

While not contemplated at this time, other statutory financing vehicles such as Community Improvement District (CID) or Transportation Development District (TDD) could be used if the City were to create such entities.

Periodically, as development entities engage the City pursuant to this Plan and the Workable Program for tax abatement, such development entities may be required (in conformance with the City's policies) to provide detailed financial information describing their financing sources and their proceeds from the project in question.

Potential Resources for Residential Development Funding Assistance

Rebuilding Together

A national nonprofit with local affiliate chapters that receive funding from HUD with a focus on safe and healthy housing targeting home repair work, targeting significant safety and health hazards based on the Eight Principles of Healthy Homes—keep it dry, clean, pest-free, safe, contaminant-free, well-ventilated, maintained and thermally controlled.

Habitat for Humanity

The Springfield chapter has worked with the Woodland Heights neighborhood. Focus areas for Neighborhood Revitalization include beautification, community, housing, and health and safety

American Rescue Plan Act (ARPA)

Approved uses of ARPA funding include the following activities related to home improvements:

- Home repair and home weatherization
- Remediation of lead paint or other lead hazards
- Investments in neighborhoods to promote improved health outcomes
- Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup and conversion to affordable housing
- Emergency housing assistance: rental assistance, mortgage assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness and emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness

The US Department of the Treasury presumes the following households and communities are disproportionately impacted by the COVID-19 pandemic:

- Low-income households and communities
Low- or moderate-income households and communities are those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines or (ii) income at or below 65 percent of the area median income for the county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines are higher than the area's median income, and using the Federal Poverty Guidelines would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.
- Households residing in Qualified Census Tracts
The Redevelopment Area falls within numerous Qualified Census Tracts

Federal and State Low Income Housing Tax Credit

A federal and state tax credit that is available to for-profit and not-for-profit developers to offset the cost of developing affordable single- or multifamily rental housing.

State Rental Production and Preservation Program

The MHDC Rental Housing Production and Preservation Program provides below-market interest rate construction and permanent financing to developers for the acquisition and rehabilitation or new construction of rental housing for low- and moderate-income families. The MHDC funds are

typically combined with Low Income Housing Tax Credits to fund affordable multifamily housing developments.

Federal HOME Program

The federally funded HOME program provides a financing source for several eligible activities that increase the supply of affordable housing for low and very low-income persons. One of these activities is the acquisition and rehabilitation or new construction of rental housing. As HOME Administrator for the State of Missouri, MHDC uses a portion of its annual HOME allocation to finance rental production at a very low-interest rate, which results in rents that are affordable to low-income families.

CDBG Grant Funding

CDBG funds may be used for activities related to housing affordability, which include, but are not limited to:

- Activities related to development or maintenance of affordable rental property:
 - Acquisition of property for an eligible rental housing project.
 - The rehabilitation of rental property
 - Conversion of a closed building from one use to residential use (such as a closed school building to residential use) is also eligible.
 - Grantees may provide assistance in the form of loans, grants, loan guarantees, interest subsidies, and other forms of assistance for rental housing rehabilitation and acquisition/rehabilitation projects.
 - New construction of rental housing is eligible, provided the construction activity is carried out as part of a larger neighborhood revitalization, community economic development, or energy conservation project.
- Must be carried out by a Community Based Development Organization (CBDO)
- Activities related to increasing housing access:
 - CDBG funds may be used to provide direct homeownership assistance to low-to-moderate (LMI) households in two ways.
 - As direct homeownership assistance under 570.201(n), a separate and permanent eligibility category that allows CDBG funding to:
 - Provide up to 50 percent of the required down payment;
 - Pay reasonable closing costs;
 - Provide principal write-down assistance; Subsidize interest rates;
 - Finance acquisition; and
 - Acquire guarantees for mortgage financing from private lenders (i.e., assist homebuyers with private mortgage insurance).

- As a public service activity, however, this eligibility category is limited to down payment assistance only and would count towards the 15 percent public services cap under 570.201(e).

Potential Resources for Commercial Development Funding Assistance

New Markets Tax Credit (NMTC)

New Markets Tax Credits are designed to provide private-capital gap financing for commercial projects that stimulate economic growth in low-income areas. These credits may cover approximately 25% of an eligible project's cost. A Community Development Entity (CDE) is required to apply for NMTCs. The CDE must have a primary mission of serving low-income communities. There are many national CDEs with which Springfield entities may engage for access to NMTCs.

Business and Community Solutions Division of the Missouri Department of Economic Development

The Business and Community Solutions Division facilitates regional economic growth by addressing economic development challenges with a combination of subject matter expertise, program administration, and innovative problem-solving. This division houses many of the state's core economic development tools and programs, which are used in close collaboration with the Regional Engagement Division to develop tailored solutions for business retention and expansion and community development projects.

American Rescue Plan Act (ARPA)

Other communities have used ARPA resources to create Commercial Corridor Revitalization Plans. Approved uses of ARPA funding include the following activities related to the support for specific types of businesses:

- **Small businesses (fewer than 500 employees) operating in Qualified Census Tracts**
 - Eligible uses of funds:
 - Rehabilitation of commercial properties, storefront improvements, and façade improvements
 - Technical assistance, business incubators & grants for start-up or expansion costs for small businesses
 - Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs
 - Technical assistance, counseling, or other services to support business planning
 - Support for micro-businesses, including financial, childcare, and transportation costs

- **Behavioral health**

Expansion of access to evidence-based services for opioid use disorder prevention, treatment, harm reduction, and recovery, support of behavioral health facilities

- **Financial services for the unbanked and underbanked**

Potentially could be used to expand the presence of neighborhood-serving banks and/or credit unions within the commercial district

- **Childcare facilities**

Potentially could be used to add or support childcare facilities within a commercial district

SECTION 5

STATUTORY COMPLIANCE

There are several requirements that must be met before an authority may recommend a redevelopment or urban renewal plan to the governing body of a community pursuant to Section 99.430 within the LCRA Law. The requirements and criteria for completion include:

(1) An authority shall not acquire real property for a land clearance or urban renewal project unless the governing body of the community in which the land clearance project area or urban renewal project area is located has approved the redevelopment or urban renewal plan, as prescribed in subdivision (9) of this Section.

This requirement will be met should the City decide to approve this Redevelopment Plan or any other plan as they are presented in the future.

(2) An authority shall not prepare a redevelopment or an urban renewal plan for a land clearance or urban renewal project area unless the governing body of the community in which the area is located has declared, by resolution or ordinance, the area to be a blighted, or insanitary area in need of redevelopment or in need of rehabilitation.

The findings in the Qualifications Analysis attached hereto as **Appendix B** indicate that the conditions are present for the Area to be declared a Blighted Area. Should the City adopt the findings and declare the Area a Blighted Area under the conditions of the Act, this condition will be met.

(3) An authority shall not recommend a redevelopment or urban renewal plan to the governing body of the community in which the land clearance or urban renewal project area is located until a general plan for the development of the community has been prepared.

The City has adopted the GAP Plan, which constitutes a general plan for that portion of the Area along the Grant Avenue Parkway. The area outside of that portion of the City addressed by the GAP Plan has been subject to planning activities through the adoption of the Vision 20/20 Plan, which was adopted in 2004, and the ForwardSGF Comprehensive Plan, which the City is currently in the process of adopting. These various plans address development of the community.

(4) The authority itself may prepare or cause to be prepared a redevelopment or urban renewal plan, or any person or agency, public or private, may submit such a plan to an authority. A redevelopment or urban renewal plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements, and the proposed land uses and building requirements in the land clearance or urban renewal project area, and shall include without being limited to:

- (a) *The boundaries of the land clearance or urban renewal project area, with a map showing the existing uses and condition of the real property therein;*
- i. The Boundary Map provided in Appendix A shows the boundaries of the Area.
 - ii. The map titled “Current Land Use in the Area” on page 8 shows existing uses within the Area.
 - iii. The existing conditions maps provided with the Analysis for Designation as a Blighted Area included in Appendix B to this document communicate the condition of real property within the Area.
- (b) *A land use plan showing proposed uses of the area;*
- i. The intent of this Redevelopment Plan is to facilitate the implementation of the community’s goals. The GAP Plan and Forward SGF Comprehensive Plan contain the mapping and supporting graphics that form the basis for the General Land Use Plan of this Redevelopment Plan. The land uses and development for areas located adjacent to Grant Avenue shall conform with the GAP Plan contained in Appendix C, and the land uses and development for areas located outside the GAP Plan area shall adhere to the future placetypes shown in the map on page 18. To that end, this Redevelopment Plan conforms with the GAP Plan and the City’s Comprehensive Plan as may be amended from time to time. Should any amendments to the GAP Plan or Comprehensive Plan be made in the future, which result in modifications to the future placetypes map or the GAP Plan contained herein, this Redevelopment Plan shall be deemed to be amended accordingly.
- (c) *Information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment or urban renewal;*
- i. The standards of population densities, land coverage, and building intensities within the Area are subject to the zoning regulations addressing all property in the Area, which zoning regulations govern density, land coverage, and building intensities. These zoning regulations are communicated on pages 9 and 15.
- (d) *A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, building codes, and ordinances;*
- i. This Plan does not propose any changes in zoning ordinances or maps, street layouts, street levels or grades, building codes, and ordinances.
- (e) *A statement as to the kind and number of additional public facilities or utilities which will be required in the area after redevelopment or urban renewal; and*
- i. As the Area is served by public facilities and utilities, and certain public improvements are currently underway, this Plan does not contemplate that any additional public facilities or utilities will be required after redevelopment or urban renewal.

(f) *A schedule indicating the estimated length of time needed for completion of each phase of the plan.*

- i. The estimated time for completion of this Redevelopment Plan is 20 years beginning at adoption. Should the City determine that additional activities are required, this time frame may be extended. Therefore, this requirement has been met.

The definite local objective of this Redevelopment Plan is to eliminate the conditions which qualify the City as a blighted area under Chapter 353 and the LCRA Law. The City intends to facilitate the redevelopment of deteriorated structures where appropriate.

In addition to these requirements, the following requirements of the Act will be undertaken.

(5) Prior to recommending a redevelopment or urban renewal plan to the governing body for approval, an authority shall submit the plan to the planning agency, if any, of the community in which the land clearance or urban renewal project area is located for review and recommendations as to its conformity with the general plan for the development of the community as a whole. The planning agency shall submit its written recommendations with respect to the proposed redevelopment or urban renewal plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning agency, or if no recommendations are received within the thirty days, then without the recommendations, an authority may recommend the redevelopment or urban renewal plan to the governing body of the community for approval.

(6) Prior to recommending a redevelopment or urban renewal plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the land clearance or urban renewal project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the community and its environs which, in accordance with present and future needs, will promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or insanitary areas, or conditions of blight or deterioration, and the provision of adequate, safe and sanitary dwelling accommodations.

(7) The recommendation of a redevelopment or urban renewal plan by an authority to the governing body shall be accompanied by the recommendations, if any, of the planning commission concerning the redevelopment or urban renewal plan; a statement of the proposed method, and estimated cost of the acquisition and preparation

for redevelopment or urban renewal of the land clearance or urban renewal project area and the estimated proceeds or revenues from its disposal to redevelopers; a statement of the proposed method of financing the project; a statement of a feasible method proposed for the relocation of families to be displaced from the land clearance or urban renewal project area; and a schedule indicating the estimated length of time needed for completion of each phase of the plan.

(8) The governing body of the community shall hold a public hearing on any redevelopment or urban renewal plan or substantial modification thereof recommended by the authority, after public notice thereof by publication in a newspaper of general circulation in the community once each week for two consecutive weeks, the last publication to be at least ten days prior to the date set for hearing. The notice shall describe the time, date, place, and purpose of the hearing and shall also generally identify the area to be covered by the plan. All interested parties shall be afforded at the public hearing a reasonable opportunity to express their views respecting the proposed redevelopment or urban renewal plan.

Conformance with City Code

Section 40-19 of the City Code allows flexibility regarding the applicability of this article to ensure that tax abatement is available for future redevelopment of an area of the City that contains widespread evidence of blighting factors, where an overall plan for redevelopment is required to address blighting factors. The City, by resolution, shall have the authority to designate and declare that a redevelopment plan qualifies as a multi-project redevelopment plan. For the purposes of Section 40-19, factors that the Council shall consider when designating a redevelopment plan as a multi-project redevelopment plan shall include:

1. Size of the redevelopment area;
2. If land assemblage is required;
3. Whether the entire scope of the potential redevelopment project within the redevelopment area is known at the time of application;
4. Whether the redevelopment plan was initiated by the City to facilitate development in an area; and
5. Whether there are multiple land owners of discrete parcels or properties within the redevelopment area.

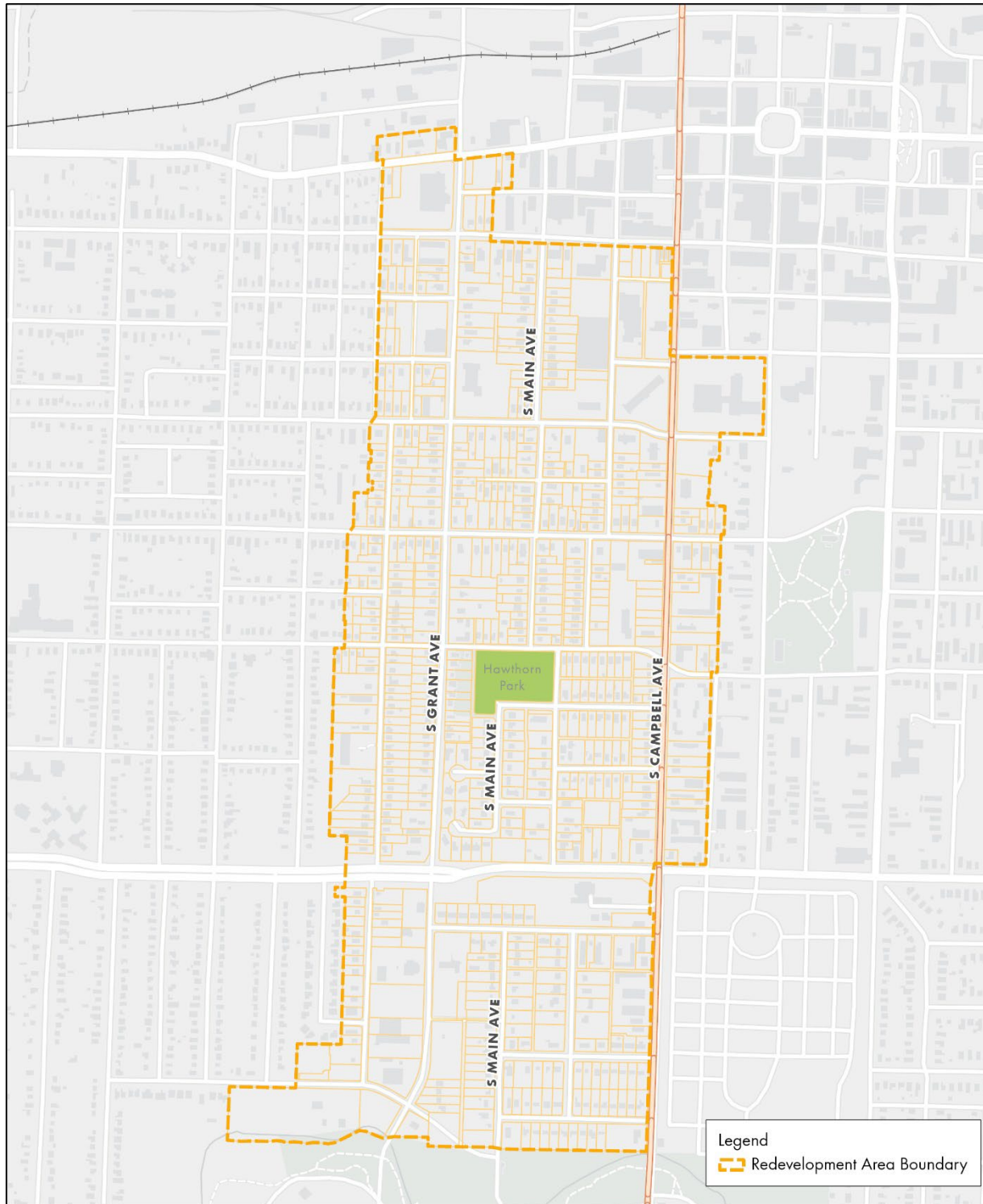
The ways in which this Plan responds to these criteria are as follows:

1. The Area is large. The Area includes approximately 265.30 acres of land and many parcels.
2. Land assemblage may be required by developers undertaking redevelopment projects within the Area.
3. The scope of potential redevelopment activity is known and described herein; however, the entire scope (i.e., financing parameters, development costs associated with individual projects, and terms of tax abatement for individual projects) is not yet known.
4. This Plan was initiated by the City to facilitate development within the Area.

5. There are multiple land owners of discrete parcels or properties within the Area.

APPENDICES

APPENDIX A - BOUNDARY MAP AND LEGAL DESCRIPTION OF THE AREA

EXHIBIT A-1**Description of Redevelopment Area Boundary****REDEVELOPMENT AREA BOUNDARY**

GRANT AVENUE QUALIFICATIONS ANALYSIS
Springfield, Missouri



REDEVELOPMENT AREA BOUNDARY DESCRIPTION

PART OF SECTIONS 23, 24, AND 26 IN TOWNSHIP 29 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 60 OF R. A. MCCLUER'S ADDITION TO THE CITY OF SPRINGFIELD, MISSOURI ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 31, SAID CORNER BEING ON THE SOUTH RIGHT-OF-WAY LINE OF A 20-FOOT ALLEY; THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE WEST RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF GRANT AVENUE TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF COLLEGE STREET, SAID EXTENSION PROJECTED WESTERLY FROM EAST OF GRANT AVENUE; THENCE EASTERLY ALONG SAID EXTENSION AND THEN ALONG THE SOUTH RIGHT-OF-WAY LINE OF COLLEGE STREET TO A POINT 1.5 FEET WEST OF THE EAST LINE OF LOT 3 OF ABBOTT'S SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 43, SAID POINT BEING ON THE EAST LINE OF A PARCEL OF LAND DEEDED TO DONALD T. MITCHELL AND TANNIE V. MILLER AS DESCRIBED IN BOOK 2016, PAGE 040892-16 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE EAST LINE OF SAID MITCHELL/MILLER PARCEL TO THE NORTH RIGHT-OF-WAY LINE OF MCDANIEL STREET; THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF MCDANIEL STREET TO THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF THE SIX23 CONDOMINIUMS PROPERTY ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 91; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST BOUNDARY OF SAID SIX23 CONDOMINIUMS AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTH RIGHT-OF-WAY LINE OF WALNUT STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF WALNUT STREET TO THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF ELM STREET, SAID EXTENSION PROJECTED WESTERLY FROM EAST OF CAMPBELL AVENUE; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ELM STREET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH AVENUE TO THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 1 OF P.C. STEPHENS ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK E, PAGE 36; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST LINE OF LOT 1 OF SAID P.C. STEPHENS ADDITION TO THE SOUTHWEST CORNER THEREOF, SAID CORNER BEING ON THE NORTH LINE OF A PARCEL OF LAND DEEDED TO ERNEST NOEL PIERCE AND ANNA MARIE PIERCE AS DESCRIBED IN BOOK 2015, PAGE 017592-15 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE NORTH LINE OF SAID PIERCE PARCEL TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE OF SAID PIERCE PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO HARRY ROBERT STEELMAN AND BEVERLY G. STEELMAN AS DESCRIBED IN BOOK 2471, PAGE 1913 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID STEELMAN PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO DONALD DEAN EVERTS, II AND WENDY ARETA EVERTS AS DESCRIBED IN

BOOK 2021, PAGE 038523-21 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID EVERTS PARCEL TO THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG THE SOUTH LINE OF SAID EVERTS PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO PALISADES PROPERTIES, LLC AS DESCRIBED IN BOOK 2022, PAGE 013832-22 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID PALISADES PROPERTIES PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO MORUS PROPERTIES, LLC AS DESCRIBED IN BOOK 2022, PAGE 016772-22 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID MORUS PROPERTIES PARCEL TO THE NORTH RIGHT-OF-WAY LINE OF STATE STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF STATE STREET TO THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF J.A. STEPHENS ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 9; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST BOUNDARY OF SAID J.A. STEPHENS ADDITION AND THE SOUTHERLY EXTENSION THEREOF TO THE NORTH RIGHT-OF-WAY LINE OF MADISON STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MADISON STREET TO THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF PATTON AVENUE (ALLEY);

THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST RIGHT-OF-WAY LINE OF PATTON AVENUE (ALLEY) TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET WITH THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTHWESTERLY TO AN ANGLE POINT ON THE EAST LINE OF LOT 1 OF MILES GEORGE – PARKVIEW SUBDIVISION PLAT 2, ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 371, SAID ANGLE POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID LOT 1 TO THE NORTH LINE OF LOT 7 IN BLOCK 1 OF MILES-GEORGE PARKVIEW SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK Q, PAGE 9; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 7 AND THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE NORTHEAST CORNER OF SAID LOT 7 ON THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE SOUTHEAST CORNER OF BLOCK "C" OF THE AMENDED PLAT OF THE SE AND SW BLOCKS OF HOLMAN'S MAPLE PARK ADDITION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK K, PAGE 44; THENCE WEST ALONG THE SOUTH BOUNDARY OF BLOCK "C" OF SAID AMENDED PLAT OF HOLMAN'S MAPLE PARK ADDITION TO THE SOUTHWEST CORNER THEREOF ON THE EAST RIGHT-OF-WAY LINE OF MAIN STREET; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 30 OF HOLMAN PLACE ADDITION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 91; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 30 AND THE EXTENSION THEREOF TO THE SOUTHEAST CORNER OF LOT 60 OF SAID HOLMAN PLACE ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 60 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 60 TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DEEDED TO REALTY INCOME CORPORATION AS DESCRIBED IN BOOK 2006, PAGE 051183-06 AT THE GREENE

COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE SOUTH LINE OF SAID REALTY INCOME CORPORATION PARCEL TO THE SOUTHWEST CORNER THEREOF ON THE EASTERLY RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTHWESTERLY TO THE CENTER OF FASSNIGHT CREEK; THENCE WESTERLY ALONG THE CENTER OF FASSNIGHT CREEK TO THE EAST BOUNDARY OF GREENHOUSE ESTATE, A SUBDIVISION IN THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK RR, PAGE 75; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID GREENHOUSE ESTATE TO THE SOUTH RIGHT-OF-WAY LINE OF CATALPA STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CATALPA STREET TO THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF MOBLEY SECOND SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK L, PAGE 50; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST BOUNDARY OF SAID MOBLEY SECOND SUBDIVISION TO THE SOUTHWEST CORNER OF GRAND PLACE ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK YY, PAGE 54; THENCE EAST ALONG THE SOUTH BOUNDARY OF SAID GRAND PLACE ADDITION TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID GRAND PLACE ADDITION TO THE NORTHEAST CORNER THEREOF ON THE SOUTH LINE OF A PARCEL OF LAND DEEDED TO COWHERD PROPERTIES IV LLC AS DESCRIBED IN BOOK 2022, PAGE 006510-22 (TRACT II) AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE SOUTH LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE NORTHWEST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 35 OF E.N. FERGUSON TRUSTEE ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK I, PAGE 32; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST LINE OF LOT 35 OF SAID E.N. FERGUSON TRUSTEE ADDITION TO THE NORTHEAST CORNER THEREOF ON THE SOUTH LINE OF LOT 31 OF SAID E.N. FERGUSON TRUSTEE ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 31 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINES OF LOTS 31, 30, AND 29 OF SAID E.N. FERGUSON TRUSTEE ADDITION TO AN ANGLE POINT ON THE WEST LINE OF SAID LOT 29; THENCE NORTH TO THE NORTHEAST CORNER OF LOT 18 OF SOUTH

PARK ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK B, PAGE 119; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SOUTH PARK ADDITION TO THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 14 OF JAS. M. KIRBY'S ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 40; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST BOUNDARY OF SAID JAS. M. KIRBY'S ADDITION TO THE SOUTHEAST CORNER OF LOT 8 OF SAID JAS. M. KIRBY'S ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8 AND ALONG THE NORTH LINE OF A 20-FOOT ALLEY TO THE SOUTHWEST CORNER OF THE EAST 6.5 FEET OF SAID LOT 8; THENCE NORTH ALONG THE WEST LINE OF THE EAST 6.5 FEET OF SAID LOT 8 TO THE NORTHWEST CORNER THEREOF ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE

STREET; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF LOT 7 OF SAID JAS. M. KIRBY'S ADDITION ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID JAS. M. KIRBY'S ADDITION TO THE SOUTH RIGHT-OF-WAY LINE OF STATE STREET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE STREET, SAID POINT BEING THE SOUTHWEST CORNER OF THE EAST 10 FEET OF THE SOUTH 200 FEET OF LOT 2 OF JAMES M. KIRBY'S SUBDIVISION OF LOTS 2 AND 7 AND WEST HALF OF LOTS 1 AND 8, D.L. FULBRIGHT'S ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 46; THENCE NORTH ALONG THE WEST LINE OF THE EAST 10 FEET OF THE SOUTH 200 FEET OF LOT 2 OF SAID JAMES M. KIRBY'S SUBDIVISION TO THE NORTHWEST CORNER THEREOF; THENCE EAST 10 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION, 18 FEET; THENCE LEAVING SAID EAST LINE, EAST 28 FEET; THENCE NORTH 51 FEET; THENCE WEST 28 FEET TO THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION, 113 FEET; THENCE LEAVING SAID EAST LINE, EAST 13.5 FEET; THENCE NORTH 71 FEET; THENCE WEST TO THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF MT. VERNON STREET; THENCE NORTHEASTERLY TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET WITH THE EAST RIGHT-OF-WAY LINE OF DOUGLAS AVENUE (ALLEY); THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF DOUGLAS AVENUE (ALLEY) TO THE NORTH RIGHT-OF-WAY LINE OF COLLEGE STREET; THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE STREET TO THE SOUTHEAST CORNER OF LOT 60 OF R. A. MCCLUER'S ADDITION TO THE CITY OF SPRINGFIELD, MISSOURI ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 31; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 60 TO THE POINT OF BEGINNING.

APPENDIX B

ANALYSIS FOR DESIGNATION AS A BLIGHTED AREA

Grant Avenue Parkway Redevelopment Area Qualifications Study

October 3, 2022

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SECTION 1

AREA DESCRIPTION AND BACKGROUND

In 2019, the City of Springfield, Missouri (the "City") was awarded a BUILD Grant from the U.S. Department of Transportation, which allowed the process of improving the infrastructure and quality of development along a three-mile section of Grant Avenue between West Sunshine Street and West College Street (the "GAP Corridor"). In March 2021, the Grant Avenue Corridor Plan, which acts as a guide for development decisions in the neighborhoods and public spaces adjacent to Grant Avenue, was adopted by the City as an element of the City's Comprehensive Plan. The Grant Avenue Corridor Plan focuses on those areas adjacent to the Parkway that are generally within 500 feet east and west of the Grant Avenue centerline. The Plan includes recommendations and strategies to encourage the creation of unique places and individualized identity, emphasizing new development designed at a pedestrian scale.

The Redevelopment Area consists of approximately 265.30 acres (213 acres, exclusive of public right-of-way) and contains 699 parcels owned by 517 unique entities. All properties are within the corporate limits of the City. The Redevelopment Area is located in the central portion of the City, just south of the downtown area. The Redevelopment Area extends southward from West Olive Street, ending at West Catalpa Street. The Redevelopment Area extends east to include properties fronting South Campbell Avenue and west to include properties fronting South Douglas Avenue.

The Redevelopment Area's boundary is shown in the exhibit entitled **Redevelopment Area Boundary** included in **Appendix A** and further described in the written boundary description also contained in **Appendix A**.

The exhibit entitled **Current Land Use in Redevelopment Area** in **Appendix B** shows the current land uses of the Redevelopment Area. Notable properties within the Redevelopment Area, which are likely to remain, include:

- Mothers Brewing Company (approximately 40,125 sq. ft.) - Mother's Brewing Company is located in the former home of a Butternut bread bakery owned by Hostess Brands. The bakery was closed in 2009 when the company faced financial difficulties. A local entrepreneur purchased the building in 2010 and converted the bakery into a microbrewery and tap room. Renovations were completed by May 2011.
- A Walmart Neighborhood Market (grocery store) (approximately 41,996 sq. ft.).
- The Campbell Early Childhood Center - a ten-classroom education facility that serves up to 200 pre-kindergarten students.
- Several religious institutions and churches.

The Redevelopment Area is comprised of fourteen different zoning types. The majority of property (approximately 53 percent) within the Redevelopment Area is zoned for various types of residential. However, 32 percent of the Redevelopment Area is comprised of property zoned Grant Avenue Parkway District ("GAP District"). The GAP District is comprised of unique areas with varying patterns of development, architectural styles, and visions as established in the Grant Avenue Parkway Corridor Plan. The GAP District contains six subdistricts.

Subdistrict A.

Subdistrict A, generally located from College Street to Walnut Street at the north end of the GAP district, shall be prioritized for mixed use development. New development in this subdistrict shall complement nearby downtown urban-scale development and provide for the integration and transition of these uses into a more traditional neighborhood form.

Subdistrict B.

Subdistrict B, generally located from Walnut Street to Elm Street, is intended to accommodate the renovation of existing residential structures or their conversion to neighborhood-scale home businesses. The subdistrict also accommodates mixed use or multifamily residential development to create a seamless transition to adjacent subdistricts A and C.

Subdistrict C.

Subdistrict C, generally located from Elm Street to Mt. Vernon Street, is intended to be a local-serving, mixed use neighborhood center that is compatible with the West Central neighborhood. The subdistrict allows for the conversion of existing properties to preserve their historic integrity and extend their economic life by allowing owners to justify expenditures for repairs and modernization.

Subdistrict D.

Subdistrict D, generally located from Mt. Vernon Street to Grand Street, is intended to be a mixed residential corridor. This subdistrict is intended to accommodate reinvestment in existing homes and new development of higher-density housing types that blend seamlessly with existing nearby residences.

Subdistrict E.

Subdistrict E, generally surrounding the intersections of Grant Avenue and Grand Street and Grant Avenue and Catalpa Street, is intended to accommodate local-serving, mixed use neighborhood centers that benefit from traffic along Grand Street and the connection of Fasnicht Park at Catalpa Street. New development in this subdistrict should complement the entrance to Fasnicht Park and connect to the Fasnicht Creek Greenway trail.

Subdistrict F.

Subdistrict F, generally located along Grant Avenue at Delmar Street and Loren Street and along Catalpa Street west of Grant Avenue, is intended to accommodate higher density development to support the adjacent neighborhood retail nodes.

Approximately 11 percent of the property within the Redevelopment Area is zoned for varying types of commercial; however, it should be noted that the Grant Avenue Parkway zoning designation also allows for commercial land uses.

SECTION 2

BASIS FOR DESIGNATION AS A BLIGHTED AREA

PGAV examined existing conditions to determine whether the Area qualifies for the use of certain economic and community development tools. These tools include the Urban Redevelopment Corporations Law as found in Chapter 353, RSMo ("Chapter 353") and the Land Clearance for Redevelopment Authority Law (the "LCRA Law") as found in Sections 99.300 – 99.715, RSMo.

Chapter 353 allows cities and counties to:

- (1) Identify and designate redevelopment areas that qualify as "Blighted Areas;"
- (2) Adopt development plans that designate areas in need of redevelopment and state the objectives to be attained and the redevelopment projects to be undertaken.
- (3) Approve redevelopment projects for implementation of such development plan(s); and
- (4) Utilize the tools set forth in Chapter 353 to assist in reducing or eliminating those factors and conditions that cause the area to qualify as a "Blighted Area" through the completion of a redevelopment project.

The LCRA Law allows cities and counties to:

- (1) Allow for the abatement of real property taxes, which provides a means to leverage private investment and redevelopment in accordance with an adopted redevelopment plan;
- (2) Acquire blighted or insanitary areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of the blighted or insanitary areas or the prevention of the spread or recurrence of substandard or insanitary conditions or conditions of blight;
- (3) Clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and install, construct or reconstruct roads, utilities, and site improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;
- (4) Sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, other use, or public use or to retain such land for public service, in accordance with a redevelopment plan; and
- (5) Develop, construct, reconstruct, rehabilitate, repair, or improve residences, houses, buildings, structures, and other facilities.

SECTION 3

ANALYSIS OF BLIGHTED AREA FACTORS

INTRODUCTION

This Section documents the conditions found to be present in the Area and contains the analysis of how such conditions cause the Area to be a "Blighted Area" according to Chapter 353 and the LCRA Law. Both statutes define a "Blighted Area" as having the same meaning as defined pursuant to Section 99.805(1) RSMo, which is as follows:

"Blighted Area" an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or menace to the public health, safety, or welfare in its present condition and use;
Mo. Rev. Stat. §99.805(1)

As such, blight conditions may be physical, such as "insanitary or unsafe conditions," "deterioration of site improvements," or "the existence of such conditions which endanger life or property by fire and other causes."

This analysis is based upon on-site investigations of the Area conducted by PGAV PLANNERS staff on January 11, 2022, and February 17, 2022, in addition to the information provided by the staff of the City of Springfield and the Greene County Assessor. PGAV PLANNERS staff also relied upon its extensive experience, real estate market knowledge, and professional expertise in preparing the analysis. Geotagged photographs illustrating representative blighting conditions were taken during the site visit and are displayed in **Appendix C – Existing Conditions Photos**. Blighting factors for each parcel in the Area are also identified in the various maps in **Appendix B**. This report will not reflect changes in conditions or events after the date of the site visits or publication of this report.

EXISTING CONDITIONS

As indicated above, PGAV PLANNERS staff conducted multiple field investigations of observable conditions in the Redevelopment Area. During these field investigations, physical conditions were observed related to the state of housing and commercial buildings. Certain areas of the Redevelopment Area were in far worse shape than others. Evidence of long-term disinvestment was often observed and concentrated west of Grant Avenue.

INSANITARY OR UNSAFE CONDITIONS

Insanitary Conditions are often evidenced by litter, illegal dumping, conditions that attract or contribute to vermin, or a combination of such conditions. Unsafe conditions are evidenced by a lack of proper public infrastructure adequate for ensuring the public's safety and are contributed to by the deterioration of site improvements. Unsafe conditions are also often represented by a lack of or deficiencies in public utility or roadway infrastructure, deteriorated buildings or site conditions, or the presence of continued crime. Such conditions may include poorly lit or unlit areas, cracked or uneven sidewalks, poor drainage, uneven grading or steep slopes, and improperly screened trash dumpsters that create loose litter and debris that can serve as breeding places for rodents or insects. Empty structures and storefronts that may be susceptible to vandalism or arson activities are also examples of insanitary and unsafe conditions.

Summary of Findings Regarding Insanitary and Unsafe Conditions:

Approximately 46 properties within the Redevelopment Area exhibited signs of insanitary or unsafe conditions. The conditions included vacant structures, public dumping, excessive litter, farm animals (chickens and ducks) in streets, and areas with overgrown vegetation that act as habitats for vermin.

Both site visits by PGAV staff revealed that pedestrian and disabled access throughout the Redevelopment Area is difficult. Sidewalks and pedestrian footpaths were disjointed and in disrepair. These conditions lead to hazardous conditions for pedestrians, especially those pedestrians with disabilities. Every sidewalk located on Grant Avenue has utility poles within sidewalk areas, spaced approximately 30 feet apart, which causes pedestrians to trespass onto private property or step into the roadway to bypass each pole. Unmarked crosswalks with no accommodations for persons with disabilities, such as truncated domes, were also prevalent within the Redevelopment Area.

Due to the age of the homes in the Area (built prior to 1978), it is likely that asbestos and lead-based paint are present within each building's interior and exterior finishes. As structures deteriorate, asbestos and lead-based paints can become exposed to the atmosphere creating health hazards for the public. This problem becomes exacerbated as time goes on. Older homes and buildings can also contain mercury-containing thermostats, and ballasts containing fluorescent bulbs (mercury). The older HVAC systems in many of these homes also contain chlorofluorocarbons (CFCs) which are known to destroy the earth's protective ozone and contribute to climate change.¹

Vacant buildings represent insanitary and unsafe conditions as they can typically become locations for vagrancy when left unsecured. Although no interior site inspections occurred, PGAV staff noted that at least 24 buildings within the Area appeared vacant when observed from the street. Many of these structures are dilapidated or require major rehabilitation. Some buildings indicated evidence of recent break-ins or criminal trespassing. While the high visibility of these buildings on the highly traveled roadways of Grant Avenue and South Campbell Avenue may deter such an event, the rear of these buildings are not visible from the street and are unlit at night due to disconnected utilities.

¹ <https://www.pca.state.mn.us/air/chlorofluorocarbons-cfcs-and-hydrofluorocarbons-hfcs>

Fires in vacant buildings have become a matter of increasing concern. Vacant structures often present a higher probability of risk. Fires in empty buildings are also more likely to have been intentionally set and likely to spread beyond the building than fires in other structures. They also cause a disproportionate share of firefighter injuries.² PGAV observed 24 structures as vacant during the site visit. It should be noted that this is a conservative figure, as no interior inspections occurred, and vacancy could only be observed from the exterior of the property. In most cases, vacancy was only recorded if the structure had boarded-up windows or if the electric meters were absent. These conditions create an atmosphere that fosters criminal activity and puts a strain on City resources.

The presence of these conditions retards the provision of housing accommodations and constitutes an economic or social liability, and is a menace to the public, health, safety, morals, or welfare.

DETERIORATION OF SITE IMPROVEMENTS

In general, deterioration refers to the physical and economic decline of the improvements of the Area both in terms of buildings and other above-ground structures; below-grade supporting structures such as water, sewer, and electric utilities; and surface site improvements such as parking areas, access and circulation roadways, drives, and lighting fixtures, signage, etc.

Deterioration may be evident in sound buildings containing minor defects, such as a lack of painting, loose or missing roof tiles, floor or ceiling plates, or holes and cracks over limited areas. The deterioration that is not easily curable and cannot be cured during routine maintenance includes defects in the primary and secondary building components. Primary building components include the foundation, exterior walls, floors, roofs, wiring, plumbing, etc. Secondary building components include the doors, windows, frames, fire escapes, gutters, downspouts, siding, fascia materials, etc.

Summary of Findings Regarding Deterioration of Site Improvements:

The deterioration of site improvements within the Redevelopment Area results from disinvestment in the residential neighborhoods. Approximately 250 parcels, or 36%, of the parcels within the Redevelopment Area show evidence of deterioration. Conditions include damaged and missing exterior building materials, missing or rotting windows and doors, extensive exterior damage, evidence of water intrusion, damage to structural supports or foundations, rusting metal surfaces and deteriorating paint and building materials. In addition to significant building deterioration visible on these parcels, there is often evidence of deteriorating site improvements, including driveways, sidewalks, and steps. Various examples of these conditions are documented in the photos provided in **Appendix C**.

The Redevelopment Area contains a high concentration of older buildings (beyond the 35-year

² NFPA Research, 2018

standard) and corresponding site improvements. Building age has long been recognized as a contributing factor to urban blight. Early federal urban renewal standards from the Housing and Urban Renewal Act dating from the mid to late 1930s established the "35-years old or older" standard found in many state redevelopment statutes. As buildings age, it is recognized that the maintenance requirements of the building will increase as materials reach the end of their usable life, are likely to require replacement or significant rehabilitation, and begin to show their age in terms of outward appearance. Age is also a contributor to obsolescence. Most buildings 35 years and older have not been brought into compliance with evolving building codes and requirements and may no longer be suitable for their original, intended use. Older buildings are often less desirable in the real estate marketplace, and rehabilitation can usually cost more than constructing a new structure of the same size.

Approximately 593 of the 699 parcels (87 percent) within the Redevelopment Area have a structure built before 1987. The median year built for all structures within the Redevelopment Area is 1922. This means that half of the buildings are at least 100 years old.

It should also be noted that approximately 76% of properties that are 35 years and older also exhibited some other physical factor of blight such as deterioration, insanitary and unsafe conditions, or conditions that endanger life or property by fire and other causes.

The presence of both deteriorated improvements and older buildings whose presence within the Redevelopment Area represents a strong correlation to disinvestment, disrepair, and deterioration retards the provision of housing accommodations and constitutes an economic or social liability, and is a menace to the public, health, safety, morals, or welfare.

EXISTENCE OF CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND OTHER CAUSES

The existence of conditions that endanger life or property by fire and other causes includes significant site deterioration and physical deficiencies that represent public health and safety hazards or could cause harm or potential flooding conditions that could threaten life or property. This list is not meant to be all-inclusive, for such conditions may be unique to the Area's circumstances.

Summary of Findings:

The various conditions described in the preceding sections on insanitary or unsafe conditions and deterioration of site improvements within the Redevelopment Area give rise to conditions that endanger life or property by fire and other causes.

MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE

The combination of the previously described blighting conditions found within the Area constitutes a menace to the public health, safety, morals or welfare.

ECONOMIC LIABILITY

Because of a predominance of insanitary or unsafe conditions, the deterioration of site improvements, and the existence of conditions that endanger life or property by fire and other causes, the Redevelopment Area constitutes an economic liability to the City. The Redevelopment Area is underutilized and has significant challenges to any improvement effort in its present condition and use. The Redevelopment Area has essentially lost much of its revenue generation capacity due to disinvestment and the previously mentioned blighting conditions.

Another typical measure of economic liability for a qualifications analysis is property value and the taxes it produces. Deterioration and disinvestment within the Area have negatively affected property values over the last twelve years. In 2010, the Area received a total valuation of \$16,007,240. In 2021, the Area received a total valuation of \$11,268,171.³ This decline represents a loss of over 29% in real property value for the Area. It also demonstrates that the Area has experienced little to no investment over the last decade. As a comparison, the City of Springfield's overall property value has grown by 24% during the same time period.⁴ Growth in the Federal Consumer Price Index ("CPI") provided by the Bureau of Labor Statistics also shows that Federal inflation ("CPI") also shows that the prices of all goods and services within the United States have grown by 25% over the same time period. Therefore, it is reasonable to believe that any property within the Area that has not increased in value by a minimum of 25% over the same time period can be considered a disinvested property and a potential

³ Greene County Assessor's Office, 2022

⁴ City of Springfield Annual Budget, 2022.

liability to the City. Within the Area, 74 percent of properties (518 properties) have not kept up with inflation.

The map entitled **Assessed Value Change -2010-2021** in **Appendix B** illustrates each parcel's change in valuation since 2010.

The Area's inability to generate reasonable and sustained revenues places the City and other taxing districts where budgets for such services as police, fire, schools, parks, and other municipal services cannot be provided at preferred levels. A drop in revenues that support these or other municipal or district services translates into an economic liability for the residents of Springfield and the beneficiaries of those districts funded by Area real estate, sales, utility, and other business taxes.

SUMMARY

In summation, when combining all of the blighting factors examined in this report, 85% (593) of the Area's properties exhibit one or more factor that contributes to the Area meeting the definition of a "Blighted area," as such term is defined within the Urban Redevelopment Corporations Law, and is a portion of the City that by reason of the predominance of insanitary or unsafe conditions; deterioration of site improvements; or the existence of such conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.

In addition to the evidence provided in the previous sections, the code enforcement activities within the Redevelopment Area have numbered in the hundreds over the last five years. Since 2017, over 554 individual code enforcement actions have occurred. Some are more serious than others. The various code enforcement actions range from overgrown grass and vegetation to more serious issues, including dangerous buildings. Over the last five years, code enforcement actions have remained relatively steady, between 117 and 95 actions. Concentrations of these actions occur primarily in the areas west of Main Avenue. These concentrations are shown in the map **Concentrations of Code Enforcement Actions** in **Appendix B**.

Redevelopment Area Code Enforcement Actions ¹	
Year	No. of Code Enforcement Actions
2017	82
2018	117
2019	107
2020	96
2021	95
2022	57

¹ 2022 represents a partial year of code enforcement actions.

