



City of Springfield

Agenda

Planning and Zoning Commission

Britton Jobe, Vice Chair, Zone 4

Randall Doennig, Chair, Zone 4

Kuleya Bruce, Zone 1

Natalie Broekhoven, Zone 4

Eric Pauly, Zone 2

Chris LeBeck, Zone 4

Carl Knuckles, Zone 4

Bruce Colony, Zone 3

February 9, 2023

6:30 PM

City Council Chambers

Rules and procedures can be found on the [Agenda Center](#).

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. January 12, 2023 minutes

3. COMMUNICATIONS.

3.1. City Council Summary January 9th, 2023

3.2. City Council Summary January 23rd, 2023

4. CONSENT AGENDA.

All items may be approved with a single motion without a public hearing, unless removed from the consent agenda.

5. UNFINISHED BUSINESS.

5.1. Z-27-2022 W/COD #220

1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street; BK&M, LLC

5.2. Vacation 826

1700 blk West Loren Street; Advocates for Healthy Community, Inc.

5.3. Home Occupation Amendments

Citywide, City of Springfield

6. PUBLIC HEARINGS.

6.1. Z-1-2023

1018 North Farmer Avenue and 1622, 1628, & 1634 West Scott Street; RAL Property Management, LLC

6.2. Z-3-2023 W/COD #223

2238, 2250, & 2316 East Catalpa Street; NGA Holdings, LLC

7. OTHER BUSINESS.

7.1. Preliminary Plat Of Troy Acres First Addition

520 South Troy Avenue; Crawford Mace, LLC

7.2. Neighborhood Compatibility Amendments

Citywide, City of Springfield

7.3. Stand Alone Multi-Family In Commercial District Amendments

Citywide, City of Springfield

7.4. Rules Of Procedure For Planning And Zoning

City of Springfield

8. ADJOURN.

January 12, 2023
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session in the City Council Chambers.

Roll Call - Present: Britton Jobe (Vice-Chairman), Bruce Colony, Christopher Lebeck, Natalie Broekhoven, Eric Pauly, Bill Knuckles, and Helen Gunther. Absent: Betty Ridge and Dan Scott. Staff in attendance: Bob Hosmer, Planning Manager, Susan Istenes, Planning Director, Jill Burris, Assistant City Attorney, Kyle McGinnis, Senior Planner, and Daniel Neal, Senior Planner.

MINUTES: The minutes of December 15, 2022, were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions and introduced new members of the Commission.

CONSENT ITEMS:

UNFINISHED BUSINESS:

Z-27-2022 w/COD #220

1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street

Applicant: BK&M, LLC

Request to postpone to the February 9, 2023, Planning and Zoning meeting. (Mr. Lebeck has recused himself)

COMMISSION ACTION:

Ms. Broekhoven motioned to **postpone** Z-27-2022 w/COD #220 (1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street) to February 9, 2023. Mr. Knuckles seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, and Gunther. Nays: None. Abstain: None. Absent: Ridge and Scott. Christopher Lebeck recused himself.

PUBLIC HEARINGS:

Planned Development 383

739 West Talmage Street

Applicant: Baptist Temple of Springfield

Mr. McGinnis stated that this is a request to rezone approximately 6.4 acres of property generally located at 739 W. Talmage Street from R-SF, Single-family residential district to Planned Development No. 383.

Mr. Chad Zickefoose, Public Works/Traffic went over updated traffic generated trip numbers that were shown in the staff report and clarified that the numbers shown are based on zoning for high density residential and not what is being proposed.

Mr. Knuckles asked about a privacy fence between the gym and driveway. Mr. McGinnis believes that it will have a privacy fence.

Mr. Knuckles asked about maintenance (HOA responsibility) and what would happen if they defaulted (dissolved) for maintenance.

Ms. Burris noted that the City has a provision for common areas and are required to approve the covenants and restrictions and would also need the city's approval to dissolve. City would possibly takeover and pass a lien on the property.

Mr. Hosmer noted that it is mentioned in the staff report about legal requirements for the HOA.

Mr. Joe Codichini, Public Works/Stormwater, went over what the process the city would do if the association was dissolved regarding maintenance.

Mr. Knuckles asked about the gym being built to two floors. Mr. McGinnis noted that it will be interior renovation only.

Mr. Pauly asked about the gym interior and what happens with the infill and Mr. McGinnis noted that the developer can answer that question.

Mr. Pauly asked about Area B and what is the max square footage of a dwelling allowed and Mr. McGinnis noted the setbacks and should be able to calculate the number and can get back with you.

Ms. Gunther asked if any of the facilities are open to the public? Mr. McGinnis noted that it is for the residents.

Mr. Britton asked about North Missouri Avenue and if the improvements are based on approval of this project. Mr. McGinnis said that it was dependent on the project going forward.

Mr. Jobe opened the public hearing.

Mr. Mike Stalzer, 1658 W. Riverside that the infill (gym) will be 2 stories within the building.

Mr. Pauly asked what will be there and Mr. Stalzer said it would be units.

Mr. Pauly asked if it would fit within the neighborhood and Mr. Stalzer said the renovations would include new roof and with windows and siding.

Mr. Pauly asked about area B and if it would fit with neighborhood and Mr. Stalzer said it would fit in based on 1960 era ranch style homes with rentals and owner occupied.

Mr. Colony asked if it would be a gated community and Mr. Stalzer said that there is no intent to be gated at the time but will be monitored by the HOA.

Mr. Chad Ray, 2717 N. Missouri Avenue and stated that this will affect the neighborhood values and opposes the project and questioned on the funding of HOA and has concerns regarding traffic.

Mr. Colony asked if he was opposed to the single-family aspect, but Mr. Ray said that he is not supportive of either areas A and B.

Mr. Jobe asked Mr. Ray if he is part of a group/organization and Mr. Ray said he is not part of a concerned group/organization.

Ms. Laurie Brotherton, 2708 N. Broadway voiced her concern for the traffic and directly in front of a school, she also noted that Missouri would be a dead-end and questioned where the traffic will go. She also mentioned stormwater problems (backs up into her property) and has no sidewalks and believes it would be an extra hazard.

Mr. Jobe closed the public hearing.

Mr. Colony asked if she has worked with the developer, and she said they had met at the neighborhood meeting.

Mr. Knuckles asked about stormwater and Mr. Codichini stated that stormwater has had service requests for flooding in the area so they recommended the 120% detention, and the owner has agreed, and it will put into the Planned Development, helping alleviate some of the flooding and will not make it any worse. He went over what will be required by the city regarding the water flow and erosion and stated that the water quality basins will have to be built before any permits are issued. He also described what sheet flow is being proposed.

Ms. Broekhoven asked about the process going forward (preliminary plat, final development plan, etc.). Mr. Hosmer said they would have to have a preliminary plat and then a final development plan.

Mr. Colony noted about detention and the sheet flow and if they can have any higher flow then what is current, and Mr. Codichini stated that they cannot have a higher flow.

Mr. Colony also noted about the protecting large open spaces and would encourage that the developer work with neighborhood.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Planned Development 383 (739 West Talmage Street). Mr. Knuckles seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, Lebeck, and Gunther. Nays: None. Abstain: None. Absent: Ridge and Scott.

Vacation 826

1720 West Grand Avenue (Loren Street)

Applicant: Advocates for Healthy Community, Inc.

Request to postpone to the February 9, 2023, Planning and Zoning meeting.

COMMISSION ACTION:

Ms. Broekhoven motioned to **postpone** Vacation 826 (1720 West Grand Avenue). Mr. Lebeck seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, Lebeck, and Gunther. Nays: None. Abstain: None. Absent: Ridge and Scott.

OTHER BUSINESS:

Comprehensive (Recreational) Marijuana Amendments

Citywide

Applicant: City of Springfield

Mr. Neal stated that this is a request for amendments to sections in Chapter 36 of the Land Development Code relating to the MO Constitution allowing comprehensive (recreational) marijuana.

Mr. Knuckles asked if it would comply with the new laws in Missouri and if the amendments are like the medical marijuana amendments.

Mr. Neal noted that they are basically tied to each other (same districts, same separation requirements, etc.) but added new terms for microbusinesses.

Ms. Gunther asked if there will be other placements (i.e., gas stations, etc.) for microbusinesses.

Mr. Neal stated that he does not believe so, but commission could ask the representative that is present tonight.

Ms. Burris noted that the microbusiness is not targeted toward the size of businesses, more of a social equity program so you would need to have a specific net worth, disability card or meet other requirements to get the micro dispensary license.

Ms. Broekhoven asked about microbusiness and the two new terms, one wholesale facility and one just a dispensary and asked how they factor into appropriate use types with the (new) comprehensive plan.

Mr. Neal said they tied wholesale facilities to other wholesale districts (highway commercial, industrial, etc.,) and the microbusiness dispensaries were tied with current medical marijuana dispensaries.

Mr. Colony noted that the new amendments are basically the same framework that was previously adopted for medical marijuana however he asked if the distant separations are really required and advocates that the distance separations be removed completely or moved to 200 feet separation and intends to support the amendment.