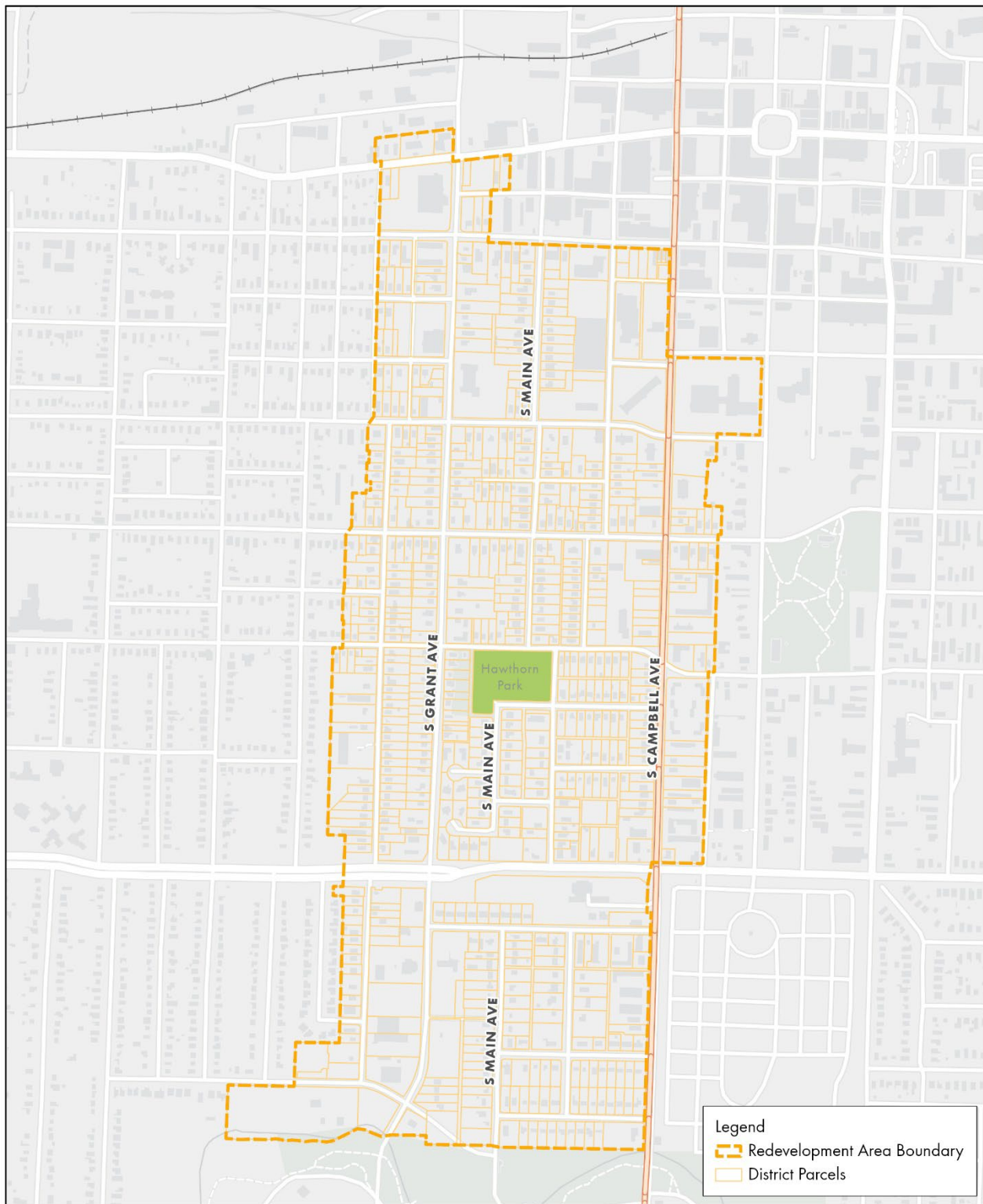
Factors contributing to the above-listed requirements are outlined above and supported by the **Existing Conditions Photos** in **Appendix C**.

Pursuant to Sections 99.805(1), 353.020(2), and 99.320(3) RSMo., PGAV Planners conclude that a predominance and a preponderance of the Area is a "Blighted area."

APPENDICES

APPENDIX A

REDEVELOPMENT AREA BOUNDARY MAP AND LEGAL DESCRIPTION



REDEVELOPMENT AREA BOUNDARY

SOUTH GRANT AVENUE QUALIFICATIONS ANALYSIS
Springfield, Missouri



REDEVELOPMENT AREA BOUNDARY DESCRIPTION

PART OF SECTIONS 23, 24, AND 26 IN TOWNSHIP 29 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 60 OF R. A. MCCLUER'S ADDITION TO THE CITY OF SPRINGFIELD, MISSOURI ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 31, SAID CORNER BEING ON THE SOUTH RIGHT-OF-WAY LINE OF A 20-FOOT ALLEY; THENCE EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY TO THE WEST RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF GRANT AVENUE TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF COLLEGE STREET, SAID EXTENSION PROJECTED WESTERLY FROM EAST OF GRANT AVENUE; THENCE EASTERLY ALONG SAID EXTENSION AND THEN ALONG THE SOUTH RIGHT-OF-WAY LINE OF COLLEGE STREET TO A POINT 1.5 FEET WEST OF THE EAST LINE OF LOT 3 OF ABBOTT'S SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 43, SAID POINT BEING ON THE EAST LINE OF A PARCEL OF LAND DEEDED TO DONALD T. MITCHELL AND TANNIE V. MILLER AS DESCRIBED IN BOOK 2016, PAGE 040892-16 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE EAST LINE OF SAID MITCHELL/MILLER PARCEL TO THE NORTH RIGHT-OF-WAY LINE OF MCDANIEL STREET; THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF MCDANIEL STREET TO THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF THE SIX23 CONDOMINIUMS PROPERTY ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 91; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST BOUNDARY OF SAID SIX23 CONDOMINIUMS AND THE SOUTHERLY EXTENSION THEREOF TO THE SOUTH RIGHT-OF-WAY LINE OF WALNUT STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF WALNUT STREET TO THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF ELM STREET, SAID EXTENSION PROJECTED WESTERLY FROM EAST OF CAMPBELL AVENUE; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ELM STREET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH AVENUE TO THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 1 OF P.C. STEPHENS ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK E, PAGE 36; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST LINE OF LOT 1 OF SAID P.C. STEPHENS ADDITION TO THE SOUTHWEST CORNER THEREOF, SAID CORNER BEING ON THE NORTH LINE OF A PARCEL OF LAND DEEDED TO ERNEST NOEL PIERCE AND ANNA MARIE PIERCE AS DESCRIBED IN BOOK 2015, PAGE 017592-15 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE NORTH LINE OF SAID PIERCE PARCEL TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WEST LINE OF SAID PIERCE PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO HARRY ROBERT STEELMAN AND BEVERLY G. STEELMAN AS DESCRIBED IN BOOK 2471, PAGE 1913 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID STEELMAN PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO DONALD DEAN EVERTS, II AND WENDY ARETA EVERTS AS DESCRIBED IN

BOOK 2021, PAGE 038523-21 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID EVERTS PARCEL TO THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG THE SOUTH LINE OF SAID EVERTS PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO PALISADES PROPERTIES, LLC AS DESCRIBED IN BOOK 2022, PAGE 013832-22 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID PALISADES PROPERTIES PARCEL TO THE NORTHWEST CORNER OF A PARCEL OF LAND DEEDED TO MORUS PROPERTIES, LLC AS DESCRIBED IN BOOK 2022, PAGE 016772-22 AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE SOUTH ALONG THE WEST LINE OF SAID MORUS PROPERTIES PARCEL TO THE NORTH RIGHT-OF-WAY LINE OF STATE STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF STATE STREET TO THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF J.A. STEPHENS ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 9; THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST BOUNDARY OF SAID J.A. STEPHENS ADDITION AND THE SOUTHERLY EXTENSION THEREOF TO THE NORTH RIGHT-OF-WAY LINE OF MADISON STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF MADISON STREET TO THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF PATTON AVENUE (ALLEY);

THENCE SOUTH ALONG SAID EXTENSION AND THEN ALONG THE WEST RIGHT-OF-WAY LINE OF PATTON AVENUE (ALLEY) TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET WITH THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTHWESTERLY TO AN ANGLE POINT ON THE EAST LINE OF LOT 1 OF MILES GEORGE – PARKVIEW SUBDIVISION PLAT 2, ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 371, SAID ANGLE POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID LOT 1 TO THE NORTH LINE OF LOT 7 IN BLOCK 1 OF MILES-GEORGE PARKVIEW SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK Q, PAGE 9; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 7 AND THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE NORTHEAST CORNER OF SAID LOT 7 ON THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE TO THE SOUTHEAST CORNER OF BLOCK "C" OF THE AMENDED PLAT OF THE SE AND SW BLOCKS OF HOLMAN'S MAPLE PARK ADDITION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK K, PAGE 44; THENCE WEST ALONG THE SOUTH BOUNDARY OF BLOCK "C" OF SAID AMENDED PLAT OF HOLMAN'S MAPLE PARK ADDITION TO THE SOUTHWEST CORNER THEREOF ON THE EAST RIGHT-OF-WAY LINE OF MAIN STREET; THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 30 OF HOLMAN PLACE ADDITION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 91; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 30 AND THE EXTENSION THEREOF TO THE SOUTHEAST CORNER OF LOT 60 OF SAID HOLMAN PLACE ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 60 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 60 TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DEEDED TO REALTY INCOME CORPORATION AS DESCRIBED IN BOOK 2006, PAGE 051183-06 AT THE GREENE

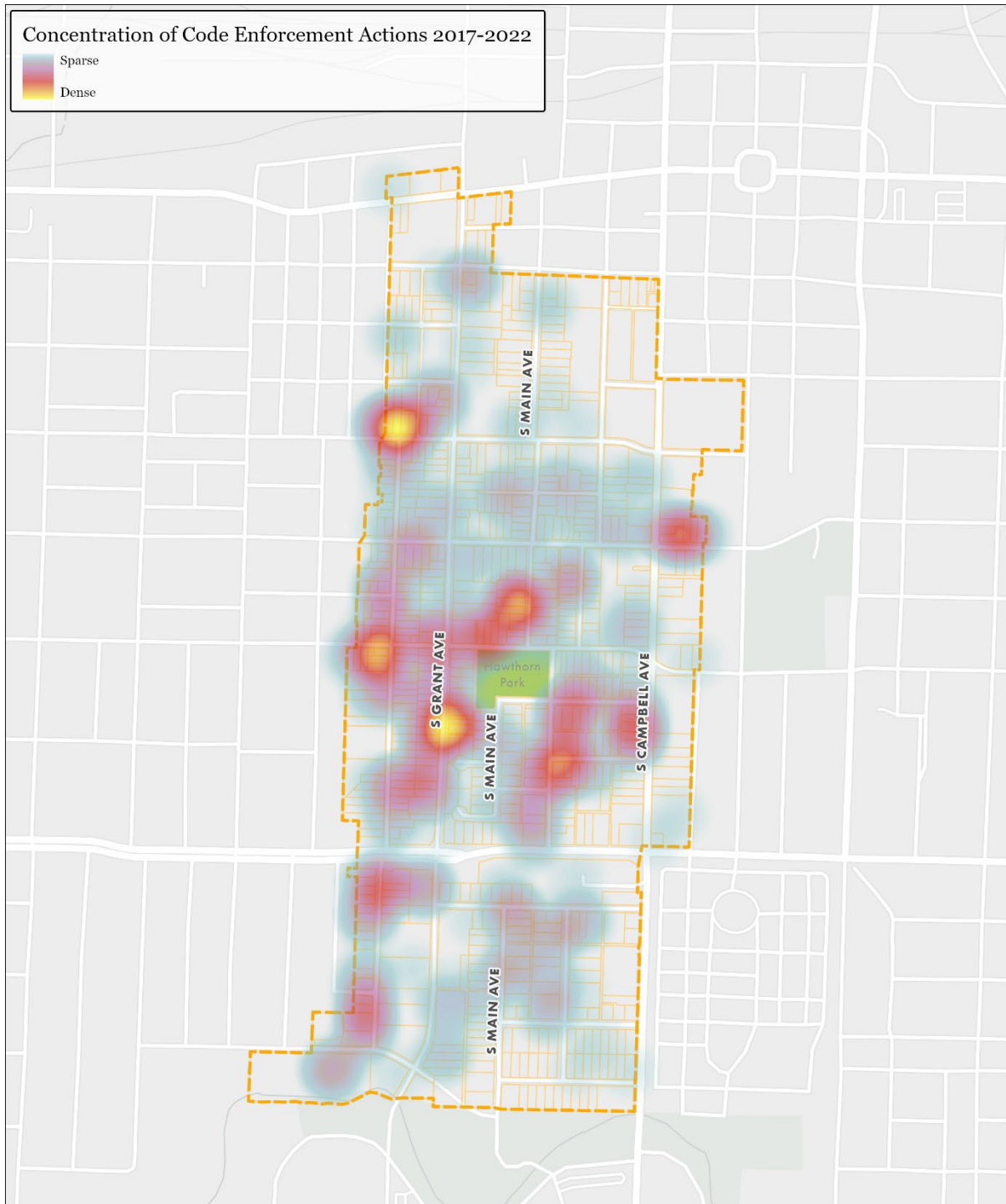
COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE SOUTH LINE OF SAID REALTY INCOME CORPORATION PARCEL TO THE SOUTHWEST CORNER THEREOF ON THE EASTERLY RIGHT-OF-WAY LINE OF GRANT AVENUE; THENCE SOUTHWESTERLY TO THE CENTER OF FASSNIGHT CREEK; THENCE WESTERLY ALONG THE CENTER OF FASSNIGHT CREEK TO THE EAST BOUNDARY OF GREENHOUSE ESTATE, A SUBDIVISION IN THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK RR, PAGE 75; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID GREENHOUSE ESTATE TO THE SOUTH RIGHT-OF-WAY LINE OF CATALPA STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF CATALPA STREET TO THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY OF MOBLEY SECOND SUBDIVISION ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK L, PAGE 50; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST BOUNDARY OF SAID MOBLEY SECOND SUBDIVISION TO THE SOUTHWEST CORNER OF GRAND PLACE ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK YY, PAGE 54; THENCE EAST ALONG THE SOUTH BOUNDARY OF SAID GRAND PLACE ADDITION TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID GRAND PLACE ADDITION TO THE NORTHEAST CORNER THEREOF ON THE SOUTH LINE OF A PARCEL OF LAND DEEDED TO COWHERD PROPERTIES IV LLC AS DESCRIBED IN BOOK 2022, PAGE 006510-22 (TRACT II) AT THE GREENE COUNTY RECORDER'S OFFICE; THENCE WEST ALONG THE SOUTH LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE NORTHWEST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID COWHERD PROPERTIES IV PARCEL TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 35 OF E.N. FERGUSON TRUSTEE ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK I, PAGE 32; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST LINE OF LOT 35 OF SAID E.N. FERGUSON TRUSTEE ADDITION TO THE NORTHEAST CORNER THEREOF ON THE SOUTH LINE OF LOT 31 OF SAID E.N. FERGUSON TRUSTEE ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 31 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINES OF LOTS 31, 30, AND 29 OF SAID E.N. FERGUSON TRUSTEE ADDITION TO AN ANGLE POINT ON THE WEST LINE OF SAID LOT 29; THENCE NORTH TO THE NORTHEAST CORNER OF LOT 18 OF SOUTH

PARK ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK B, PAGE 119; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SOUTH PARK ADDITION TO THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET; THENCE EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF MADISON STREET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 14 OF JAS. M. KIRBY'S ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 40; THENCE NORTH ALONG SAID EXTENSION AND THEN ALONG THE EAST BOUNDARY OF SAID JAS. M. KIRBY'S ADDITION TO THE SOUTHEAST CORNER OF LOT 8 OF SAID JAS. M. KIRBY'S ADDITION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8 AND ALONG THE NORTH LINE OF A 20-FOOT ALLEY TO THE SOUTHWEST CORNER OF THE EAST 6.5 FEET OF SAID LOT 8; THENCE NORTH ALONG THE WEST LINE OF THE EAST 6.5 FEET OF SAID LOT 8 TO THE NORTHWEST CORNER THEREOF ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE

STREET; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF LOT 7 OF SAID JAS. M. KIRBY'S ADDITION ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID JAS. M. KIRBY'S ADDITION TO THE SOUTH RIGHT-OF-WAY LINE OF STATE STREET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE STREET, SAID POINT BEING THE SOUTHWEST CORNER OF THE EAST 10 FEET OF THE SOUTH 200 FEET OF LOT 2 OF JAMES M. KIRBY'S SUBDIVISION OF LOTS 2 AND 7 AND WEST HALF OF LOTS 1 AND 8, D.L. FULBRIGHT'S ADDITION TO THE CITY OF SPRINGFIELD ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK C, PAGE 46; THENCE NORTH ALONG THE WEST LINE OF THE EAST 10 FEET OF THE SOUTH 200 FEET OF LOT 2 OF SAID JAMES M. KIRBY'S SUBDIVISION TO THE NORTHWEST CORNER THEREOF; THENCE EAST 10 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION, 18 FEET; THENCE LEAVING SAID EAST LINE, EAST 28 FEET; THENCE NORTH 51 FEET; THENCE WEST 28 FEET TO THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE NORTH ALONG THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION, 113 FEET; THENCE LEAVING SAID EAST LINE, EAST 13.5 FEET; THENCE NORTH 71 FEET; THENCE WEST TO THE EAST LINE OF SAID JAMES M. KIRBY'S SUBDIVISION; THENCE NORTH ALONG SAID EAST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF MT. VERNON STREET; THENCE NORTHEASTERLY TO THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MT. VERNON STREET WITH THE EAST RIGHT-OF-WAY LINE OF DOUGLAS AVENUE (ALLEY); THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF DOUGLAS AVENUE (ALLEY) TO THE NORTH RIGHT-OF-WAY LINE OF COLLEGE STREET; THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF COLLEGE STREET TO THE SOUTHEAST CORNER OF LOT 60 OF R. A. MCCLUER'S ADDITION TO THE CITY OF SPRINGFIELD, MISSOURI ACCORDING TO THE PLAT FILED AT THE GREENE COUNTY RECORDER'S OFFICE IN PLAT BOOK A, PAGE 31; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 60 TO THE POINT OF BEGINNING.

APPENDIX B

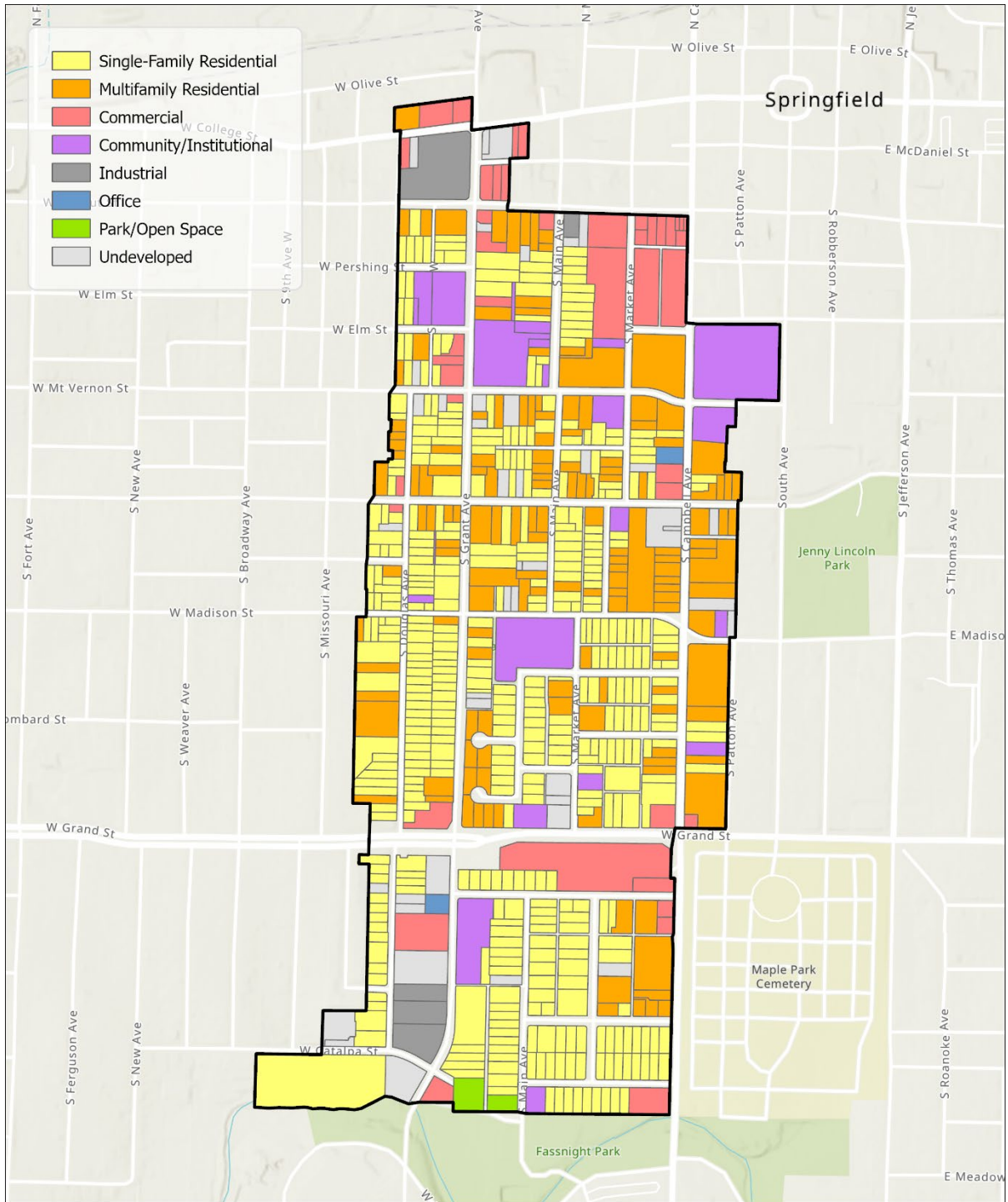
SUPPORTING EXHIBITS



CONCENTRATIONS OF CODE ENFORCEMENT ACTIONS

GRANT AVENUE PARKWAY QUALIFICATIONS STUDY
Springfield, Missouri



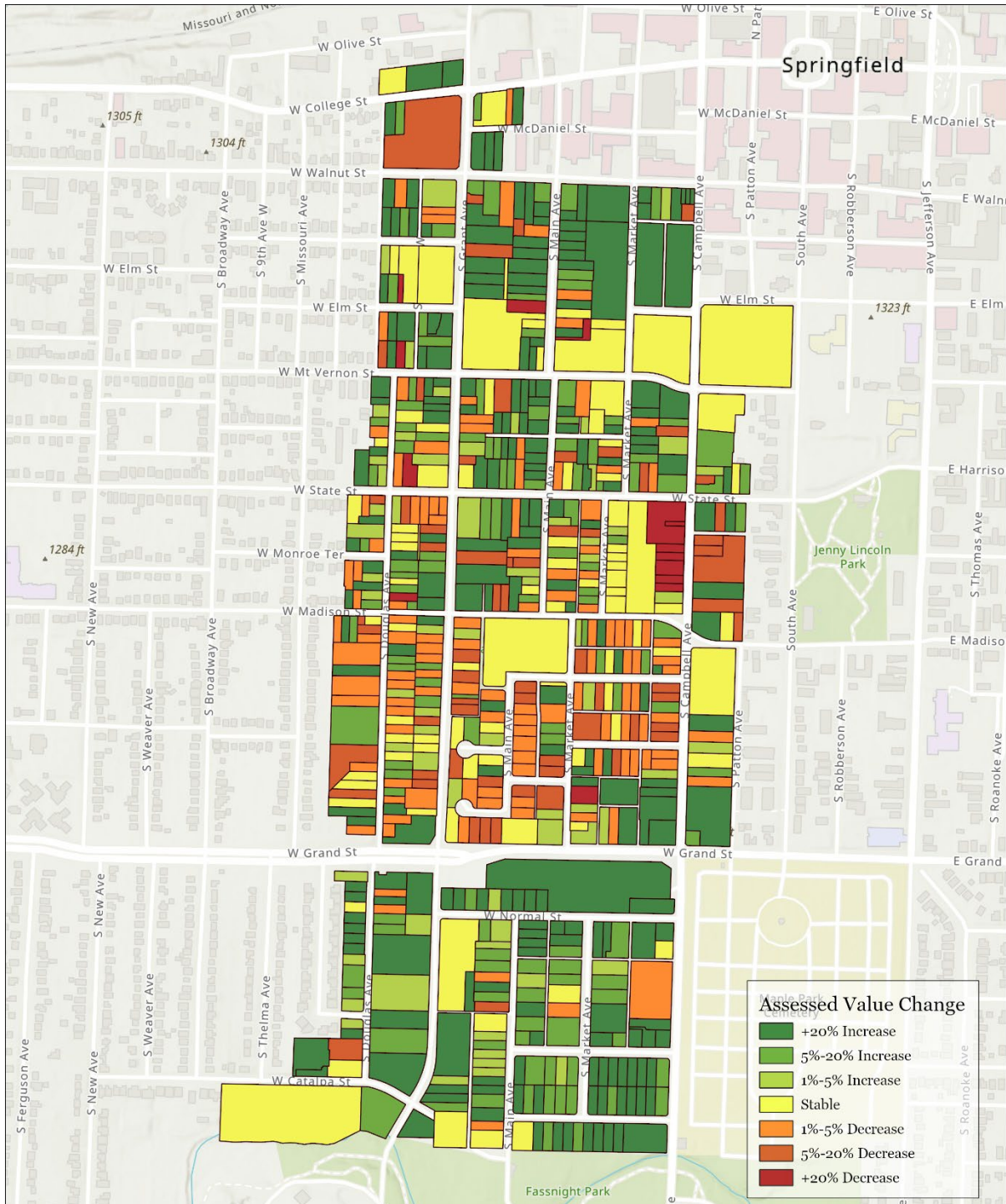


CURRENT LAND USE IN REDEVELOPMENT AREA

GRANT AVENUE QUALIFICATIONS ANALYSIS

Springfield, Missouri





Assessed Value Change 2010 - 2021
 SOUTH GRANT AVENUE QUALIFICATIONS ANALYSIS
 Springfield, Missouri



APPENDIX C

EXISTING CONDITIONS PHOTOS

**A map of photos showings existing conditions
may be found via the link below.**

[Link](#)

APPENDIX C

GRANT AVENUE PARKWAY CORRIDOR PLAN



GRANT AVENUE PARKWAY CORRIDOR PLAN

March 22, 2021







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Implementation	29



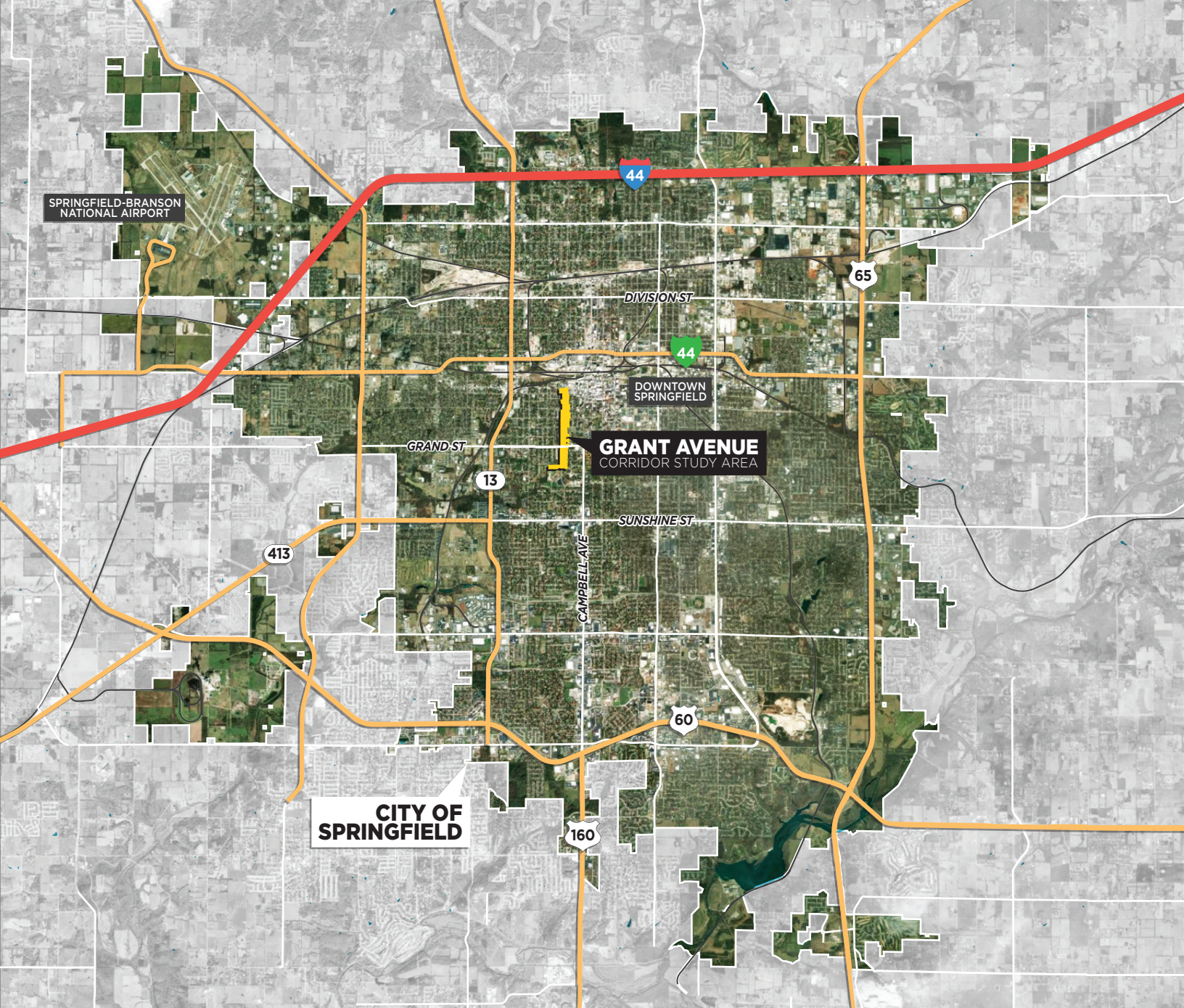
INTRODUCTION & CONTEXT



In 2019, the City of Springfield received a \$21 million federal BUILD (Better Utilizing Investments to Leverage Development) grant to design and build the Grant Avenue Parkway (GAP). Once complete, the Parkway will create an off-street pedestrian and bicycle pathway along Grant Avenue between Sunshine Street and College Street, in the heart of Springfield. The 3-mile stretch will connect downtown Springfield with the Wonders of Wildlife National Museum and Aquarium (WOW) – linking authentic Springfield experiences for both residents and visitors. The Parkway route will further connect parks and recreation amenities, neighborhoods, schools, and fill a vital gap in the Ozark Greenways trail system. This Corridor Plan complements the Parkway project, serving to guide development decisions in the neighborhoods and public spaces along the Grant Avenue corridor.

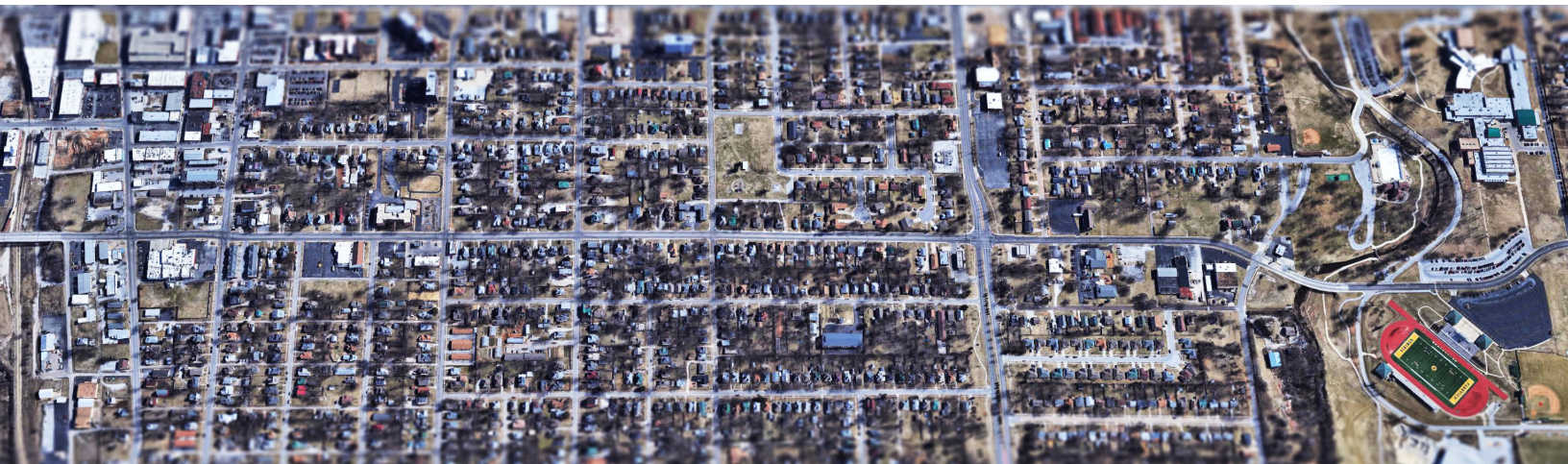
IN THIS CHAPTER

- Planning Area
- More Than a Street project
- Grant Avenue Parkway Overlay District
- Placetype Overview
- Community Engagement
- Proposed Placetypes Map
- Current Zoning Map



PLANNING AREA

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.



MORE THAN A STREET PROJECT

The Grant Avenue Parkway is truly more than just a street project. The Parkway is an opportunity for the City to invest in a public amenity that, with the proper planning and development tools in place, can also be used to spur private investment. The Plan includes recommendations and strategies to encourage the creation of unique places and strengthen community identity with an emphasis on new development being designed at a pedestrian-scale.

The intent of the Plan is to promote reinvestment and redevelopment that leverages the new Parkway as an asset. The Plan will also be used to inform updated regulations that provide for greater flexibility to achieve high-quality design and foster sense of place.

GRANT AVENUE PARKWAY OVERLAY DISTRICT

The recommendations of the Grant Avenue Parkway Corridor Plan will be used to guide the creation of new development regulations and zoning code amendments that will impact the experience and beautification of both public and private properties. Following the adoption of the Corridor Plan, it is recommended that Grant Avenue Overlay District be established as primary implementation mechanism.

INCREASED FLEXIBILITY, INCREASED QUALITY-OF-PLACE

The ultimate goal 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.

PLACETYPE OVERVIEW

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. While Forward SGF was still in draft form as the Corridor Plan was developed, the community input received during the Forward SGF process lends strong support to the recommended development.

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.

COMMUNITY ENGAGEMENT

Public Input for the Grant Avenue Parkway Corridor Plan was collected throughout the Public Visioning and Public Concept Development phases of the Parkway design process. That input, along with previous input received through the Forward SGF Comprehensive Plan process, was used to inform recommendations related to preferred future land use mix, urban design, connections to surrounding neighborhoods, and improvements to the transportation network.

Project Visioning

4 virtual workshops in Sept.

501 total livestream viewers

268 polling participants

372 Online surveys completed

Concept Development

1 3-hour, segmented Virtual Concept Development event in Nov.

267 total livestream viewers

199 polling participants

24 participants to follow-up poll

35+ one-on-one stakeholder & property owner meetings

The Road Ahead

1 Virtual concept education and Corridor Plan input event in Feb.

480 total livestream viewers

207 polling participants

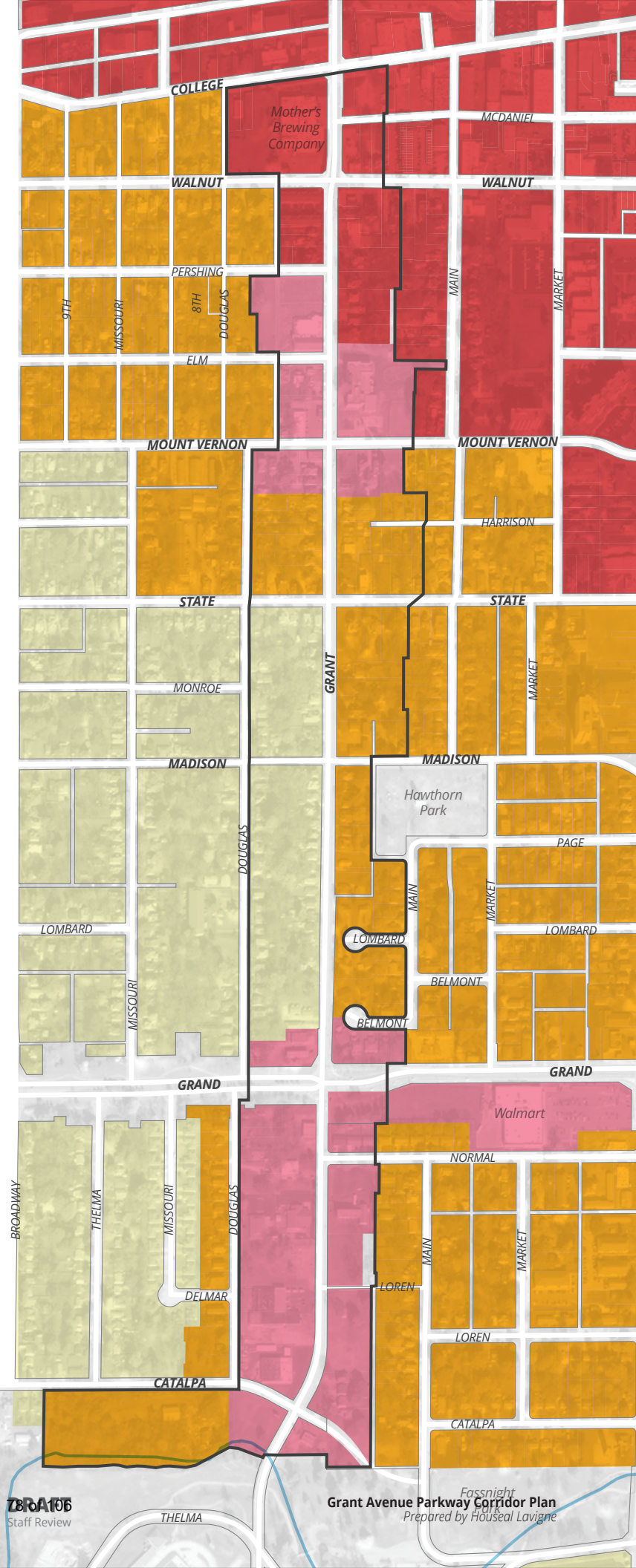
30 participants to follow-up Corridor Plan survey

PROPOSED PLACETYPES

-  Grant Avenue Corridor
-  Established Neighborhood
-  Mixed Residential
-  Mixed-Use
-  Downtown

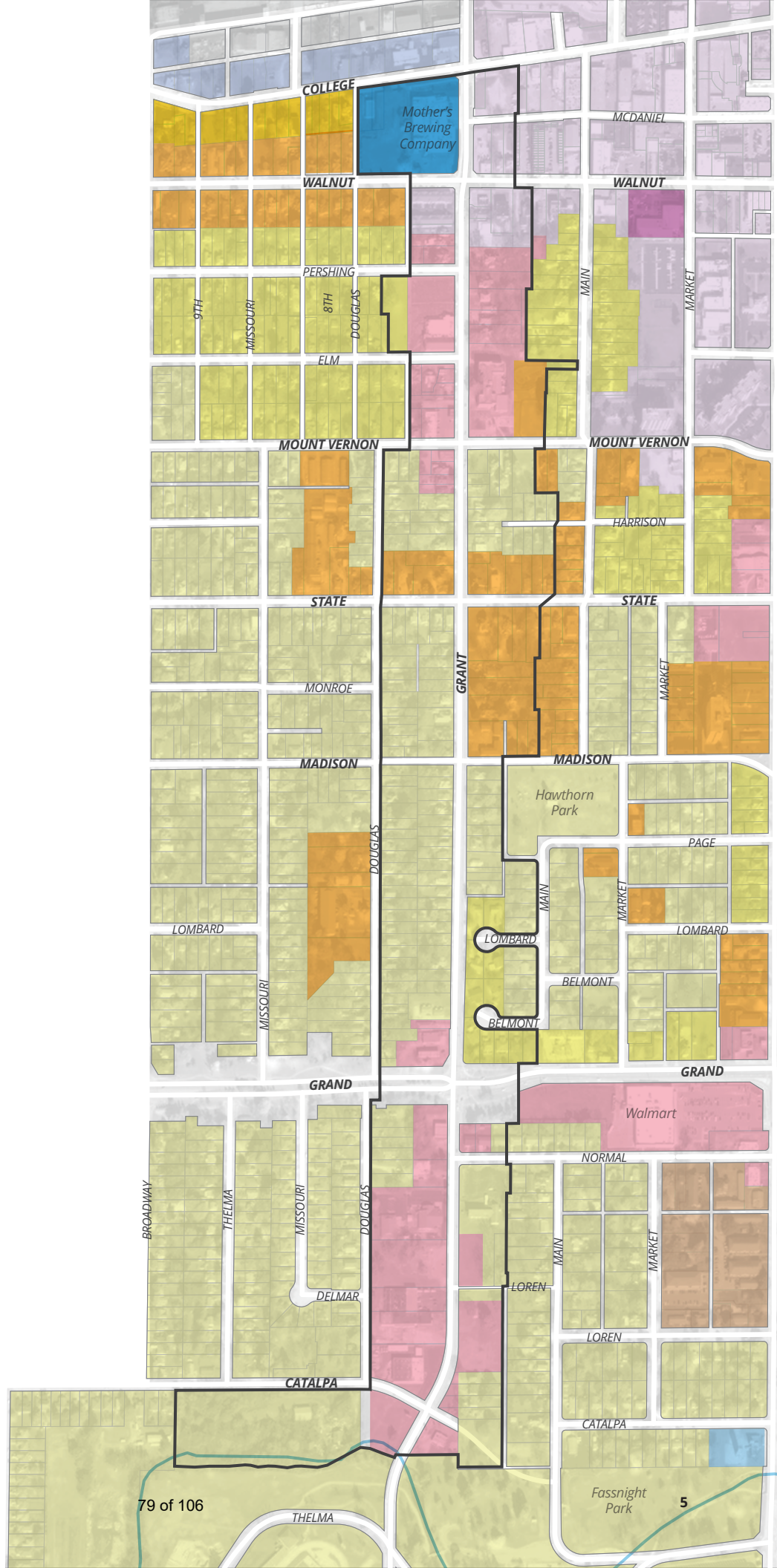
The desired character and intensity of development defined in the Corridor Plan is founded in the placetypes established during the Forward SGF Comprehensive Plan process. The Grant Avenue Parkway marks the intersection of four placetypes within the broader, City-wide land use and development framework.

The northern portion of the corridor represents the western edge of **Downtown Springfield**. This transitions to the central portion of the corridor situated in the heart of the historic West Central neighborhood (birthplace of Route 66) which is made up of a mix of higher density **Mixed Residential** blocks and **Established Neighborhood** blocks with a solid stock of single-family homes. As redevelopment occurs, additional **Mixed-use** neighborhood centers are envisioned at key cross-streets including Mt. Vernon and Grand Street. The southern portion of the corridor is also targeted for redevelopment away from outdated or obsolete commercial and industrial structures to a mix of higher density residential development and mixed-use development at Catalpa Street and the Fasnacht Creek Greenway.



CURRENT ZONING

-  Grant Avenue Corridor
-  Single Family Residential
-  Townhouse Residential
-  Low-Density Multi-Family Residential
-  Medium-Density Multi-Family Residential
-  High-Density Multi-Family Residential
-  General Retail
-  Commercial Services
-  Center City
-  Office
-  Industrial Commercial
-  Heavy Manufacturing
-  West College Street District 1
-  West College Street District 2





GRANT AVENUE PARKWAY CORRIDOR PLAN



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.

IN THIS CHAPTER

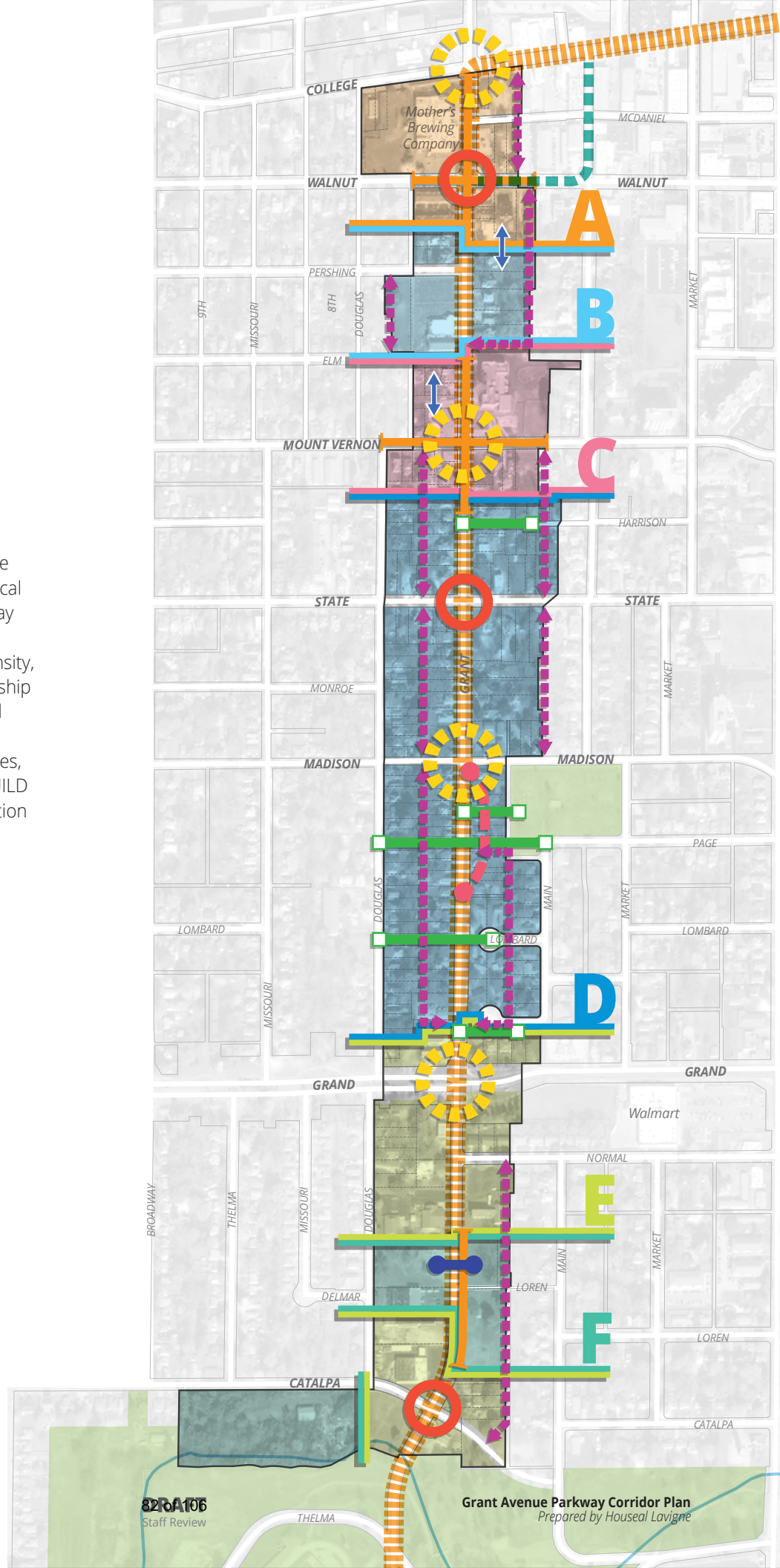
- Corridor Framework
- Block Typology
- Roadway Improvements
- Development Enhancements
- Subarea Plans

CORRIDOR FRAMEWORK

With Forward SGF placetypes as a starting point, the corridor planning area has been further divided into six functional subareas (A-F) that help define how city-wide land use and development policy is applied at the local level. Each subarea has a distinct role to play within the corridor with a unique mix of desired future uses and development intensity, redevelopment opportunities, and relationship to the surrounding neighborhoods. Several factors were considered in defining the subareas including the underlying placetypes, community input, the investment of the BUILD Grant along Grant Avenue, street classification and function and preservation of existing structures.