Mr. Neal stated that distant separations are from 2019 and when they were adopted, as they were worried about the odor and filtration systems, etc.,

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Comprehensive (Recreational) Marijuana Amendments (Citywide). Mr. Pauly seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, and Gunther. Nays: None. Abstain: Lebeck. Absent: Ridge and Scott.

Home Occupation Amendments
Citywide

Applicant: City of Springfield

Request to postpone to the 2nd Planning and Zoning meeting on January 26, 2023.

COMMISSION ACTION:

Mr. Knuckles motioned to **postpone** Home Occupation Amendments (Citywide) to the 2nd Planning and Zoning meeting on January 26, 2023. Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, Lebeck, and Gunther. Nays: None. Abstain: None. Absent: Ridge and Scott.

Initiate Amendments to the Rules of Procedure for Planning and Zoning
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to modify the Rules of Procedure for the Planning and Zoning Commission.

The process to change the Rules of Procedures are as follows:

7.1 Amendment to Rules of Procedure. The rules of procedure of this Commission shall be amended only with five (5) affirmative votes. Any proposed amendment or rescission of rules shall be voted upon only after the same has been reduced to writing, filed with the Secretary of the Commission, and read at the regular meeting immediately preceding the meeting at which the same is voted upon. Debate on the proposed amendment or rescission shall be permitted at both the meeting where the proposed amendment or rescission was read and at the meeting where it is to be voted upon.

Commission members and staff discussed the possible changes and Mr. Hosmer asked for Commission members to e-mail him with any of their proposals/suggestions/markups. Question for discussion on a tie vote what the process for the next action and the rule on postponements, and other changes to consider.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Initiate Amendments to the Rules of Procedure for Planning and Zoning. Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Knuckles, Lebeck, and Gunther. Nays: None. Abstain: None. Absent: Ridge and Scott.

2023 Election of Planning and Zoning Commission Chair and Vice-Chair

COMMISSION ACTION for Chair:

Mr. Lebeck motioned to **nominate** Britton Jobe for Chair. Mr. Knuckles seconded the motion. Colony, Broekhoven, Pauly, Knuckles, Lebeck, and Gunther. Nays: None. Abstain: Jobe. Absent: Ridge and Scott.

COMMISSION ACTION for Vice-Chair:

Mr. Colony motioned to **nominate** Natalie Broekhoven for Vice-Chair. Ayes: Jobe, Colony, Broekhoven, Lebeck, and Gunther. Nays: Pauly and Knuckles. Abstain: None. Absent: Ridge and Scott.

Mr. Lebeck motioned to **nominate** Bill Knuckles for Vice Chair. No vote taken.

ADJOURN: 8:15pm



EXPLANATION TO CITY COUNCIL SUMMARY JANUARY 9TH, 2023

FILED: 02/06/2023

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE:

BACKGROUND INFORMATION:

Submitted By:

Authorized for inclusion on the agenda pursuant to City Code section 2-33:

Attachments: 1. NA01-09-23



Noted 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
January 9, 2023 - 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. on 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
at <https://www.springfieldmo.gov/FormCenter/City-Council-6/Citizen-Comment-Form-for-Regular-Springf-368>.**

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.

**Approved as
Presented**

2. APPROVAL OF MINUTES. DECEMBER 12, 2022, CITY COUNCIL MEETING, NOVEMBER 29, 2022, SPECIAL CITY COUNCIL MEETING, AND THE DECEMBER 13, 2022, SPECIAL CITY COUNCIL MEETING.

**Approved as
Presented**

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.

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.

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.

27788

7. Council Bill 2022-276 (Simpson) (Tabled until the 1-09-23 City Council Meeting.)

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.) (By: Reding Management and Redec, LLCs; 404, 420, & 424 E. Sunshine Street; Conditional Use Permit 470.)

6766

8. Council Bill 2022-296 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.32 acre of property generally located at 1708 South Sieger Drive from R-SF, Single-family Residential District, to O-1, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: School For Investors LLC; 1708 S. Sieger Drive; Z-25-2022.)

6767

9. Council Bill 2022-297 (Schilling)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 1.14 acres of private property and 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 of Springfield. (By: Hale Real Estate, LLC; 354 W. Buena Vista Street; A-4-2022.)

6768

10. Council Bill 2022-298 (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.15 acres of property generally located at 354 West Buena Vista Street from Greene County C-2 to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Hale Real Est LLC; 354 W. Buena Vista Street; Z-26-2022.)

6769

11. Council Bill 2022-299 (McGull)

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the 3100-3399 block of North Mulroy Road to North Beaver Road. (Staff and Planning and Zoning Commission both recommend approval.) (By: Buc-ee's; 3100-3399 block of North Mulroy Road; Street Name Change No. 80.)

27789

12. Council Bill 2022-300 (McClure)

A special ordinance approving the Fourth Amendment to the Employment Agreement by and between the City of Springfield, Missouri, and Anita J. Cotter; authorizing the Mayor to execute such Amendment; and authorizing payment of salary and benefits to Anita J. Cotter in accordance with the provisions of the Fourth Amendment.

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

10673

14. Council Bill 2023-001 (Horton)

A resolution authorizing the City Manager or his designee, to apply for up to \$8,600,000 in grant funds from the United States Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity Grant Program to fund the improvements for the Jefferson Avenue Footbridge Rehabilitation Project.

15. EMERGENCY BILLS. Citizens May Speak. May Be Voted On.

27790

16. Council Bill 2023-002 (City Council)

A special ordinance calling an election to be held on April 4, 2023, in the City of Springfield, Missouri, to submit to the qualified voters a question as to whether to repeal the City's license tax of five percent of gross receipts on hotels, motels, and tourist courts and replace it with a new license tax of five percent of gross receipts on hotels, motels, tourist courts, and short-term rentals; and declaring an emergency.

6770

17. Council Bill 2023-003 (City Council)

A general ordinance submitting a proposed amendment to Section 2.16, Paragraph (25), 'Contracts, suits, etc.,' of the Springfield City Charter to the qualified voters of the City at the general election held by the City of Springfield on April 4, 2023, in order to authorize City Council to pass an ordinance authorizing acceptance of bids and entry into contracts with successful bidders at the Council meeting at which it is introduced; and declaring an emergency.

6771

18. Council Bill 2023-004 (City Council)

A general ordinance submitting a proposed amendment to Sections 3.3, 6.1, 6.2, 6.5, 6.6, and 6.7 of the Springfield City Charter to the qualified voters of the City at the general election held by the City of Springfield on April 4, 2023, in order to revise sections of the Charter related to personnel by changing the word “personnel” to the phrase “human resources,” authorizing the city manager to allow the director of human resources to remove some types of non-regular employees, revising the list of positions in the unclassified service, adding provisions related to employee reinstatement and promotion, expanding the application of the veterans’ preference to all veterans of the United States armed forces who served active duty and were honorably discharged, and revising the provision authorizing a five-point veterans’ preference to a requirement to provide a reasonable veterans’ preference; and declaring an emergency.

**Tabled until
the 1-17-23
Special City
Council
Meeting**

19. Council Bill 2023-005 (City Council)

A general ordinance submitting proposed amendments to Section 19.16 of the Springfield City Charter to the qualified voters of the City at the general election held by the City of Springfield on April 4, 2023, in order to revise the provisions related to conflicts of interest regarding City contracts or purchases by councilmembers, salaried officers, board and commission members, and employees; and declaring an emergency.

20. PUBLIC IMPROVEMENTS.**21. GRANTS. Citizens May Speak. May Be Voted On.**

27791

22. Council Bill 2023-006 (Hardinger)

A special ordinance authorizing the City Manager or his designee to apply for and accept grant funds, on behalf of the Springfield-Greene County Health Department, from the Disaster Grants – Public Assistance (Presidentially Declared Disasters) Missouri COVID-19 Pandemic Program through the Department of Homeland Security Federal Emergency Management Agency for qualifying expenditures in the amount of \$1,289,000, and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2022-2023 budget in the amount of \$1,289,000 for the purpose of appropriating the additional grant funds; and declaring that this bill qualifies for approval in one reading.

27792

23. Council Bill 2023-007 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept an extension to the Epidemiology and Laboratory Capacity Community Health Worker Initiative grant from the Federal Department of Health and Human Services and Centers for Disease Control and Prevention, through the Missouri Department of Health and Senior Services, to accept funds in the amount of \$474,210 for use by the Springfield-Greene County Health Department, and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2022-2023 budget in the amount of \$474,210 for the purpose of appropriating the additional grant funds; and declaring that this bill qualifies for approval in one reading.

24. AMENDED BILLS.

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

26. Council Bill 2023-008 (Simpson)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 27 acres of private property, generally located at 6621 South Innovation Avenue, and referenced as Annexation A-1-2023, into the City of Springfield. (Staff recommends approval.) (By: Kenneth & Helen Stoddard ETAL; 6621 S. Innovation Avenue; A-1-2023.)