Legend

-  Grant Avenue Corridor
-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Proposed Raised Mid-block Crossing
-  Alley Opportunity
-  Cross-Access
-  Potential Pedestrian Connections
-  Potential Roadway Realignment
-  Grant Avenue Roadway Reconfiguration
-  Proposed Bike Lanes
-  Proposed Parallel Parking

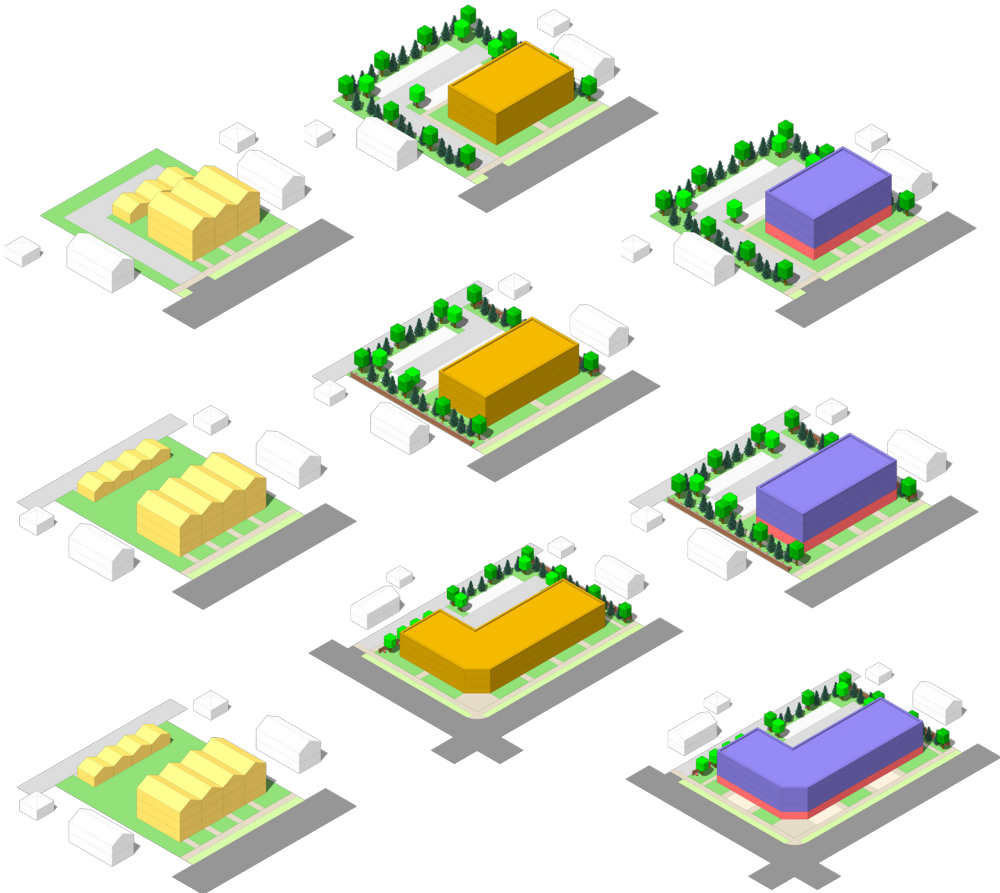


BLOCK TYPOLOGY

Each Corridor Plan Subarea is discussed in further detail in the following section. Annotated block typology diagrams are provided for each subarea to illustrate design elements within desired future development such as parking and access, setbacks, and transitions to adjoining existing development. The subarea block typologies help define the character and intensity of future development along Grant Avenue. Example images are also provided to highlight urban design and architecture considerations.

The block typologies provide a bridge between recommended land use and development policy and future zoning amendments needed to facilitate desired development. The key below indicates which block typologies are supported within each subarea

Block Typology	Subarea					
	A	B	C	D	E	F
Single-Family Attached		●		●		
Multifamily		●	●	●	●	●
Mixed-Use	●	●	●		●	



Single-Family
Attached

Multifamily

Mixed-Use

ROADWAY IMPROVEMENTS

The City was fortunate to receive a grant to fund the design and construction of the Grant Avenue Parkway which will be completed in the next couple years. Moving forward, additional transportation improvements will be needed to enable redevelopment and private investment to fully benefit from this unique public project. The Plan includes a number of transportation recommendations to be implemented as new investment occurs including enhanced connections to the new Parkway, to the West Central neighborhood and Downtown Springfield, and to the Fassnacht Creek greenway.



PROPOSED INTERSECTION IMPROVEMENT

Key intersections need to be reconfigured to improve safety for all modes of transportation. Improvements may include realigning travel lanes, installing curb bump-outs, and redesigning the intersection to accommodate a roundabout.



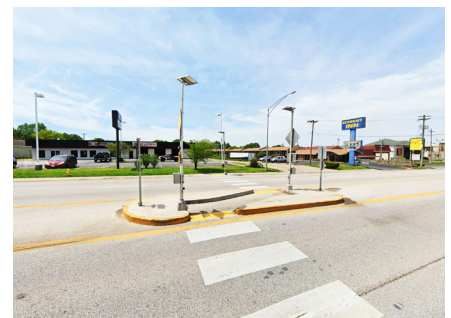
PLACEMAKING FOCAL POINTS

These higher traffic intersections are also opportunities to implement placemaking elements to promote activity along the trail and foster a strong connection to the surrounding area. Example placemaking elements include streetscaping such as furniture and decorative lighting, neighborhood gateway elements, public art, plaza space, and pocket parks. A larger opportunity for placemaking includes the underutilized area just west of Walmart on Grand Street.



PROPOSED CROSSWALK ENHANCEMENT

Opportunities exist to enhance existing and unmarked crosswalks to high-visibility crosswalks, such as continental crosswalks and raised crosswalks. Bike crossings can be painted to improve its visibility and safety when bicyclists are crossing an intersection.



PROPOSED RAISED MID-BLOCK CROSSING

Areas with longer block lengths provide opportunities for mid-block crossings. This provides a safe method for pedestrians to cross Grant Avenue.



POTENTIAL PEDESTRIAN CONNECTIONS

Future redevelopments should leverage opportunities to establish public pedestrian access to adjacent side streets and community assets such as Hawthorn Park.



GRANT AVENUE ROADWAY RECONFIGURATION

Roadway improvements and reconfiguration along the Grant Avenue corridor will include widening existing sidewalks and installing a 10-foot multi-use trail. Both sides of the Corridor will feature a parkway buffer with street trees to enhance the pedestrian and bicycle experience and safety along the Corridor.



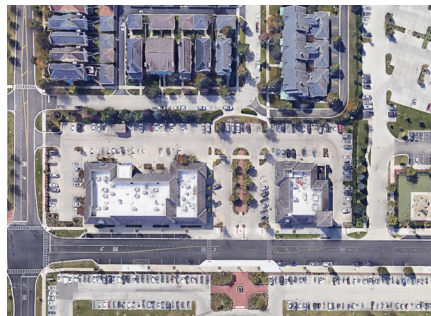
PROPOSED PARALLEL PARKING

On-street parking facilities are proposed along the east side of the Grant Avenue Corridor between Catalpa and Normal.



ALLEY OPPORTUNITY

As future redevelopment occurs along Grant Avenue there are opportunities to extend existing alleys and install new rear alleys. This would reduce the number of driveways, which are considered as traffic conflict points, between private properties and Grant Avenue, improving overall traffic safety on the Grant Avenue Corridor. A rear alley network would also maximize development potential along the Grant Avenue Parkway frontage. Alleys should be well-maintained, well-lighted places that safely accommodate service vehicles, parking access, and local bike and pedestrian travel.



ENCOURAGE CROSS-ACCESS

Create cross-access between adjacent parking lots to reduce the need for drivers to use Grant Avenue. This will help mitigate traffic and reduce the risk for accidents along Grant Avenue while allowing convenient access between establishments.

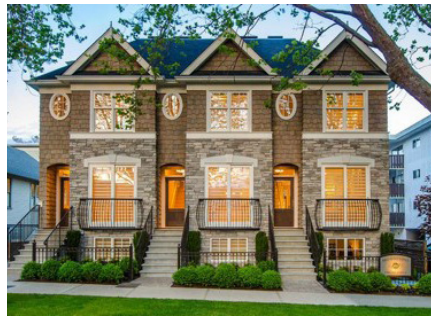


PROPOSED BIKE LANES

On-street bike lanes are proposed along Walnut between Grant and Main and Main between Walnut and College to provide additional bicycle connection between Downtown Springfield and the Grant Avenue Corridor.

DEVELOPMENT ENHANCEMENTS

The Grant Avenue Parkway will serve as a spine of pedestrian activity which future development can both benefit from and contribute to. The development enhancements outlined in this section will maximize interaction between the Parkway and future development.



INTERACTION WITH THE PARKWAY

For future development to benefit from the Parkway, and vice versa, it is essential that buildings treat the Parkway as their “front door.” Primary entrances, patios and outdoor dining areas, and porches and balconies should be located along Grant Avenue. High levels of transparency should be encouraged through the use of windows and doors and blank walls should be minimized. The building frontage should be used to provide a transition between private property and public realm. Promoting interaction between building and Parkway will foster a welcoming and safe environment for residents, business patrons, and Parkway users and encourage social interaction. Within residential areas (such as Subarea D), front porches or patio areas should be encouraged in new development to create semi-public space for interactions with neighbors.



THIRD PLACES & PLACEMAKING

Future development should provide opportunities for enhanced placemaking, public art, community identity, and development of “third places.” These are informal areas where residents and visitors can meet and gather outside of home (first place) or work (second place). These amenities offer an opportunity for social interaction and anchoring civic life in the corridor. Third places such as small plazas and parklets will serve as focal points for future pedestrian activity, functioning as an amenity to business patrons as well as residents and parkway travelers. The best opportunities to create third places include key intersections within mixed-use areas, and areas adjacent to public greenspaces such as Hawthorn Park and the Fassnacht Creek greenway.



REPOSITIONING INSTITUTIONAL PROPERTIES

Two large institutional sites (a church and a school) flank Grant Avenue at Elm Street. Over the long term, these two sites have the potential to be repositioned and partially redeveloped to maximize development potential along the corridor.

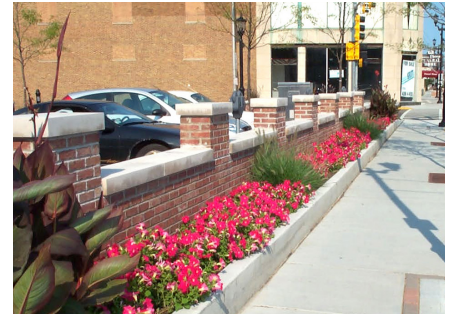
NOTE: The redevelopment of these properties will be contingent on the participation of current property owners. Recommendations presented in this Plan are intended to highlight desired future development and best practices if redevelopment were to occur.

CHURCH (NORTHWEST CORNER OF ELM AND GRANT)

The church site has extensive surface parking along the Grant Avenue frontage that should be considered for development. New mixed-use or multifamily development should be encouraged at the corner of Pershing St. and Grant Ave. To accommodate parking demand for the church, vacant land adjacent to the church along 7th Avenue could be repurposed with 7th Avenue functioning as a primary access drive. As with all parking areas along the corridor, parking lot landscaping, screening, and pedestrian access should be prioritized.

CAMPBELL EARLY CHILDHOOD CENTER (NORTHEAST CORNER OF MT. VERNON AND GRANT)

Over the long term, adaptive reuse of the school building should be encouraged if the facility is no longer needed by the school district. A range of uses could be supported on the site, however multifamily housing including senior housing is a common reuse for older school buildings. Partial redevelopment of the larger school site should also be encouraged including mixed-use development located at the corner of Mt. Vernon St. and Grant Ave. to help anchor an expanded neighborhood center for the West Central neighborhood. The parking and access drive at Main Avenue could also be developed (mitigating potential for cut through traffic) with single-family attached housing that complements adjacent single-family homes.



PRIORITIZING REINVESTMENT

The Corridor Plan identifies opportunities to capitalize and encourage redevelopment and reinvestment – targeting a variety of housing types, neighborhood commercial development, and placemaking strategies. While new investment in Grant Avenue properties is a desired outcome of the Parkway project, the City desires to prioritize reinvestment into existing properties and support neighborhood-led revitalization efforts. Current property owners are encouraged to remain within the corridor and the City is promoting the use of resources through the *Restore SGF* initiative to improve the existing housing stock, foster homeownership, and encourage affordable housing in the corridor. The Corridor Plan defines the desired range of uses, development intensity, and built form desired if business owners and homeowners choose to redevelop their properties.

CONTEXT-SENSITIVE DEVELOPMENT

Residents play a key role in reaching a critical mass of potential patrons for local retailers and restaurants. Higher density residential development should be encouraged in select areas to complement future retail and office uses, providing a 24-hour customer base to support downtown Corridor businesses. While much of the Grant Avenue corridor has historically been home to single-family housing, single-family attached and multifamily development should be encouraged as redevelopment occurs. It is critical that future residential development is developed in a context-sensitive manner that respects the single-family character of the surrounding neighborhood. Development with multiple floors should use techniques such as:

- Cornice lines that create a consistent visual horizon with adjacent buildings;
- Hip roofs and dormers that minimize building height appearance;
- Articulated facades that break up the appearance of long walls; and
- Shared or clustered doorways and mimic the appearance of nearby single-family development.

PARKING – OUT OF SIGHT, EASY TO FIND

Parking should be well-signed and easily accessed, but not dominate the visual landscape of the corridor. To the extent possible Grant Avenue frontage should be reserved for buildings and people, and off-street parking and access drives should be located to the rear or interior of the block or off of side streets. Clear signage should direct visitors to parking and landscaping should be used to soften parking edges and breakup paved areas. Cross-access and parking areas that can be shared by multiple users (residents, employees, visitors) are key to providing a “park once” environment that supports streetlife.



MAINTAINING A RHYTHM (SETBACKS)

Buildings located side-by-side along a corridor form a streetwall that frames and activates the public realm. A consistent streetwall along Grant Avenue will provide a consistent level of visual interest along a block and desirable sense of enclosure and helps foster a comfortable, inviting, and pedestrian friendly atmosphere. In general, new development should be located at the edge of the Parkway or as close to the Parkway as possible depending on the setbacks of adjacent development. To ensure a consistent sense of enclosure within a given block, new buildings should be set back a similar distance to adjacent existing buildings and err toward the shallowest distance when located between two structures.

MIX OF USES AT KEY INTERSECTIONS

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.

SUBAREA A

DESCRIPTION

Subarea A (generally College Street to Walnut Street) at the north end of the corridor is the western gateway to the Downtown and should be prioritized for mixed-use development. New development in this subarea should complement nearby downtown urban-scale development and provide for integration and transition of these uses into a more traditional neighborhood form. Mother's Brewing Company is an existing development that could serve to anchor future investment in this portion of the corridor with a focus on dining and entertainment that can benefit from the Parkway.

BULK

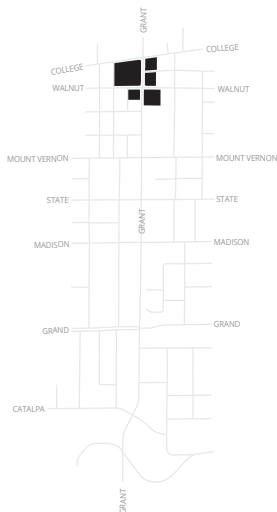
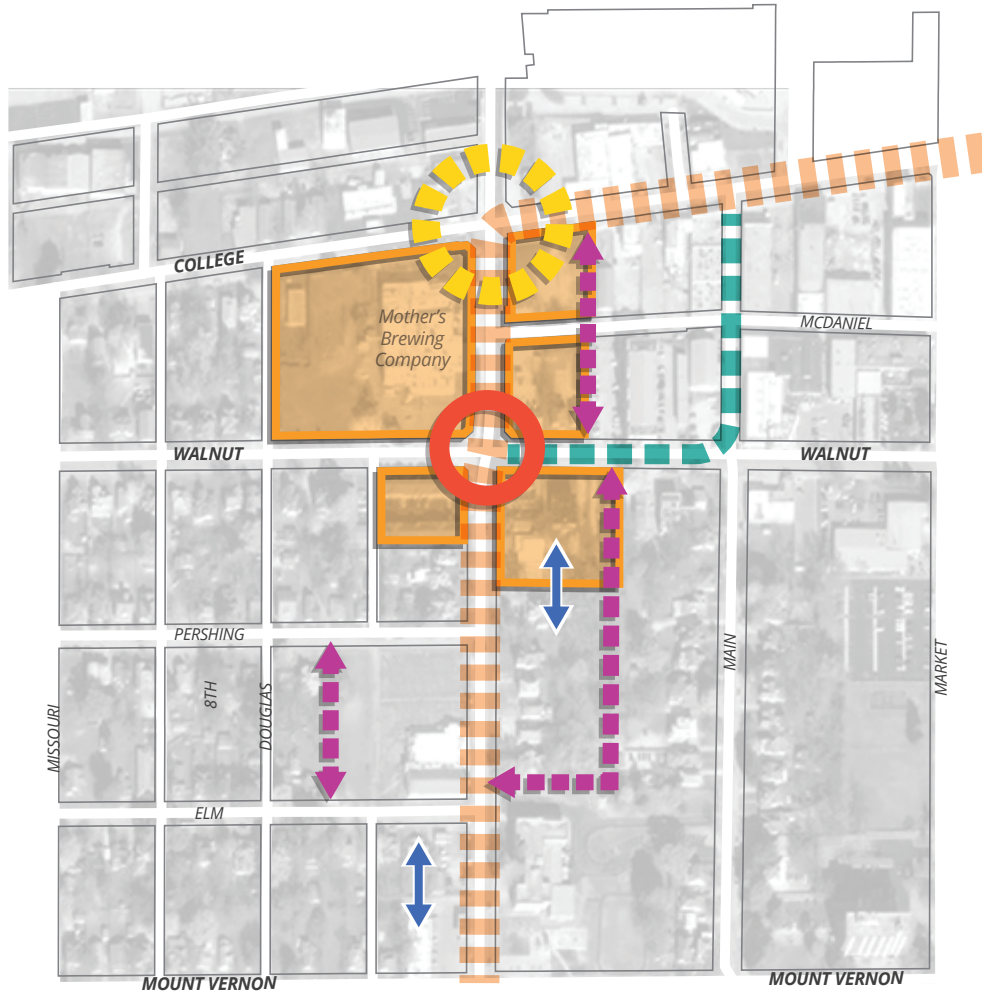
Area: ~329,500 ft² / ~7.5 ac

Maximum height: 3/4 stories

Front setback: None

USE

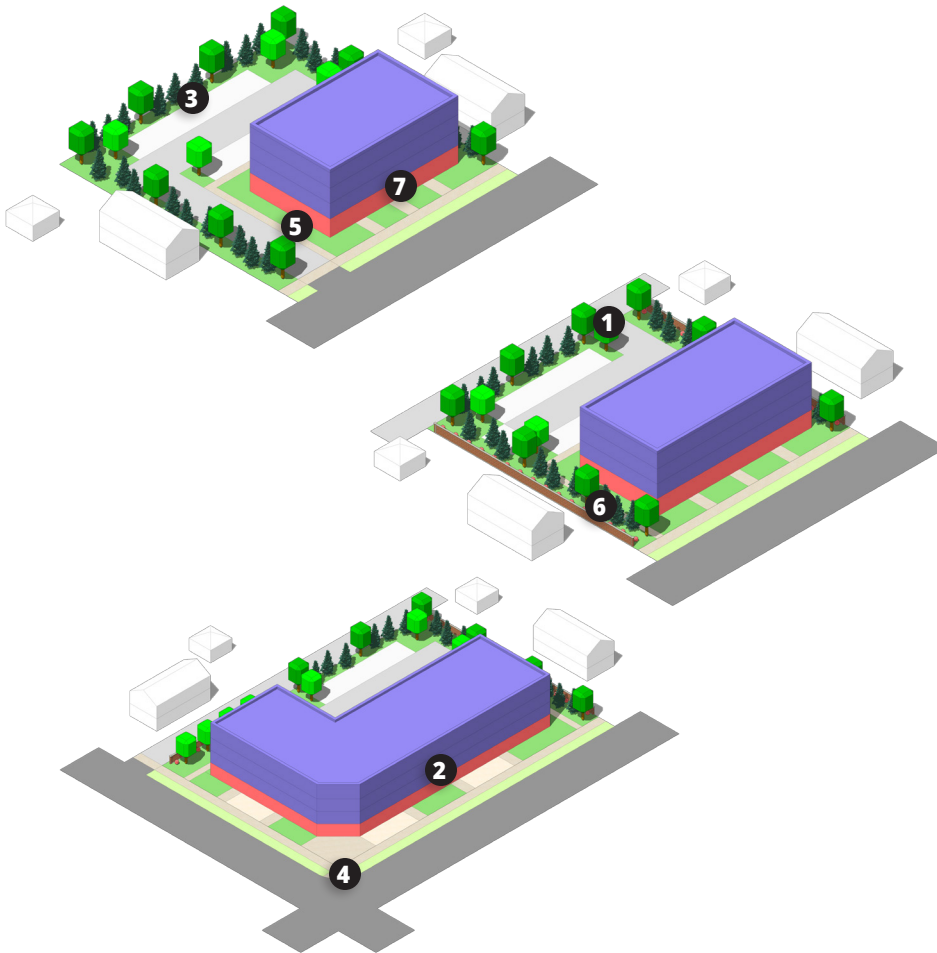
Retain existing brewery; Mixed-use (upper-story multifamily/office space and ground-floor commercial uses, such as retail and services and/or offices)



SUBAREA A

-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Alley Opportunity
-  Cross-Access
-  Proposed Bike Lanes
-  Grant Avenue Roadway Reconfiguration
-  Potential Pedestrian Connections

SUBAREA A



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.

DESIGN CONSIDERATIONS

- 1 Façade Design** – Building facades should reinforce the character of the subarea.
- 2 Signage** – Signage should be designed to prioritize pedestrian wayfinding.
- 3 Windows** – Glazing should not be tinted or fritted with an opacity that prevents a visual connection from the public realm into storefronts.
- 4 Entrances** – Primary entrances should be located at the front of the building facing Grant Avenue.
- 5 Rooflines** – Detailing, such as cornices and other elements along the roofline are encouraged. Elements such as cornice lines should also be used to draw a visual connection to adjacent development.
- 6 Materials** – Nontraditional building materials such as plastic and vinyl siding are discouraged.

SUBAREA B

DESCRIPTION

Within Subarea B (generally Walnut Street to Elm Street) the renovation of existing residential structures or adaptive reuse to neighborhood-scale home business (similar to the Walnut Street Historic District) should be encouraged. Of particular note in this subarea is the existing historic Victorian home at the northwest corner of Grant Avenue and Pershing Street and the desire to preserve this structure as a residence or complementary use. New development within this subarea should complement the existing scale and character of existing structures in this area while accommodating additional density. Mixed-use or multifamily residential development should be encouraged so as to create a seamless transition to adjacent Subareas A and C.

BULK

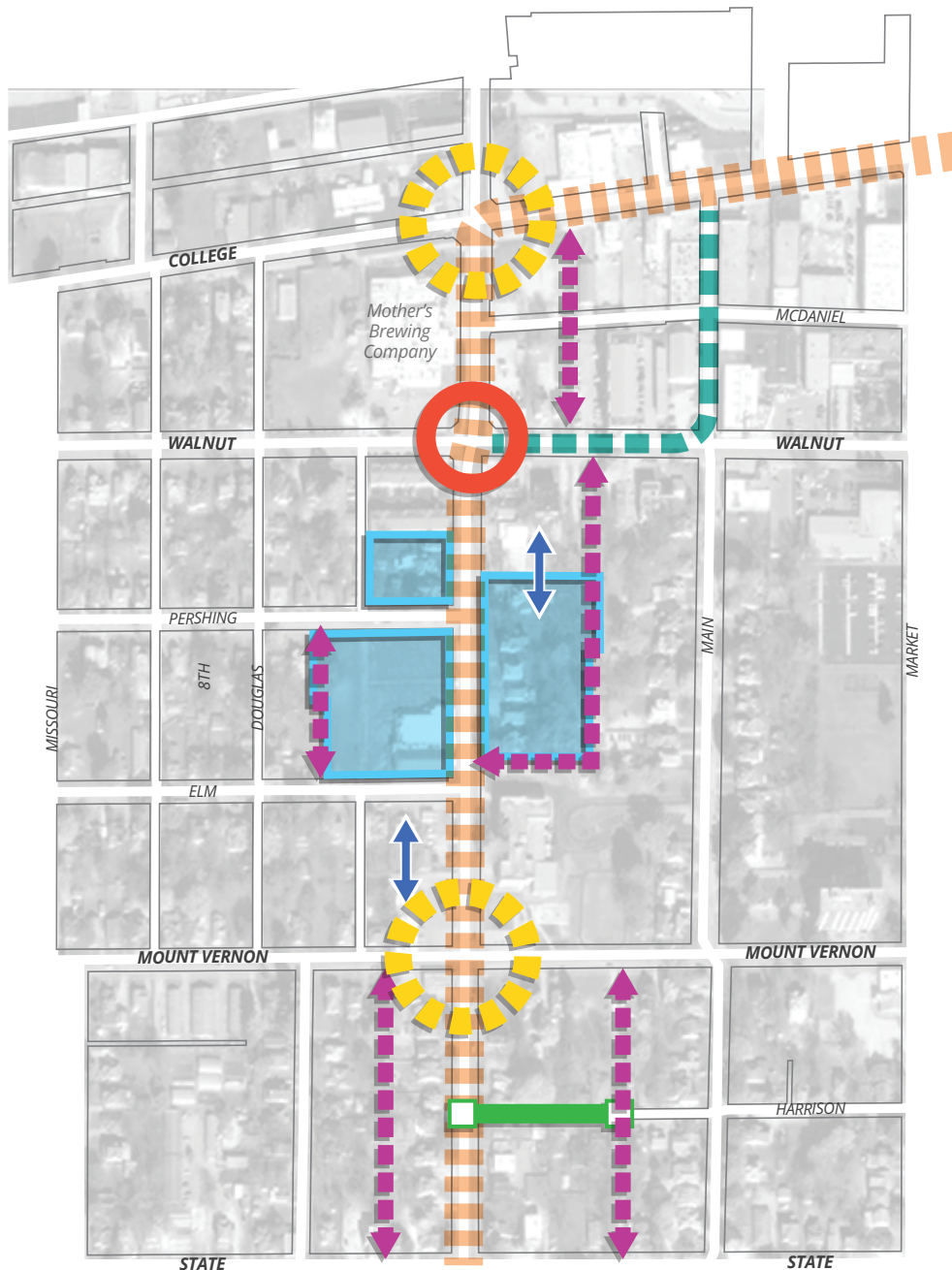
Area: ~132,500 ft² / ~3.0 ac

Maximum height: 3/4 stories

Front setback: New development should be consistent with existing setbacks (15-25 ft). When adjacent to existing development with differing setbacks, new development should align with the building closest to the public right-of-way.

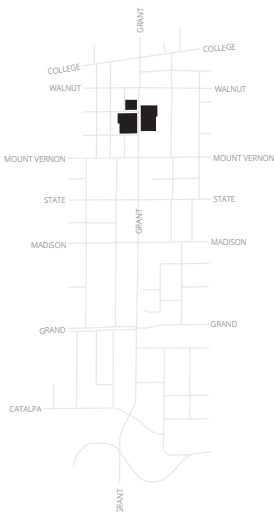
USE

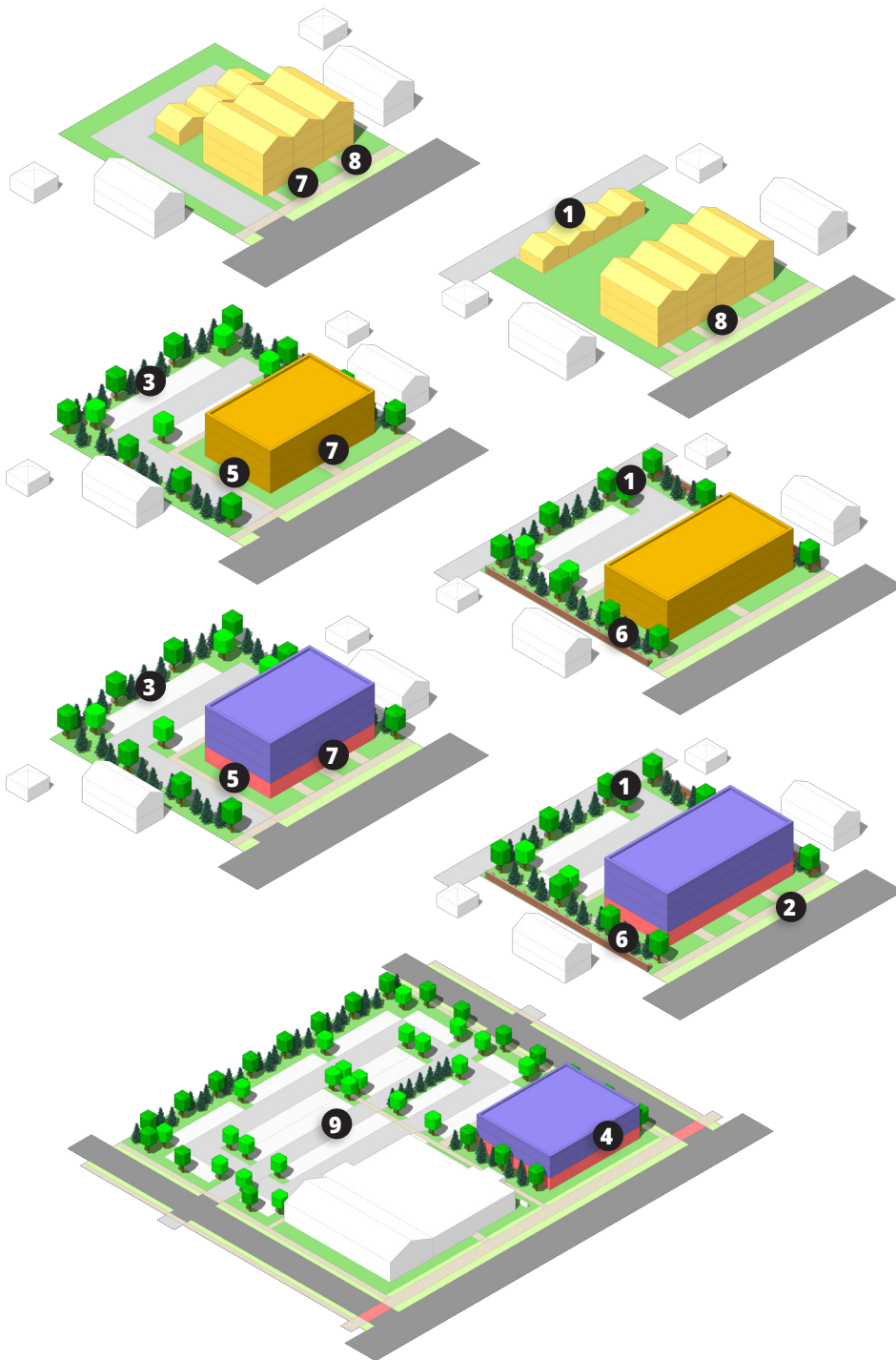
Mixed-use (upper-story multifamily, ground-floor neighborhood-scale commercial, retail, and services, and/or office); Multifamily; Single-family attached; Preserve historically significant single-family structures and encourage adaptive reuse; Potential repositioning of existing church parking lot



SUBAREA B

-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Alley Opportunity
-  Cross-Access
-  Proposed Bike Lanes
-  Grant Avenue Roadway Reconfiguration
-  Potential Pedestrian Connections





SUBAREA B



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.
- 8 Setbacks** – New development should be setback to align with the existing residential structure that is closest to the public right-of-way.
- 9 Expand Parking** – Expand parking to the west utilizing 7th Avenue as an access road.

DESIGN CONSIDERATIONS

- 1 Adaptive Reuse** – Remaining single-family structures should be converted to home businesses.
- 2 Signage** – Signage should be designed to prioritize pedestrian wayfinding.
- 3 Windows** – Glazing should not be tinted or fritted with an opacity that prevents a visual connection from the public realm into storefront.
- 4 Property** – Properties should be maintained in a manner that does not detract from the character and appeal of the corridor.
- 5 Quality** – Single-family detached homes remodeled and updated to match the style of the adjacent neighborhood.
- 6 Driveways** – All single-family homes should have driveways constructed of asphalt, concrete, or brick pavers.

SUBAREA C

DESCRIPTION

Subarea C (generally Elm Street to Mt. Vernon Street) serves as a focal point and gateway for the West Central neighborhood. It is intended to be a local-serving, mixed-use neighborhood center. The preservation and adaptive reuse of structures within this subarea is encouraged. Campbell School is located in this subarea as well as some small-scale non-residential uses on the west side of Grant Avenue. These sites offer opportunities for further redevelopment or adaptive reuse. Design of new development facing Mt. Vernon, should be sensitive to the rhythm of the residential neighborhood, located east and west of the corridor.

BULK

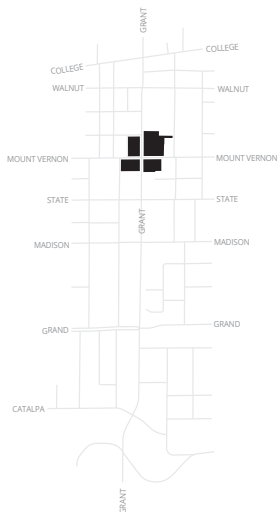
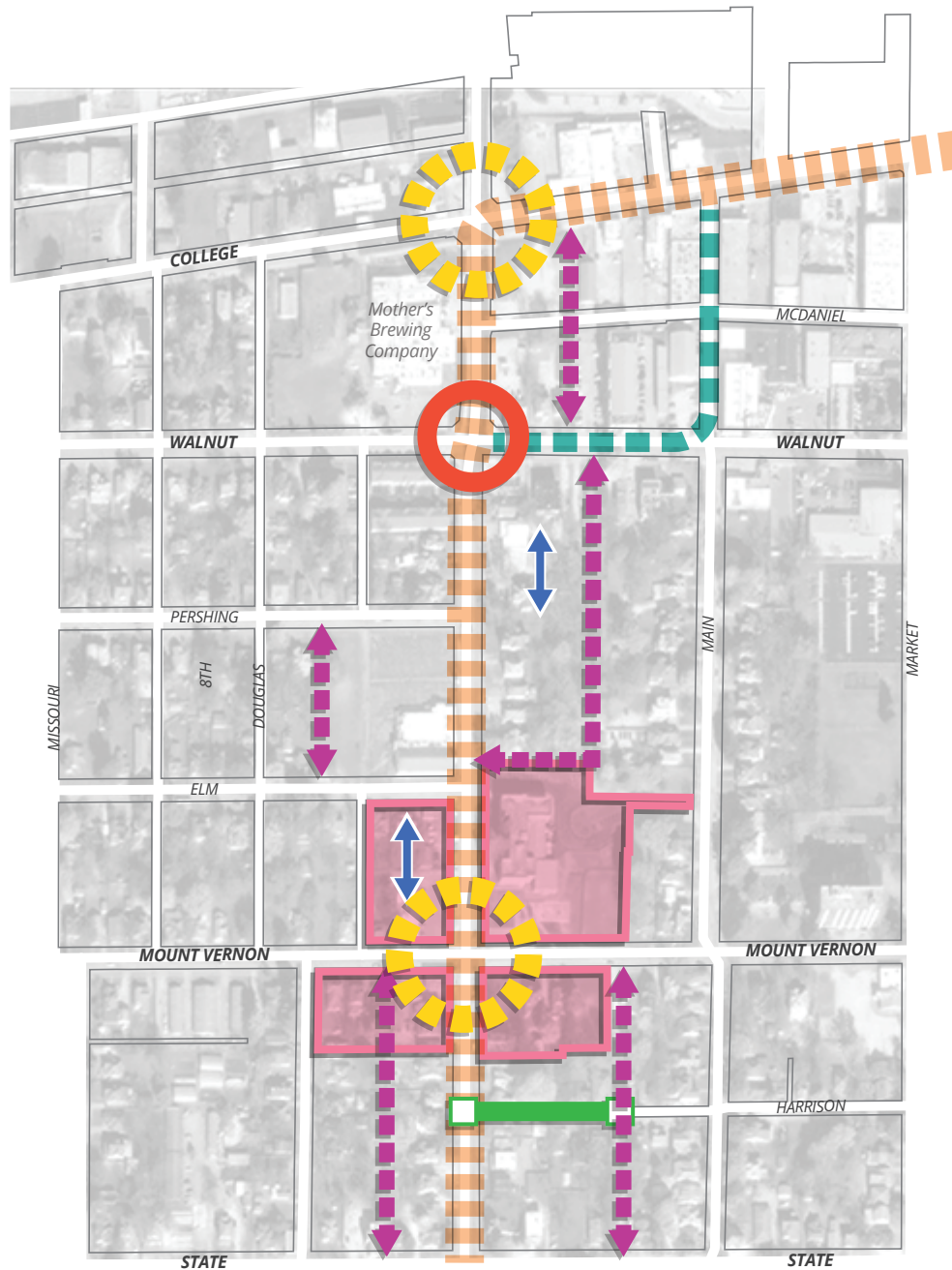
Area: ~387,300 ft² / ~8.8 ac

Maximum height: 2/3 stories

Front setback: None

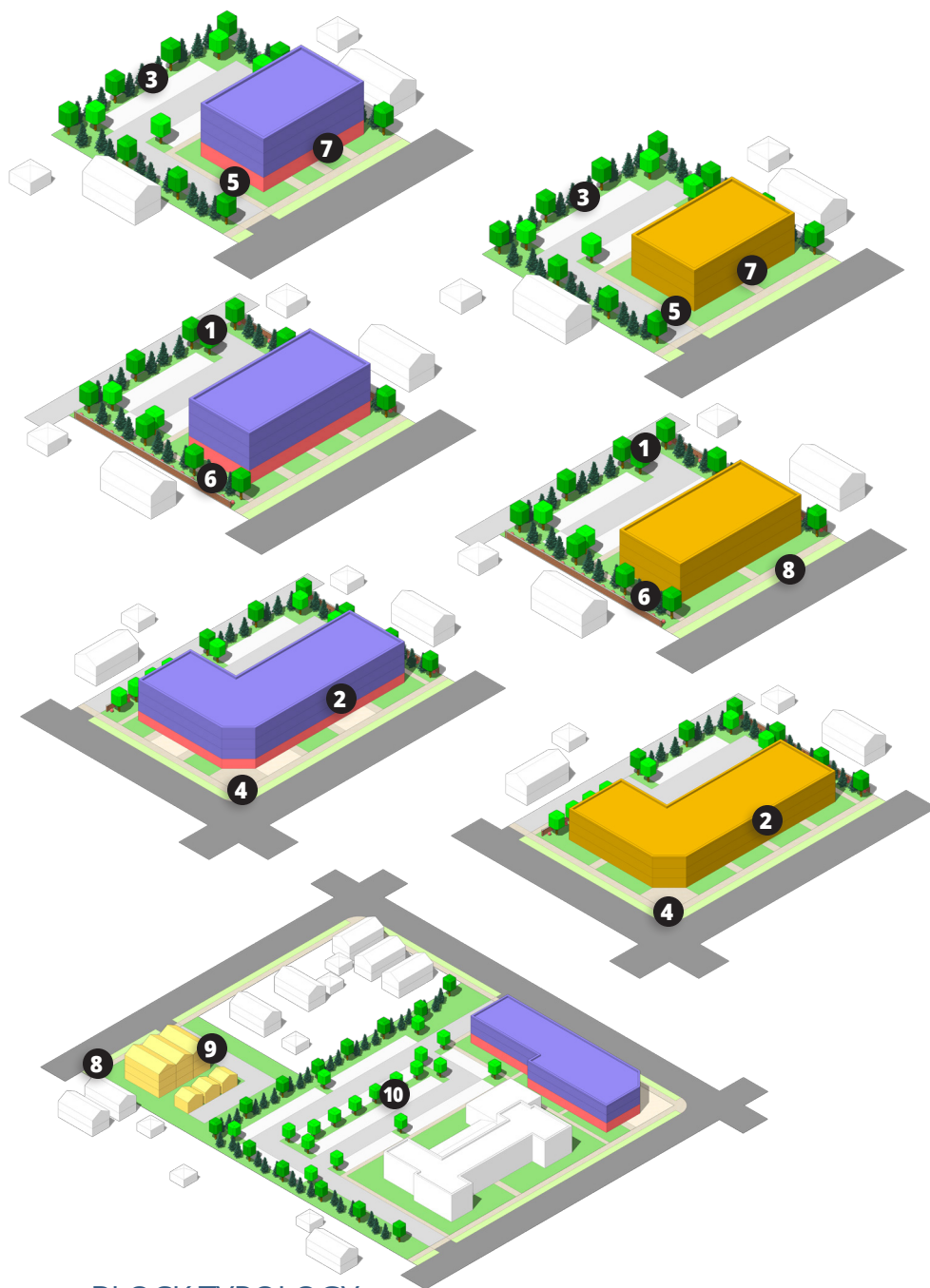
USE

Potential adaptive reuse of existing school building for residential/childcare; Mixed-use (upper-story multifamily, ground-floor neighborhood-scale commercial, retail, and services, and/or office); Multifamily



SUBAREA C

-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Alley Opportunity
-  Cross-Access
-  Proposed Bike Lanes
-  Grant Avenue Roadway Reconfiguration
-  Potential Pedestrian Connections



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.
- 8 Setbacks** – New development should be setback to align with the existing residential structure that is closest to the public right-of-way.
- 9 Residential Infill** – New development on Main Avenue should infill with single-family attached to match the residential pattern of the street.
- 10 Shared Parking** – New development adjacent to the school building should share parking.

SUBAREA C



DESIGN CONSIDERATIONS

- 1 Façade Design** – Building facades should reinforce the character of the Subarea.
- 2 Windows** – Glazing should not be tinted or fritted with an opacity that prevents a visual connection from the public realm into storefronts.
- 3 Outdoor Dining** – Outdoor dining should be allowed to create active commercial nodes.
- 4 Rooflines** – Elements such as cornice lines should be used to draw a visual connection to adjacent development.
- 5 Materials** – Nontraditional building materials such as plastic and vinyl siding are discouraged.
- 6 Lighting** – Lighting should be incorporated into entries, signage, displays and pedestrian walkways, parking areas for wayfinding and general safety.

SUBAREA D

DESCRIPTION

Subarea D (generally Mt. Vernon to Grand Street) is intended to be a mixed residential corridor. Focus within this subarea will be on reinvestment in existing homes and new development of alternative housing types including single-family attached, such as townhomes, and multifamily that complement the rhythm and architecture of other structures in this subarea. New development should seamlessly blend with existing nearby residences while providing for a greater density. Potential exists to connect Hawthorn Park to the Parkway and establish the park as a central greenspace in Subarea D, serving as an amenity to Parkway users, residents, and future development on adjacent parcels.