27. Council Bill 2023-009 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 27.05 acres of property generally located at 6621 South Innovation Avenue from Greene County A-1 to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kenneth & Helen Stoddard ETAL; 6621 S. Innovation Avenue; Z-28-2022.)

28. Council Bill 2023-010 (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.15 acres of property generally located at 4121 South Cox Avenue from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 221; establishing Conditional Overlay District No. 221; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: The Harold E. Johnson Companies, Inc.; 4121 S. Cox Avenue; Z-29-2022 w/COD #221.)

29. Council Bill 2023-011 (Horton)

A general ordinance amending Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.45 acre of property generally located at 830 North Benton Avenue from GR, General Retail District, to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Drury University; 830 N. Benton Avenue; Z-30-2022.)

30. Council Bill 2023-012 (Simpson)

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the West 3100 block through the East 3600 block of Republic Street to Republic Road. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; West 3100 blk – East 3600 blk of Republic Street; Street Name Change No. 81.)

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

32. Council Bill 2023-013 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into Addendum #1 to the annual agreement with the Springfield Convention & Visitors Bureau, Inc., executed on August 2, 2022; and amending the City's budget for Fiscal Year 2022-2023 in the amount of \$502,750, for the purpose of reflecting current and projected operational changes of the Springfield Convention and Visitors Bureau.

33. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

Did Not Appear

Chad Mann wishes to address City Council.

Appeared

Andrea Palamar wishes to address City Council.

Did Not Appear

Bruce Adib-Yazdi wishes to address City Council.

34. NEW BUSINESS.

35. UNFINISHED BUSINESS.

36. MISCELLANEOUS.

37. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

38. Council Bill 2023-014 (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Campbell Acres, generally located at 3525, 3543, and 3553 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: John Youngblood & South Campbell LLC; 3525, 3543, 3553 South Campbell Avenue; Preliminary Plat of Campbell Acres.)

39. Council Bill 2023-015 (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Porter's Crossing, generally located at 543 West Old Weaver Road, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: Burning Tree Consulting, LLC; 543 West Old Weaver Road; Preliminary Plat of Porter's Crossing.)

40. CONSENT AGENDA – ONE READING BILLS. See Item #3.

10674

41. Council Bill 2023-016 (Hardinger)

A resolution confirming the appointment of Sarah Kerner to the Cottle's Range Community Improvement District Board of Directors. (Staff and the Cottle's Range Improvement District Board of Directors recommend approval.)

10675

42. Council Bill 2023-017 (Hosmer)

A resolution confirming the appointments of Mack Musgrave, Jeff Schrag, Craig Wagoner, Andrew Wells, Steve Eudaly, and Michelle Billionis to the Downtown Springfield Community Improvement District Board of Directors. (Staff and the Downtown Springfield Community Improvement District Board of Directors recommend approval.)

10676

43. Council Bill 2023-018 (Lear)

A resolution confirming the appointment of Tim O'Reilly, James R. Batten, and Kirk Juranas to the Springfield Plaza Community Improvement District Board of Directors. (Staff and the Springfield Plaza Community Improvement District Board of Directors recommend approval.)

10677

44. Council Bill 2023-019 (Ollis)

A resolution confirming the appointment of Christine Schilling to the Commercial Street Community Improvement District Board of Directors. (Staff and the Commercial Street Community Improvement District Board of Directors recommend approval.)

45. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

27793

46. Council Bill 2022-301(Hardinger)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Branson Vacation Radio for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

27794

47. Council Bill 2022-302 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Gray Media Group, Inc., dba KYTV, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

27795

48. Council Bill 2022-303 (Lear)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and NEXSTAR Media Group, Inc., dba KOZL, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

27796

49. Council Bill 2022-304 (Ollis)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Queen Television of Kansas/Missouri LLC dba KOAM/KFJX for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

50. END OF CONSENT AGENDA.**51. ADJOURN.**



Noted 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
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Citizens wishing to submit comments to City Council may do so at <https://www.springfieldmo.gov/FormCenter/City-Council-6/Citizen-Comment-Form-for-Regular-Springf-368>.

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.

- | | |
|-------------------------------------|---|
| <p>Approved as Presented</p> | <p>1. ROLL CALL.</p> |
| <p>Approved as Presented</p> | <p>2. APPROVAL OF MINUTES. JANUARY 9, 2023, CITY COUNCIL MEETING AND THE JANUARY 17, 2023, SPECIAL CITY COUNCIL MEETING.</p> |
| <p>Approved as Presented</p> | <p>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.</p> |

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.

4. **CEREMONIAL MATTERS.**
5. **CITY MANAGER 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.**

**Sponsorship
Withdrawn**

7. Council Bill 2023-008 (Simpson)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 27 acres of private property, generally located at 6621 South Innovation Avenue, and referenced as Annexation A-1-2023, into the City of Springfield. (Staff recommends approval.) (By: Kenneth & Helen Stoddard ETAL; 6621 S. Innovation Avenue; A-1-2023.)

**Sponsorship
Withdrawn**

8. Council Bill 2023-009 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 27.05 acres of property generally located at 6621 South Innovation Avenue from Greene County A-1 to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kenneth & Helen Stoddard ETAL; 6621 S. Innovation Avenue; Z-28-2022.)

6772

9. Council Bill 2023-010 (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.15 acres of property generally located at 4121 South Cox Avenue from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 221; establishing Conditional Overlay District No. 221; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: The Harold E. Johnson Companies, Inc.; 4121 S. Cox Avenue; Z-29-2022 w/COD #221.)

6773

10. Council Bill 2023-011 (Simpson)

A general ordinance amending Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.45 acre of property generally located at 830 North Benton Avenue from GR, General Retail District, to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Drury University; 830 N. Benton Avenue; Z-30-2022.)

6774

11. Council Bill 2023-012 (Simpson)

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the West 3100 block through the East 3600 block of Republic Street to Republic Road. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; West 3100 blk – East 3600 blk of Republic Street; Street Name Change No. 81.)

27797

12. Council Bill 2023-013 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into Addendum #1 to the annual agreement with the Springfield Convention & Visitors Bureau, Inc., executed on August 2, 2022; and amending the City's budget for Fiscal Year 2022-2023 in the amount of \$502,750, for the purpose of reflecting current and projected operational changes of the Springfield Convention and Visitors Bureau.

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

10678

14. Council Bill 2023-020 (Ollis)

A resolution authorizing the City Manager, or his designee, to apply for up to \$3,500,000 in grant funds from the United States Environmental Protection Agency Solid Waste Infrastructure for Recycling Grant Program for Political Subdivisions of States and Territories to fund infrastructure improvements to local waste management systems.

10679

15. Council Bill 2023-021 (Hosmer)

A resolution authorizing the City Manager, or his designee, to apply for up to \$1,500,000 in grant funds from the United States Environmental Protection Agency Consumer Recycling Education and Outreach Grant Program to fund various activities to support, enhance, and inform expanded recycling participation and overall landfill waste diversion.

10680

16. Council Bill 2023-022 (Ollis)

A resolution declaring the intent of the City of Springfield to utilize the Construction Manager At Risk project delivery method as set forth in Purchasing Manual, 13-3.104(5)(c) for the Historic City Hall Renovation project; and setting forth selection criteria.

10681

17. Council Bill 2023-023 (Hardinger)

A resolution authorizing the City Manager, or his designee, to apply for up to \$10,000,000 in grant funds from the United States Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity Grant Program to fund the improvements for the Renew Jordan Creek Project.

10682

18. Council Bill 2023-024 (Schilling)

A resolution granting a Short-Term Rental Type 2 Permit for the property located at 410 East Loren Street for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

Referred to the
Plans and
Policies
Committee

19. Council Bill 2023-025 (Hosmer)

A resolution initiating an administrative delay on the acceptance and processing of applications for demolition, new construction, re-platting of property, including lot combinations, conditional use permits, and rezoning for a period of two hundred ten (210) days from the date of passage of this Resolution for those properties which abut the Sunshine Street and National Avenue Corridor Area, to allow time to seek input from area residents, property owners, design professionals, and interested citizens regarding the Sunshine and National Corridor Plan and for staff to present a report to the Planning and Zoning Commission and City Council regarding the Sunshine Street and National Avenue Corridor Area, development constraints, and opportunities in this area.

20. EMERGENCY BILLS.**21. PUBLIC IMPROVEMENTS.****22. GRANTS. Citizens May Speak. May Be Voted On.**

27798

23. Council Bill 2023-026 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$286,100 from a Food Waste Reduction Pilot Program Grant through the United States Department of Agriculture to fund improvements to the Yardwaste Recycling Center for acceptance of food waste materials for landfill diversion and outreach efforts to promote a food waste acceptance pilot program and to enter into a contract to receive such funds; amending the budget of the Department of Environmental Services for Fiscal Year 2022-2023 in that amount upon award of the grant; and declaring that this bill qualifies as a one-reading bill.