BULK

Area: ~1,235,500 ft² / ~28.3 ac

Maximum height: 2/3 stories

Front setback: 15-25 ft

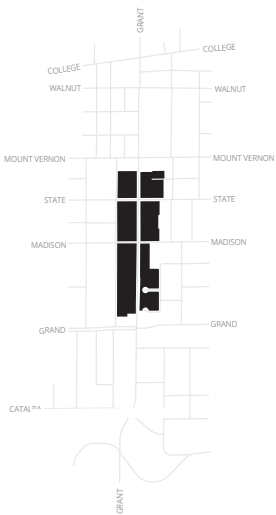
USE

Mixed residential including single-family attached, multifamily, and reinvested single-family detached

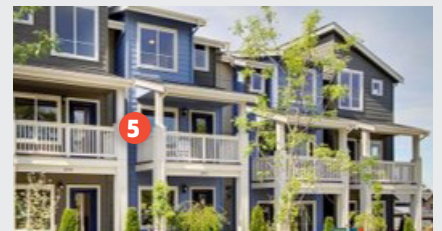
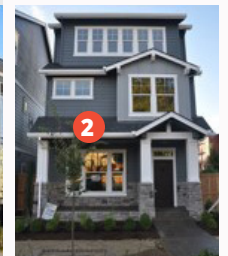
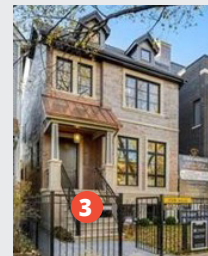
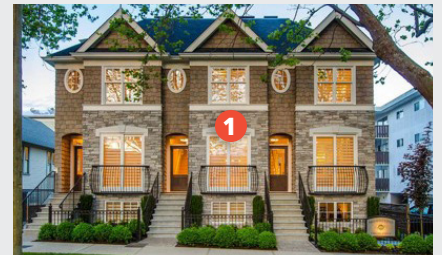
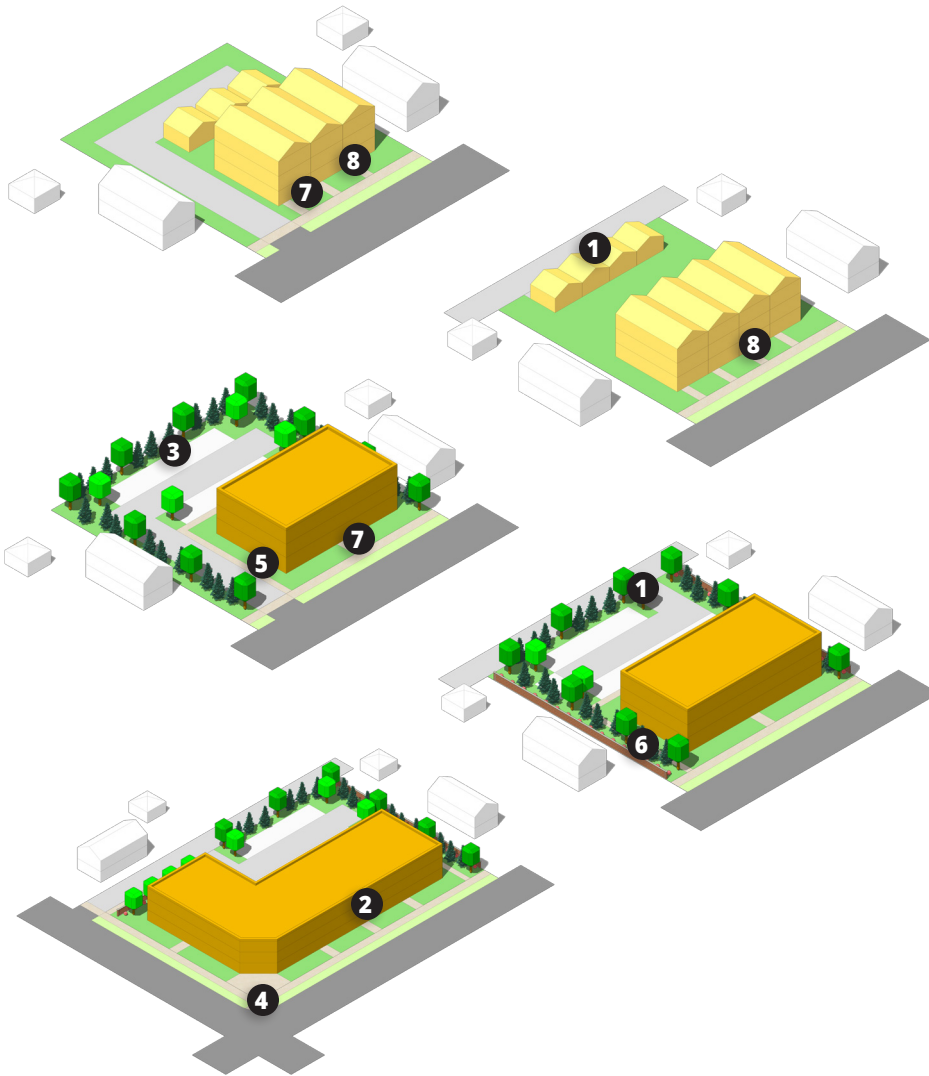


SUBAREA D

-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Alley Opportunity
-  Cross-Access
-  Proposed Bike Lanes
-  Grant Avenue Roadway Reconfiguration
-  Potential Pedestrian Connections



SUBAREA D



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.
- 8 Setbacks** – New development should be setback to align with the existing residential structure that is closest to the public right-of-way.

DESIGN CONSIDERATIONS

- 1 Façade Design** – Building facades should reinforce the high-quality character of the Subarea and residential neighborhoods.
- 2 Quality** – Smaller lot single-family detached homes should match the style of the adjacent neighborhood.
- 3 Materials** – Nontraditional building materials such as plastic and vinyl siding are discouraged.
- 4 Density** – Denser housing should complement the look of existing single-family detached homes.
- 5 Porches** – Porches are encouraged to foster a sense of activity along the parkway.

SUBAREA E

DESCRIPTION

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 Fasnigh 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 Fasnigh Park and connection to the Fasnigh Creek Greenway trail and offers a unique development opportunity for a mixed-use node to develop.

BULK

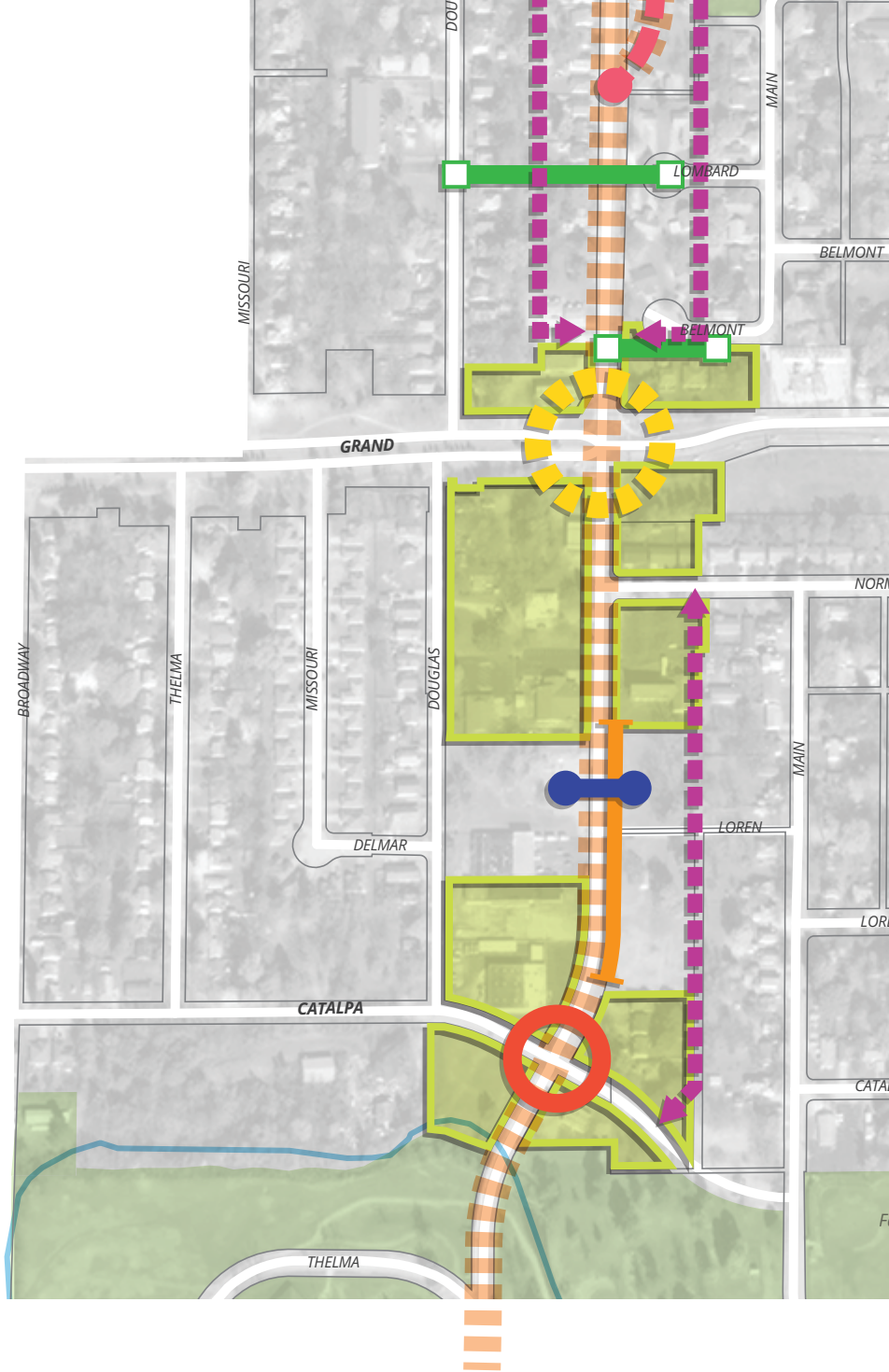
Area: ~620,500 ft² / ~21.4 ac

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)



SUBAREA E



Proposed Intersection Improvement & Placemaking Focal Points



Proposed Crosswalk Enhancement



Alley Opportunity



Cross-Access



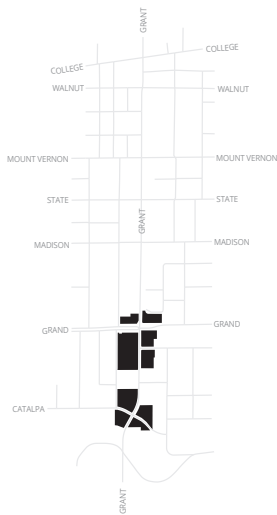
Proposed Bike Lanes

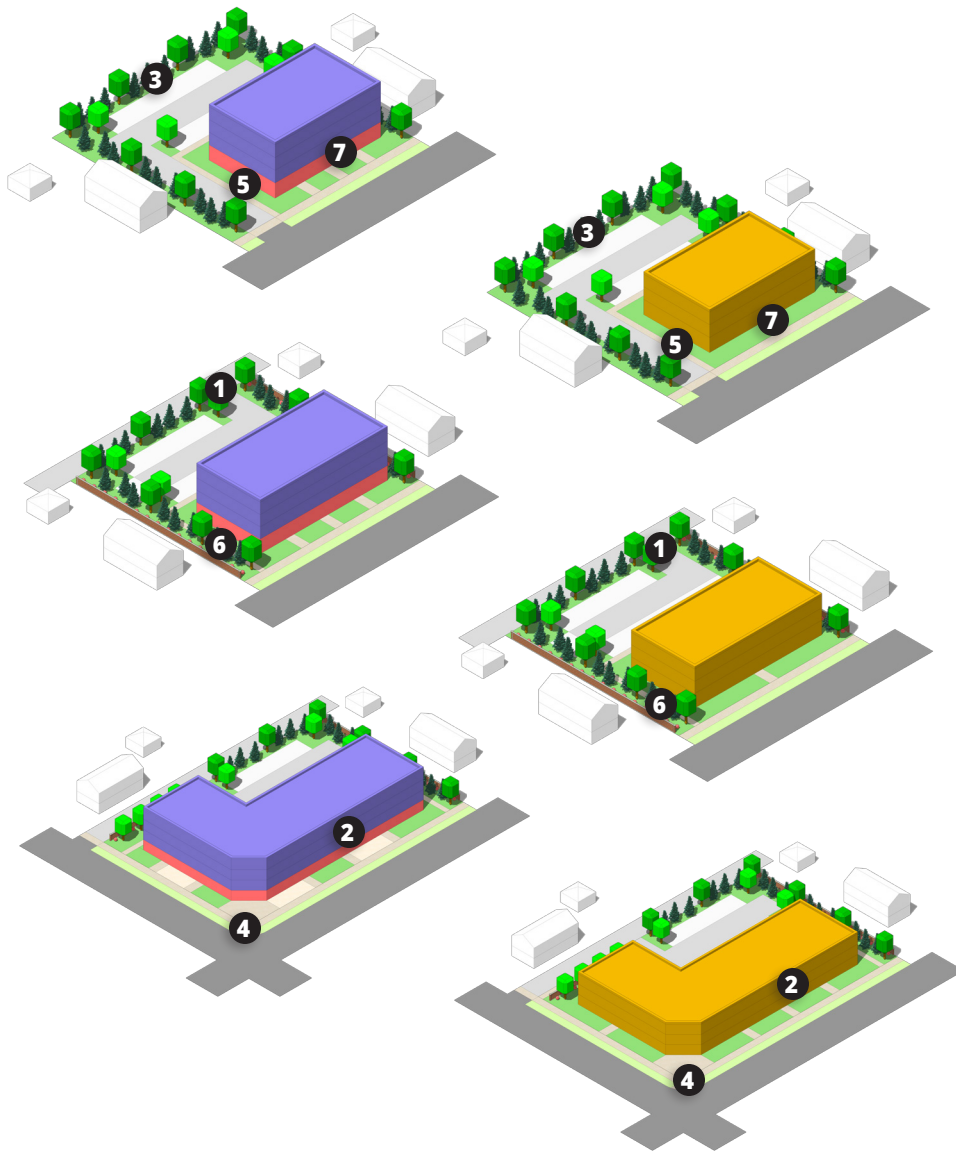


Grant Avenue Roadway Reconfiguration



Potential Pedestrian Connections





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.

SUBAREA E



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.

SUBAREA F

DESCRIPTION

Subarea F (generally Grant Avenue at Delmar and Loren Streets and along Catalpa Street west of Grant Avenue) is made of two mixed residential areas. This subarea, situated between the two neighborhood commercial nodes at Grand Street and at Catalpa Street, and along Catalpa Street west of Grant Avenue along the Fassnight Creek Greenway, will accommodate multifamily development to support the adjacent neighborhood retail nodes. Nearby Fassnight Park, the Greenway trail, and the Grant Avenue Parkway will be amenities that increase the attractiveness of this subarea as a location for more intense residential development.

BULK

Area: ~449,000 ft² / ~11.0 ac

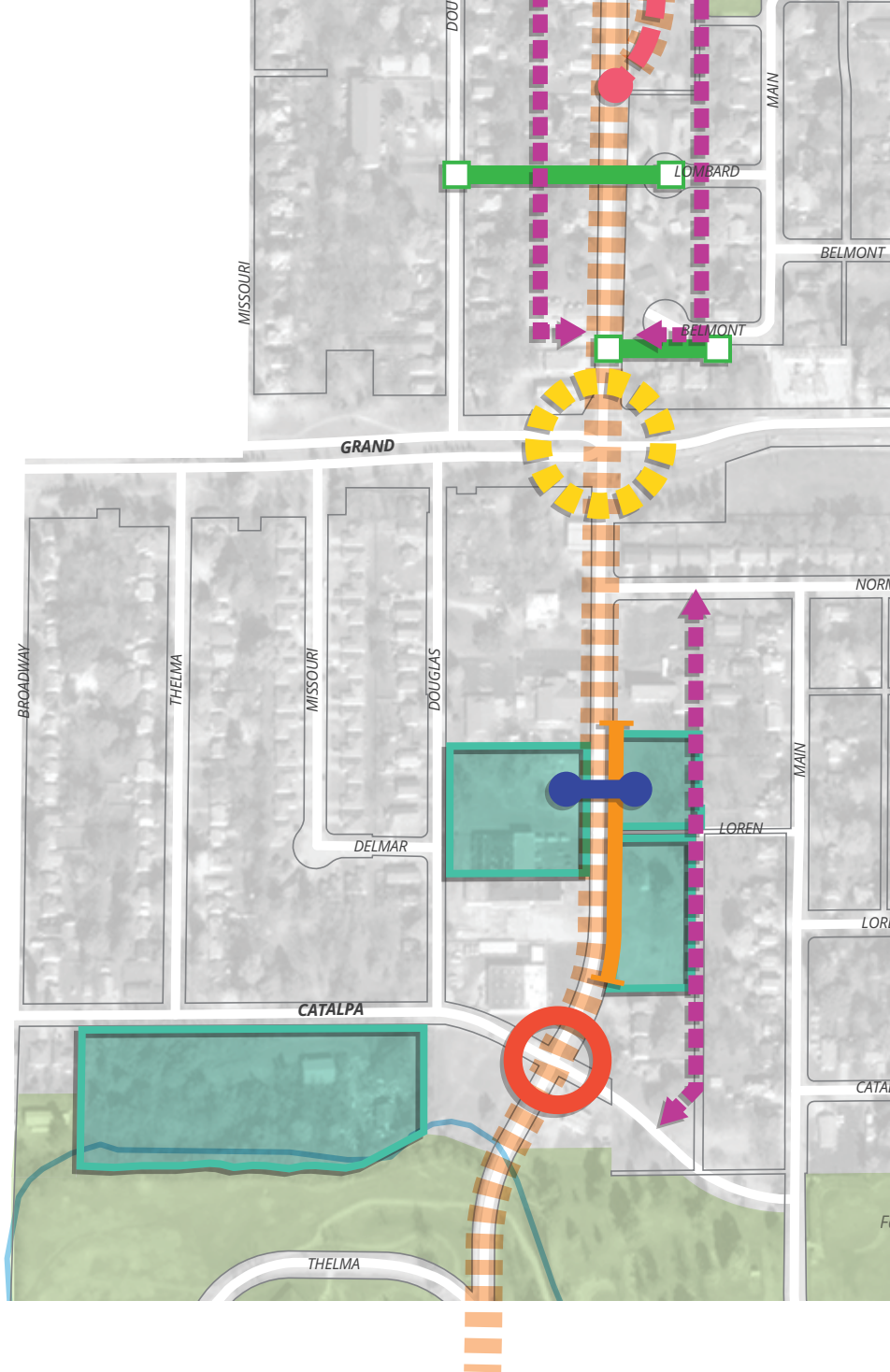
Maximum height: 3/4 stories

Front setback: 15-25 ft

Other: Development should orient to Grant Ave. and Fassnight Park

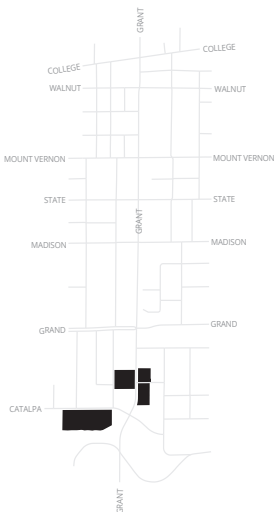
USE

Mixed residential including single-family attached and multifamily; Ground-floor commercial should also be encouraged as a component of multifamily structures

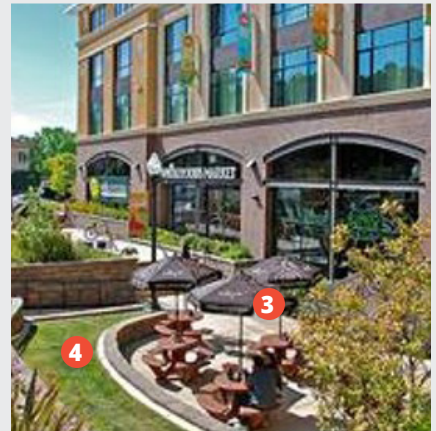
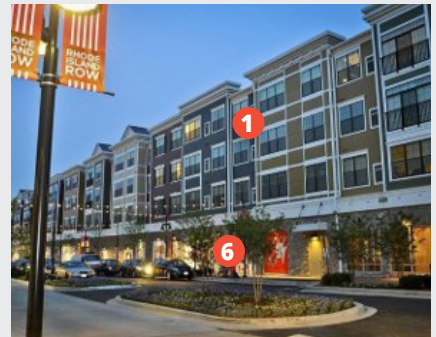
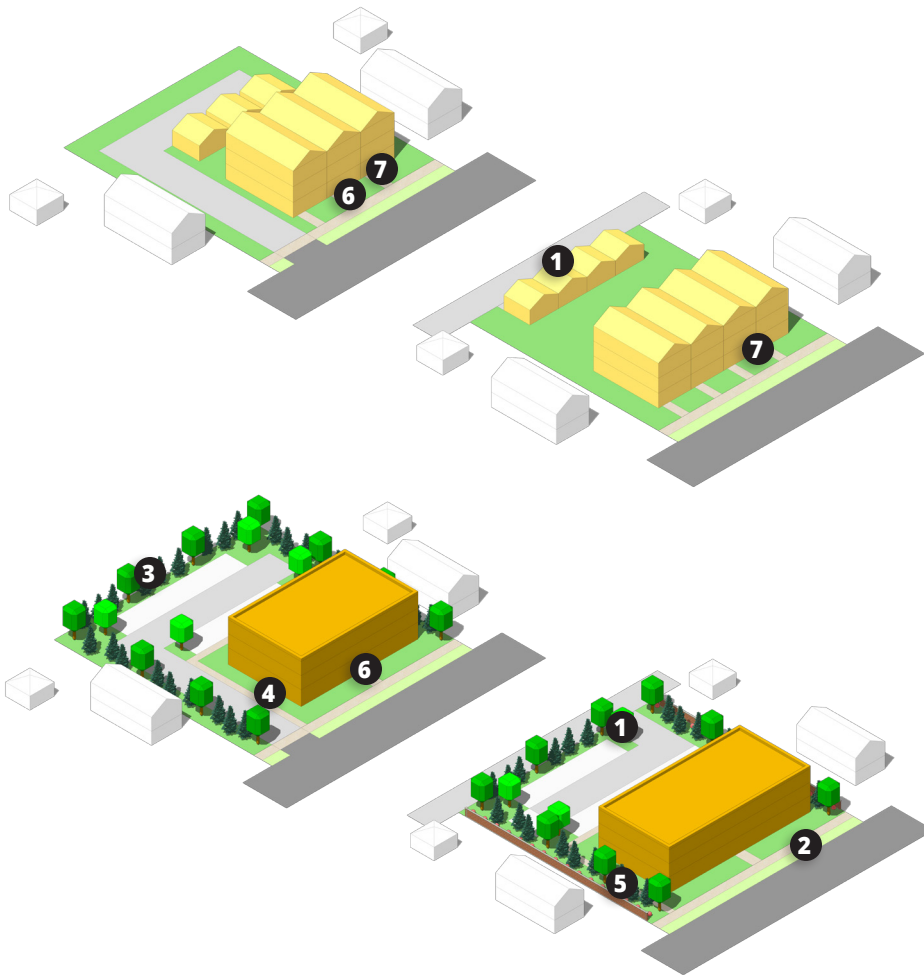


SUBAREA F

-  Proposed Intersection Improvement & Placemaking Focal Points
-  Proposed Crosswalk Enhancement
-  Alley Opportunity
-  Cross-Access
-  Proposed Bike Lanes
-  Grant Avenue Roadway Reconfiguration
-  Potential Pedestrian Connections



SUBAREA F

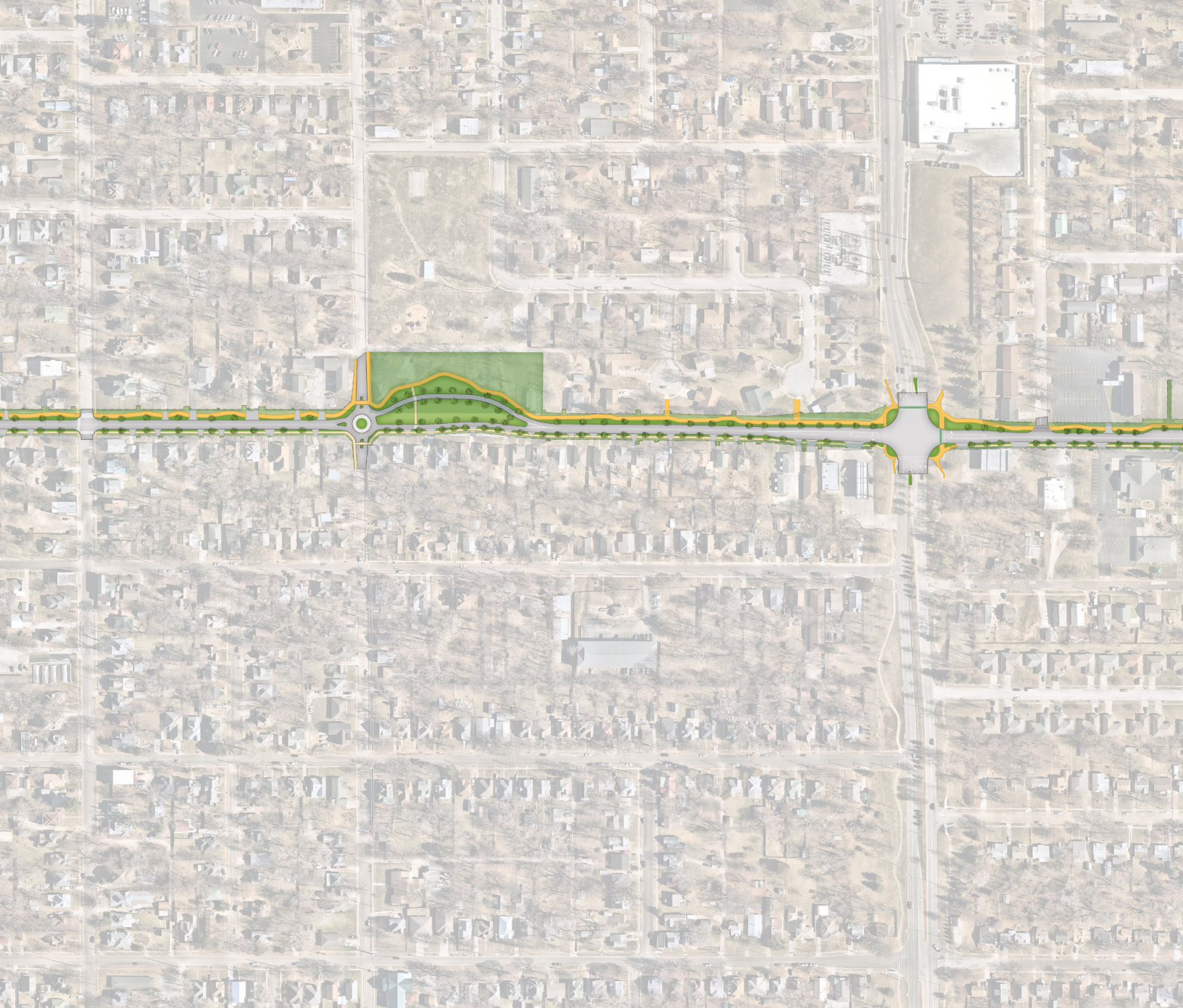


BLOCK TYPOLOGY

- 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 Pedestrian Access** – Parking lots should be connected to Grant Avenue or Catalpa Street to increase pedestrian access to the corridor.
- 5 Buffering** – Walls or fencing and landscaping should be used to create clear separation between residential and nonresidential uses.
- 6 Orientation** – Buildings should be oriented toward Grant Avenue.
- 7 Setbacks** – New development should be setback to align with the existing residential structure that is closest to the public right-of-way.

DESIGN CONSIDERATIONS

- 1 Façade Articulation** – Articulation should be used to break up long blank facades and primary facades should front Grant Avenue.
- 2 Signage** – Signs should be proportionate to the scale of the building, complement the facade, and prioritize pedestrian wayfinding.
- 3 Outdoor Space** – Outdoor plazas should be allowed for dining and public gathering.
- 4 Landscaping** – Landscaped areas should buffer parking and service areas.
- 5 Materials** – Nontraditional building materials such as plastic and vinyl siding should be discouraged.
- 6 Lighting** – Pedestrian-scale lighting should be incorporated into entries, signage, displays and pedestrian walkways, and parking areas for wayfinding and general safety.



IMPLEMENTATION



The Grant Avenue Parkway Corridor Plan is a policy guide that outlines the necessary actions for the City to take to achieve the community's vision for the future of the corridor. It is designed to serve as a foundation for decision-making for staff, elected and appointed officials, developers, property owners, and other stakeholders. Despite the comprehensive nature of the Plan's recommendations, the Plan is not regulatory in nature. The Plan itself does not have the "teeth" needed to require new development and redevelopment along the corridor to align with the community's vision articulated in the Plan. Updates to the City's zoning regulations are needed to implement the plan.

IN THIS CHAPTER

- What does Zoning do?
- Grant Avenue Parkway Corridor Regulatory Strategy

IMPLEMENTATION THROUGH REGULATION

Zoning regulations are the rules that new development and redevelopment must follow, making them an essential tool in Plan implementation. Often, communities will adopt a plan with a clear vision, only to “pull the reins back” on the development regulations needed to achieve their objectives. There is a fear that such regulations will deter reinvestment and push development to occur elsewhere. However, properly drafted land development regulations that align with a plan, can remove unnecessary barriers to investment by providing flexibility for potential developments, offsetting the requirements related to design. In this way, land development regulations offer an opportunity to implement the plan by making good development easy.

WHAT DOES ZONING DO?

Zoning ordinances manage how land is developed and used to protect public health, safety, and welfare. Zoning ordinances are the means by which local governments regulate land use. They accomplish this in a myriad of ways, including but not limited to those detailed below.

- **Euclidean Zoning.** Euclidean zoning is the traditional approach to zoning that divides a community into zoning districts based on the types of uses that are desirable in different areas and establishes rules for how land in each district can be developed and used. Euclidean zoning districts keep high intensity uses that may impact surrounding properties, like manufacturing, away from less intense uses, like homes and schools. Each district establishes different rules that limit development activity, including which use types are allowed and how they are permitted as well as how big a building can be, where on a lot a building can be located, how much open space must be left over, how much parking has to be provided, and much more.
- **Form-based Zoning.** Form-based zoning also divides a community into zoning districts, however unlike Euclidean zoning, form-based zoning districts are based on the types of urban form and development patterns that are desirable in different areas. The foundation of form-based zoning districts in many communities is the rural to urban transect, which defines a series of areas that transition from rural areas utilized for agriculture to dense downtowns and urban cores. Put simply, form-based zoning primarily regulates what development looks like and secondarily how development is utilized. This is accomplished by establishing standards for different building types and for how building façades relate to the public realm.
- **Incentive-based Zoning.** Incentive based zoning is a type of Euclidean zoning that offers flexibility in standards and requirements in exchange for items that help a community reach its goals such as the provision of affordable housing, preservation of open space and environmental features, and much more. Increased density, height, or lot coverage are some of the most common types of incentives offered along with relief from requirements for parking and other development standards as detailed below.

- **Overlay Zoning.** Overlay zoning is used in concert with Euclidean and form-based zoning to establish unique standards for specific areas that are otherwise governed by multiple zoning districts such as downtowns, areas surrounding transit stops, historic neighborhoods, and commercial corridors. In some circumstances, the overlay zoning district applies additional standards on top of the standards of the base zoning district, while in other circumstances the overlay zoning district standards supersede or replace the standards of the base zoning district. The standards established in overlay zoning districts often control building architecture and design, allowed density and development patterns, and other topics that make the area governed by the overlay district unique.
- **Development Standards.** Development standards, often called standards of general applicability, are an integral component of Euclidean zoning. They include regulations that are relevant for all uses throughout zoning districts, such as off-street parking and loading, landscaping, fences, and much more.

- **Use-specific Provisions.** Use-specific standards are another integral component of Euclidean zoning. They include detailed regulations applicable to specific uses such as the conversion of single-family residences to office or multifamily and neighborhood-scale commercial, regardless of the district in which they are located.
- **Sign Standards.** Sign ordinances manage the type, size, and location of permanent and temporary signs in a community. Where a sign ordinance is located within a municipal code varies community by community, but can often be found in the zoning ordinance, building ordinance, business ordinance, or as a standalone title. In 2016, the Supreme Court of the United States made a decision in the *Reed vs. the Town of Gilbert* case that impacted the majority of sign ordinances throughout the country, Springfield's included. This decision clarified that sign copy is protected speech under the first amendment and held that signs cannot be treated differently based on their communicative content. Simply put, if a sign regulation can only be enforced by reading what the sign says, that regulation is a violation of the first amendment. For example, signs that communities traditionally have established specific regulations for, such as real estate signs or political campaign signs, are no longer valid.

GRANT AVENUE PARKWAY CORRIDOR REGULATORY STRATEGY

To accommodate the range of uses and block typologies included in this Corridor Plan, it is recommended that the City establish a new overlay district that supersedes the standards of the area's base zoning districts. The overlay district should be divided into subareas that align with the subareas defined in the Corridor Framework and detailed in the Subarea Plans section.

The overlay district should utilize a hybrid Euclidean, form-based, and incentive-based approach to achieve the community's vision for this area in a business and developer friendly manner. The overlay should take a Euclidean approach to the types of uses allowed in each subarea, while standards regulating architecture, design, and bulk should take a form-based approach that builds off of the block typologies. Further, incentive-based strategies should be considered to encourage a higher level of design and greater site amenity than the City would otherwise require for landscape, signs, open space, and other development standards.



One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 11-08-22

Sponsored by Lear

First Reading _____

Second Reading _____

COUNCIL BILL 2022- 277

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 98, 'Streets, Sidewalks and Public
2 Places,' Article VII, 'Encroachments on City Property,' to allow for
3 administrative approval of certain encroachments placed or installed by
4 community improvement districts in areas not adjacent to property
5 owned or leased by said districts.
6
7

8 WHEREAS, Section 98-323 of the Springfield City Code authorizes the director
9 of public works to allow certain types of encroachments on public right-of-way, provided
10 the requested encroachments abut land owned or leased by the applicant; and
11

12 WHEREAS, the governing body of any municipality may establish one or more
13 community improvement districts in accordance with Sections 67.1401 to 67.1571
14 RSMo., as amended (the "CID Act"); and
15

16 WHEREAS, the City, in accordance with the CID Act, has approved several
17 petitions to establish community improvement districts ("CIDs") in areas around the City,
18 including the Commercial Street Community Improvement District in Special Ordinance
19 25611, and the Downtown Springfield Community Improvement District in General
20 Ordinance 4924; and
21

22 WHEREAS, Section 67.1461 RSMo. of the CID Act grants to CIDs, among other
23 things, the power to install and maintain streetscape, lighting, benches and other
24 seating furniture, trash receptacles, and other useful, necessary, or desired public
25 improvements; and
26

27 WHEREAS, City Council finds that allowing administrative approval of the
28 placement or installation of certain encroachments by CIDs in accordance with
29 established procedures for the use by the public supports the City Council priority , even
30 if those encroachments do not abut property owned or leased by the CIDs, supports the
31 City Council Priority of Quality of Place.
32

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

35
36 Section 1 – Springfield City Code, Chapter 98, ‘Streets, Sidewalks and Public
37 Places,’ Article VII, ‘Encroachments on City Property,’ is hereby amended as follows:

38
39 NOTE: Language to be added is underlined, and language to be deleted is ~~stricken~~.

40
41 Sec. 98-323. Certain encroachments authorized by the director of public works -
42 Procedures related thereto.

43
44 (a) The director of public works is hereby authorized to allow, on, in, or over a
45 public street, public sidewalk or public right-of-way, pursuant to this section, the
46 following types of encroachments: awnings, canopies, planters, street furniture,
47 sidewalk cafes, projecting signs, and storage areas or docks associated with a bicycle
48 share or micromobility device rental program. Storage areas or docks shall mean
49 designated locations on the city right-of-way where bicycles or micromobility devices are
50 available for rental or use by a person other than the owner.

51
52 (b) Any person who desires to construct, install or place an encroachment provided
53 for in subsection (a) on, in, or over a public street, public sidewalk or public right-of-way,
54 shall first make application to the director of public works for an encroachment permit
55 and license, provided that the requested encroachment ~~shall abut~~ land owned or
56 leased by the applicant, ~~unless the~~ applicant is a community improvement district, or the
57 requested encroachment is a storage area or dock associated with a bicycle share or
58 micromobility device rental program. Applications for a permit and license shall be
59 submitted on forms approved by the director of public works and shall include the
60 following:

- 61
62 (1) The location, nature, size and purpose of the proposed encroachment.
63
64 (2) Plans, specifications, drawings and other information as required by the
65 director of public works.
66
67 (3) Detailed information as to any signage and markings that will be applied to
68 the proposed encroachment.
69
70 (4) An application fee according to the approved fee schedule filed with the city
71 clerk. If the proposed encroachment is for a sidewalk cafe intended to
72 operate on a temporary basis while restaurants are, by ordinance,
73 emergency declaration, or other law, required to maintain physical
74 distancing between patrons or prohibited from seating patrons at counters
75 due to the 2019 novel coronavirus, no application fee shall be required. Any
76 such sidewalk cafe for which no application permit fee is paid shall be
77 removed no later than seven days after restaurants are permitted to seat
78 patrons at counters and are no longer required to maintain physical

79 distancing between patrons due to the 2019 novel coronavirus. Upon
80 removal, any sidewalk, parking area, or other public right-of-way shall be
81 restored to its previous use as a sidewalk, parking area, or other public
82 right-of-way.
83

84 An encroachment permit or license may be issued pursuant to this section only
85 after demonstrated consideration has been given to any city "Encroachment Design
86 Guidelines" which are on file in the office of the director of public works.
87

88 (c) If the application is approved, the applicant may be issued an encroachment
89 permit from the director of public works provided the applicant enters into an
90 encroachment license agreement with the city as set forth in section 98-325.
91

92 (d) The cost of the encroachment permit shall be equal to the minimum building
93 permit fee as found in the fee schedule on file with the office of the city clerk provided
94 that no permit fee shall be required if the encroachment request is included within
95 another project that requires a building permit. If the proposed encroachment is for a
96 sidewalk cafe and no application fee was required under subsection (b)(4), no permit
97 fee shall be required.
98

99 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to
100 affect any suit or proceeding now pending in any court or any rights acquired or liability
101 nor any cause or causes of action occurred or existing, under any act or ordinance
102 repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or
103 affected by this Ordinance.
104

105 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
106 phrase of this Ordinance is for any reason held to be invalid, such decision shall not
107 affect the validity of the remaining portions of this Ordinance. City Council hereby
108 declares that it would have adopted the ordinance and each section, subsection,
109 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
110 sections, subsection, sentence, clause, or phrase be declared invalid.
111

112 Section 4 – This Ordinance shall be in full force and effect from and after
113 passage.
114

115 Passed at meeting: _____
116

117 _____
118 Mayor
119

120 Attest: _____, City Clerk
121

122 Filed as Ordinance: _____
123
124

125 Approved as to form: Kyle T. [Signature], Assistant City Attorney
126
127
128 Approved for Council action: Jason C. Hage, City Manager

EXPLANATION TO COUNCIL BILL 2022- 277

FILED: 11-08-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To amend Section 98 of the City Code, 'Streets, Sidewalks and Public Places,' to provide code language that allows Community Improvement Districts ("CID") to enter into encroachment agreements for encroachments on public right-of-way with the City of Springfield.

BACKGROUND INFORMATION: Currently, City Code only allows encroachments for items placed on public right-of-way in areas directly abutting property owned or leased by the applicant. Since CID districts serve a large area, they cannot be properly permitted to provide smaller public amenities on public right-of way. This code change will formally allow the CID districts to apply for encroachment permits, within their respective jurisdictions, for small items for public use on right-of-way such as tables, benches, games, and small trash receptacles.

REMARKS: The proposed code change does not change the authority of the Public Works Director to issue some encroachments administratively as currently defined by City Code. Encroachments not allowed to be processed administratively will require City Council approval. All encroachment agreements will be reviewed for compliance with City Code and for public safety and access.

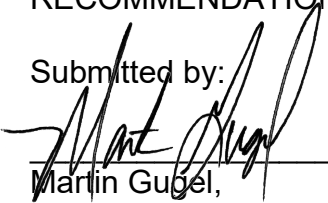
Supports the 2021 Council Priorities:

- Economic Vitality
- Quality of Place
- Public Safety

FINANCIAL: There is no financial impact to the City.

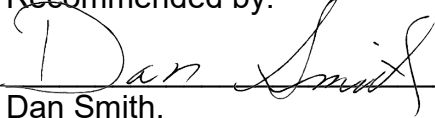
RECOMMENDATION: Public Works recommends approval of this Council bill.

Submitted by:



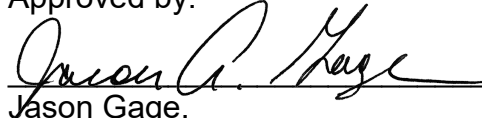
Martin Gugel,
Assistant Director of Public Works

Recommended by:



Dan Smith,
Director of Public Works

Approved by:



Jason Gage,
City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 9
Filed: 11-08-22

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022-278

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Cost Share
2 Agreement for Roadway Improvements, with the Erlen Group, to
3 coordinate participation in the cost of improvements on LeCompte
4 Road from its intersection with Division Street north to the BNSF
5 Railroad tracks; and approving a budget adjustment to amend the
6 Fiscal Year 2022-2023 budget for the Department of Public Works
7 in the amount of \$1,256,010 and to accept payment for the Erlen
8 Group's share of the project.
9 _____

10
11 WHEREAS, City Council previously adopted Special Ordinance 27762
12 authorizing the City Manager to accept \$1,500,000 in grant funds from the Economic
13 Development Administration ("EDA") and the United States Department of Commerce
14 for the purpose of upgrading LeCompte Road from its intersection with Division Street
15 north to the BNSF Railroad tracks; and
16

17 WHEREAS, these improvements will include widening LeCompte Road to three
18 lanes from the existing railroad tracks south to Springfield Underground's entrance,
19 widening of shoulders on LeCompte Road from Springfield Underground's entrance
20 south to Division, and improvements to the LeCompte Road and Division Street
21 Intersection; and
22

23 WHEREAS, LeCompte Road serves as one of the main thoroughfares for the
24 industrial, manufacturing, and warehousing land uses east of US Highway 65, and
25 these improvements will provide infrastructure necessary to accommodate current uses
26 and future needs; and
27

28 WHEREAS, total project costs are estimated at \$4,012,020, of which \$1,500,000
29 in construction costs will be paid for using EDA grant funds, and the remaining
30 \$2,512,020 in project costs will be equally split between the City and the Erlen Group,
31 estimated at \$1,256,010 each.
32

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

35 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
36 a Cost Share Agreement with Erlen Group, said Agreement to be in substantial
37 conformity with “Exhibit 1,” attached hereto and incorporated herein by this reference,
38 and approved as to form by the City Attorney, or designee.
39

40 Section 2 – The budget of the City’s Department of Public Works, for Fiscal Year
41 2022-2023, is hereby amended in the accounts and in the amounts as shown on Budget
42 Adjustment No. 027 in the Amount of \$1,256,010, a copy of which is attached hereto
43 and incorporated herein by reference as “Exhibit 2.”
44

45 Section 3 – City Council finds that the budget adjustment made above has been
46 recommended by the City Manager.
47

48 Section 4 – The City Manager is directed to cause the appropriate accounting
49 entries to be made in the books and records of the City. In the event additional funding
50 is provided under this grant by the grantor, the Director of Finance is hereby authorized
51 to adjust this appropriation by an amount not to exceed 20 percent.
52

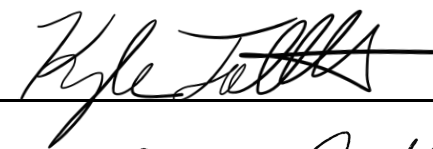
53 Section 5 – This Ordinance shall be in full force and effect from and after
54 passage.
55

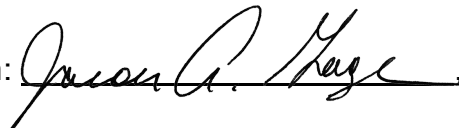
56 Passed at meeting: _____
57

58 _____
59 Mayor
60

61 Attest: _____, City Clerk
62

63 Filed as Ordinance: _____
64

65 Approved as to form:  _____, Assistant City Attorney
66
67

68 Approved for Council action:  _____, City Manager
69

EXPLANATION TO COUNCIL BILL 2022- 278

FILED: 11-08-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Cost Share Agreement for Roadway Improvements ("Exhibit 1") with the Erlen Group for the purpose of coordinating participation in the cost of improvements on LeCompte Road from its intersection with Division Street north to the BNSF Railroad tracks; and approving a budget adjustment amending the Fiscal Year 2023 budget of the Department of Public Works in the amount of \$1,256,010 to accept payment from the Erlen Group for their share of the project.

BACKGROUND INFORMATION: The City was awarded a \$1,500,000 grant from the United States Economic Development Administration ("EDA"), an agency of the United States Department of Commerce, to fund the reconstruction of LeCompte Road along the existing alignment from the BNSF Railroad to the Springfield Underground entrance and widen existing LeCompte Road from the Springfield Underground entrance to Division Street. Additional improvements will be made at the LeCompte Road and Division Street intersection as well as turn lane improvements on Division Street.

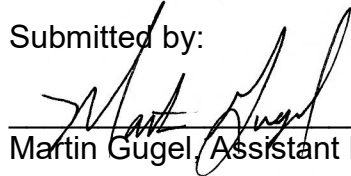
The total project costs are estimated at \$4,012,020. The EDA grant will cover \$1,500,000 in construction costs, leaving an estimated \$2,512,020 in remaining project costs. This Council bill would split the remaining costs equally between the City and the Erlen Group at an estimated \$1,256,010 each.