24. AMENDED BILLS.**25. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.****26. Council Bill 2023-027 (Lear)**

A general ordinance amending Chapter 36, of the Springfield City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Divisions 1 through 5, Sections 36-303, 36-321, 36-363, 36-421, 36-422, 36-423, 36-424, 36-425, 36-430, 36-431, 36-432, 36-433, 36-434, and 36-474, for the purpose of allowing the sale of Comprehensive (Recreational) Marijuana as required by revised Article XIV of the Missouri Constitution. (Staff and Planning and Zoning Commission both recommend approval.)

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

28. Council Bill 2023-028 (Hardinger)

A general ordinance amending the Springfield City Code, Chapter 82, 'Parks and Recreation,' Article I, 'General,' Section 82-1, 'Park rules generally,' to clarify the hours of operation and closure of the City's various park locations and to improve the consistent regulation of alcohol throughout the park system.

29. Council Bill 2023-029 (Hosmer)

A general ordinance amending Chapter 120, 'Wastewater Regulations,' Article VI, 'Wastewater Charges and Rates,' Section 120-245, 'Rates,' and Section 120-247, 'Extra Charges,' of the Springfield City Code, by repealing the existing rate schedule and establishing a new rate schedule that provides for phased-in annual rate increases for three years, beginning July 1, 2023, which shall provide necessary funding for accommodating increases in operating costs and for the additional cost of complying with the Clean Water Act and Missouri Department of Natural Resources mandates.

30. Council Bill 2023-030 (Lear)

A special ordinance authorizing the City Manager, or designee, on behalf of the City, to enter into a First Amendment to the Battlefield Wastewater Service Contract to provide an expanded, Battlefield Annexation Boundary within which Battlefield can annex in order to provide wastewater services.

31. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

Did Not Appear

Curtis Vaughn wishes to address City Council.

Did Not Appear

Daryl Baker wishes to address City Council.

32. NEW BUSINESS.

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.

33. UNFINISHED BUSINESS.

34. MISCELLANEOUS.

35. CONSENT AGENDA – FIRST READING BILLS.

36. CONSENT AGENDA – ONE READING BILLS. See Item #3.

10683

37. Council Bill 2023-031 (Hosmer)

A resolution reelecting the Honorable John Appelquist as a substitute judge of the Springfield Municipal Court for a term of four years.

10684

38. Council Bill 2023-032 (Lear)

A resolution reelecting the Honorable Matthew Owen as a substitute judge of the Springfield Municipal Court for a term of four years.

39. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

27799

40. Council Bill 2023-014 (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Campbell Acres, generally located at 3525, 3543, and 3553 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: John Youngblood & South Campbell LLC; 3525, 3543, 3553 South Campbell Avenue; Preliminary Plat of Campbell Acres.)

27800

41. Council Bill 2023-015 (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Porter's Crossing, generally located at 543 West Old Weaver Road, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: Burning Tree Consulting, LLC; 543 West Old Weaver Road; Preliminary Plat of Porter's Crossing.)

42. END OF CONSENT AGENDA.**43. ADJOURN.**

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: February 2, 2023

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Zoning Case Z-27-2022 COD #220

This case is postponed to the Planning and Zoning Commission meeting on March 9, 2023.