Supports the following City Council Priorities:

- Economic vitality
- Public safety
- Fiscal sustainability

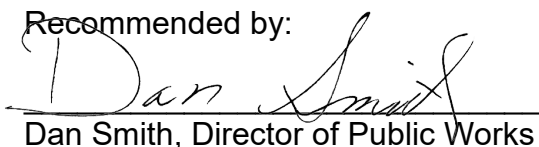
REMARKS: Public Works recommends approval of this Council bill and budget adjustment.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Jason Gage, City Manager

ROUTING ORDER	(1) ORIGINATING DEPARTMENT PUBLIC WORKS	(2) THE ERLÉN GROUP	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
(X) NEW CONTRACT		() RENEWAL OF CONTRACT	
CITY		SPRINGFIELD UNDERGROUND	
City of Springfield 840 Boonville, PO Box 8368 Springfield, MO 65802 Phone (417) 864-1645 Fax (417) 864-1551 Attn: _____, City Attorney Dept: City Attorney		Springfield Underground, Inc. d/b/a Erlén Group 3253 E. Chestnut Exp, Suite 1 Springfield, MO 65802 Phone (417) 874-1400 Attn: John Griesemer, President	

**COST SHARE AGREEMENT FOR ROADWAY IMPROVEMENTS – LECOMPTE
ROAD AND DIVISION STREET**

THIS AGREEMENT, made and entered into this ____ day of _____, 20____, between the City of Springfield, Missouri (hereinafter referred to as “the City”), and Springfield Underground, Inc. d/b/a Erlén Group (hereinafter referred to as “Erlén Group”):

WHEREAS, the City and Erlén Group both desire to design and construct safety, resiliency, and economic vitality improvements on LeCompte Road from its intersection with Division Street north to the BNSF railroad tracks (hereinafter referred to as “project” or “the Improvements”); and

WHEREAS, the total cost of the Improvements, including the cost to engineer and design, right-of-way acquisition, and construction, is estimated at \$4,012,020.00; and

WHEREAS, the City has been awarded a grant of \$1,500,000.00 from the United States Economic Development Administration, an agency of the United States Department of Commerce, for the purpose of constructing this project, leaving \$2,512,020.00 in remaining costs; and

WHEREAS, the Erlén Group and the City agree to share fifty percent (50%) of the remaining costs of \$2,512,020.00 for this project; and

WHEREAS, the City and the Erlén Group desire to enter into this cost share agreement to facilitate the engineering, design, permitting, and construction of the roadway improvements project shown in the roadway conceptual improvements in Exhibit A; and

WHEREAS, in connection with this Cost Share Agreement, the Erlen Group and the City agree that the amount of new right of way acquired for the project from land owned by Erlen Group shall be credited Erlen Group's portion of the cost share; and

WHEREAS, the Erlen Group agrees that the City will manage the design, bidding and construction of the improvements and the City agrees to cost share that work as provided herein; and

WHEREAS, these Improvements will benefit the safety, resiliency and economic vitality of the City.

NOW, THEREFORE, The City and the Erlen Group hereby mutually covenant and agree as follows:

1. Definitions

- a. Cost overrun. The term "cost overrun" as used in this document shall mean all costs of design and construction of the Improvements in excess of the estimated Project Costs.
- b. Cost underrun. The term "cost underrun" as used in this document shall mean the amount by which the estimated Project Costs exceed the actual Project Costs.
- c. Improvements. The term "Improvements" as used in this document shall be those roadway and associated improvements, generally located on LeCompte Road south of the railroad tracks to Division Street and the Division Street intersection improvements as shown and documented in Exhibit A, attached hereto and incorporated herein by reference.
- d. Local Costs. The term "Local Costs" as used in this document shall mean the total cost of designing and constructing the Improvements, including acquisition of right of way, less any EDA grant funds used for this purpose. Local Costs are estimated to be \$2,512,020.00.
- e. Project Costs. The term "Project Costs" as used in this document shall mean the total cost of designing and constructing the Improvements, including acquisition of right of way. Project Costs are estimated to be \$4,012,020.00.

2. Division of Costs. The parties agree to share the remaining costs to design and construct the Improvements in the following manner:

- a. The City and the Erlen Group will each share fifty percent of the cost of the improvements excluding the EDA grant funds.
- b. The Erlen Group will pay to the City their portion of the LeCompte Street Improvements cost share, estimated to be \$1,256,010.00, minus those items listed in Section 2.c. below, within five (5) business days of the City's issuance of a Notice to Proceed to the contractor.
- c. The Erlen Group shall receive credit for the value of any land owned by the Erlen Group that is acquired, dedicated, or otherwise used as right of way, and for the costs associated with designing the Improvements as part of the Erlen Group's fifty percent contribution to Local Costs.

- d. The City will be responsible for the construction of the Improvements.
- e. The City and the Erlen Group will be responsible for fifty percent (50%) each of all cost overruns, provided that all overruns shall require an addendum to this contract in writing and signed by both parties.
- f. The City and the Erlen Group will receive fifty percent (50%) each of the benefit of all cost underruns.

3. Competitive Bidding. The City shall engage in competitive bidding for the Improvements in accordance with Section 5.4 of the City Charter and shall abide by and follow the City's competitive bidding guidelines as set forth in Section 13-3.104 of the City's Purchasing Manual in all respects. The City and the Erlen Group shall concur on award of the project for the Improvements to the successful bidder and on all change orders impacting the construction and/or cost of the Improvements.

4. Prevailing Wage. The City and the Erlen Group acknowledge that all labor utilized in the construction of the Improvements shall be paid a wage of no less than the "prevailing hourly rate of wages" for work of similar character in this locality, as established and amended at any time by the Department of Labor and Industrial Relations of the State of Missouri.

5. Conflict of Interest. In accepting this contract, the Erlen Group certifies that no member or officer of its firm or corporation is an officer or employee of the City of Springfield, Missouri, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this Agreement. All applicable federal regulations and provisions of RSMo Section 105.450 et seq. shall not be violated.

6. Assignment. The Erlen Group shall not assign any interest in this Agreement, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of the City.

7. Notices. All notices required or permitted hereinunder and required to be in writing may be given by FAX or by first class mail addressed to City and the Erlen Group at the addresses shown above. The date of delivery of any notice given by mail shall be the date falling on the second full day after the day of its mailing. The date of delivery of notice by FAX transmission shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party.

8. Entire Agreement. This Agreement contains the entire Agreement of the parties. No modification, amendment, or waiver of any of the provisions of this Agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

9. Jurisdiction. This Agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

10. Independent Parties. The relationship of the parties hereunder is that of independent contractors, and neither party shall be considered to be a partner, joint venture, employer or employee of the other under this Agreement. This Agreement creates no agency in either party, neither party has any authority whatsoever to bind the other party in any transaction or make any representations on behalf of the other party, and nothing contained herein shall constitute or designate the Erlen Group, or any of the Erlen Group's contractors, agents, or employees, as agents or employees of the City.

11. Discrimination. The Erlen Group agrees in the performance of this Agreement not to discriminate on the ground or because of race, creed, color, national origin or ancestry, sex, religion, handicap, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

CITY OF SPRINGFIELD, MISSOURI

City Attorney or Assistant City Attorney

ERLEN GROUP

City Manager or his designee

Date:

John Griesemer, President

CERTIFICATE OF DIRECTOR OF
FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefore.

Director of Finance or his designee

APPROVED AS TO FORM:

EXHIBIT A

LeCompte Road Improvements from BNSF Railroad crossing to Division and LeCompte Road and Division Intersection Improvements



CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 2

Budget Adjustment
027

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46110	20	73020	411010	101052	00000	\$ 1,256,010	Contribution from Erlen Group based on Developer Cost Share Agreement
Net Revenue Adjustment						\$ 1,256,010	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46110	20	73020	509110	101052	00000	\$ 1,256,010	Upgrading LeCompte Road from its intersection with Division Street north to the BNSF Railroad tracks.
Net Expenditure Adjustment						\$ 1,256,010	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2022-23 budget by appropriating a contribution from the Erlen Group of \$1,256,010 towards upgrading LeCompte Road from its intersection with Division Street north to the BNSF Railroad tracks.

Requested By:

Dan Smith 11-08-2022
Department Head Date

Approved By:

D. J. Hill 11-08-2022
Director of Finance Date

Authorization:

Council Bill No. 2022-278
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed 11-08-22

Sponsored by: Ollis

First Reading _____

Second Reading _____

COUNCIL BILL 2022-279

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 2, "Administration," Article VI,
2 "Finances," Division 4, "Police Officers' and Fire Fighters' Retirement
3 System," Section 2-444, "Board of trustees established; membership;
4 election of members," to revise the residential requirements for
5 Pension Board candidates and to revise the procedures for filling
6 vacant elected voting positions; and amending Sections 2-473, "Non-
7 duty disability pension," and 2-474, "Duty disability pension," to remove
8 the workers' compensation offset.
9 _____

10
11 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
12 SPRINGFIELD, MISSOURI, as follows, that:

13
14 NOTE: **Bolded** language is being added and ~~stricken~~ language is being deleted.

15
16 Section 1 – Springfield City Code, Chapter 2, "Administration," Article VI,
17 "Finances," Division 4, "Police Officers' and Fire Fighters' Retirement System," Section
18 2-444 (d) and (e) are hereby amended as follows (the remainder of Section 2-444
19 remains unchanged):

20
21 (d) Except as otherwise stated in this section, the qualifications, terms,
22 restrictions, and removal of the six citizen members of the board
23 ~~recommended~~ **appointed** by the city council public involvement committee and
24 confirmed by the city council shall be the same as described in article XV of the
25 City Charter generally for members of administrative boards established under
26 said article, except that, such citizen members, other than the citizen-at-large
27 member, shall not be required to be residents and qualified voters of the city
28 either prior to or at the time of their appointment, or during their membership on
29 the board. **Rather, both at the time of appointment and throughout any**
30 **tenure on the board, such citizen members shall be required to reside or**
31 **have a place of employment in one of the following counties: Christian,**
32 **Dallas, Greene, Polk, or Webster. As to vacancies in any of the**
33 **aforementioned five citizen member positions, there shall be a preference**

34 **for Greene County candidates such that a candidate that resides in**
35 **Christian, Dallas, Polk, or Webster County shall only be considered if there**
36 **is no candidate that resides in Greene County.** ~~If a citizen member is not a~~
37 ~~resident of the city at the time of his appointment, the location of his professional~~
38 ~~business office or his employer shall be within the city at the time of his~~
39 ~~appointment.~~ The city council public involvement committee will notify the
40 president of the board of trustees in writing of the names of persons they intend
41 to **recommend for appointment** to the board not less than ten days prior to a
42 regularly scheduled meeting of the board, and said regular meeting of the board
43 shall be prior to the date of the submission of the appointment to the city council.
44 The city council ~~public involvement committee~~ may also appoint or reappoint one
45 or more of these board members for terms of less than three years, so that the
46 expiration of the appointed board members' terms are staggered such that no
47 more than two appointed board members' terms expires in any given year. An
48 appointed member may also be subject to removal by the city council public
49 involvement committee if the member fails to attend three or more consecutive
50 regularly scheduled monthly board meetings in a 12-month period during the
51 member's term, or if the member fails to attend five meetings in a 12-month
52 period during the member's term.

53
54 (e) Elected board members shall serve until their successors are elected and
55 qualified. Appointed members shall also serve until their successors are duly
56 confirmed. If an elected **voting** board member fails to serve a full term, **then the**
57 **elected non-voting member (if any) of the same department shall**
58 **automatically be appointed the voting member and shall serve the**
59 **remaining term of the original voting member** ~~a special election to fill the~~
60 ~~vacancy shall be called after at least 15 days' notice, on the first Monday of the~~
61 ~~next succeeding month thereafter.~~ **If there is no elected non-voting member at**
62 **the time of the voting member vacancy, then a special election shall be**
63 **called. If an elected non-voting member fails to serve a full term, then a**
64 **special election shall be called. Any special election shall be called after at**
65 **least 15 days' notice, on the first Monday of the next succeeding month**
66 **thereafter.** Voting shall be according to the same procedures applicable to
67 regularly called elections.

68
69 Section 2 – Springfield City Code, Chapter 2, "Administration," Article VI,
70 "Finances," Division 4, "Police Officers' and Fire Fighters' Retirement System," current
71 Section 2-473(d) and (e) are hereby amended as follows (the remainder of Section 2-
72 473 remains unchanged):

73
74 ~~(d) Payments under this section shall be subject to offset by any amounts~~
75 ~~payable by the city under any plan of workmen's compensation established by~~
76 ~~the laws of the state.~~

(ed) Notwithstanding the above, any person who has left the service, been rehired or reinstated, and has applied for, or is receiving or has received, in service distributions pursuant to section 2-484, shall not be eligible for the non-duty disability pension provided for in this section.

Section 3 – Springfield City Code, Chapter 2, “Administration,” Article VI, “Finances,” Division 4, “Police Officers’ and Fire Fighters’ Retirement System,” current Section 2-474(c), (d), and (e) are hereby amended as follows (the remainder of Section 2-474 remains unchanged):

~~(c) Payments under this section shall be subject to offset by any amounts payable by the city under any plan of workmen's compensation established by the laws of the state.~~

(dc) With respect to participants who commenced employment in the police or fire departments on or after June 1, 2006, and become disabled pursuant to the provisions of subsection (a) above, said participants shall be evaluated by the medical board as to the degree and extent of their disabling condition in terms of the permanent partial impairment to the body as a whole, using criteria for injuries and conditions compensable under the workers compensation law, Chapter 287, RSMo. Participants with a degree of permanent partial impairment caused by their duty-related disabling condition determined by the board after review of the medical information to be 25 percent or more of the body as a whole shall receive a rate of pension for such duty disability in the amount of 66⅔ percent of the rate of salary of the participant in effect on the date of disability. Participants with a degree of such permanent partial impairment caused by their duty-related disabling condition determined by the board after review of the medical information to be less than 25 percent of the body as a whole shall receive a rate of pension for such duty disability in the amount of 50 percent of the rate of salary of the participant in effect on the date of disability.

(ed) Notwithstanding the above, any person who has left the service, been rehired or reinstated, and has applied for, or is receiving or has received, in service distributions pursuant to section 2-484, shall not be eligible for the duty disability pension provided for in this section.

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

Passed at meeting: _____

Attest: _____, City Clerk

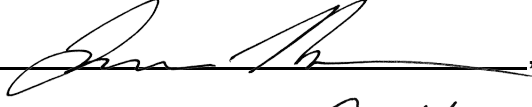
Mayor

122

123 Filed as Ordinance: _____

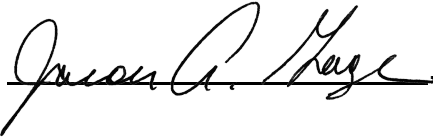
124

125

126 Approved as to form: , Assistant City Attorney

127

128

129 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL 2022- 279

FILED: 11-08-22

ORIGINATING DEPARTMENT: Law Department

PURPOSE: To amend the Springfield City Code, Chapter 2, "Administration," Article VI, "Finances," Division 4, "Police Officers' and Fire Fighters' Retirement System," Section 2-444 (Board of trustees established; membership; election of members); Section 2-473 (Non-duty disability pension); and Section 2-474 (Duty disability pension). These amendments are at the request and recommendation of the Police and Fire Pension Board and the Administrative Director for the Police and Fire Pension Board.

BACKGROUND: The Administrative Director for the Police and Fire Pension Board has experienced some difficulty in finding citizens who both meet the specific requirements of Section 2-444(a) (financial management, investment management, actuarial analysis, auditing, medical professionals, expertise in disability or workers compensation, and legal professionals) and either reside in City limits or have a place of employment in City limits. As such, the Pension Board initially recommended expanding the area of eligibility to include candidates who reside and/or work in Christian, Dallas, Greene, or Polk Counties. The recommendation was presented to the Finance and Administration Committee, which expressed a desire that candidates within Greene County be given a preference and asked for Pension Board input on that change. The Pension Board agreed with that change but also requested that Webster County be added to the list of eligible counties. This Bill includes the addition of Webster County and members of the Finance and Administration Committee were made aware of this change. Additional changes were made to Section 2-444(d) to clarify that the Public Involvement Committee recommends Pension Board citizen candidates, and City Council ultimately appoints them.

Additionally, the Pension Board requested that Section 2-444(e) be changed so that vacancies to elected voting positions are automatically filled by the existing non-voting member as opposed to the prior practice of having a special election. Special elections still occur for vacancies in elected, non-voting positions and in the rare circumstance where a voting member vacancy occurs and there is no non-voting member to fill that vacancy.

Finally, the Board recommended changes to disability pensions (Sections 2-473 and 2-474) to remove the workers' compensation offset. The Pension Fund actuary has historically assumed no workers' compensation offsets will occur.

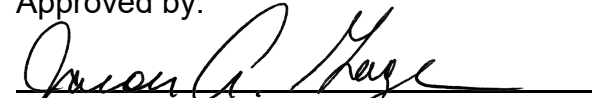
REMARKS: The actuary for the Fund has performed a cost analysis of the proposed changes to remove the workers' compensation offsets and has offered the opinion that the proposed changes will not adversely impact Plan funding, the Fund's actuarial soundness, or otherwise impair the ability of the Fund to meet its pension/benefit

obligations in the future. The actuary has further opined that the changes will not result in an increase in costs for the Fund and that the Plan's funded percentage will remain over 75% after the change.

Submitted by:


Lance Roskens,
Assistant City Attorney

Approved by:


Jason Gage,
City Manager

One-rdg. _____
P. Hmgs. _____
Pgs. 29
Filed: 11-08-22

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022-280

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 469 for the purpose of permitting an
2 automobile washing business as a conditional use within the GR –
3 General Retail District, generally located at 600 South Glenstone
4 Avenue. (Staff and Planning and Zoning Commission both
5 recommend approval.)
6 _____
7

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

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on October 6, 2022, a copy of the Record of Proceedings from said
14 public hearing being attached hereto and incorporated herein by this reference as
15 "Exhibit C," and recommended approval of Conditional Use Permit No. 469 for the
16 property generally located at 600 South Glenstone Avenue and zoned GR – General
17 Retail District; and
18

19 WHEREAS, City Council finds that sufficient evidence has been presented to
20 satisfy all applicable standards of the Land Development Code for issuance of
21 Conditional Use Permit No. 469; and
22

23 WHEREAS, the granting of such permit is deemed proper, and it is not found to
24 harm the community or injure the value, lawful use, and reasonable enjoyment of
25 properties in the vicinity of 600 South Glenstone Avenue.
26

27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:
29

30 Section 1 – City Council adopts the City staff's specific findings of fact on the
31 proposed conditional use as set forth in "Exhibit D – Attachment 3." "Exhibit D" is
32 attached hereto and incorporated herein by this reference in its entirety. Conditional Use
33 Permit No. 469 is hereby granted in accordance with and subject to the provisions of
34 Section 36-363 of the Land Development Code. Conditional Use Permit No. 469 is

35 granted for the purpose of permitting an automobile washing business as a conditional
36 use within the GR – General Retail District, located at the property described in “Exhibit
37 B,” which is attached hereto and incorporated herein by this reference, and which is
38 generally located at 600 South Glenstone Avenue.
39

40 Section 2 – Building permits, certificates of occupancy, and any other required
41 permits or approvals may be issued by the duly authorized officials of the City provided
42 that such issuance is consistent with Section 36-363 of the Land Development Code,
43 any other applicable City regulation or ordinance, and the “Requirements for Conditional
44 Use Permit 469” described in “Exhibit D – Attachment 2” and “Exhibit A,” which is
45 attached hereto and incorporated herein by this reference. Additionally, the provisions
46 contained in “Exhibit D – Attachment 2” and “Exhibit A” shall govern and control the use
47 and development of the land described in “Exhibit B,” in a manner consistent with the
48 attached site plan depicted on “Exhibit D – Attachment 5.”
49

50 Section 3 – Any violation of the provisions of this Ordinance shall be grounds for
51 the revocation of the Conditional Use Permit granted by the adoption of this Ordinance.
52

53 Section 4 – This Ordinance shall be in full force and effect from and after
54 passage only so long as the Property and any improvements thereon conform to the
55 conditions and requirements described in Section 36-363 of the Land Development
56 Code, other applicable City regulations or Ordinances, and this Ordinance.
57

58 Passed at meeting: _____
59

60 _____
61 Mayor
62

63 Attest: _____, City Clerk
64

65 Filed as Ordinance: _____
66

67
68 Approved as to form: Jill Bennis, Assistant City Attorney
69

70
71 Approved for Council action: Juan C. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2022- 280

FILED: 11-08-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To permit an automobile washing business within a GR, General Retail District generally located at 600 S. Glenstone Avenue. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NUMBER 469

The applicant is requesting approval of a Conditional Use Permit for an automobile washing business on the subject property within a GR, General Retail District. The *Zoning Ordinance* requires a Conditional Use Permit in the GR, General Retail District for this type of use.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 3" shall govern and control the use and development of the land in Conditional Use Permit Number 469 in a manner consistent with the attached site plan ("Exhibit D - Attachment 5").

FINDINGS FOR STAFF RECOMMENDATION:

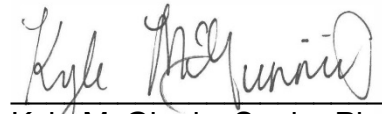
1. This application meets the approval standards for a Conditional Use Permit.
2. Approval of this application is subject to the Requirements for Approval ("Attachment 2") and site plan ("Attachment 5").
3. Approval of this request will provide for development of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS:

The Planning and Zoning Commission held a public hearing on October 6, 2022, and recommended approval, by a vote of 4 to 2 of the proposed Conditional Use Permit (see the attached "Exhibit C," Record of Proceedings).

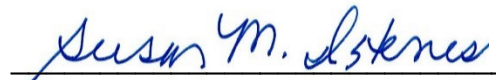
The Planning and Development staff recommends the application be approved with conditions (see attached "Exhibit A").

Submitted by:



Kyle McGinnis, Senior Planner

Recommended by:



Susan Istenes, AICP
Director

Approved by:



Jason Gage, City Manager

EXHIBITS:

Exhibit A, Requirements for Conditional Use Permit Number 469

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 Number 469

Attachment 3, Standards and Responses for Conditional Use Permits

Attachment 4, Affidavit of Neighborhood Notification and Meeting Summary and Sign-In Sheet

Attachment 5, Proposed Site Plan

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT NO. 469

1. An automobile washing business is permitted in conformance with the site plan (Attachment 5).
2. The automobile washing business shall comply with all Conditional Use Permit standards (Attachment 3).
3. All other standards of the *Zoning Ordinance* and other application ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 469

SW ¼ SECTION 20, TOWNSHIP 29 NORTH, RANGE 21 WEST CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI

Beginning at a point 30 feet South and 43.5 feet East of the Northwest corner, Southwest Quarter (SW1/4), of Section Twenty (20), Township Twenty-Nine (29) North, Range Twenty- One (21) West; said point being the Southeast corner of Glenstone Avenue and Cherry (formerly Rockbridge Road); thence East along the South line of said Cherry Street 316.5 feet; thence South parallel with the West line of said Section Twenty (20), 350 feet; thence West parallel with the South line of said Cherry Street 317.95 feet to the East line of said Glenstone Avenue; thence North along the East line of said Glenstone Avenue 350 feet to the point of beginning; all in Springfield, Greene County, Missouri.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – October 6, 2022

Conditional Use Permit 469
600 South Glenstone Avenue
Applicant: 600 S. Glenstone, LLC

Mr. Hosmer stated that this is a request to permit an automobile washing business within the GR, General Retail District generally located at 600 South Glenstone Avenue. The Growth Management and Land Use Plan designate this area as appropriate for Medium-Intensity Retail, Office or Housing uses. The subject property is at the intersection of a primary arterial (Glenstone) and secondary arterial (Cherry) roadways. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Stormwater detention will need more detailed analysis prior to construction. The CUP will allow an automobile washing business in conformance with the site plan, and all other zoning and applicable city standards. Proposed CUP meets the requirements standards. Staff recommends approval.

Mr. Knuckles asked about a comment for a six-foot fence along that east property line and if it was an existing fence.

Mr. Hosmer believes there is or was an existing fence or they're going to repair or put back in. There is a portion of it to the lot to the south had a six-foot fence, and then further to the north, up to Cherry Street, was a four-foot fence so it a requirement that there'd be a six-foot fence.

Mr. Jobe opened the public hearing.

Mr. Bob Manaus, JM Civil Engineering, Allen Texas, representing the applicant and in regard to the fence, if there isn't a six-foot fence, we will build one and here to answer any questions.

Mr. Darien Teeter, 437 W. University and I own property directly across from this proposed car wash on Cherry Street. My concern has to do with the congestion on that intersection. The corner of Cherry and Glenstone is quite busy. Especially around the 3:00 4:00 pm time frame. With people picking up their kids from the school down the street as well as normal traffic. With McDonald's being there and so forth. Where at any point in time. From 3:00pm on until maybe 6:00pm there'd be 20 or 30 cars backed up on Cherry Street blocking entrance to my building on the corner of Chair and Glenstone. My concern has to do with the congestion and also the idea of signage to force people, instead of going into that intersection, turn east on Cherry or if the driveway would bleed

out from the car wash onto Glenstone, have it turned north on Glenstone and alleviate some of the traffic congestion at that corner.

Mr. Colony asked if there were any problems with congestion when it was a bank?

Mr. Teeter stated it's a busy intersection under general circumstances. There's a school right down the street and the parents picking up students start backing up and the cars backed up from the school up to my building on a regular basis, 20 or 30 cars deep to get through that corner.

Mr. Jobe closed the public hearing.

Mr. Lebeck asked why a traffic study not required and how are the numbers determined.

Mr. Zickefoose noted that there's an international transportation standard, there's a manual in where tables based on use, so there's tables for car washes and so forth. So based on the table of the car wash by code we use those numbers out of that IDE manual. This proposal didn't meet those thresholds to require a traffic impact study.

Mr. Lebeck asked if they are factoring in any way about congestion at Cherry and Glenstone. Is that factoring into your decision whether or not a traffic impact study is needed?

Mr. Zickefoose noted they work with the intersection of Glenstone Avenue and Cherry Street are under MODot jurisdiction, so we work with them on a regular basis to try to address congestion along Glenstone, however ultimately by the code we're only able typically to allow to require a traffic study if the change in use increases the trips by 100 in the hour or 1000 in the day.

Mr. Lebeck asked about if the code doesn't factor in the decision to make a traffic impact study if there's preexisting congestion at that intersection.

Mr. Zickefoose noted that it not strictly by the code, the traffic engineer can request that. And so based on going from the bank to the proposed car wash and with the signalized intersection there, there's really no additional improvements that could be made and Glenstone isn't going to be widened at any time and there's already turn lanes, right turn lanes and left turn lanes. We also know that the car wash isn't going to generate any more traffic than the bank and traffic will remain similar after as it was before. We are addressing some of the access, we're closing an access to Cherry Street that's closer to Glenstone and we're addressing some of the congestion by that and the safety concerns by moving that access point farther away from Glenstone Avenue.

Mr. Knuckles asked about the access off of Glenstone and if the other would remain open that's furthest to the east.

Mr. Zickefoose noted that it is correct and if the uses increase the peak hour traffic by 100 or more or the 24 hours volume by 1000 or more. Then it would trigger the requirement for a traffic impact study, so changing from the bank to the car wash didn't meet that threshold.

Ms. Broekhoven noted that the traffic impact study or lack of traffic impact study was in the fact a bank or office space has been underutilized for a number of years now with traffic at that intersection still being incredibly congested like the public speaker had previously communicated.

Mr. Zickefoose thinks if a traffic impact study were done at this intersection, my opinion is that it would show that no additional improvements were needed. Maybe some retiming of the signalized intersection itself.

Ms. Broekhoven know that we've had hearings previously on the intensity of traffic that has been generated from car washes at similar intersections. And so, I think that is the primary concern that I have, as well as what I believe some of the other commissioners have, is that it will generate a significant amount of traffic at this intersection. Furthermore, you're pushing all access to the site towards the residential neighborhood behind the property, generating more noise, traffic and intensity along the single-family residential section of the development.

Mr. Zickefoose noted that the eastern entrance and driveway was already there. It was there previously and they're just going to continue to utilize it with their new development.

Ms. Broekhoven noted it's the only access point to the site.

Mr. Hosmer stated that they can go south through the properties to the south to get back to Glenstone if they choose.

Mr. Zickefoose noted that he is not sure what the output is on the car wash, but the cars exit the car wash at a fairly slow rate. So as far as them pulling out of the car wash, I don't see significant traffic flowing out of the car wash.

Mr. Lebeck asked if Planning Commission have the authority to request a traffic study? Is there a process for that?

City staff is not aware of that, and city code allows the requirement for a traffic impact study at the time of zoning.

Mr. Lebeck noted we have quite a few car washes in Springfield recently, and I think we have some good data points to see what kind of traffic these things truly generate in the city. It seems like we would have a good opportunity here to really see if that book is accurate and in the Springfield scenario, that a car wash does have no appreciable impact on the intersection.

Mr. Colony would like to direct some of that traffic to the south and those two lots that are shown on the drawing that all seem to be owned by one property owner. That that cross utilization will remain and that the car wash customers would be able to go south through the adjacent parking lot and out onto Glenstone. And if we could figure out if the applicant could figure out how some way to direct their traffic to come in off of Cherry and out onto Glenstone, that maybe we might come to a happy medium here and nobody'd have to worry about the traffic, and they'd have a nice flow. Is there any way that we can request the applicant work on signage or directional controls to push traffic out to the south out onto Glenstone and alleviate the traffic off Cherry in some way?

Mr. Zickefoose noted that the large bank lot has already been split into two lots and platted with the cross access that has been already in place, and those two lots cross access from Glenstone around to Cherry exist already.

Ms. Jill Burris, Assistant City Attorney, stated she wanted to provide the legal standard for the commission as to what it can do in granting a conditional use permit. You may recommend such condition safeguards and restrictions on the premises benefit it, as may be necessary to comply with the standards set forth in the cup section to avoid or minimize or mitigate potentially adverse effect of such conditional uses and do not see the ability to request a traffic study. But you may impose conditions or recommend that the City Council impose conditions on the use permit in addition to those already in there. She noted if there were to be a recommendation and whoever wants to make that motion that the commission could come to a consensus before making such a motion.

Mr. Colony recommend that we tag the approval of this issue of this conditional use permit that the applicant be required to or at least we recommend that the applicant employ means to direct traffic exiting the car wash to turn south again and go exit onto Glenstone, as opposed to trying to get out on Cherry with signage. I think we make some sort of recommendation that they use signage and other means to direct traffic to the south.

Mr. Jobe recalled the representative to the podium.

Mr. Bob Manaus, JM Civil Engineering, Allen Texas noted that they can put some directional signage to help direct traffic.

Mr. Colony stated that we went through an extensive discussion on another car wash on another busy street in town where they limited in and out onto that busy street and found a more creative use of more flow that actually increased their efficiency as well as controlled the access to the streets and would make that our recommendation.

Mr. Jobe asked if the recommendation was limited to signage?

Mr. Colony stated not necessarily.

Mr. Jobe stated that the motion is to require the applicant to install signage or other traffic control means to the recommendation.

Mr. Knuckles stated that he was concerned about the owner to the property not having direct access to the property when it's been moved further to the east and reduces that capacity issue. Believes it limits the access to the property owner by proposing indirect access to his business on the corner and I'm concerned of closing off that east access or limiting traffic through that access.

COMMISSION ACTION #1:

Mr. Colony motioned to **approve** Amendment to Conditional Use Permit 469 (City Council require the applicant employ additional means of traffic control and signage as is necessary to make it clear to their customers that there is access to Glenstone, to the south, as well as onto Cherry Street). Mr. Lebeck seconded the motion. Ayes: Colony, Pauly, and Lebeck. Nays: Jobe, Knuckles, and Broekhoven. Abstain: None. Absent: Doennig. **Motion Failed.**

COMMISSION ACTION #2:

Mr. Knuckles motioned to **approve** Conditional Use Permit 469 (600 South Glenstone Avenue). Ms. Broekhoven seconded the motion. Ayes: Jobe, Knuckles, Colony, and Lebeck. Nays: Pauly and Broekhoven. Abstain: None. Absent: Doennig.



Bob Hosmer, AICP
Planning Manager

Development Review Staff Report

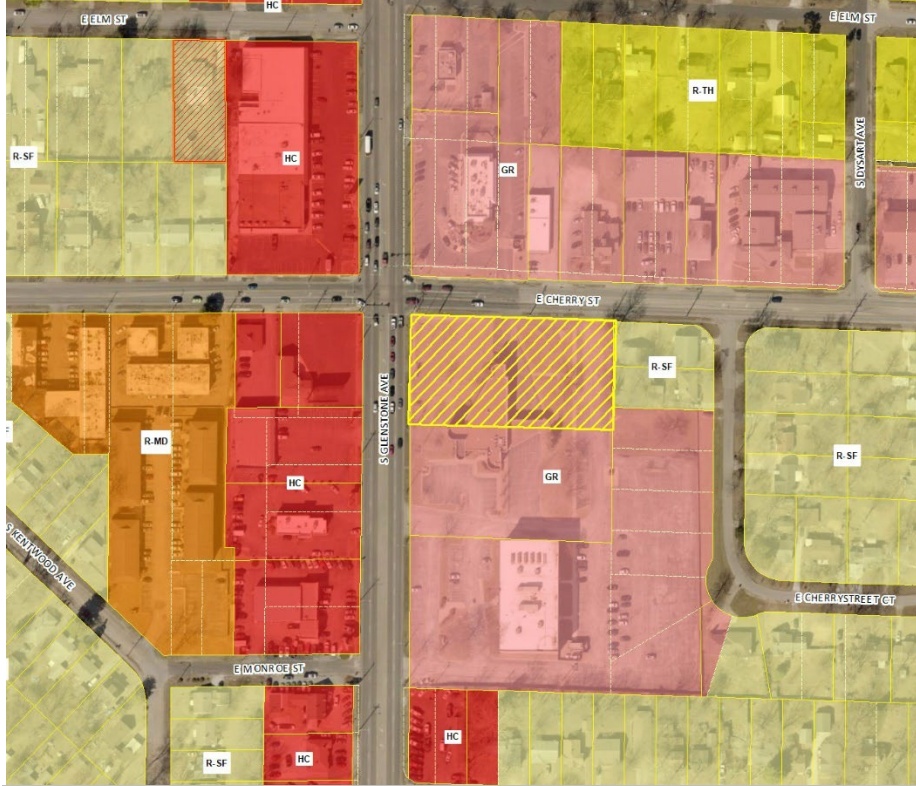


PLANNING AND ZONING COMMISSION PUBLIC HEARING:

OCTOBER 6, 2022

CITY COUNCIL PUBLIC HEARING:

OCTOBER 31, 2022



CASE NUMBER:

Conditional Use Permit 469

LOCATION: 600 S. Glenstone Avenue

ACRES: 1.08 acres

EXISTING LAND USE: Vacant (recently cleared)

APPLICANT: 600 S. Glenstone LLC

STAFF: Kyle McGinnis, Senior Planner
(417) 864-1615

STAFF RECOMMENDATIONS:

Approve

PROPOSED MOTION:

I move to adopt staff's responses in the staff report as the findings of fact and approve CUP 469.

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

SUMMARY OF REQUEST:

Request to permit an automobile washing business within the GR, General retail district generally located at 600 S. Glenstone Avenue.

FINDINGS FOR STAFF RECOMMENDATION:

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

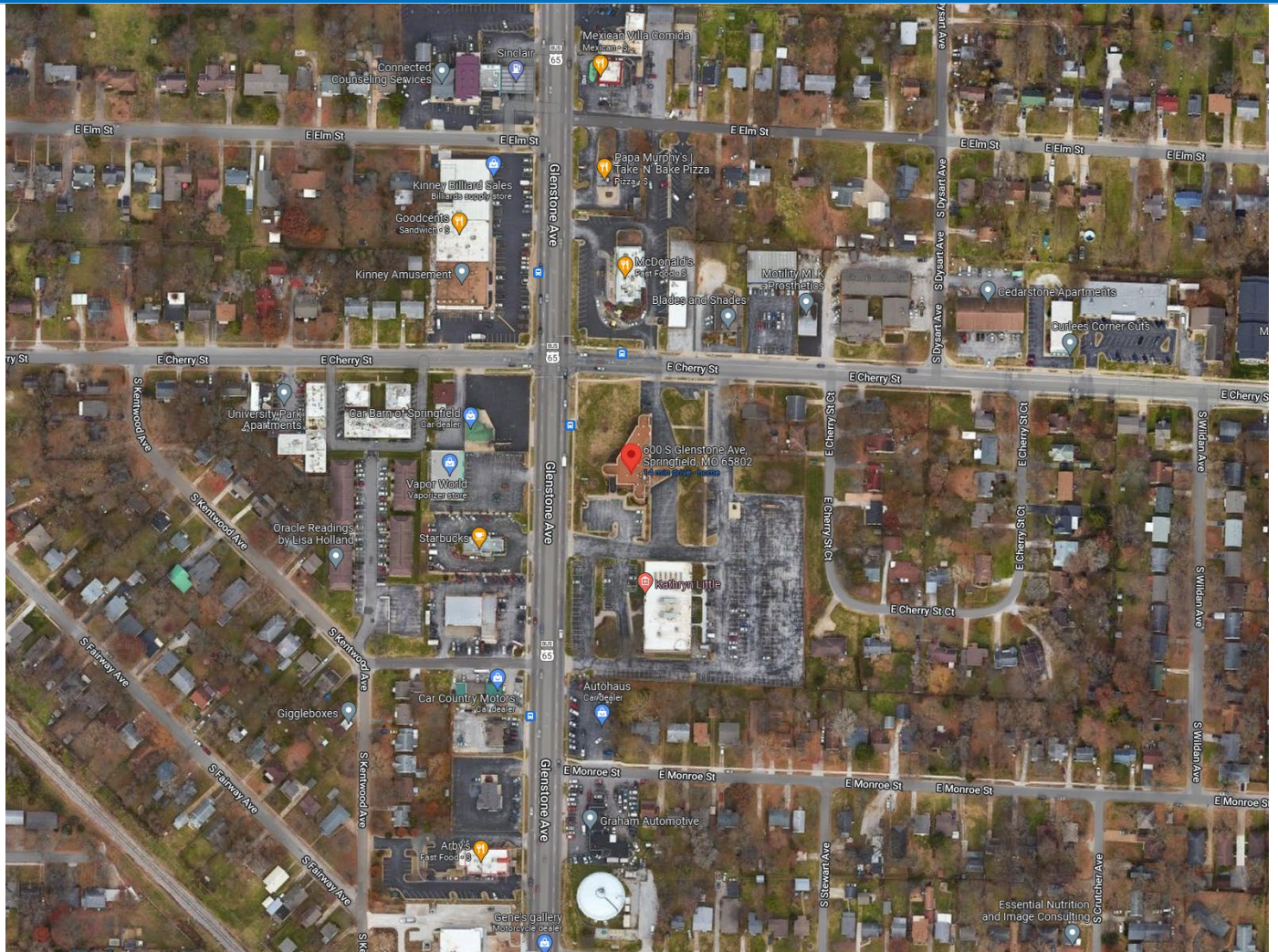
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	GR	R-SF and GR	HC
LAND USE	Eating and drinking establishments use group; retail sales use group; personal services use group	General office use group	Single-family homes; commercial off-street parking	Retail sales use group

Development Review Staff Report



GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



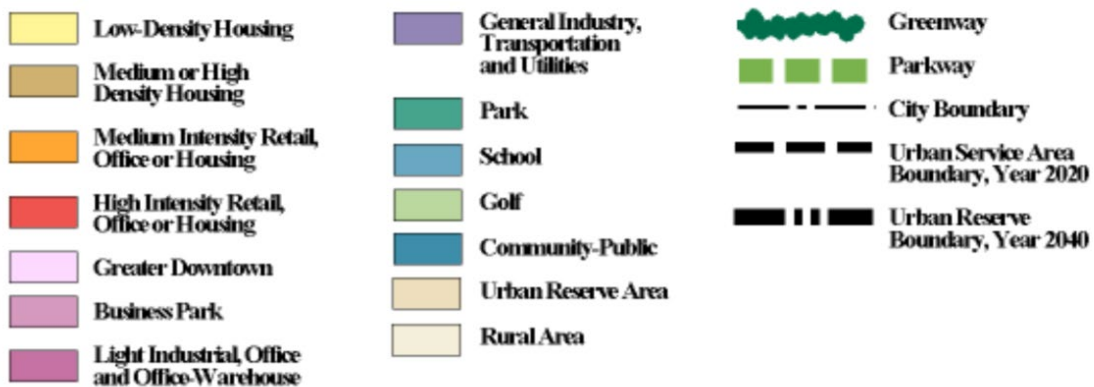
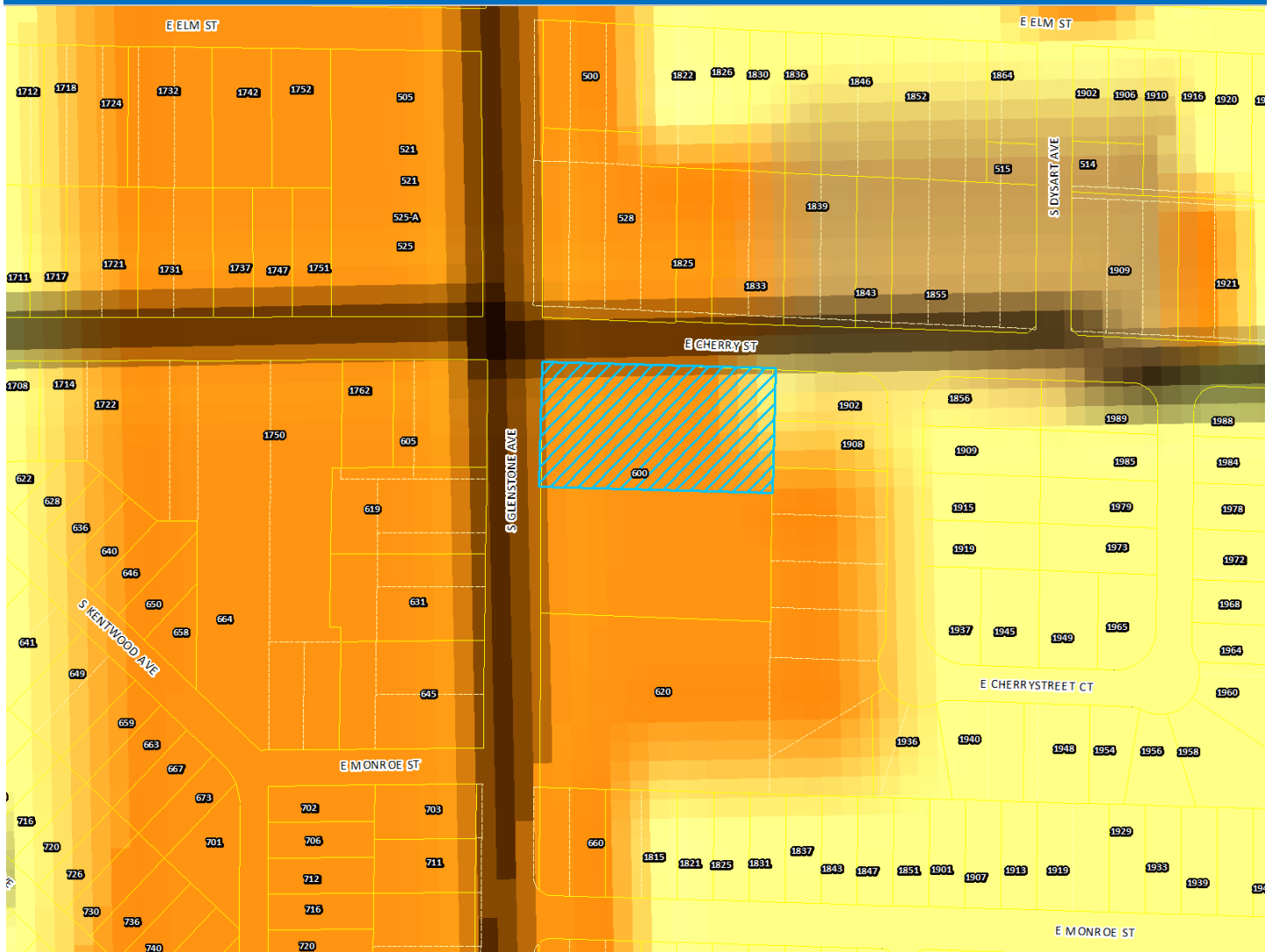
GOOGLE MAPS STREET VIEW:



Development Review Staff Report



GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property was zoned GR as part of the city-wide mapping completed in 1995 and has maintained this zoning classification since.

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* designates this site as appropriate for Medium-Intensity Retail, Office, or Housing, which the *Comprehensive Plan* generally equates to the GR, General retail district, amongst the City's other commercial and office districts. The property is currently zoned GR, meaning the proposed automobile washing business is compatible with the *Comprehensive Plan* provided it receives the approval of a Conditional Use Permit by City Council as required by Section 36-421 of the Land Development Code.

Development Review Staff Report



STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for an automobile washing business in the GR, General retail district. The *Zoning Ordinance* requires a Conditional Use Permit in the GR district for such a use per Section 36-421.
2. Approval of this request will provide for the development of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. 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 AM or PM peaks.
4. A landscape plan, meeting the requirements of Sections 36-482, Landscaping and bufferyards, and 36-483, Off-street parking and loading area design standards, shall be submitted and approved. Refer to Attachment 5.
5. 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 on September 15, 2022 regarding the use permit request. A summary of the meeting is attached (Attachment 4).

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: 11	Returned: 0
--	------------	-------------

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1

CONDITIONAL USE PERMIT 469

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the proposed CUP.

CITY UTILITIES COMMENTS:

No issues with the proposed CUP.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the CUP. The property is served by public sewer.

FIRE DEPARTMENT COMMENTS:

No objection to the CUP. Development must comply with 2018 IFC.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Jordan Creek South 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 be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts** The property **does not have a stream buffer on site**.

PW Stormwater has no concerns for the proposed Conditional Use Permit. 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.

Detention Requirements:

1. The site is primarily composed of existing impervious surface area. After the subdivision, each lot will have to submit for detention requirements based on if the impervious surface area is increased on the individual lot from the existing impervious surface area. Any development or redevelopment that increases runoff, through the increase in impervious surface, must meet the detention requirements of Chapter 3 Sec. 2.3.3.
 - a. 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 fee in-lieu-of detention will be based on the stormwater analysis at the time of development.
 - b. The Fee In-Lieu-Of Detention Application looks acceptable for the volume calculated. The Application will be approved or denied upon submission of plans for the construction.

Water Quality Requirements:

1. Both lots created in the subdivision are over one acre in area. If one acre of open space and impervious surface area are disturbed at the time of development, then water quality will be required. Water quality is required for new development projects or redevelopment projects within the City Limits of Springfield with new or increased impervious surfacing exceeding one acre. This includes projects less than one acre that are part of a larger common plan of development or sale that will disturb more than one acre over the life of the project. See Chapter 10 Sec. 2.0.

Development Review Staff Report



Additional Stormwater Standards to be met:

1. 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.
2. 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.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Glenstone Avenue as a Primary Arterial and E. Cherry Street as a Secondary Arterial roadway. The standard right-of-way width for S. Glenstone Avenue is 50-feet from the centerline and 35-feet from the centerline for E. Cherry Street. It appears an additional 10 feet of right-of-way is required for S. Glenstone Avenue and an additional five feet is required for E. Cherry Street to meet this requirement. A survey is recommended to determine the exact amount of existing right-of-way. S. Glenstone Avenue is a state-maintained street and E. Cherry Street is a city-maintained street.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count for S. Glenstone Avenue is 36,322 vehicles per day. The most recent traffic count for E. Cherry Street is 7,202 vehicles per day. On-street parking is not allowed along either S. Glenstone Avenue or E. Cherry Street.

DRIVEWAY ACCESS

There is currently one driveway access point onto the property from S. Glenstone Avenue and two driveway access points onto the property from E. Cherry Street. The westernmost access on E. Cherry Street does not meet existing City of Springfield spacing standards and is required to be closed.

SIDEWALK

There is existing sidewalk along the property frontage of S. Glenstone Avenue and along E. Cherry Street.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There is one bus stop along S. Glenstone Avenue and one along E. Cherry Street in the vicinity of the property pertaining to this zoning.

IMPROVEMENTS

A Traffic Impact Study is not required as the potential increase for trips generated by the zoning change does not exceed 100 vehicles in the AM or PM peak or 1,000 vehicles per day.

SITE PLAN

Traffic has no issues with the Conditional Use Permit. The right-of-way requirements and westernmost driveway closure on Cherry Street are being addressed as part of the associated plat. Please label the 100-foot by 100-foot sight triangle and call out the westernmost driveway approach on Cherry Street as, "To be closed per City of Springfield Public Works Design Standards" on the site plan.

Development Review Staff Report



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. Glenstone Avenue	Primary Arterial	No	40	50
Street 2	E. Cherry Street	Secondary Arterial	No	30	35
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		16	67	720	
*Proposed Trips Generated		16	67	720	
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

Development Review Staff Report



REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

CONDITIONAL USE PERMIT 469

1. An automobile washing business is permitted in conformance with the site plan (Attachment 5).
2. The automobile washing business shall comply with all Conditional Use Permit standards. (Attachment 3).
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Development Review Staff Report



STANDARDS FOR CONDITIONAL USE PERMIT 469

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 will be consistent with the adopted policies in the Springfield Comprehensive Plan.	The <i>Comprehensive Plan</i> designates this property as appropriate for Medium Intensity Retail, Office, or Housing and equates this land use designation to the GR, General retail district. The subject property is zoned GR. The City's <i>Zoning Ordinance</i> requires the approval of a Conditional Use Permit for automobile washing businesses in the GR district.
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 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 Traffic Operations Division of Public Works has reviewed the proposed site plan and has provided the applicant with their requirements and standards. The westernmost driveway on E. Cherry Street is required to be closed as part of this development. Pedestrian infrastructure is currently available on both S. Glenstone Avenue and E. Cherry Street.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	The proposed conditional use will not increase the hazard to adjacent property from fire damage.	The Fire Department has reviewed the proposed conditional use and has not found any hazards at this time. A full review of the building plans will be performed as part of the building permit process, at which time the Fire Department will confirm conformance with all relevant Fire Code requirements.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	The Stormwater Engineering Division of Public Works has reviewed the proposed conditional use and has provided the applicant with their requirements and standards. The property is not located within a FEMA-designated flood plain, nor is staff aware of flooding issues in this area.

Development Review Staff Report



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:
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 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 GR district permits a number of commercial uses which attract the motoring public whose vehicles idle during service, such as drive-thru eating and drinking establishments. Staff does not anticipate that the proposed conditional use will produce noise levels above those typically associated with uses permitted by right in this district.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare are proposed.	The proposed site plan has been situated so as to reduce the glare of vehicular lights towards the residential districts to the east as much as possible. The proposed vacuum stalls have been oriented to the north and south, away from the residential properties, and the proposed bufferyard along the east property line will further shield these properties from glare.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	Staff does not have any concerns with the proposed signage, which will be fully reviewed during the building permit process.
8. Such signs will not have an adverse effect on any adjacent properties.	Such signs will not have an adverse effect on any adjacent properties.	Staff does not anticipate that such signs will negatively impact 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 and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed used.	The Traffic Engineering Division of Public Works has noted that additional right-of-way is needed along both S. Glenstone Avenue and E. Cherry Street. This will be resolved as part of the ongoing platting process, which seeks to subdivide the existing lot into two separate lots.
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 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 public health, safety and general welfare.	The subject property is zoned GR and is located along one of the City's principal commercial corridors. Where adjacent to residential properties, the applicant is required to install a bufferyard to ensure that its residential neighbors are sufficiently insulated from future commercial activity. Staff does not anticipate any undue adverse effect upon the surrounding property, the character of the

Development Review Staff Report



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:
		area, traffic conditions, parking, utilities, or other matters affecting public health, safety, and welfare.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, walls and fences on the site; and b. The nature and extent of landscaping and screening on the site.	The proposed conditional use will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: (a) the location, nature and height of buildings, structures, walls and fences on the site; and (b) the nature and extent of landscaping and screening on the site.	Due to the property's GR zoning and its R-SF neighbors to the east, all future buildings will be required to remain below a 30-degree bulk plane measured from the east property line, which will limit the building's impact on its residential neighbors. Furthermore, the required bufferyard F, at a width of 20 feet, will require the installation and maintenance of an approved form of screening (e.g. six-foot wood privacy fence) where adjacent to property zoned R-SF, if not already present.
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.	The proposed conditional use will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	No such topographical or physical features exist on this property.
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 destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.	No such features are present on this property.
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 proposed conditional use otherwise complies with all applicable regulations of this article, including lot size requirements, bulk regulations, use limitations and performance standards.	A plat has been submitted for the subdivision of this property into two commercial lots, both of which must comply with Code's minimum lot size requirements. All bulk regulations, use limitations, and performance standards will be reviewed for compliance at the time of building permit review; however, following a preliminary review of the attached site plan, staff does not have any critical concerns at this time.
15. The proposed conditional use at the specified location will contribute to or	The proposed conditional use at the specified location will	This commercial property is suitable for such a conditional

Development Review Staff Report



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:
promote the welfare or convenience of the public.	contribute to or promote the welfare or convenience of the public.	use by providing a service for the motoring public at a convenient location.
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 provided in accordance with the standards set out in this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from injurious effect.	As noted previously, the proposed vacuum stalls have been oriented to the north and south, while the proposed parking stalls have been oriented toward the west – all facing away from the residential properties to the east. Furthermore, the proposed bufferyard will include a form of screening, if not already present.
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.	Adequate access roads or entrances 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 proposal requires the removal of the westernmost drive approach on E. Cherry Street, eliminating a dangerous access point located too close to the intersection of E. Cherry Street and S. Glenstone Avenue. Furthermore, the site will provide an excess of queuing spaces to ensure that patrons do not queue out into the public right-of-way, which is not permitted.
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 elements of the proposal 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 proposal has been reviewed by the Traffic Engineering Division of Public Works, who has not made note of any such concerns.
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.	The proposed use will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	City Utilities and Traffic Engineering have both reviewed the proposed conditional use and have not made note of any such concerns.
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.	The existing structure has been demolished to make way for the separate development of the two proposed commercial lots.	As indicated by the applicant, there are no remaining existing structures on the property to be converted as part of this project.
21. The proposed conditional use will be served adequately by essential public	We believe this statement to be true.	Following our preliminary review, staff does not have any concerns

Development Review Staff Report



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:
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.		pertaining to this site's access to essential public facilities and services.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

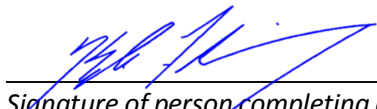
1. Conditional Use Permit for: TAKE 5 CAR WASH
2. Meeting Date & Time: September 15 2022 @ 4:00pm to 6:30 pm
3. Meeting Location: 600 S. Glenstone Ave., Springfield, MO 65802
4. Number of invitations that were sent: 133
5. How was the mailing list generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 1
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.)

No verbal comments were presented.

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

Written comments were about the increase of traffic and pedestrian area at the corner of Cherry and Glenstone - (Mary Lowe)
After speaking with Mary at the site, she was please with the driveway location being as far away from Glenstone as possible. She was also pleased with the landscaping and how the lighting had limited bleed-over.

I, Kyle Flaming (*print name*), attest that the neighborhood meeting was held on 09/18/22 (*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

Kyle Flaming

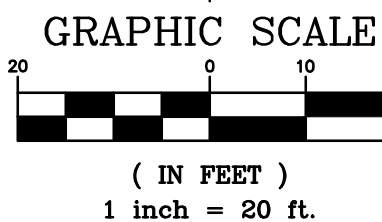
Printed name of person completing affidavit

CAUTION NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 7 DAYS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES HORIZONTALLY AND VERTICALLY WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

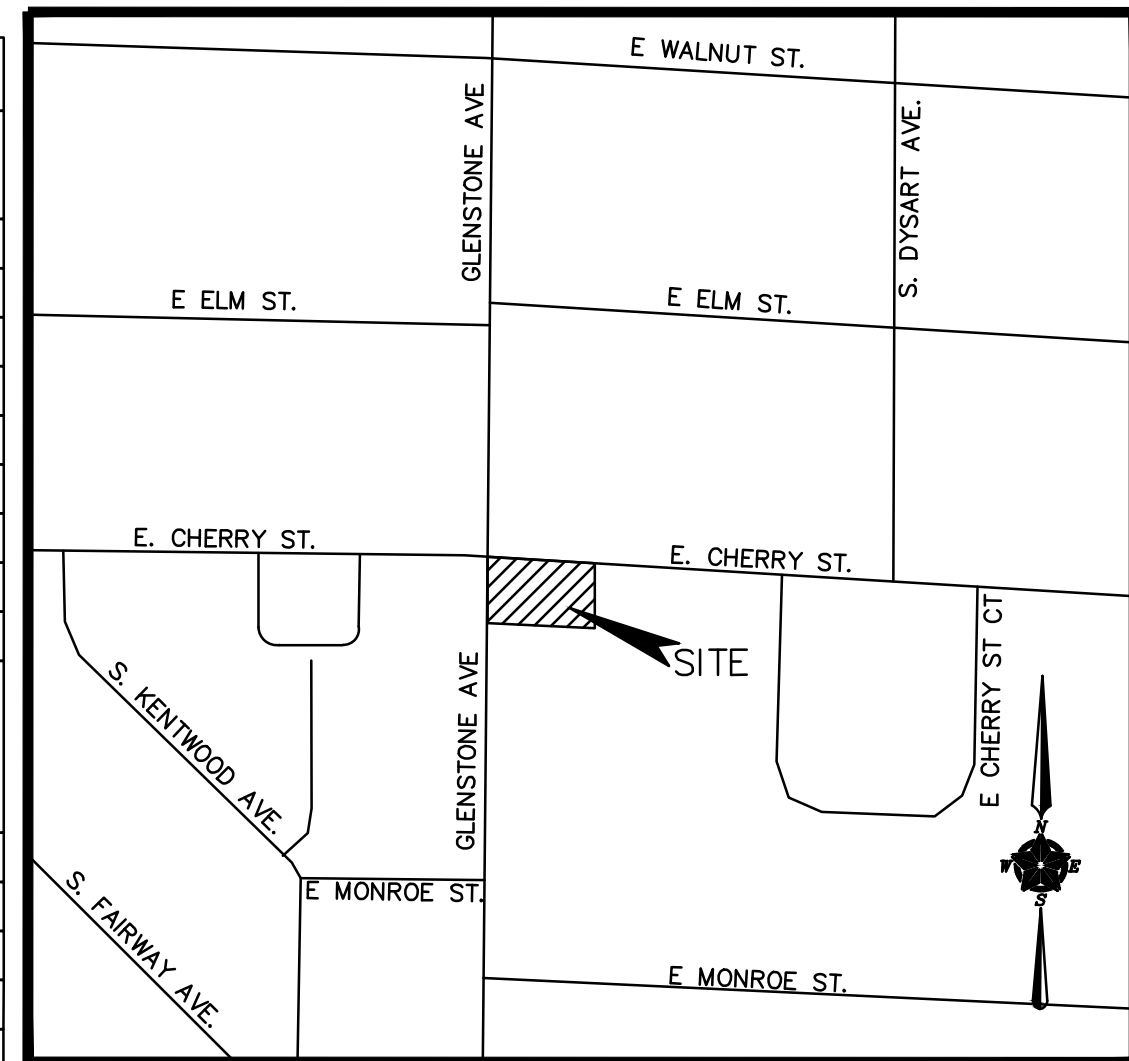
BENCHMARK
STATION 007: ALUM DISK LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF EAST GRAND STREET AND S. NATIONAL AVENUE.
ELEVATION=1304.81'

FLOODNOTE
ACCORDING TO THE F.I.R.M. NO. 29077C0334E, THE SUBJECT PROPERTY LIES IN ZONE X AND DOES NOT LIE WITHIN A FLOOD PRONE HAZARD AREA, PER MAP REVISION DATED DECEMBER 17, 2010.

Attachment 5



SITE DATA TABLE				
LOCATION:	600 S. GLENSTONE AVENUE SPRINGFIELD, MO 65802			
LOT AREA:	1.082 AC. (47,127 S.F.)			
ZONING:	GR – GENERAL RETAIL			
CURRENT USE:	VACANT			
PROPOSED USE:	AUTOMOBILE WASHING			
BUILDING DATA:				
BUILDING AREA	4,307 S.F.			
BUILDING HEIGHT	30'–11" (1 STORY)			
BUILDING COVERAGE	9.1%			
F.A.R.	10.9:1			
PARKING SUMMARY:	REQUIRED	PROVIDED		
– 1 SP PER 2 EMPLOYEES				
– 3 QUEING SPACES FOR EVERY AUTO UNDER PHASE OF LAUNDERING.				
AUTO QUEUE SPACES			6	9
BICYCLE RACKS			2	2
VACUUM SPACES	–	16		
PARKING SPACES (9'x18.5')	2	6		
ACCESSIBLE SPACES	1	1		
TOTAL PARKING SPACES	3	23		
LANDSCAPE:				
PERVIOUS:	17,032 S.F.			
IMPERVIOUS:	30,095 S.F.			



LOCATION MAP
NOT TO SCALE

SITE LEGEND:

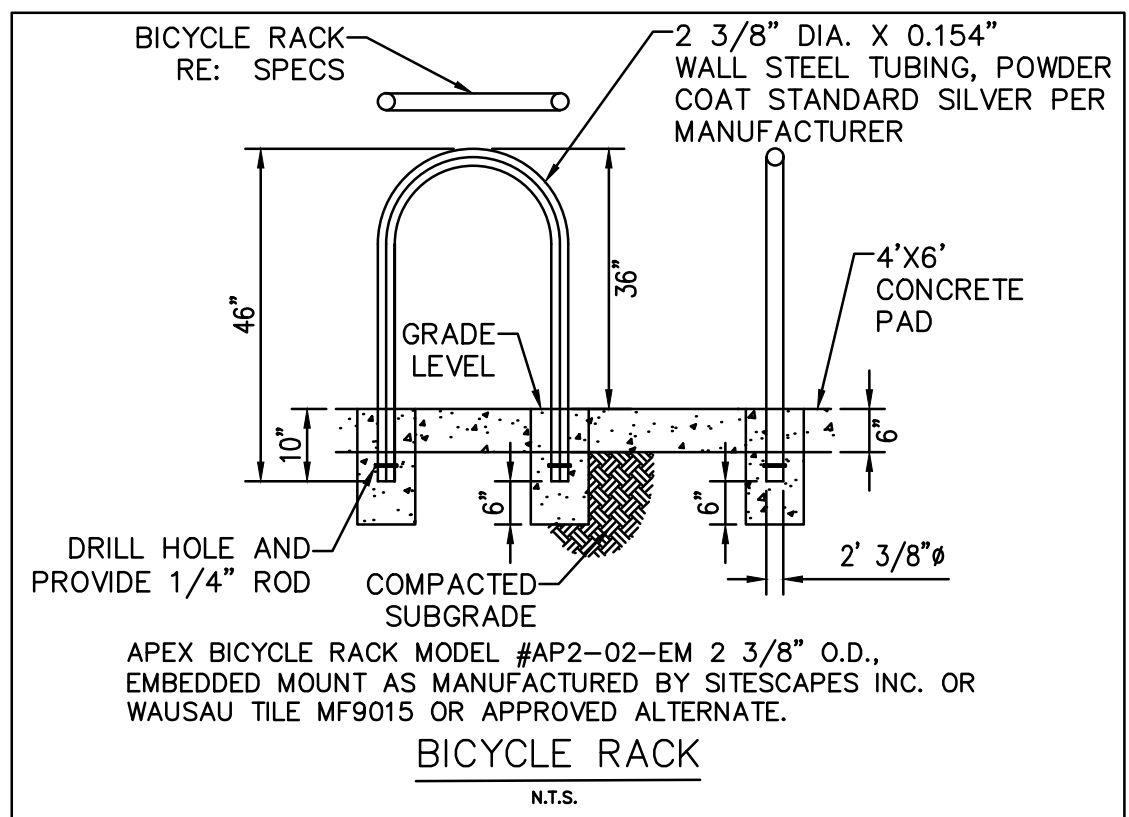
- PROPERTY LINE
- PROPOSED CURB & GUTTER
- LIMITS OF FULL DEPTH SAWCUT
- 100 YEAR FLOOD PLANE BOUNDARY
- PROPOSED CONTOUR
- PROPOSED SILT FENCE
- PROPOSED SAND BAGS
- LIMITS OF DISTURBANCE
- ACCESS ROAD AND FIRELANE
- PARKING SPACES
- FIRELANE
- STOP BAR STRIPING
- ACCESSIBLE SPACES
- ADA RAMP
- BOLLARD
- TRAFFIC SIGN
- BOLLARD MOUNTED ACCESSIBLE SIGN
- FAST PASS READER
- PAY KIOSK
- MENU BOARD
- LIGHT POLE
- CURB INLET
- GREASE TRAP
- CLEAN-OUT
- DOUBLE CLEAN-OUT
- GAS METER
- WATER METER
- IRRIGATION METER
- STORM DRAIN MANHOLE

EXISTING LEGEND:

- PROPERTY LINE
- EXISTING CURB & GUTTER
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND WATER LINE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- FIRE HYDRANT
- GAS VALVE
- WATER VALVE
- WATER METER
- SANITARY SEWER MANHOLE
- STORM DRAIN CURB INLET
- ELECTRIC PEDESTAL
- TELEPHONE PEDESTAL
- STORM GRATE INLET
- UTILITY POLE
- LIGHT POLE
- GUY ANCHOR
- SIGN
- TRAFFIC SIGNAL POLE
- FIBER OPTIC MARKER

SITE KEY NOTES:

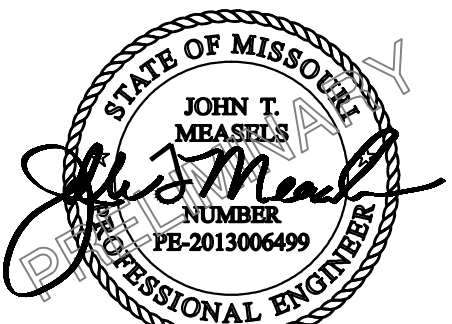
- CONCRETE CURB AND GUTTER. (PER LOCAL CODES)
- TAPER CURB TO MATCH EXISTING.
- MATCH EXISTING PAVEMENT ELEVATION.
- LIMITS OF FULL DEPTH SAWCUT AND PAVEMENT REMOVAL.
- EXISTING PAVEMENT TO REMAIN.
- CONCRETE SIDEWALK, 2% MAX. CROSS SLOPE AND 5% MAX. STRAIGHT SLOPE (PER LOCAL CODES).
- SIDEWALK RAMP @ 8.33% MAX. (PER LOCAL CODES)
- PROPOSED FIRE HYDRANT.
- STOP BAR. (PER LOCAL CODES)
- DIRECTIONAL TRAFFIC ARROW. (PER LOCAL CODES)
- PARKING STALL STRIPING. (PER LOCAL CODES)
- 4" WIDE PAINTED STRIPES, 2' OFF CENTER @ 45'.
- PEDESTRIAN/ACCESSIBLE CROSSWALK STRIPING.
- ACCESSIBLE STRIPING & SYMBOL. (TYPICAL-PER ADA AND LOCAL REQUIREMENTS)
- ACCESSIBLE SIGNS. (TYPICAL-PER ADA AND LOCAL REQUIREMENTS)
- BOLLARD.
- PROPOSED LIGHT POLE.
- MONUMENT/PYLON SIGN. (PER ARCH. PLANS)
- DUMPSTER ENCLOSURE. (PER ARCH. PLANS)
- PROPOSED PAD MOUNTED TRANSFORMER.
- "STOP" SIGN.
- "THANK YOU" AND "DO NOT ENTER" SIGN.
- LANDSCAPE AREA. (PER LANDSCAPE PLAN)
- MENU BOARD AND SPEAKER BOX.
- PREVIEW MENU BOARD.
- DIRECTIONAL SIGN FOR DRIVE THRU.
- TRAFFIC SENSOR.
- CURB INLET. (SEE PLAN FOR SIZE)
- CONTECH CASCADE SEPARATOR CS-4 WITH INLET.
- 4'x6' CONCRETE PAD AND BICYCLE RACK.



1101 Central Expressway South
Suite 215
Allen, TX 75013

Ph. 214-491-1830

John Measels, PE
CIVIL ENGINEER



09/26/2022



TAKE FIVE EXPRESS CAR WASH

600 S. GLENSTONE AVENUE
SPRINGFIELD, MISSOURI 65802

SITE DEVELOPMENT PLAN

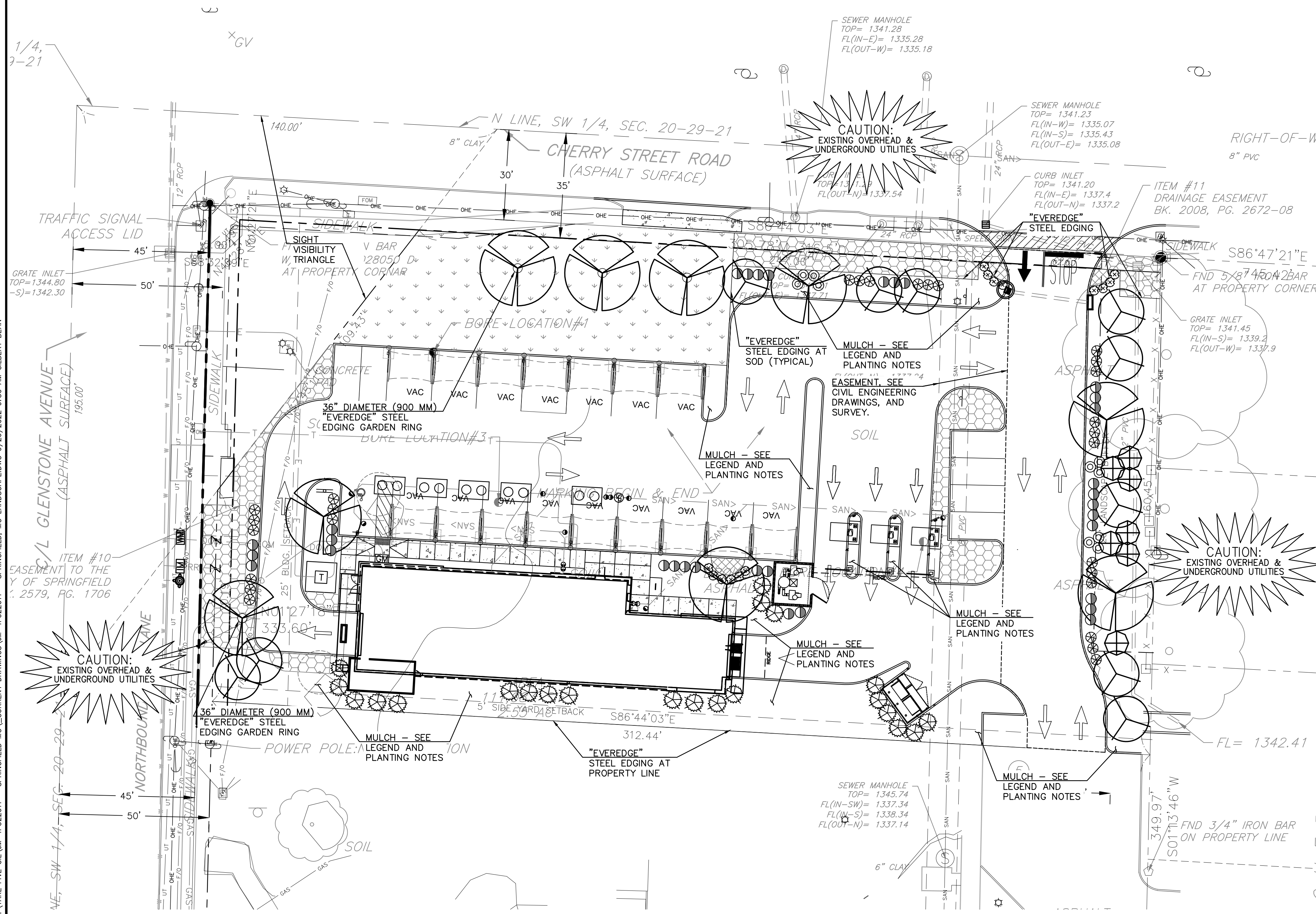
REV	DATE	DESCRIPTION	INITIAL SUBMITTAL	DATE	INITIAL CUP SUBMITTAL	DATE	RESPONSE TO AGENCY COMMENTS
01	08/01/22						
02	08/26/22						
03	09/26/22						

PROJECT NO:	JM-17022011	DATE:	09/26/22
DRAWN BY:	POM	CHECKED BY:	JMCE
ISSUE DATE:	09/26/22		

C 100

SITE PLAN

- A. TREES TO BE INSTALLED 4'-0" MINIMUM AWAY FROM PAVING AREAS. CANOPY TREES TO BE MINIMUM 10' FROM UNDERGROUND UTILITIES, OTHERS 8'.
- B. NO PLANT MATERIAL IS ALLOWED IN THE SITE/VISION TRIANGLE.
- C. TREE SELECTION TYPES ARE BASED ON LIST FOR THOSE SPECIFIC TYPES SHOWN ON CITY OF SPRINGFIELD ARBORCULTURAL DESIGN GUIDELINES.
- D. CANOPY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MINIMUM HEIGHT OF 30 FEET AT MATURITY. ALL CANOPY TREES SHALL HAVE A MINIMUM CALIPER WIDTH OF ONE AND ONE-HALF INCHES AT TIME OF PLANTING.
- E. UNDER-STORY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MAXIMUM HEIGHT OF LESS THAN 30 FEET AT MATURITY. ALL UNDER-STORY TREES SHALL HAVE A MINIMUM CALIPER WIDTH OF ONE INCH AT TIME OF PLANTING.
- F. EVERGREEN OR CONIFER TREES SHALL HAVE A MINIMUM HEIGHT OF 20 FEET AT MATURITY. ALL EVERGREEN OR CONIFER TREES SHALL BE AT LEAST SIX FEET HIGH AT TIME OF PLANTING.
- G. SHRUBS SHALL BE A MINIMUM OF 18 INCHES IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING.
- H. A FULLY AUTOMATIC IRRIGATION SYSTEM, PLANS OF WHICH WILL BE PROVIDED TO AGENCY PRIOR TO START OF CONSTRUCTION, OR AT TIME REQUIRED BY GOVERNING AGENCY.



SYMBOL	SCIENTIFIC NAME	COMMON NAME	SPACING	FLWR COLOR	QUANTITY
<u>EXISTING TREES — LOCATION SHOWN IS APPROXIMATE AND PER REMOTE OBSERVATION</u>					
	EXISTING TREES TO REMAIN (OFFSITE)				—
	EXISTING TREES TO BE REMOVED				2
<u>CANOPY TREES (MINIMUM INSTALL SIZE, REFER TO GENERAL NOTES ON THIS SHEET)</u>					
	GLEDITISIA TRIACANTHOS 'MORAINE'	MORAIN HONEYLOCUST	PER PLAN	YELLOWISH-GREEN	9
<u>UNDERSTORY TREES (MINIMUM INSTALL SIZE, REFER TO GENERAL NOTES ON THIS SHEET)</u>					
	PRUNUS SERRULATA 'KWANSON'	KWANSAN CHERRY	PER PLAN	RED	10
<u>EVERGREEN TREES (MINIMUM INSTALL SIZE, REFER TO GENERAL NOTES ON THIS SHEET)</u>					
	ILEX X MESERVEAE 'BLUE MAID' OR BLUE PRINCESS'	MESERVE HOLLY	PER PLAN	RED	7
<u>SHRUBS (MINIMUM INSTALL SIZE, REFER TO GENERAL NOTES ON THIS SHEET)</u>					
	BUXUS 'GREEN VELVET'	BOXWOOD	PER PLAN	INSIGNIFICANT	32
	EUONYMUS ALATUS 'ODOM'	LITTLE MOSES BURNING BUSH	PER PLAN	INSIGNIFICANT	14
	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS	PER PLAN	COPPER	10
	SPIREA X BUMALDA 'GOLDFLAME'	GOLD FLAME SPIREA	PER PLAN	PINK	27
	VIBURNUM DENTATUM	ARROWOOD VIBURNUM	PER PLAN	WHITE	22
<u>SOD, GROUND COVER (PER AGENCY DEFINED AS LESS THAN 24" IN HEIGHT), PERENNIAL AND MULCH</u>					
	FETUCA ARUNDINACEA 'KENTUCKY 31'	TALL FESCUE	SOD NOT SEED		4983 S.F.
	ARCHTOSTAPHYLOS UVA-URSI BEARBERRY 'MASSACHUSETTS' OR SIMILAR		1GAL ⊗ 36" O.C.	WHITE-PINK	3077 S.F.
	LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LILY TURF	—	BLUE 1GAL ⊗ 24" O.C.	380 S.F.
	CEDAR MUGH OR AGENCY AND CLIENT APPROVED EQUAL, 3" DEPTH W/ WEED BARRIER FABRIC			BELOW ALL PROPOSED PLANTING AREAS EXCEPT WHERE GROUNDCOVER OR SOD ARE PROPOSED.	
	EVEREDGE STEEL EDGING (GARDEN RING WHERE NOTED)			LINEAR FEET PER PLAN	



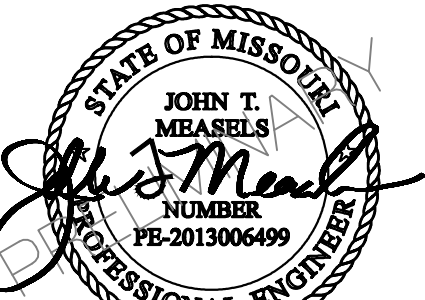
Know what's below.
Call before you dig.



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CIVIL ENGINEER



09/26/2022



TAKE FIVE EXPRESS CAR WASH

600 S. GLENSTONE AVENUE
SPRINGFIELD, MISSOURI 65802

SITE DEVELOPMENT PLAN

REV	DATE	DESCRIPTION	NAME
	08/01/22	INITIAL SUBMITTAL	POM
	08/26/22	INITIAL CUP SUBMITTAL	POM
	09/26/22	RESPONSE TO AGENCY COMMENTS	POM
		CHECKED BY:	
		JMCE	
	09/26/22	ISSUE DATE:	
PRELIMINARY PLANTING PLAN			

PRELIMINARY PLANTING PLAN

L 100

CALCULATIONS ARE BASED ON CITY OF SPRINGFIELDS LAND DEVELOPMENT CODE, ARTICLE III – ZONING REGULATIONS. MAJORITY OF THE REQUIREMENTS ARE PER DIVISION 6 – DESIGN AND DEVELOPMENT STANDARDS, SEC. 36-482.

SEC. 36-482. LANDSCAPING AND BUFFERYARDS

SITES CONTAINING PARKING AND VEHICULAR USE AREAS TOTALING 30 OR MORE PARKING SPACES OR THE GROSS AREA IS 12,000 OR MORE SQUARE FEET SHALL PROVIDE INTERIOR LANDSCAPING. A MINIMUM OF 5% OF THE PARKING OR VEHICULAR USE AREA SHALL BE DEVOTED TO LIVE LANDSCAPING. MINIMUM SQUARE FOOTAGE REQUIREMENT FOR THE PLANTER BASED ON TREE TYPE HAS BEEN PROVIDED (100 SF (MIN) FOR AN UNDERSTORY TREE OR 200 SF(MIN) FOR A CANOPY TREE REQUIRED).

3. THERE SHALL BE A MINIMUM OF TWO UNDERSTORY TREES OR ONE CANOPY TREE PLANTED FOR EACH 30 PARKING SPACES OR 12,000 SQUARE FEET OF PARKING OR VEHICULAR USE AREA, OR FRACTION THEREOF.

(9)(B) PERIMETER LANDSCAPING

2.g. A LANDSCAPE AREA LOCATED WITHIN 30 FEET OF THE ADJACENT STREET RIGHT-OF-WAY CONTAINING AT LEAST TEN SQUARE FEET OF OPEN SPACE FOR EACH ONE FOOT OF STREET FRONTAGE. THE LANDSCAPE AREA SHALL BE ARRANGED TO CREATE A STRIP AT LEAST FIVE FEET WIDE DIRECTLY ADJACENT TO THE STREET RIGHT-OF WAY AND TO ACCOMMODATE THE REQUIRED PLANTINGS.

2c. THIS REQUIREMENT IS SIMILAR TO a. AND b., HOWEVER MULTIPLYING FACTOR IS 12, NOT 10, 75% OF LS WITHIN 30' OF ADJACENT STREET, WITH THE ADDITIONAL 25% TO BE PROVIDED ELSEWHERE ON THE SITE. AN ADDITIONAL 4 SHRUBS TO 2b. ABOVE IS REQUIRED.

GIVEN: PARKING LOT/VEHICULAR USE AREA LINEAR FEET: 222.56
MULTIPLYING FACTOR 222.56 LF/100 LF = 2.23 (ROUNDED UP)

GLENSTONE AVENUE
DESIGN BASED ON 2a, 2b AND 2c ABOVE

102.9X12 = 1235 SF REQUIRED (ACTUAL NUMBER 1234.8 SF)
1225.47 SF PROVIDED (DUE TO VISION TRIANGLE AT
CORNER AND CITY NOT ALLOWING THIS AREA TO BE
LANDSCAPED, THIS IS THE MAXIMUM WE CAN PROVIDE)

SHRUBS REQUIRED/PROVIDED: 5 SHRUBS/9
SHRUBS PROVIDED ELSEWHERE: 4 SHRUBS REQUIRED ELSEWHERE ON SITE
WHERE INCLUDED IN AREA BETWEEN CURB AND ROW

BASED ON THE "TABLE OF BUFFERYARD REQUIREMENTS" (FOUND AT THE BOTTOM OF (11)/JUST ABOVE (11), WITH THE ADJACENT PARCEL ALONG THE EASTERLY PROPERTY LINE BEING R-SF, "BUFFERYARD F LANDSCAPE REQUIREMENTS APPLY TO THE SITE.

(11) **BUFFERYARDS** – REFER TO (12) (f) BELOW FOR BUFFERYARD REQUIREMENTS APPLICABLE TO THIS SITE.

BASED ON THE BUFFERYARD EXHIBIT AND PLANTER AREA WIDTH BEING 25', A
PLANT MULTIPLYING FACTOR OF 1 APPLIES.

REQUIRED PLANTINGS PER 100 LINEAR FEET;
3 CANOPY TREES
3 UNDERSTORY TREES
4 EVERGREEN TREES
20 SHRUBS

GIVENS: 1) PROPERTY LINE LENGTH IS 160.45 LINEAR FEET
2) 1.61 PLANT UNIT FACTOR APPLIES BASED ON PL LENGTH
3) PER PLANNING STAFF PREDEVELOPMENT REVIEW SUMMARY RE: PREDEV2022--00204, AND PRINTED 8/16/2022 THE 3 (QUANTITY PER REMOTE VIEW) EXISTING TREES ALONG THE EASTERN PROPERTY LINE AREA ON-SITE. TREES APPEAR TO BE LONDON PLANE OR TULIP, WHICH ARE CONSIDERED CANOPY TREES PER CITY LIST. COMMENTS ARE PER MICHAEL SPARLIN.

4 TREES X 1.61 =6.44=7 TREES REQUIRED/PROVIDED

SHRUBS:
20 SHRUBS X 1.61 =32.2=33 SHRUBS REQUIRED/PROVIDED

L 200

One-rdg. _____
P. Hrngs. _____
Pgs. 54
Filed: 11-08-22

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022-276

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 470 for the purpose of permitting an
2 eating and drinking establishment use group, including drive-in, pick-
3 up window, or drive-thru facilities, as a conditional use within the LB –
4 Limited Business District, with Conditional Overlay District No. 207,
5 generally located at 404, 420, and 424 East Sunshine Street.
6 (Planning and Zoning Commission recommends denial and staff
7 recommends approval.)
8 _____
9

10 WHEREAS, pursuant to Section 36-363 of the Land Development Code, City
11 Council may grant permits authorizing certain enumerated conditional uses as provided
12 in the various zoning districts; and
13

14 WHEREAS, following proper notice, the Planning and Zoning Commission held a
15 public hearing on October 6, 2022, a copy of the Record of Proceedings from said
16 public hearing being attached hereto and incorporated herein by this reference as
17 "Exhibit C," and recommended denial of Conditional Use Permit No. 470 for the
18 property generally located at 404, 420, and 424 East Sunshine Street and zoned LB –
19 Limited Business District, with Conditional Overlay District No. 207; and
20

21 WHEREAS, City Council finds that sufficient evidence has been presented to
22 satisfy all applicable standards of the Land Development Code for issuance of
23 Conditional Use Permit No. 470; and
24

25 WHEREAS, the granting of such permit is deemed proper, and it is not found to
26 harm the community or injure the value, lawful use, and reasonable enjoyment of
27 properties in the vicinity of 404, 420, and 424 East Sunshine Street.
28

29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
31

32 Section 1 – City Council adopts the City staff's specific findings of fact on the
33 proposed conditional use as set forth in "Exhibit D – Attachment 3." "Exhibit D" is
34 attached hereto and incorporated herein by this reference in its entirety. Conditional Use

Permit No. 470 is hereby granted in accordance with and subject to the provisions of Section 36-363 of the Land Development Code. Conditional Use Permit No. 470 is granted for the purpose of permitting an eating and drinking establishment use group, including drive-in, pick-up window, or drive-thru facilities, to operate as a conditional use within the LB – Limited Business District, with Conditional Overlay District No. 207, located at the property described in “Exhibit B,” which is attached hereto and incorporated herein by this reference, and which is generally located at 404, 420, and 424 East Sunshine Street.

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 470” described in “Exhibit D – Attachment 2” and “Exhibit A,” which is attached hereto and incorporated herein by this reference. Additionally, the provisions contained in “Exhibit D – Attachment 2” and “Exhibit A” shall govern and control the use and development of the land described in “Exhibit B,” in a manner consistent with the attached site plan depicted on “Exhibit D – Attachment 5.”

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 Bennis, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2022-276

FILED: 11-08-22

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To permit an eating and drinking establishment use group, including drive-in, pick-up window, or drive-thru facilities as a Conditional Use Permit within a LB, Limited Business District with Conditional Overlay District No. 207 generally located at 404, 420, & 424 East Sunshine Street. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NUMBER 470

The applicant is requesting approval of a Conditional Use Permit for an eating and drinking establishment use group, including drive-in, pick-up window, or drive-thru facilities on the subject property within a LB, Limited Business District with Conditional Overlay District No. 207. The *Zoning Ordinance* requires a use permit in the LB, Limited Business District for this type of use.

CONDITIONS:

1. The regulations and standards listed on “Exhibit D - Attachment 3” shall govern and control the use and development of the land in Use Permit Number 470 in a manner consistent with the attached site plan (“Exhibit D - Attachment 5”).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant has filed a new Conditional Use Permit application after the Planning and Zoning Commission recommended denial of Conditional Use Permit No. 461 at their meetings on March 10, 2022, and June 16, 2022, and City Council denied Conditional Use Permit No. 461 at their meeting on July 25, 2022. However, City Council did approve the rezoning request for LB, Limited Business District with Conditional Overlay District No. 207 on July 25, 2022. This would only allow the applicant to construct an eating and drinking establishment without a drive-thru facility.
2. The major differences between the new conditional use permit and the original request are that the applicant has voluntarily restricted the hours of operation, has placed the outdoor speakers away from residential properties, and has relocated the dumpster along Jefferson Avenue away from the adjoining single family home’s backyard. The applicant added a pedestrian walkway and added outdoor seating to the proposed site plan.

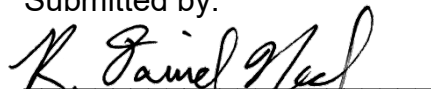
3. The proposed business is primarily auto oriented with no indoor seating. The site is challenging in that it is shallow and therefore limits the drive through lanes location and configuration. The design of the building is not oriented towards the street (Sunshine) as preferred by the Comprehensive Plan by bringing storefronts and windows to the sidewalk and orienting building faces to the street to foster safe pedestrian access to the building. Staff is of the opinion that overall, the application meets the standards for approval of a Conditional Use Permit ("Attachment 3").
4. Approval of this application is subject to the Requirements for Approval ("Attachment 2") and the site plan ("Attachment 5").
5. Approval of this request will provide for continued redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS:

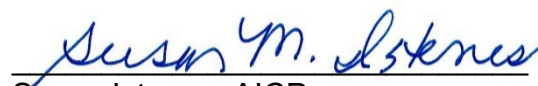
The Planning and Zoning Commission held a public hearing on October 6, 2022, and recommended denial, by a vote of 5 to 1 of the proposed conditional use permit (see the attached "Exhibit C," Record of Proceedings).

The Planning and Development staff recommends the application be approved with conditions (see attached "Exhibit A").

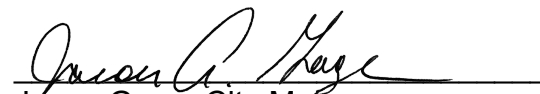
Submitted by:


Daniel Neal, Senior Planner

Recommended by:


Susan Istenes, AICP
Director

Approved by:


Jason Gage, City Manager

EXHIBITS:

Exhibit A, Requirements for Conditional Use Permit Number 470

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 470

Attachment 3, Standards and Responses for Conditional Use Permits

Attachment 4, Affidavit of Neighborhood Notification and Meeting Summary and Sign-In Sheet

Attachment 5, Proposed Site Plan

Attachment 6, Neighborhood Comments

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 470

1. The eating and drinking establishment with drive-in, pick-up window or drive-thru facilities shall comply with all the standards listed in Attachment 3.
2. An eating and drinking establishment with drive-in, pick-up window or drive-thru facilities is permitted in substantial conformance with Attachment 5.
3. A sidewalk which complies with Public Works Design standards along Roanoke Avenue shall be constructed at the time of development.
4. Hours of operation shall be limited to 5:30 a.m. to 9:00 p.m. Sunday through Thursday and 5:30 a.m. to 10 p.m. Friday and Saturday.
5. All outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east. The noise level shall not exceed 80 decibels at the property line.
6. All other standards of the Zoning Ordinance, Conditional Overlay District No. 207 and other applicable ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 470

NOBLE HEIGHTS UNIT #1 LOT 6 THRU 11 EX NEW STREET ROW

EXHIBIT C

RECORD OF PROCEEDINGS Planning and Zoning Commission – October 6, 2022

Conditional Use Permit 470

404, 420 & 424 East Sunshine Street

Applicant: Reding Management, LLC & Redec, LLC

Mr. Hosmer stated that this is a request to permit an eating and drinking establishment use group, including drive-in pick-up window or drive thru facility as a conditional use permit within a LB, Limited Business District located at 404, 420 and 424 East Sunshine Street. On March 10, 2022, the Planning and Zoning Commission recommended denial of CUP No. 461 (Drive Thru facility). On April 4, 2022, City Council remanded CUP 461 back to the Planning and Zoning Commission. On June 16, 2022, the Planning and Zoning Commission recommended denial of CUP No. 461 (Drive Thru facility). On July 25, 2022, City Council denied CUP 461 (Drive Thru facility) but approved the LB Limited Business District with a COD No 207. The applicant is proposing to construct a new drive-thru coffee shop. Limited Business LB District allows eating and drinking establishments, for drive-thru facilities only with a Conditional Use Permit. A site plan is required for a CUP. All activities and uses except off-street parking and loading facilities, drive-thru facilities, activities shall be conducted entirely within a completely enclosed building. No individual retail store establishment or other permitted use shall have a gross floor area greater than 5,000 square feet. The maximum structure height is 25 feet, and all structures shall remain below a 30-degree bulk plane. The CUP and COD will require the following:

- Sidewalks along Roanoke.
- A Type D" bufferyard (15) feet wide. There must be two (2) canopy trees, two (4) understory trees, two (4) evergreen tree and fourteen (14) shrubs per 100 liner feet. A six-foot-tall solid wood fence is also required as part of the bufferyard.
- Not allow access to Sunshine (except for existing home), Limit access to the southern portions of Jefferson and Roanoke. Require cross access.
- Not allow the narrow lot exemption for reduced landscaping,
- Require a lot combination for lots 6-7 at time of development.
- Hours of operation shall be limited to 5:30 a.m. to 9:00 p.m. Sunday through Thursday and 5:30 a.m. to 10 p.m. Friday and Saturday.
- All outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east. The noise level shall not exceed 80 decibels at the property line.

The Transportation Plan classifies Sunshine as a Secondary Arterial, Jefferson as a Collector and Roanoke as a Local roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area and stormwater detention is required. The proposed use will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. Although the site location is shallow, the proposed business is

primarily auto oriented with no indoor seating, and the building is not oriented towards the street to foster safe pedestrian access to the building, staff supports the proposed development as redesigned. The application meets the approval standards for conditional use permits. Staff recommends approval.

Mr. Knuckles wanted clarification that the conditional use permit will allow the drive through service to be enacted on the property and its current zoning is limited business does not.

Mr. Hosmer replied that they could have an eating, drinking establishment that has a sit down inside the building, they just couldn't have a drive through pickup window without a conditional use permit.

Mr. Colony noted that they've not made any adjustment to their plan for the drive through at all. It's still going to anticipated to handle three lanes. It's going to handle as many cars as they can possibly pull in there.

Mr. Hosmer noted the only difference were the hours of operation and (sound/music) the speakers away from the property.

Mr. Colony stated that they added some additional buffer yard and lost some speakers. But it does not appear that they've made any attempt to modify their business plan to be anything other than a high-volume drive-through with an entry and exit point on Jefferson and then onto a small collector street of Roanoke, which at this point in time has no sidewalks there but did see that they were required to add sidewalks. Is that the entire length of the block or just right there by their property line?

Mr. Hosmer noted that it will be the front of their property.

Mr. Colony noted that all the cars that are coming out of there that don't want to try to turn back onto Sunshine and would prefer to drive through the neighborhood to find another way out are still going to be driving down a small collector street with no sidewalks, no gutters. I still think that this is a bad idea.

Mr. Lebeck went over the staff findings and comments. He asked to clarify the uses on Roanoke and Jefferson.

Mr. Hosmer noted that Roanoke and Jefferson is residential.

Mr. Lebeck asked for clarification on Attachment 1 Department of Environmental Services staff comments as to no objections to the "rezoning" is that a typo?

Mr. Hosmer stated this should say "Conditional Use Permit".

Mr. Lebeck wanted clarification on no traffic study and no current traffic count for Roanoke.

Mr. Zickefoose stated that there is no current traffic count on Roanoke.

Mr. Lebeck asked for clarification on staff comments under improvements Public Works Traffic Division where it states "zoning" in staff comments is that a typo?

Mr. Hosmer stated this should say "Conditional Use Permit".

Mr. Lebeck referred to standards item 11 and quoted "subject property in an area of nonresidential uses and is not anticipated to dominate the immediate vicinity or to interfere with the development and use of neighboring properties" and asked about making of the standards.

Mr. Hosmer believes they are based on the traffic impact and the impact that would be around the area.

Mr. Lebeck asked for comparisons for other 7 Brew Coffee Shops in Springfield. No Traffic Study required.

Mr. Zickefoose gave out information that were approximately 776 new trips for a 7 Brew Coffee Shop with peak hours of 9:00am to 12:00pm. He also noted with the highest volume being 11:00am - volume of 82 cars in that hour. We took the entire 776 cars that visited that 7 Brew, assumed that they were all brand new trips to the location here at Sunshine and Jefferson, which we know that most of the traffic there will be vehicles that are already passing through that intersection on their way to other locations and they'll pull off. But we assumed that all 776 were new trips. We plugged them into our own models and ran it, and there was no change in the level of service at that intersection. There's plenty of capacity in that intersection of Sunshine and Jefferson.

Ms. Broekhoven asked if the 7 Brew that was reviewed if it was nested into a residential neighborhood?

Mr. Zickefoose believes it is.

Ms. Broekhoven wondered if it was able to absorb the additional trips easier because it was not on such small residential roads, whereas it would be much more intense in this location.

Mr. Zickefoose said that they didn't analyze the traffic flow at the existing 7 Brew but simply counted the cars that were coming in and out of that location, and then we assumed that similar traffic volumes would be at this location here at Sunshine and Jefferson.

Mr. Knuckles asked where was the survey done?

Mr. Zickefoose stated it was the 7 Brew at Glenstone and Kearney and during that 17-hour count, we didn't see backup of traffic from 7 Brew on to Glenstone Avenue. The cars that pulled in there were existing traffic on that road.

Mr. Jobe opened the public hearing.

Mr. Chris Wynn, 5051 S. National Avenue, developer representative, noted two topics that come up a lot when we visit the site. The first one is traffic, the second one is noise. There's already been a lot of discussion about traffic before I even have spoken. The first thing I want to note is the 776 trips, a trip is so someone going into the stores a trip, and someone coming out of the stores a trip, so there's not actually 776 cars that would be divided by two and would approximately 335. Don't actually have 700 new cars coming in, there are 350 coming in and 350 leaving, it's much less than the 700. My colleague Dane Seiler, professional transportation operations engineer, and the city all concluded that traffic at this intersection would operate basically as it does today. We don't see a traffic issue generated by 7 Brew at this location. Furthermore, Chad and his team at the city have plugged in the traffic that was generated by the one at Kearney and Glenstone and plugged it into the models of this intersection again and shown that it's not having a negative impact on this road corridor. It's a busy road. It's a busy intersection. All indications show that we shouldn't really have that much worry about traffic at this intersection.

He also noted about the queuing, there were three wide we've put in all of these stalls and all of this queuing space to accommodate the city's request. They've had a lot of issues with places like Chick-fil-A and Starbucks that have limited queuing capacity that caused it to back up into Sunshine. Our intentions are not to have 26 cars there at all times, and also talked about some of the concessions they have made from a traffic standpoint, by giving up right away along Sunshine Street and giving up ten-foot of right away so that in the future, the city could expand Sunshine Street.

Mr. Wynn asked for additional time.

COMMISSION ACTION: (extend speaking time)

Mr. Knuckles motioned to **approve** additional time (2 minutes) for Conditional Use Permit 470 (404, 420 & 424 East Sunshine Street). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Pauly, Lebeck, Knuckles, and Broekhoven. Nays: None. Abstain: None. Absent: Doennig.

Mr. Wynn also stated that they are originally we're having access to Sunshine and now no longer show access to Sunshine and is originally going to be done in two phases, but now doing it in one phase to alleviate some of the traffic onto Jefferson Avenue. Since we lost our access to Sunshine, we now have a secondary access to Roanoke. Both of those houses (on Sunshine) are still there today and will be going away as part of that drive that would go out to Roanoke, plus we're adding sidewalk along Roanoke for walkability. We are adding a sidewalk connection from the building where we have added additional outdoor seating to Jefferson. He also talked about hours of operation

and noise stating that in a Limited Business zone district, there's no restriction on noise and we're going to generate 80 decibels, noting a restaurant could go in there right now, generate more than 80 decibels. They are also limiting the hours to lessen the impact of the surrounding neighborhoods and doing things with the exterior speakers, to point them away from the residences. 80 decibels at 5-feet from the building is as loud as a lawn mower. The noise dissipates, as you get to the property line, it's around 54 decibels, which is the same volume as an average conversation, and the landscape buffer will also help with noise. We are adding approximately 35 trees and 48 shrubs, beyond what is required by zoning, there's a conditional overlay district that requires us to have an extra two understory trees and an extra two evergreen trees, with a six-foot-tall privacy fence, which will also help deter the noise.

Mr. Knuckles asked for the thoughts on bringing back another Conditional Use Permit.

Mr. Wynn noted that Sunshine Street is one of the busiest corridors in the City of Springfield and the Comprehensive Plan designates the busy intersections for commercial uses and stated that they have gone back to the community. The developer tried to meet with the president of University Heights and did meet with the neighborhood. We've tried to listen to their concerns regarding traffic and noise. We put more restrictions regarding these two items into the CUP and we feel that with this new case, that we should get a little more consideration from the Planning Commission and City Council.

Mr. Lebeck asked what kind of indoor and outdoor seating does this facility have?

Mr. Wynn, it has no indoor seating and a couple of picnic tables underneath the canopy on the west side of the building.

Mr. Lebeck asked how many people can these two picnic tables seat?

Mr. Wynn said it would be approximately eight if you had four at each picnic table.

Mr. Lebeck asked about the loudspeakers.

Mr. Wynn noted that there are there are two speakers. There's one on the south side of the building facing the queue, and there's one on the east side facing out the service door.

Mr. Colony asked about the three lanes of cars, each about twelve and a half feet wide, coming through a 26-foot-wide drive opening and you believe is that everybody that's in that drive through lane is going to turn left and come back around and dump out onto Jefferson and somehow get through a 26-foot opening that's already clogged with incoming traffic. My issue here is that the intent of the business is to be a high-capacity drive-thru stating that the Growth Management and Land Use Plan of the Comprehensive Plan states that the protection of our existing residential neighborhoods is a prime concern. It's important to ensure that new land uses are not detrimental residential areas and to recognize the vulnerability of residential areas to certain

adverse impacts and it goes on about neighborhood-oriented businesses and does not see this as compatible with the neighborhood. Can you tell me how many cars can you get out? How does this traffic really supposed to work? Is it just the signage that's going to get three lanes of traffic?

Mr. Wynn said the intentions of the development are to send as much traffic back out to Jefferson as possible. When we lost the access to Sunshine and it's good to have more than one access to a development for fire code, etc.

Mr. Colony again states that he loves love coffee but does not think this is the right place for the new store.

Mr. Art Peine, 4878 W. University, voiced his concerns for traffic and noting that traffic does back up when families are picking up kids and believes that this drive thru is a bad fit.

Mr. Lebeck asked for clarification about traffic backing up to his driveway and how long he has owned the property.

Mr. Peine noted that he already seeing traffic back down to his driveway and owned the property for six years.

Mr. Bruce Adib-Yazdi, 46 South Holland and lives a few blocks away from this particular property and voiced his concern for noise and stated that traffic will stack on Sunshine Street.

Mr. Colony asked if Mr. Adib-Yazdi is speaking as a resident and what his professional occupation is and would like to see if this establishment is neighborhood oriented.

Mr. Adib-Yazdi said it was a coffee shop that had a place to go sit down and could walk to it and have a nice place to hang out, but you would have a hard time visiting this place from the neighborhood because you have to drive.

Ms. Willa Williams, 1821 S. Kings Avenue said she bikes to work and has walkability concerns and about the access to Roanoke because she bikes on Jefferson Avenue.

Ms. Julianne Schulze, 505 E. Ottawa Court, voiced her concerns for the school and traffic and wants the neighborhood to stay stable with kids riding their bikes and people walking their dogs.

Mr. Pauly asked about sidewalks in the area and how she travel through the neighborhood.

Ms. Schulze noted that there are no sidewalks and has lived for 32 years and knows how to get in and out.

Mr. Seth Entwisk, 524 E. Cherokee, voiced his concerns for traffic and stating that the streets are too narrow to accommodate the traffic flow.

Ms. Jan Peterson, 1024 E. Stanford, President of University Heights, noting that very little on the proposal has changed and believes it is not a good fit for the neighborhood.

Mr. Jacob Rude, Springfield Council of Better Business, noted that staff recommends approval and should have no traffic problems and would like compromises on this development is zoned Limited Business and will be commercial use and will have additional traffic and said that the other 7 Brew's do not have any problems.

Ms. Annette Hollon, 1133 E. Linwood Drive, voiced her concerns for safety for the school students and families walking to and from school.

Mr. Jobe closed the public hearing.

Mr. Knuckles stated his concern is, with the proximity of the business and even the 325 or 350 cars a day, that there is a significant risk of the drive thru traffic at this location and reading some of the purpose of the Conditional Use Permit where it says design to avoid, minimize mitigate, potentially adverse effects, and believes it falls into that category, and intend to vote against the CUP.

Mr. Colony does not think there's anybody on this commission that is anti-development or anti-anything at this corner of a commercial nature. The Comprehensive Plan, states that we should be within and complementary to the neighborhood and it should be neighborhood friendly, and I do not believe that a drive thru coffee shop, especially one with three or four or five lanes and limited throughput is neighborhood friendly. 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, enjoyment of adjacent or surrounding property, the character of the neighborhood, traffic conditions, etc., and I, too, appreciate the efforts of staff. Bob, these folks, the city planners, the engineers, the work they go through to determine whether or not something should come before us is exemplary. And they do a fine job, but there are times that we disagree, and this is one of those. If the developer can come back with something that is the neighborhood friendly that goes in there, I'll be all over it.

Mr. Lebeck noted that as a commission member we are looking for development opportunities, the right development opportunities and the problem here is it's the wrong fit for this corner and always have to go back to the Comprehensive Plan when we look at what should we put at a location. The Comprehensive Plan specifically says that the Growth Management Land Use Plan design designates this area as appropriate for low density housing uses. However, as an optional element, small neighborhood-oriented retail or services businesses carefully located and screened at certain locations. It goes on further to say that the Growth Management and Land Use Plan encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets and to site commercial areas where they serve only the adjacent

neighborhood. This is just not a good fit here and the protection of our existing neighborhood neighborhoods is a prime concern and will not support this in its current form.

Ms. Broekhoven is surprised that staff has recommended approval on this particular conditional use permit because it is such a mismatch with our comprehensive master plan and the goals of the Planning Department in Springfield and feel more like this is city staff trying to accommodate a developer with an ill-fitting intensity and redress it a few times to make it an acceptable solution. But the intensity is too high for residential area and will not be recommending approval.

Mr. Jobe stated that he understands that it has changed a little bit each time and did vote to deny recommendation the first time. The second time was very explicit and the reason that I changed my vote to yes. I will be recommending approval of this tonight for the same reason that I did the second time that I did. I think that the circumstances have shifted, in my opinion, toward even more reason to support it, primarily because the decision was made by city council to rezone this to a commercial use, albeit limited use. I'm very sensitive to the neighborhood's concerns. Sunshine is an extremely traveled street and it is next to one of the heaviest traffic intersections in our city and will be voting in support.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Conditional Use Permit 470 (404, 420 & 424 East Sunshine Street). Ms. Broekhoven seconded the motion. Ayes: Jobe. Nays: Colony, Pauly, Lebeck, Knuckles, and Broekhoven. Abstain: None. Absent: Doennig. **Motion Failed.**



Bob Hosmer, AICP
Planning Manager

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING:	OCTOBER 6, 2022
CITY COUNCIL PUBLIC HEARING:	NOVEMBER 14, 2022
	CASE: Conditional Use Permit 470
	LOCATION: 404, 420 & 424 E. Sunshine Street
	ACRES: Approximately 1 acre
	EXISTING LAND USE: Vacant lots and single-family homes
	APPLICANT: Reding Management and Redec, LLCs
	STAFF: Daniel Neal, Senior Planner 417-864-1036
	STAFF RECOMMENDATIONS: Approve w/Conditions
	PROPOSED MOTION: I move to recommend approval of the CUP and staff report as the findings of fact.
	REQUIRED VOTE: A majority of those present (5 members are a quorum).

SUMMARY OF REQUEST:

This is a request to permit an eating and drinking establishment use group, including drive-in, pick-up window or drive-thru facilities as a Conditional Use Permit within a LB, Limited Business District with Conditional Overlay District No. 207 generally located at 404, 420 & 424 E. Sunshine Street.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant has filed a new Conditional Use Permit application after the Planning and Zoning Commission recommended denial of Conditional Use Permit No. 461 at their meetings on March 10, 2022, and June 16, 2022 and City Council denied Conditional Use Permit No. 461 at their meeting on July 25, 2022. However, City Council did approve the rezoning request for LB, Limited Business District with Conditional Overlay District No. 207 on July 25, 2022. This would only allow the applicant to construct an eating and drinking establishment without a drive-thru facility.
2. The major differences between the new conditional use permit and the original request are that the applicant has voluntarily restricted the hours of operation, has placed the outdoor speakers away from residential properties, has relocated, and the dumpster along Jefferson Avenue away from the adjoining single family home's backyard. The applicant added a pedestrian walkway and added additional outdoor seating to the proposed site plan.
3. The proposed business is primarily auto oriented with no indoor seating. The site is challenging in that it is shallow and therefore limits the drive through lanes location and configuration. The design of the building is not oriented towards the street (Sunshine) as preferred by the Comprehensive Plan by bringing storefronts and windows to the sidewalk and orienting building faces to the street to foster safe pedestrian access to the building. Staff is of the

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opinion that overall, the application meets the standards for approval of a Conditional Use Permit (Attachment 3).

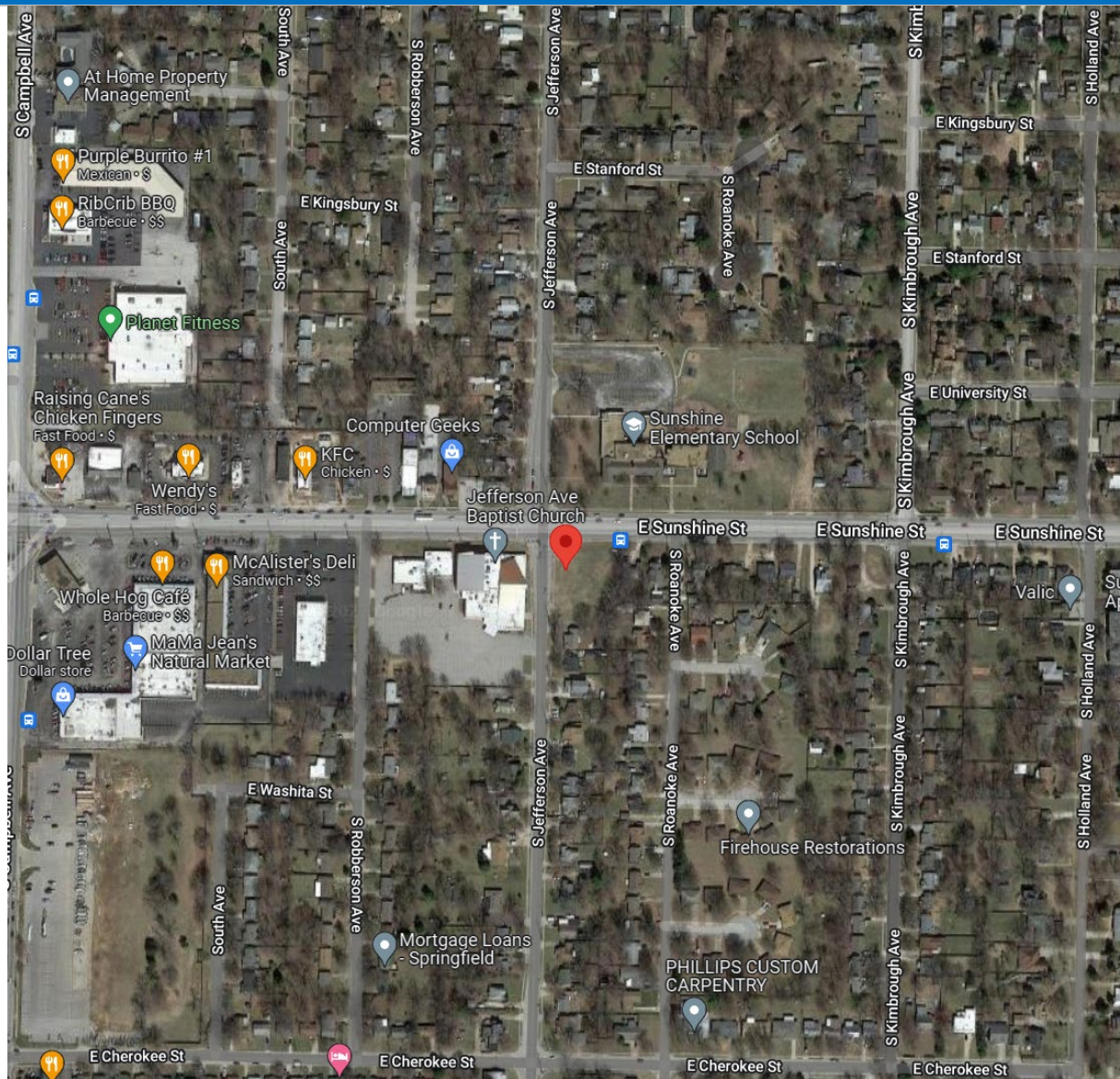
4. Approval of this application is subject to the Requirements for Approval (Attachment 2) and site plan (Attachment 5).
5. Approval of this request will provide for continued redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

SURROUNDING ZONING AND LAND USES:

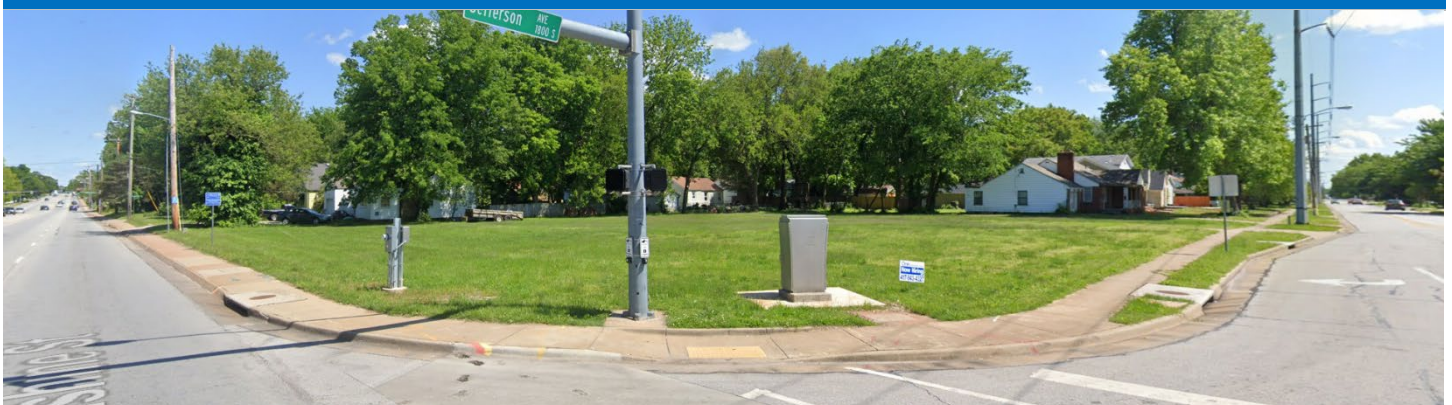
	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Elementary school uses	Single-family residential uses	Single-family residential uses	Church uses

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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

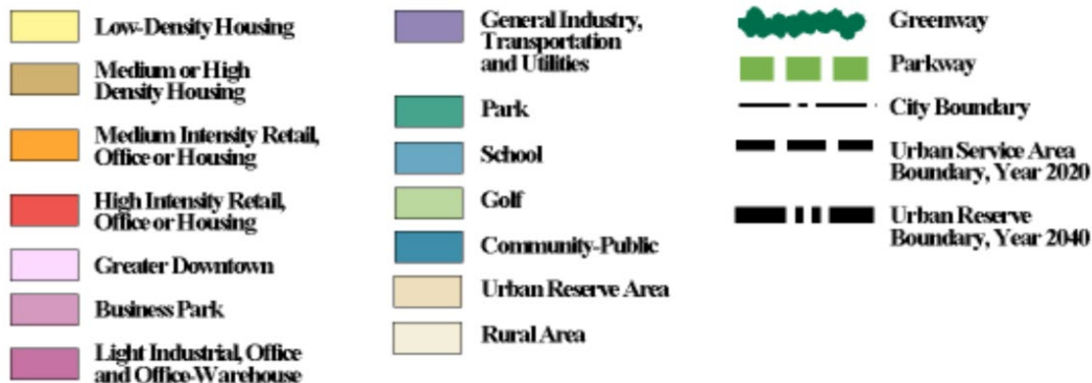
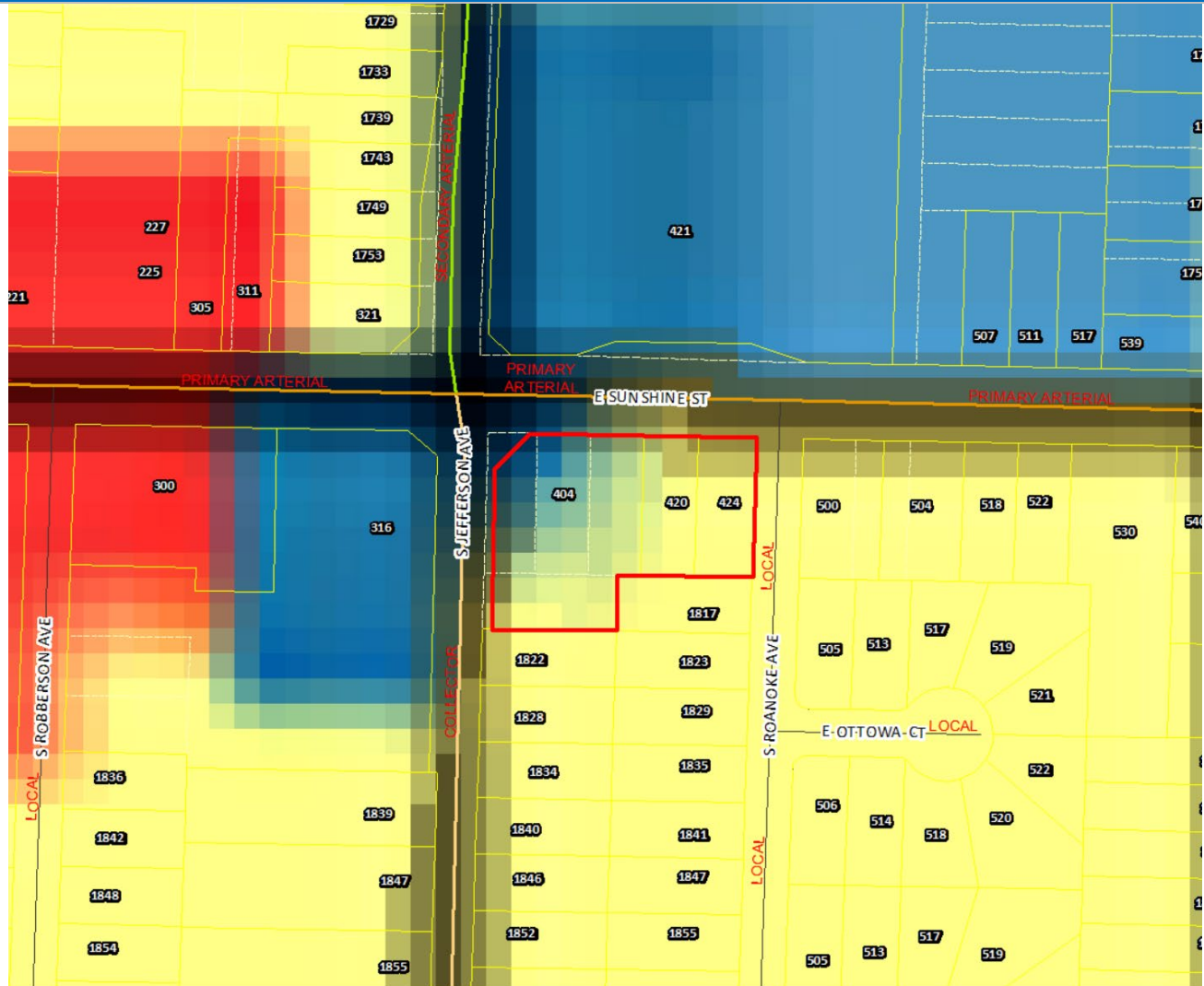


GOOGLE MAPS STREET VIEW:



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GROWTH MANAGEMENT AND LAND USE PLAN:



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PROPERTY HISTORY:

The property was annexed in 1926 and had been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995 until the recent rezoning change to LB, Limited Business District, on July 25, 2022.

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* designate this area as appropriate for Low Density Housing uses; however, as an optional element, small neighborhood-oriented retail or service businesses carefully located and screened at certain locations.

The *Growth Management and Land Use Plan* recommends limiting auto-oriented commercial districts to major arterial streets when the surrounding development pattern will not support high levels of pedestrian use or to streets where auto-

Development Review Staff Report



oriented land uses can be compatibly concentrated. The properties are located at the intersection of collector and arterial roadways and non-residential uses exist at all other corners of this intersection.

The *Growth Management and Land Use Plan* encourages the future location of neighborhood level shopping areas near intersections of arterials and collector streets and to site commercial areas where they serve only the adjacent neighborhood. Site smaller commercial areas where they have safe pedestrian access.

Develop site design standards that attract pedestrians by bringing storefronts and windows to the sidewalk and orienting building faces to the street. Accommodate the automobile but locate parking so that it does not interfere with pedestrian movement and enjoyment. Rear or side parking is definitely preferred. Encourage patrons to travel to mixed-use areas by alternative means. Encourage parking and landscaping strategies that protect adjacent areas and mitigate negative spillover effects. Encourage shared parking. Landscape all parking areas, particularly those near the street. Build low walls of masonry or hedges that extend the visual effect of the building line along the street edge. Require storefront windows facing the street to ensure both natural surveillance and an inviting pedestrian experience.

The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial, Jefferson Avenue north of Sunshine Street as a secondary arterial and south of Sunshine as a collector roadway. Roanoke Avenue is classified as a local roadway. These properties have frontage on Sunshine, Roanoke and Jefferson.

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 consider 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.

The *Community Physical Image and Character Plan* element of the *Comprehensive Plan* developed goals to improve the visual appearance of the urban area and the *Growth Management and Land Use Plan* element encourages the protection of 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.

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* also states that 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. Encourage the effective use of location, design, and landscaping of commercial uses to screen and buffer neighborhoods from lights, signs, traffic noise and pollution, and other factors incompatible or conflicting with adjacent land uses. These practices will help ensure the integrity and function of the road system, reduce the length and frequency of auto trips, minimize impact on residential areas and contribute to the overall attractiveness of the community.

STAFF COMMENTS:

1. The applicant is requesting to permit an eating and drinking establishment use group, including drive-in, pick-up window or drive-thru facilities as a Conditional Use Permit within a LB, Limited Business District generally located at 404, 420 & 424 E. Sunshine Street. The applicant is proposing to construct a new drive-thru restaurant/coffee shop.
2. The applicant modified the hours of operation from the original request by reducing the evening hours from 10:00 p.m. to 9:00 p.m. for Sunday through Thursday and from 11 p.m. to 10:00 p.m., Friday and Saturday. They are also proposing to restrict the locations of outside speakers, so they don't face towards the residential neighborhood to the south and east. They are also proposing to move the dumpster along Jefferson Avenue away from the R-SF

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neighbors' backyard. There is also a proposed pedestrian walkway and additional outdoor seating that has been added to the proposed site plan.

3. The Limited Business District is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts. This district should be located along or at the intersections of collector or higher classification streets.
4. The purpose of the CUP review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. Conditions have been submitted to mitigate any potential impacts of the LB conditional use. These conditions include:
 - a. The eating and drinking establishment with drive-in, pick-up window or drive-thru facilities shall comply with all the standards listed in Attachment 3.
 - b. An eating and drinking establishment with drive-in, pick-up window or drive-thru facilities is permitted in substantial conformance with Attachment 5.
 - c. A sidewalk which complies with Public Works Design standards along Roanoke Avenue shall be constructed at the time of development.
 - d. Hours of operation shall be limited to 5:30 a.m. to 9:00 p.m. Sunday through Thursday and 5:30 a.m. to 10 p.m. Friday and Saturday.
 - e. All outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east. The noise level shall not exceed 80 decibels at the property line.
 - f. All other standards of the Zoning Ordinance, Conditional Overlay District No. 207 and other applicable ordinances shall be adhered to.
5. From the neighborhood meeting and other public comments, the applicant has identified the following potentially adverse effects associated with the proposed conditional use permit and the means proposed by the applicant to avoid, minimize, or mitigate such effects:
 - a. Headlight and stationary glare - We have planned the site in such a manner to reduce this to the greatest extent possible, by pointing cars in the drive through to the north, and providing landscaping and screening along the southern, and eastern property line.
 - b. Drive thru queuing – The proposed business will have three drive through lanes to maximize storage on-site and prevent backup into Jefferson Ave.
 - c. Increase traffic volume – It has been determined that a large majority of the users of the site will be pass-by traffic. Meaning that they were already on the roadway. It is not anticipated that the new use will generate additional traffic volume.
 - d. Noise pollution – Hours of operation have been limited to 9PM on weekdays and 10PM weekends which is more restrictive than other coffee shops of the same type to prevent disruption to the neighbors. The dense landscape buffer and fence will help deflect noise away from the residential properties to the south and the structure has been shifted to the north end of the property to provide additional distance from the residential properties.
6. The applicant states that based on the following 4 points they feel as though they are addressing noise level concerns:

- a. Data from 7 Brew HQ states that the noise level 5 feet from the building will be 80 decibels which is the equivalent of a lawn mower. Additionally, that 80db is going to dissipate over the additional 100+ from the building to the property line.
 - b. 7 Brew is limiting Hours of operation at night. This location will close 1 hour early (Sun-Thurs would be 9pm close and Friday-Sat would be 10pm which cuts an hour each day). The night hours are what I would consider the most sensitive so limiting business hours during this time is effectively addressing noise concern.
 - c. 7 Brew generally has 2 exterior speakers. One at the service door and one on the back of the building facing the drive thru stack. 7 Brew and the developer is proposing that we relocate the speaker on the rear of the building so that it does not point toward the residence to the south. We would likely place the speaker in such a manner that it is on the south side of the stack and facing north toward Sunshine.
 - d. Per zoning requirements, we are required to have a Type D landscape buffer. As part of this the developer will have to install a 6' tall privacy fence, 2 canopy trees, 2 understory trees, 2 evergreens, and 12 shrubs per every 100 LF of shared property line with the residential zoning to the south. The fence and trees will act as a noise buffer and will.
7. The applicant also states that traffic will enter off Jefferson Ave and Roanoke Ave then proceed through the drive through and exit back on to Jefferson or Roanoke. Flow of the interior drives are designed in a manner to direct traffic to Jefferson which is the larger of the two streets with access. No direct access will be provided to Sunshine Street. In addition, landscape buffers will be placed with the prescribed screenings to protect surrounding properties. All City of Springfield design standards that apply to the limited business zoning district will be adhered to. This will allow for the reasonable enjoyment to the adjacent properties.
8. A Traffic Impact Study was not required as the previously approved change in zoning to LB, does not generate an additional 100 trips in the a.m. or p.m. peak or 500 trips in a 24-hour period.
9. An administrative lot combination is required as part of the Limited Business Conditional Overlay District. The administrative subdivision process will require any adjacent substandard right-of-way to be brought up to current standards. The standard right-of-way width for E. Sunshine Street is 50-feet from the centerline, 30-feet from the centerline for S. Jefferson Avenue and 25-feet from the centerline for S. Roanoke Avenue. It appears an additional 10-feet of right-of-way is needed along E. Sunshine Avenue. It appears no additional right of way is needed along S. Jefferson Avenue or S. Roanoke Avenue. A 30-foot X 30-foot right of way site triangle is also needed at the intersection of E. Sunshine Avenue and S. Roanoke Avenue. 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.
10. The development of the property will require a bufferyard along the south property line adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between LB and R-SF is a Bufferyard "Type D" at least fifteen (15) feet wide. For each one hundred (100) linear feet of bufferyard, there must be two (2) canopy trees, two (2) understory trees, two (2) evergreen tree and fourteen (14) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. As required in COD No. 207, the applicant must also add 7 additional understory trees and 7 evergreens to the bufferyard area between the proposed development and the single-family residential properties to the south.
11. Although the site location is shallow, the proposed business is primarily auto oriented with no indoor seating, and the building is not oriented towards the street by bringing storefronts and windows to the sidewalk and orienting building faces to the street to foster safe pedestrian access to the building, staff supports the proposed development as redesigned.
12. Approval of this request will provide for the continued development of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
13. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

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NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 15, 2022, regarding the conditional use permit request. A summary of the meeting is attached (Attachment 4)

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: 18 Returned: 0

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DEPARTMENT COMMENTS:

ATTACHMENT 1

CONDITIONAL USE PERMIT 470

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed CUP.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objections. The subject properties have access to public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies E. Sunshine Street as a Primary Arterial, S. Jefferson Avenue as a Collector roadway, and S. Roanoke Avenue as a Local roadway. The standard right-of-way width for E. Sunshine Street is 50-feet from the centerline, 30-feet from the centerline for S. Jefferson Avenue, and 25-feet from the centerline for S. Roanoke Avenue. It appears an additional 10-feet of right-of-way is needed along E. Sunshine Avenue. It appears no additional right of way is needed along S. Jefferson Avenue and S. Roanoke Avenue. 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. Sunshine Avenue, S. Jefferson Avenue, and S. Roanoke Avenue are city-maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING

The most recent traffic count for E. Sunshine Avenue is 35,500 vehicles per day and for S. Jefferson Avenue is 4,995 vehicles per day. There is no recent traffic count on S. Roanoke Avenue. On-street parking is not allowed along E. Sunshine Avenue or S. Jefferson Avenue and is allowed on S. Roanoke Avenue.

DRIVEWAY ACCESS

There is one driveway access point onto the property from E. Sunshine Street, one from S. Jefferson Avenue, and one from S. Roanoke Avenue. No direct access will be allowed to E. Sunshine Street. One access point will be allowed from S. Jefferson Avenue and S. Roanoke Avenue as far south from the intersection of E. Sunshine Street as possible.

SIDEWALK

There is existing sidewalk along the property frontage of E. Sunshine Street and S. Jefferson Avenue. There is no existing sidewalk along the property frontage of S. Roanoke Avenue. Sidewalk is required to be constructed along S. Roanoke Avenue to current City Standards as a part of this CUP 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.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

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There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There is one bus stops along E. Sunshine Street 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

None required. A Traffic Impact Study was not required as the change in zoning does not generate an additional 100 trips in the am or pm peak or 500 trips in a 24-hour period.

TRAFFIC - TABLE 1: 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	E. Sunshine St	Primary Arterial	No	40	50
Street 2	S. Jefferson Ave	Collector	No	30	30
Street 3	S. Roanoke Ave	Local – Residential	Yes	25	25
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		4	5	48	
*Proposed Trips Generated		11	40	470	
Additional Trips Generated		7	35	422	

*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 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**.

PW Stormwater has no concerns for the proposed Conditional Use Permit. 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.

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. The proposed plan for the site is underground detention basin with proprietary stormwater control systems in the parking and drive thru areas. The Underground detention system will have to tie into Stormwater Infrastructure along Sunshine St.

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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.
 - a. Water Quality will be required with disturbed area being greater than 1 Acre.

Additional Stormwater Standards to be met:

1. 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.
2. 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.
3. 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.
4. 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.

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

CONDITIONAL USE PERMIT 470

1. The eating and drinking establishment with drive-in, pick-up window or drive-thru facilities shall comply with all the standards listed in Attachment 3.
2. An eating and drinking establishment with drive-in, pick-up window or drive-thru facilities is permitted in substantial conformance with Attachment 5.
3. A sidewalk which complies with Public Works Design standards along Roanoke Avenue shall be constructed at the time of development.
4. Hours of operation shall be limited to 5:30 a.m. to 9:00 p.m. Sunday through Thursday and 5:30 a.m. to 10 p.m. Friday and Saturday.
5. All outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east. The noise level shall not exceed 80 decibels at the property line.

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6. All other standards of the Zoning Ordinance, Conditional Overlay District No. 207 and other applicable ordinances shall be adhered to.

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STANDARDS FOR CONDITIONAL USE PERMIT 470

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 property is along a major arterial and thus takes advantage of the infrastructure that an arterial provides.	This application is consistent with the <i>Growth Management and Land Use Plan</i> of the <i>Comprehensive Plan</i> which encourages higher intensity uses at major intersections. The Major Thoroughfare Plan classifies Sunshine Street as a primary arterial, Jefferson Avenue north of Sunshine Street as a secondary arterial and south of Sunshine as a collector roadway. Roanoke Avenue is classified as a local roadway.
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 property will not have direct access to sunshine street and will not adversely affect the public safety as it relates to the motoring public and pedestrians. Primary Access will be taken from Jefferson Avenue. While this site will have access to Roanoke Ave the site design and flow of traffic is intended to direct traffic to and from Jefferson Ave.	Public Works Traffic Division has reviewed the application and has determined that the conditional use will not adversely affect safety of the motoring public and of pedestrians with traffic access controls that are required. 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.	A new building will be constructed on site that will meet all applicable fire codes. Additionally, appropriate fire access will be provided for the development per City of Springfield Code	The Fire Department has reviewed this request and has no concerns about 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.	No, Drainage flows north on the property towards Sunshine Street, and the development will be designed to meet the Stormwater requirements of the city	Public Works Stormwater Division has reviewed this request and provided comments in Attachment 1. The development is required to meet development standards for stormwater management.
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 proposed use is for a drive through facility, so no noise will exceed the levels that are typically permitted in the district. Additionally, the developer is working to obtain sound data	The applicant's response adequately addresses this condition. It is not expected that the proposed use will have noise characteristics that exceed Zoning Ordinance standards.

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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:
	from other 7 Brew Coffee shops that can be presented at Planning and Zoning / City Council. The developer will also limit the hours of operation to 9PM on weekdays and 10PM on weekends	
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	A fence will be installed per the screen regulations in the zoning code to eliminate any head light glare and stationary light glare.	It is not expected that the proposed use will negatively affect the neighborhood. The applicant's response adequately addresses this condition.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	Signage will be along Sunshine Street and adhere to the Sign code of the City of Springfield.	The development will be subject to the signage standards of the Zoning Ordinance.
8. Such signs will not have an adverse effect on any adjacent properties.	Signage will be along Sunshine Street to minimize any impact to adjacent properties.	The development will be subject to the signage standards on the Zoning Ordinance.
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.	Yes, Sunshine Street is classified as a Primary Arterial. The right of way and adjacent street pavement widths are wide enough in the area to support the development.	Jefferson Avenue and Sunshine Street pavement width is adequate to handle increased traffic volume.
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 site is planned in such a manner to protect surrounding properties from negative impact. Particularly the residential properties to the south. The properties north and west adjacent are commercial developments. The eastern half of the property will be developed within the current limited business zoning to protect the residential properties to the east of Roanoke Ave	It is not anticipated that the proposed drive-thru restaurant will have an adverse effect or be incompatible with the adjacent and surrounding properties along Sunshine Street.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:	a. Building will be shifted north, with fencing along the south property line for screening. Vehicle circulation will face vehicles to the north to help lessen any glare impact on the adjacent properties. b. Landscaping and screening will conform with City of Springfield Zoning	The standards of the Zoning Ordinance adequately address these issues. The subject property is in an area of non-residential uses and is not anticipated to dominate the immediate vicinity or to interfere with the development and use of neighboring properties. An additional two understory and two evergreen trees per 100 lineal feet are being required in the

Development Review Staff Report



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:
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.	requirements.	bufferyard between the R-SF property to the south.
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.	It will not. The site is currently an undeveloped lot along a major commercial corridor.	It is not expected that the proposed development will negatively affect any significant natural topography or physical features.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	It will not. The site is currently an undeveloped lot along a major commercial corridor.	The applicant's response adequately addresses this condition. The two houses at 420 & 424 E. Sunshine Street are not designated as historical.
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.	Yes, our proposal follows all applicable regulations of the Article and development standards.	The proposed use is required to comply with applicable regulations about lot size, bulk regulations, use limitations and performance standards.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	Yes, the proposed development will provide the public with an optional service and will be designed in a manor to prevent impact to surrounding residential properties.	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	Yes, our proposal is in accordance with standards set out in 36-455, 36-456 and 36-483 of the Article.	The development will be subject to these standards of the Zoning Ordinance.
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.	Yes, the property will not have direct access to Sunshine Street. Primary Access will be taken from Jefferson Avenue. While this site will have access to Roanoke Ave the site will be designed in a way that the flow of traffic will direct traffic to and from Jefferson Ave. Adequate queuing space will be provided to prevent back up onto Jefferson. CJW is studying surrounding 7 Brew	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards.

Development Review Staff Report



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:
	Coffee Shops and will provide additional data and Planning and Zoning and City Council	
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 elements have been designed to provide adequate use of the site and includes the requirements need for fire truck access	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards with the traffic access controls that are required with this Conditional Use.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	No interference with the items listed are known or anticipated	There is not any known interference with any public rights-of-way or easements.
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.	A new structure is planned that will conform to all current codes.	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 is located along a major roadway with the necessary utilities and services.	This property is already served with public infrastructure and services.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

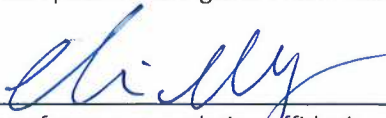
1. Request change to zoning from: LB to LB with CUP to allow a Drive Thru
(existing zoning) (proposed zoning)
2. Meeting Date & Time: September 15, 2022 From 4PM to 6:30
3. Meeting Location: 404 E Sunshine Street
4. Number of invitations that were sent: _____
5. How the mailing list was generated: City of Springfield Planning Department
6. Number of neighbors in attendance (attach a sign-in sheet): 9
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

See attached.

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

N/A

I, Chris Wynn (print name), attest that the neighborhood meeting was held on September 15th (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Chris Wynn
Printed name of person completing affidavit

Jefferson & Sunshine
Neighborhood Meeting Summary
9/15/2022 – 4:00 PM to 6:30 PM

1. Concerns about the current property conditions, general consensus was the neighborhood would be glad to see the houses razed.
 - a. Houses will be demolished as part of the project.
2. Concerned about existing property maintenance on the corner of Roanoke and Sunshine.
 - a. Overgrowth on the corner will be eliminated.
3. Questions about who will maintain the property once construction is complete
 - a. The properties will be maintained by the tenants who will have a daily operation at the site.
4. Concerns about sewer capacity
 - a. We believe that there is enough capacity in existing sanitary sewer to handle the additional flows. Conversations with Environmental Services confirm this.
5. Concerns about additional traffic on Roanoke.
 - a. With no access to Sunshine the development will need to access Roanoke to provide the necessary circulation. Traffic from the coffee shop would be encouraged to exit back through Jefferson, and that would be the natural flow of the site, but one could expect some additional traffic on Roanoke.
6. Questions about hours of operation.
 - a. Hours of operation will be reduced by one hour in the evenings compared to other 7Brew coffee shops. Hours of operation will be 5:30 AM to 9 PM Sunday through Thursday and 5:30 AM to 10 PM Friday and Saturday.
7. Questions about trees, and what it would look like between the development and houses
 - a. A bufferyard with a fence is planned; the bufferyard will be 15' in depth and contain dense plantings. There was a request from one neighbor asking to coordinate the removal of specific trees in that bufferyard.

8. Questions about dumpster location
 - a. At the time of the meeting the proposed location for the dumpster was the southeast corner of the site, one request was made to move it to the west side of the property. The site plan has now been updated to show the dumpster moved west.
9. Residence questioned whether the school (Sunshine Elementary) supported the CUP request.
 - a. It is our understanding that the school district has no issues with the proposed request. CJW obtained a letter from a school board member that discussed the proposed development with members within the school and they were in support.
10. Concern was raised over the noise generated by 7 Brew.
 - a. In addition to limiting the hours of operation at night, 7 Brew is proposing to relocate of their speakers in a manner such that they do not point toward residential properties. Based on data provided by 7 Brew Corporate, the noise level 5 feet from the building is ~80 db. 80db is equivalent to a lawn mower or heavy traffic.
11. Concern about walkability to and around the site.
 - a. Sidewalk will be extended along Roanoke Ave adjacent to the property. Additionally, a sidewalk connection from the building to the sidewalk along Jefferson Ave will be made.
12. Concern about traffic entering and exiting onto Jefferson Ave.
 - a. Main concern for this is during AM peak hour. However, AM peak traffic and AM peak 7Brew hours are offset. The entrance off Jefferson is set as far south on the property as possible. Additionally, the access to Roanoke will be constructed to help alleviate some traffic to Jefferson.

* Have Redding contact.

SUNSHINE & JEFFERSON - NEIGHBORHOOD MTG - SEPTEMBER 15, 2022



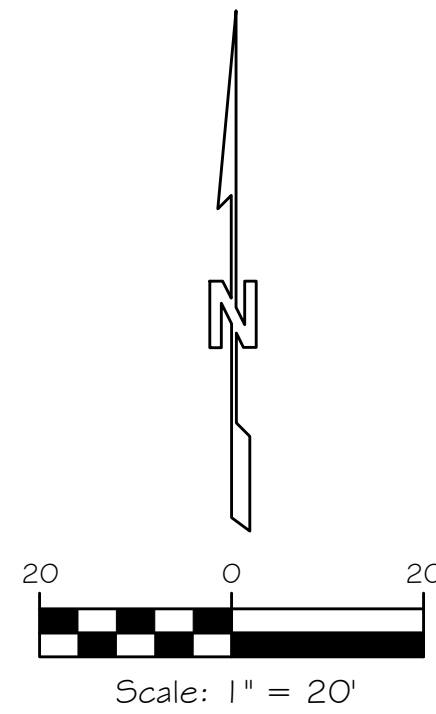
SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
1	William Cooper	2405 S VIRGINIA AVE	816-289-6485	COOPERWL@gmail.com
2	Toni Jackson	1749 S. Jefferson	970-405-7013	tonijackson@live.com
3	Rick & Sally Keene*	517 E. OTTOWA COURT	417-886-5828	rick&sallyk@sbcglobal.net
4	Julie Schulte	505 E. OTTOWA CT.	417-425-4335	schultejul@AOL.com
5	Art Peine	4878 W. UNIVERSITY	417-988-1825	
6	Lenora Wright	1839 S. Jefferson	417-839-1242	cwright9939@gmail.com
7	Claron Toni Smith	1828 S Jefferson	417 844-8930	
8	ROSS + LAURA MARTIN	519 E. OTTOWA CT.	417-536-4261	SISEMITE@GMAIL.COM
9	Sarah & Cody Hicks	1817 S. Roanoke Ave	417-839-8997	ybluejazz@yahoo.com
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SITE IMPROVEMENT PLAN

PROPOSED COFFEE SHOP

SUNSHINE ST & JEFFERSON AVE
SPRINGFIELD, MISSOURI



OWNER/DEVELOPER:

REDING MANAGEMENT, LLC
C/O ROYCE REDING
1459 MILLER AVE
SPRINGFIELD, MO 65804
roycereding@gmail.com

BEARINGS ARE ASSUMED
ELEVATIONS BASED ON
CITY OF SPRINGFIELD BENCHMARK 513
ELEVATION 1341.34 NAVD88

LEGAL DESCRIPTION:

NOBLE HEIGHTS UNIT #1 LOT 8 THRU 11 EX NEW STREET ROW

SITE DATA:

AREA = 1.08 AC

CURRENT ZONING = LIMITED BUSINESS (LB)

PROPOSED ZONING = LIMITED BUSINESS WITH C.U.P. TO ALLOW A COFFEE SHOP WITH DRIVE THRU

NOTE: SITE LIGHTING, LANDSCAPING, BUFFER YARDS, AND STORMWATER WILL COMPLY TO ALL CITY OF SPRINGFIELD REQUIREMENTS FOR A DEVELOPMENT WITHIN A LIMITED BUSINESS ZONED DISTRICT.

TYPE D BUFFER YARD REQUIREMENTS:

MIN. 15' BUFFER YARD WITH (PER 100 LF):

- 2 CANOPY TREES
2 UNDERSTORY TREES + 2 PER OVERLAY AGREEMENT
2 EVERGREEN TREES + 2 PER OVERLAY AGREEMENT
12 SHRUBS
6' PRIVACY FENCE

LENGTH OF BUFFER YARD = 334 FT

TOTAL NUMBER OF REQUIRED PLANTINGS:

7 CANOPY TREES
14 UNDERSTORY TREES
14 EVERGREEN TREES
48 SHRUBS
334 LF OF 6' PRIVACY FENCE

LANDSCAPING REQUIREMENTS (LOTS 8-11)

TOTAL LOT AREA: 0.714 AC (31,123 SF)

REQUIRED GREEN SPACE (20%) = 31,123 SF * 0.20 = 6,225 SF

PROVIDED GREEN SPACE = 11,010 SF (35.4%)

FRONTAGE LANDSCAPE AREA REQUIREMENT = 10 SF/LENGTH OF FRONTAGE

TOTAL FRONTAGE LENGTH ALONG SUNSHINE ST & JEFFERSON AVE = 347 FEET

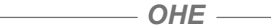
REQUIRED FRONTAGE LANDSCAPE AREA = 347 FT * 10 SF/FT = 3,470 SF

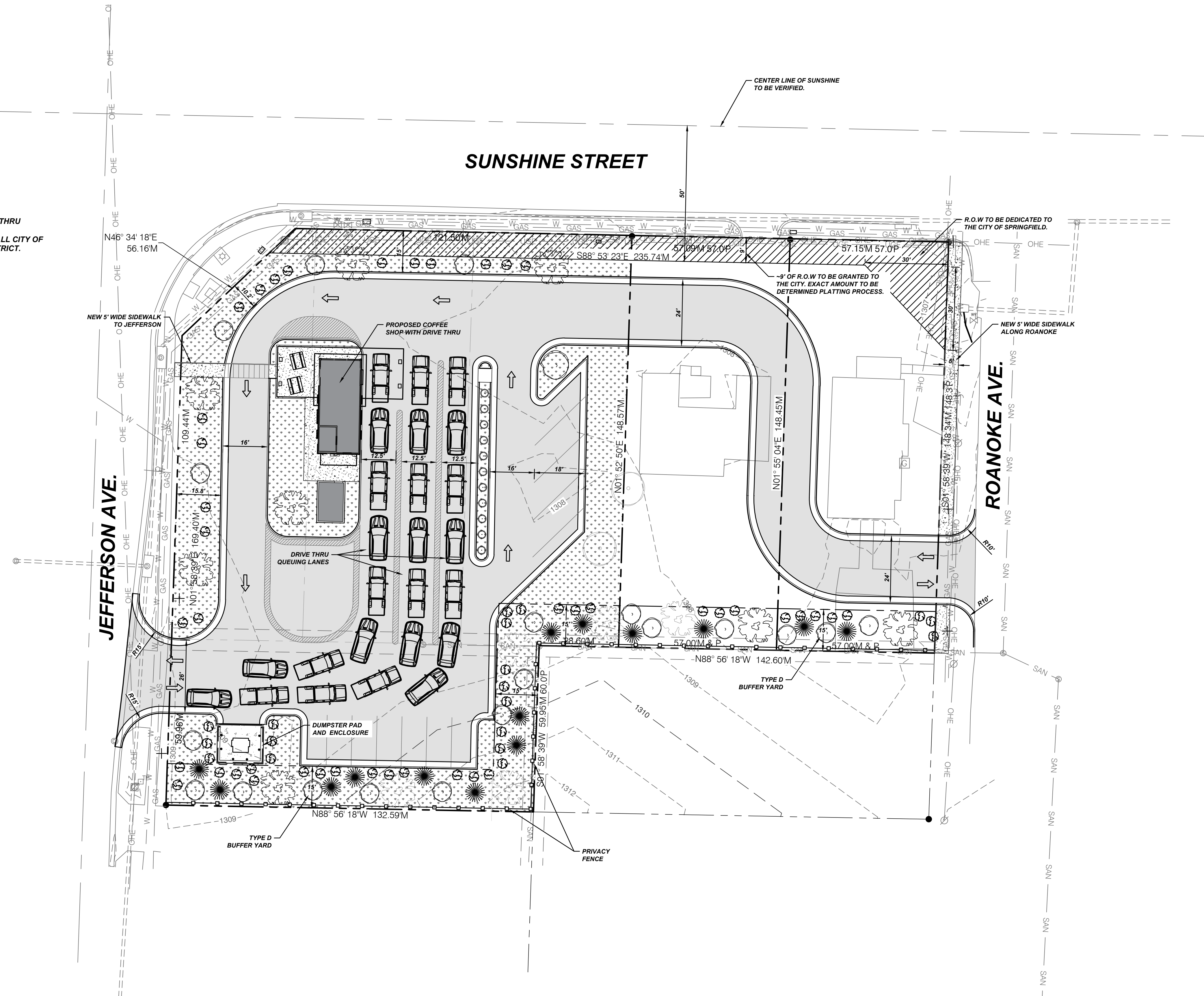
PROVIDED FRONTAGE LANDSCAPE AREA = 4,545 SF

INTERIOR LANDSCAPE REQUIREMENT (5%) = 1,556 SF

INTERIOR LANDSCAPE PROVIDED = 1,657 SF (5.3%)

LEGEND

- | | | | |
|---|---|---|---------------------------|
|  | IRON PIN SET CAPPED
"LC 2007008003" |  | TELEPHONE PEDESTAL |
|  | EXISTING IRON PIN |  | FIRE HYDRANT |
|  | EXISTING RIGHT-OF-WAY MARKER |  | WATER VALVE |
|  | MEASURED |  | GAS VALVE |
|  | PLATTED |  | GAS METER |
|  | DEEDED |  | POWER POLE |
|  | WATER LINE |  | ELECTRIC METER |
|  | GAS LINE |  | GUY ANCHOR |
|  | SANITARY SEWER |  | PULL BOX |
|  | OVERHEAD ELECTRIC LINE |  | 2 PED |
|  | UNDERGROUND ELECTRIC LINE |  | WATER METER |
|  | UNDERGROUND COMMUNICATION LINE |  | GAS METER |
|  | FIBER-OPTIC CABLE |  | AIR CONDITIONER |
|  | CHAIN LINK FENCE |  | SIGN |
|  | WOOD PRIVACY FENCE |  | LIGHT POLE |
|  | BARBED WIRE FENCE |  | POST |
|  | ELECTRIC TRANSFORMER |  | MAIL BOX |
| | SANITARY SEWER MANHOLE |  | TREE DECIDUOUS |
| | STORM SEWER MANHOLE |  | TREE EVERGREEN |
| | WATER MANHOLE | | |



Prepared by:



CJW Transportation Consultants, L.L.C.
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

SITE IMPROVEMENT PLAN
COFFEE SHOP
SUNSHINE ST & JEFFERSON AVE

[illegible]

EXHIBIT

SHEET NO.

1

CJW NO. 21181 OF 1

From: [Myrna Stevens](#)
To: Zoning@springfieldmo.gov
Subject: 404 E. SUNSHINE ST.
Date: Friday, September 16, 2022 8:47:40 AM

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

MYRNA STEVENS
1855 S. ROANOKE AVE.
SPGFLD MO 65807
417-655-1322
REGARDING: BUILDING/ZONING 404 E. SUNSHINE ST.

To all whom this may concern:

Thank you for the opportunity to voice my concerns over this development. (I would have been at the meeting in person yesterday, but I am still convalescing from a very bad car accident.)

PLEASE DO NOT LET THIS HAPPEN!

As you can see, I live on Roanoke Ave. It suffers from being a "cut through" street. Do you know how fast cars come flying down from Sunshine?? This is SUCH a family street: children biking and skateboarding, couples walking their dogs, we have disabled ones on this street who get fresh air in their wheelchairs. There are NO SIDEWALKS for us to safely enjoy these activities!!! We must always be on the look-out! And that is SO sad. The cars who cut through this street DO NOT CARE! I actually saw a car try to hit a dog!

When construction work was being done along Sunshine and it was my street's turn to be closed at the Sunshine end, it was like a different world -- it was WONDERFUL!!! But as soon as the street reopened, so did the drag strip.

I have wanted to complain about the above since Dec 2019 when I bought this house! But the City is busy enough fighting deadly crime matters, working with a budget that can't meet its needs...

I was appalled when this Sunshine development was announced but did have faith it would NOT be approved due to its vicinity to the elementary school, as well as the fact Sunshine and S. Campbell intersection can neither take on OR manage the traffic this business will generate. I was thrilled reading the news it was not going to happen here -- maybe a different location though. Now to find out it's back... SAFETY will be compromised on every level if this business is allowed to build here.

PLEASE DO NOT LET THIS HAPPEN. PLEASE...

Respectfully,
M. Stevens

From: [Munde, Alan](#)
To: Zoning@springfieldmo.gov; [Council](#)
Subject: Coffee Shop at the corner of Jefferson and Sunshine
Date: Monday, September 26, 2022 9:44:26 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 Zoning, and Council Members,

I am writing to share my concern over the proposed drive through coffee business proposed for the corner of Jefferson and Sunshine. I am a resident of the University Heights neighborhood. Although the coffee drive through is not in my neighborhood it is on our border. I walk and/or drive that way daily and am alarmed at the amount of traffic that is already at that location (with Sunshine Elementary School directly across the street from the proposed location) and the next block being Campbell and Sunshine. Sunshine and Campbell are highly trafficked and dangerous with the Bass Pro Shop, Canes, Chic Fillet, McDonalds, Rapid Roberts gas, and other businesses located near there. As I cross that intersection on foot often, I have come to view the "crosswalk" as "crosshairs." Drivers are almost oblivious to pedestrians.

I think that the creeping/expanding of drive through businesses along Sunshine toward Jefferson would be a bad idea and lead to harmful outcomes in safety.

Thank you for your attention,

Alan Munde
P.O. Box 4989
Springfield, MO 65808
512-694-8173 cell
www.mundemusic.com
www.almundesbanjocollege.com
www.campbluegrass.com

From: [Steve Brooks](#)
To: Zoning@springfieldmo.gov
Subject: Proposed 7Brew at Jefferson and Sunshine, on the October 6th P&Z calendar
Date: Tuesday, September 27, 2022 3:12:14 PM

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

Planning and zoning commissioners, I live in the University Heights neighborhood just a bit east of the proposed development. Our 2 children went to Sunshine Elementary throughout that era of their educational time, as we have lived here 37 years.

Even though this proposal has been turned down (twice!) by P and Z, they are back again. I know that area is now zoned as Limited Business. From what I understand, that would allow eating and drinking establishments, but would EXCLUDE drive-in, pick-up window, or drive-thru facilities. The developers are back seeking a conditional use permit, even though this zoning says no drive-thrus, and that is all the restaurant offers. I think they may have cut back the hours on their loud music. That does not change much. This proposed high-traffic, high volume drive-thru facility would operate early morning through late evening, adjacent to a single-family residential district.

It is still a violation of the zoning, and I believe, would add to traffic congestion at that corner, with an elementary school across the street.

Perhaps it is time to consider a moratorium on these proposed developments, near historical neighborhoods, until we can create appropriate plans with the neighborhoods, in keeping with the proposals in the Forward SGF plan.

Thank you.

Steve Brooks
417 840-4446

From: [William Cooper](#)
To: Zoning@springfieldmo.gov
Subject: Comments Regarding Conditional Use Permit 470
Date: Saturday, October 1, 2022 1:45:46 PM

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

My name is William Cooper and I live at 2405 S Virginia Avenue in the Seminole Holland neighborhood.

I am writing regarding a conditional use permit application for the property located at Jefferson and Sunshine. The proposed conditional use as proposed will have a substantial or undue adverse effect upon and will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, and traffic conditions.

The developer wants to build a 7-Brew Coffee shop on the property. The proposed hours of operation are 5:30 am - 9:00 pm Sunday - Thursday and 5:30 am - 10:00 pm on Friday and Saturday. The developer proposes all outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east and the noise level shall not exceed 80 decibels at the property line. This requirement should be changed to 60 decibels at the property line to prevent the sound from being a nuisance to the neighboring residences.

The developer's plan includes a buffer yard Type D between the project and the neighboring residences. Buffer yard D is the baseline requirement between Limited Business and Single Family Residential. Observations of existing 7-Brew locations in the city show a neon lit building which will be a nuisance to the neighboring residential houses. Because of the planned high activity use and neon lighting, requiring a more stringent buffer yard F would seem more appropriate and would further protect the neighbors.

South Jefferson Avenue is a Collector roadway and South Roanoke Avenue is a Local-Resident roadway. The proposed cross access easement to South Roanoke Avenue will push traffic onto a local residential street. Access to South Roanoke Avenue should not be allowed by this business.

William Cooper
2405 S Virginia Avenue
Springfield MO 65807
816-289-6485

From: [Penny Gordon-Chumbley](#)
To: Zoning@springfieldmo.gov
Subject: Conditional Use permit for the property located at Jefferson and Sunshine
Date: Monday, October 3, 2022 11:18:30 AM

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

I have lived at 1841 S Kings Ave for 22 years. I have seen the residential quality of my neighborhood improve over the years, but the traffic, noise and commercial character of the surrounding neighborhood has declined dramatically.

1. At most times of the day, I cannot easily or quickly turn onto Sunshine St. but must drive south onto Cherokee and get out of the neighborhood via Campbell Ave.
2. Throughout the day, I hear loud, racing traffic on Sunshine St., often at speeds that sound unsafe.
3. Traffic during the lunch hours (from 11am to 2pm) on the corners of Campbell and Sunshine can be blocked for several minutes. Adding an additional food/beverage establishment will only add to the congestion and noise.
4. And most importantly, this business will be just across the street from an elementary school where drop off traffic and the safety of the children are a primary concern.

Thank you for your consideration,

Penny Gordon-Chumbley
1841 S Kings Ave.
Springfield, MO 65807



Penny Gordon-Chumbley/Creative
pennygordonchumbleyartist.com

From: schulzeju@aol.com
To: Zoning@springfieldmo.gov
Subject: CUP 470
Date: Monday, October 3, 2022 11:30:13 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 Zoning Commission Members:

I live on the corner of Roanoke and Ottawa Ct. within 185 ft. of the proposed site of a 7Brew coffee company. For 75 years my residential neighborhood has stood proud to provide a stable, neatly kept and safe place to live for working families and seniors located in central Springfield.

If the current CUP 470 is approved a triple-lane drive-thru coffee establishment will abut my neighborhood's living spaces. The company plays loud music from opening to closing to attract customers and each day will dump hundreds of cars onto my neighborhood's small local roadways creating hazards for residents. This business' operation will threaten the quiet stability that has existed for a quarter of a century. No one would choose to live next to loud music from 6am to 9pm especially not my neighbors who work nights at local hospitals and sleep days. And no one would choose to deal with excess traffic every day.

The city is currently planning ways to improve neighborhoods, to connect neighbors, to provide more safe walkable areas. This business will not strengthen or enhance our neighborhood in any of those ways ; it very possibly will endanger its future. I am asking the zoning commission to deny conditional use permit 470 and in turn protect a neighborhood that has provided and still provides a vital function in our city. My request aligns with the FORWARD SGF initiative goals of safety and stewardship of neighborhoods.

Thank you,

Julie Schulze

[Sent from the all new AOL app for iOS](#)

From: [SALLY A KEENE](#)
To: [Neal, Daniel](#)
Subject: 404, 420 & 424 E. Sunshine proposal on October 6th Planning & Zoning Meeting
Date: Monday, October 3, 2022 2:29:47 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 -

We have lived in the Seminole/Holland neighborhood for over 30 years. We would like for you to drive over to the intersection of Jefferson & Sunshine and review the piece of property that has a request to rezone on your agenda for Thursday's meeting. We feel there is not enough space for vehicles to get off Sunshine and be able to turn into the proposed business, especially since over Brew 7 establishments have approximately 776 vehicles driving thru each day. The next thing I would like for you to view is the corner of Sunshine & Roanoke. If you would come from the west and try to turn to the right onto Roanoke, it is a slight hill and sometimes when vehicles are coming north on Roanoke, you can almost have a collision trying to turn onto Roanoke, as the street is not wide enough for vehicles to park at the 500 E. Sunshine address, along with vehicles going north and south. Could a traffic study be done before a vote is proposed? Please review these items before the next planning and zoning meeting on Thursday. Thank you.

Rick & Sally Keene
517 E. Ottawa Court
Springfield, MO 65807

From: [Ross Martin](#)
To: Zoning@springfieldmo.gov
Subject: Proposed 7 Brew Coffee Development at Jefferson and Sunshine
Date: Monday, October 3, 2022 7:14:14 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 reside at 519 E. Ottawa Court, Springfield, MO 65807. This will mark the third time the developer of the proposed project has submitted this plan to Planning and Zoning. Like the two previous submissions, the Developer has made minor and rather meaningless changes to the proposed development without addressing the primary concern held by many of us that will have to live with this development on a daily basis. That concern is the traffic congestion that will accompany a three driveway, drive-through only business.

One need only look at the traffic problems that have arisen from the short sighted development of Chick-fil-A, Stabucks and Cains and the effects those establishments have had on traffic flow at Sunshine and Campbell. Does the City really want to recreate those issues at Sunshine and Jefferson? Contrary to the City's Traffic Engineer's assertion that 7 Brew will not be a destination for increased traffic to the area, it will be the ingress and egress of those vehicles already present that will pose a problem. To assert otherwise is simply disingenuous or wishful thinking. The proposed utilization of Roanoke Street as a means of limiting traffic flow onto Jefferson is in itself a problem as it is a rather small, undeveloped neighborhood street, which is not equipped to handle significant commercial traffic.

Traffic congestion aside, this development backs up to a residential neighborhood. The noise, music and hours of operation are totally at odds with the residents' ability to enjoy the peace and quiet one would expect in a residential neighborhood setting. While the Developer has stated that they will decrease the music volume to a "mere" 80 decibels and will limit their hours of operation, what's to prevent them from simply ignoring these promises after they've gotten what they want?

One wonders how eager the Developers of this project would be to have it built in their backyard? We would guess that they, like us, would be none too excited to have a 7 Brew Coffee drive through in their **backyard**.

We wouldn't be opposed to the commercial development of this property as long as it was something that was a better fit for a residential setting or offered some benefit to the neighborhood in general. A drive through coffee station offers no such benefits to the residents.

We would urge Planning and Zoning to again deny the conditional use permit for this development.

Sincerely,

Ross & Laura Martin

From: [Makayla Jordan-Diemler](#)
To: Zoning@springfieldmo.gov
Subject: Jefferson/Sunshine 7Brew
Date: Tuesday, October 4, 2022 7:14:27 AM

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

Good morning,

I write this email as I sit in line for a pumpkin macchiato at my favorite drive thru on the corner of Battlefield and Kansas: 7Brew. This is an excellent coffee shop that plays loud, energizing music, has 10+ employees working at all times, and sees hundreds of customers a day. When a new one pop up in a commercial area, I am thrilled for the traffic it will bring other local businesses.

These attributes are precisely why they would be horribly placed on the corner of Jefferson and Sunshine. As a resident of 1823 S Roanoke Avenue, my safe, quiet street would suddenly become a driveway for the hundreds of energetic customers leaving 7Brew at all hours of the day. Walking my dog on Jefferson street would become impossible due to the elimination of sidewalks in favor of busy parking lots. There are no nearby businesses that would benefit from the increased traffic in a residential area. My quaint, small neighborhood is not built for commercial properties, and I highly discourage the rezoning of this area. Please, keep my neighborhood fit for families, children, and animals, and let us 7Brew lovers drive the 1.1 miles to another location.

All the best,
Makayla Jordan-Diemler

From: [Mary Pearson](#)
To: Zoning@springfieldmo.gov
Subject: 7-Brew Coffee
Date: Tuesday, October 4, 2022 9:12:57 AM

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

Please deny their request to build at Sunshine and Jefferson. This is a residential neighborhood with a school across the street and is definitely not a place for this type of business. The loud music and traffic will be disruptive to everyday life. Sunshine street is busy enough already and this would also cause traffic problems on Jefferson. Please, please, please deny.

Best Regards,

Mary Pearson

Sent from my iPhone

From: [Rebekah Lee](#)
To: Zoning@springfieldmo.gov
Subject: Oct. 6 agenda item #13
Date: Tuesday, October 4, 2022 10:32:16 AM

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

I have owned and lived at 520 E. Ottawa Ct. since 2006. Roanoke absolutely cannot handle the traffic from a chain drive through coffee shop. It is too narrow and already in use for residential purposes like parking and walking. Have you been there? Please visit. We have no sidewalks. Many of us in the neighborhood have single car driveways, if any driveway at all, and have to park on the street. And with the disgusting rise of housing costs of late, more and more people in our neighborhood have multiple adults per house, thus adding more cars to the mix. Please listen to the people who live there. There are plenty of empty spots for a chain coffee shop in SGF.

Rebekah Lee

From: [sarah.ghan](mailto:sarah.ghan@springfieldmo.gov)
To: Zoning@springfieldmo.gov
Subject: Conditional Use Permit 470 for 404, 420 & 424 E. Sunshine
Date: Tuesday, October 4, 2022 10:01:11 PM

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

We have enjoyed calling Roanoke Avenue our home for eleven years. You can safely take a walk, meet your kids from the school bus, or even work in your front lawn without worrying about being hit by traffic.

Our house has stood in the same location since 1948 and some of my neighbors predate 1948. The conditional use permit that has been requested does more than disturb our peaceful neighborhood; it stands against everything a limited business supplies. The permit would allow a drive-thru with three lanes of traffic catering to five hundred plus cars daily!

Undesirable and disruptive to our quality of life is a gross understatement to define the impact of a vote in favor of Conditional Use Permit 470. A high-traffic coffee shop does not benefit or cater to our neighborhood or our needs. "Alleviate traffic" on Jefferson by creating an exit road that is next to my driveway and opposite of my neighbors back door, this does not help our safety or our quality of life.

We have a small street with no sidewalk, and most company is forced to park in the street. Why would anyone try to exit on Jefferson when it's already backed up due to a school, church, residents, and regular traffic? A partial sidewalk and an above-ground retention pond does NOT benefit our neighborhood. The retention pond, when full, is a potential hazard for children going to and from school.

Royce Reding visited myself, Sarah Hicks on Labor Day weekend. Reding claims that he proposed a dentist office for this property, which was declined by the city. If this is true, a dentist office would certainly better suit our needs than a high priced cup of coffee that I would have get in my car and wait in three lanes of traffic for, just to go right back home to enjoy.

Finally, a business in a residential neighborhood blaring music from 5:30 am to 9 or 10 pm is ridiculous and disrespectful to all nearby residents.

If our neighborhood is to welcome a new neighbor, we need one that will enhance our quality of life and our part of Springfield that we've chosen to call home.

Please carefully consider, would you choose to live with this in your back yard?

Sarah and Cody Hicks
1817 S. Roanoke Ave.

Springfield, Mo 65807

From: billrh@mchsi.com
To: Zoning@springfieldmo.gov
Subject: FYI
Date: Wednesday, October 5, 2022 11:19:00 AM

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

I live in the Seminole-Holland neighborhood and I fully support rezoning the lot on the corner of Jefferson and Sunshine.

Bill Havens
607 E Berkeley St.
417-350-4507

From: goshawk@att.net
To: Zoning@springfieldmo.gov
Subject: Public hearing on the developers application for a Conditional Use permit for the property located at Jefferson and Sunshine, Springfield, MO 65807
Date: Thursday, October 6, 2022 5:23:04 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: Springfield Planning and Zoning Commission: Comments and Concerns

I write to strongly oppose the application for a Conditional Use Permit on the grounds that 7-Brew Coffee, a commercial business, will create offensive and intolerable noise and light pollution, and thereby incompatible with the neighboring residences. These adverse effects will reduce the value of homes, and cause chronic nuisance traffic disturbance. High levels of noise and lighting disrupt and harm humans' biological systems, and those of mammals, birds, and other wildlife in areas affected by this type of pollution [1][2][3]. Directing the speakers across the street where single family homes face Jefferson is not an equitable solution for that neighborhood, as well. Noise must be abated below 60 decibels as homeowners' open their windows during spring and fall. The buffer should equally be more strict than F criteria allows.

A better alternative is to deny this commercial, conditional use permit for something far more compatible on this corner. There are other business opportunities to build on this site which will not cause irreparable, adverse effects on the neighborhood.

The property is zoned limited business but the developer must obtain a conditional use permit to have a business with a drive-thru. The proposed conditional use as proposed will have a substantial or undue adverse effect upon and will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, and traffic conditions.

The developer wants to build a 7-Brew Coffee shop on the property. The proposed hours of operation are 5:30 am - 9:00 pm Sunday - Thursday and 5:30 am - 10:00 pm on Friday and Saturday. The developer proposes all outside speakers shall be pointed north towards Sunshine Street and away from the residences to the south and east and the noise level shall not exceed 80 decibels at the property line. This requirement should be changed to 60 decibels at the property line to prevent the sound from being a nuisance to the neighboring residences.

The developer's plan includes a buffer yard Type D between the project and the neighboring residences. Buffer yard D is the baseline requirement between Limited Business and Single Family Residential. Observations of existing 7-Brew locations in the city show a neon lit building which will be a nuisance to the neighboring residential houses. Because of the planned high activity use and neon lighting, requiring a more stringent buffer yard F would seem more appropriate and would further protect the neighbors.

South Jefferson Avenue is a Collector roadway and South Roanoke Avenue is a Local-Resident roadway. The proposed cross access easement to South Roanoke Avenue will push traffic on to a local residential street. Access to South Roanoke Avenue should not be allowed by this business.

[1] <https://www.sciencedirect.com/science/article/abs/pii/S030372072200185X>

Keywords: Thyroid, Glucocorticoid, Artificial light-at-night, Endocrine disruption, Noise. Heat

Received 13 March 2022, Revised 18 July 2022, Accepted 26 July 2022, Available online 2 August 2022, Version of Record 5 August 2022.

[2] <https://www.sciencedirect.com/science/article/abs/pii/S0269749116326306>

Keywords: Quiet areas Unlit areas Wilderness Naturalness Environmental index

Received 13 March 2022, Revised 18 July 2022, Accepted 26 July 2022, Available online 2 August 2022, Version of Record 5 August 2022.

[3] <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5838624/> **Keywords:** Melatonin, Sleep, Biorhythms, Bipolar disorder, Quality of life, Globality
[Clin Pract Epidemiol Ment Health](#). 2018; 14: 33–36.

Published online 2018 Feb 28. doi: [10.2174/1745017901814010033](https://doi.org/10.2174/1745017901814010033)

Lisa Berger

goshawk@att.net

1947 South Kings Avenue, Springfield, MO 65807

One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 11-08-22

Sponsored by: Horton, McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2022- 281

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Municipal Agreement
2 with the Missouri Highways and Transportation Commission to
3 coordinate the construction and maintenance of improvements along
4 Kearney Street.
5 _____
6

7 WHEREAS, the City and the Missouri Highways and Transportation Commission
8 ("MHTC") desire to coordinate the construction and maintenance of improvements along
9 Kearney Street, designated as Route 744, Greene County, MHTC Job No. J8S3145,
10 J8S3149, J8S3172 and J8S3190; and
11

12 WHEREAS, MHTC will be performing ADA, safety, and operational
13 improvements on Missouri Route 744 (Kearney Street); and
14

15 WHEREAS, the City wishes to grant the right to use City right-of-way as
16 necessary to perform these improvements; and
17

18 WHEREAS, MHTC is responsible for design, construction, inspection, and
19 funding of these improvements.
20

21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 Section 1 – City Council hereby authorizes the City Manager, or his designee, to
25 enter into a Municipal Agreement with MHTC, said agreement to be substantially in the
26 form and content as that document attached hereto and incorporated herein by
27 reference as "Exhibit 1."
28

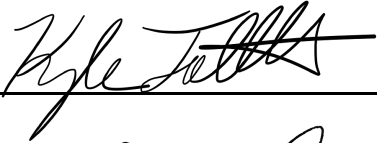
29 Section 2 – This Ordinance shall be in full force and effect from and after
30 passage.
31

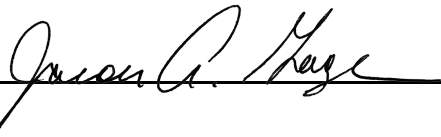
32 Passed at meeting: _____
33

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- 281

FILED: 11-08-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Municipal Agreement with the Missouri Highways and Transportation Commission ("MHTC") to coordinate the construction and maintenance of improvements along Kearney Street, designated as Route 744, Greene County, MHTC Job No. J8S3145, J8S3149, J8S3172 and J8S3190.

BACKGROUND INFORMATION: This agreement will allow the MHTC the use of City right-of-way and other property owned by the City as necessary for the project. The projects consist of ADA, safety, and operational improvements on Missouri Route 744 (Kearney Street). The improvements extend from the Kearney Street entrance of the old airport terminal east to just east of the intersection of Kearney Street and LeCompte Road, approximately 9 miles.

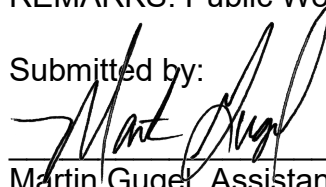
MHTC is responsible for all funding related to these improvements. Additionally, MHTC is responsible for the design, construction, and inspection of the improvements.

Supports the following City Council Priorities:

- Public Safety
- Fiscal sustainability

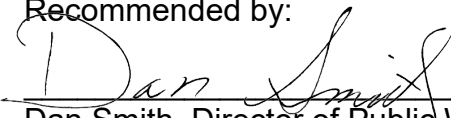
REMARKS: Public Works recommends approval of this Council bill.

Submitted by:



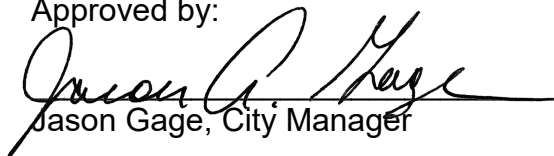
Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Jason Gage, City Manager

CCO Form: DE11
 Approved: 04/93 (CEH)
 Revised: 12/21 (BDG)
 Modified:

Municipal Agreement
 Route: 744
 County: Greene
 Job Nos.: J8S3145, J8S3149,
 J8S3172 & J8S3190
 Agreement No. 2022-06-70659

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Springfield, Missouri, a municipal corporation (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route 744, Greene County, Job No. J8S3145, J8S3149, J8S3172 and J8S3190 shall consist of ADA, safety and operational improvements on MO Route 744 (Kearney Street).

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

J8S3145: Beginning at Log Mile 0.000, a point at the intersection of Route 744 and the Springfield-Branson National Airport entrance, run in a generally easterly direction along Route 744 to Log Mile 9.045, a point at the intersection of Route 744 and LeCompte Avenue. Length of improvement within city is 9.0 miles.

J8S3190: Beginning at Station 972+96.42, a point approximately 20 feet west of the intersection of Route 744 and North Airport Plaza Avenue, run in a generally easterly direction along Route 744 to Station 108+87.17, a point 385 feet west of the intersection of Route 744 and Route 13. Length of improvement within city is 1.8 miles.

J8S3149: Beginning at Station 114+47.35, a point approximately 170 feet east of the intersection of Route 744 and Route 13, run in a generally easterly direction along Route 744 to Station 257+47.40, a point approximately 115 feet west of the intersection of Route 744 and Interstate Loop 44 (Glenstone Avenue). Length of improvement within city is 2.7 miles.

J8S3172: Beginning at Station 13+00.00, a point 440 feet east of the intersection of Route 744 and Interstate Loop 44 (Glenstone Avenue), run in a generally easterly direction along Route 744 to Station 110+50.00, a point approximately 340 feet west of the intersection of Route 744 and US Route 65. And from Station 138+00.00, a point

approximately 215 feet west of the intersection of Route 744 and LeCompte Avenue, run in a generally easterly direction along Route 744 to Station 143+00.00, a point approximately 285 feet east of the intersection of Route 744 and LeCompte Avenue. Length of improvement within city is 1.9 miles.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job No. J8S3145, J8S3149, J8S3172 and J8S3190.

(6) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, alleys and any other property owned by the City as necessary for construction and maintenance of said public improvement.

(7) CLOSE AND VACATE: The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(8) RIGHT-OF-WAY ACQUISITION: Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire at its expense, at no cost or expense to the City, any necessary right-of-way required for the construction of the improvement.

(9) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs

incurred therein.

(C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.

(D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city-owned utilities, poles, wires, conduits, and pipes are located within the present city limits and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated December 9, 1991 and any revision of it, and approved by the Commission's District Engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such removal, adjustment, alteration and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.

(E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.

(F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's District Engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections, except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's District Engineer or his authorized representative. The City shall take whatever actions that are

necessary to assure compliance with this Subsection.

(10) LIGHTING: The installation, operation, and maintenance by the Commission of any lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect at the time of any such installation and only to the extent the Commission then deems warranted. No street lighting system shall be installed or maintained by or for the City on the improvement without approval of the Commission.

(11) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.

(12) DRAINAGE: The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.

(13) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.

(14) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(15) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way. Maintenance by the Commission shall not in any case

include maintenance or repair of water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(C) Effective upon completion of construction, the Commission shall transfer ownership to the City, and the City will accept the portions of existing highways within City replaced by this improvement.

(16) ACCEPTED WITHIN HIGHWAY SYSTEM: Effective upon execution of this Agreement, the Commission temporarily accepts the portion of the City street system described in this Agreement as part of the State Highway System for the purposes of this project. However, during the construction period contemplated in this Agreement:

(A) The Commission will assume no police or traffic control functions not obligatory upon Commission immediately prior to the execution of this Agreement, and

(B) The City shall perform or cause to be performed normal maintenance on the project site.

(17) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved City street that was temporarily accepted as part of the State Highway System for the purposes of this project pursuant to paragraph (16) above and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense and at no cost and expense whatsoever to the Commission. All obligations of the Commission with respect to the City street system under this Agreement shall cease upon completion of the improvement.

(18) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.

(19) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.

(20) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.

(21) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.

(22) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration and is further subject to the availability of federal and state funds for this construction.

(23) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's District Engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's District Engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,500,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as

provided by federal and state constitution or law.

(24) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(25) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(26) CITY REPRESENTATIVE: The City's City Manager is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(27) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

- (A) To the City:
Jason Gage, City Manager
City of Springfield
840 Boonville Avenue
4th Floor
Springfield, Missouri 65802
417-864-1006
- (B) To the Commission:
Steve Campbell, District Engineer
Missouri Department of Transportation, Southwest District
3025 East Kearney Street
Springfield, Missouri 65803
417-895-7610

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(28) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(29) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(30) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(31) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(32) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(33) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(Date).

Executed by the Commission on _____(Date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

By: _____

By: _____

Title: _____

Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

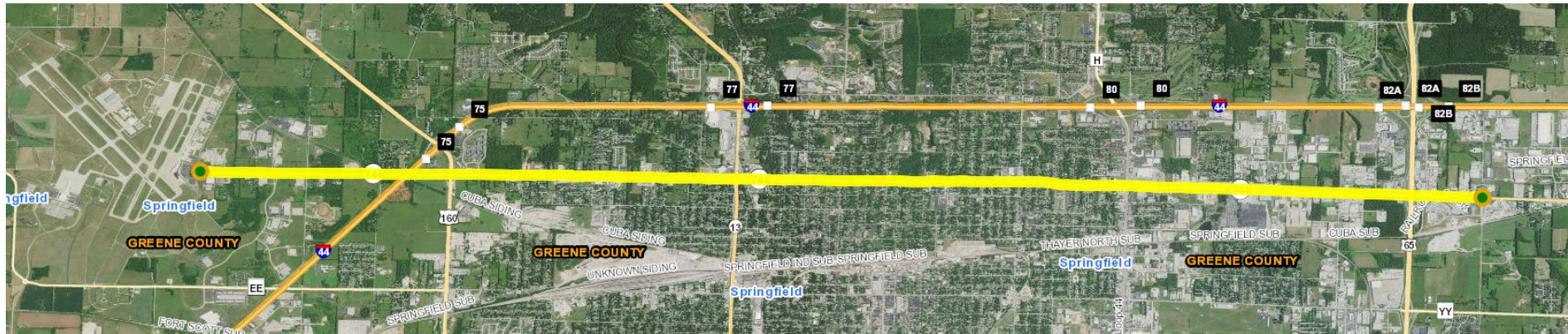
Commission Counsel

By: _____

Title: _____

Ordinance Number _____

EXHIBIT A



Job No. J8S3145, J8S3149, J8S3172 and J8S3190

County: Greene

Route: MO 744 (Kearney Street)

36 Approved as to form: Jill Bennis, Assistant City Attorney
37
38
39 Approved for Council action: Jason C. Hays, City Manager

EXPLANATION TO COUNCIL BILL 2022- 282

FILED: 11/08/22

ORIGINATING DEPARTMENT: Economic Vitality

PURPOSE: To confirm the reappointment of Thomas Jennings Conyers, Dan Coryell, and Derek Smith to the Ridge at Ward Branch Community Improvement District Board of Directors. (Staff recommends approval.)

BACKGROUND INFORMATION: As required by the petition establishing the Ridge at Ward Branch Community Improvement District ("CID"), the City Council must confirm appointments to the CID Board of Directors. The CID Board of Directors recommends the following individuals be reappointed:

<u>Seat</u>	<u>Name</u>	<u>Qualification</u>	<u>Term Expires</u>
3	Dan Coryell	Representative of real property owner in District	7/27/2026
4	Derek Smith	Representative of real property owner in District	7/27/2026
5	Thomas Jennings Conyers	Representative of real property owner in District	7/27/2026

REMARKS: Staff recommends approval.

Submitted by:



Matt D. Schaefer, AICP
Senior City Planner

Recommended by:



Amanda Ohlensehlen, Director

Approved by:



Jason Gage, City Manager