Development Review Staff Report



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

FEBRUARY 9, 2023

N/A

CASE: Vacation 826

ACRES: 0.32 acres

LOCATION: 1700 Block of W. Loren Street

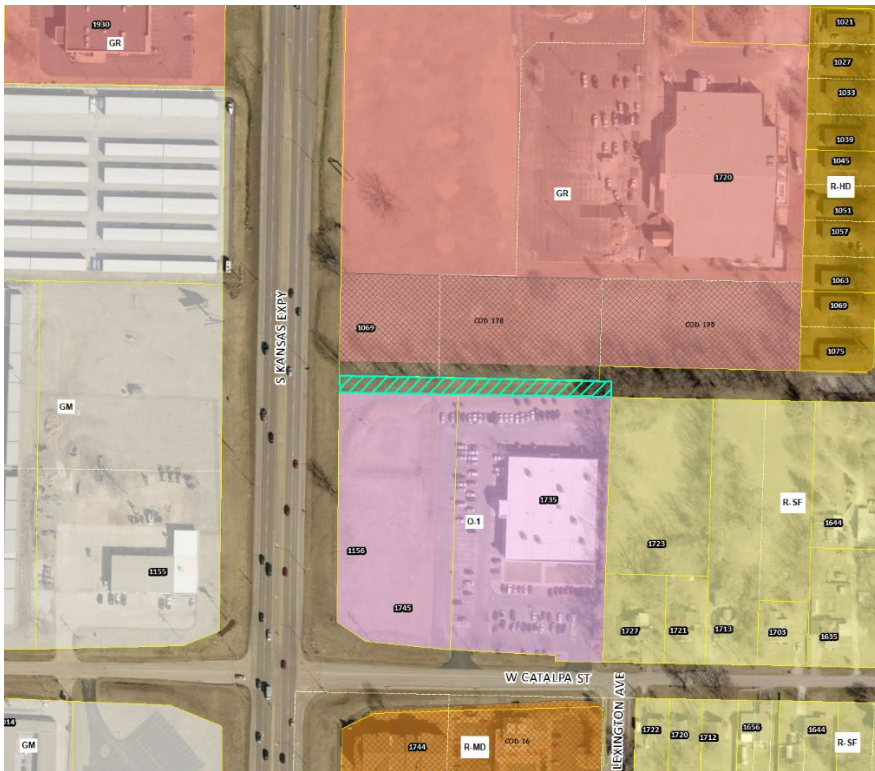
EXISTING LAND USE: Public right-of-way

APPLICANT: Lee Engineering & Associates LLC

STAFF: Kyle McGinnis, Senior Planner
 417-864-1615

STAFF RECOMMENDATIONS:
 Approve

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



SUMMARY OF REQUEST:

Request to vacate a portion of the public right-of-way at the 1700 block of W. Loren Street.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The requested vacation meets the approval criteria listed in Attachment 2.
2. The applicant is proposing to vacate right-of-way that is no longer needed which was originally dedicated as part of Young's Subdivision in 1888.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	O-1	R-SF & R-HD	GM
LAND USE	Medical Office Use Group	General Office Use Group	Single-family and Multifamily Uses	Construction Equipment Sales & Storage Yard

Development Review Staff Report

SURROUNDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



GOOGLE MAPS STREET VIEW:



CITY OF
Springfield

1039
1045
1051
1057
R-HD
1063
1069
1075
S LEXINGTON AVE
Local
W LOREN ST
Local
1155
GM
S KANSAS EXPY
STATE
Local
CITY
1156
1745
O-1
1735
CITY Local
W CATALPA ST
1720
GR
COO 178
COO 195
1723
R-SF
1644
1727
1721
1713
1703
1635
1621
1656
R-SF
1644
COO 14
R-MD
CITY Local
STATE

Development Review Staff Report



PROPERTY HISTORY:

This portion of public street right-of-way was originally dedicated as part of Young's Subdivision in 1888 in Greene County and was later annexed into the City of Springfield in 1955.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

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

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Not applicable to the vacation request.

STAFF COMMENTS:

1. The applicant is proposing to vacate approximately 0.32 acres of public street right-of-way, which was originally dedicated as part of Young's Subdivision in 1888. The public right-of-way has not been used in the time since its dedication and, as a result, the applicant has requested the vacation in order to promote a more fluid design for future development in this area.
2. Young's Subdivision was recorded in 1888 in Greene County and was later annexed into the City of Springfield in 1955.
3. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on November 8, 2022. The neighborhood meeting affidavit and meeting summary have been provided with this report (Attachment 4).

PUBLIC NOTIFICATIONS:

The public notice was advertised in the News-Leader at least 30 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 300 feet.

Notices sent to property owners within 300 feet: Mailed: 27 Returned: 0

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1

AT&T COMMENTS:

No issues.

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No issues.

CITY UTILITIES:

No issues with the proposed vacation. There are no apparent impacts on City Utilities' facilities.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the street vacation; however, there is a small portion on the east end of the proposal area that needs to be reserved for a sewer easement for existing sewer. The sewer extends approximately 40 feet into the vacation area. The easement will need to extend south, meeting the north property line of Lot 9 of Young's Subdivision.

FIRE DEPARTMENT COMMENTS:

No issues. The installation of fire hydrants and fire access lanes shall comply with 2018 IFC when developed, as applicable.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

A minimum 26-foot wide cross-access easement needs to be placed from Catalpa to Grand and must be in place before the vacation can be approved.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

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

PW Stormwater has no concerns for the proposed vacation of the right-of-way. The storm sewer channel inside the right-of-way area will have to be maintained or modified to continue the flow of the Stormwater runoff. 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. Detention is required for the site.

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

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

Development Review Staff Report



- b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

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
Existing gravel surfaces meeting the above definition are eligible for 50% Credit.

Development Review Staff Report



REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	All property owners adjacent to the street, alley or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets.
2.	The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of this portion of street.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the public right-of-way is unnecessary.
4.	That the vacation will not affect the ability to use utilities, public or private.	This vacation area does not contain City Utilities' infrastructure but does contain existing sewer infrastructure which must be placed within an easement. In addition, a cross-access easement will be required for a portion of the vacated right-of-way.

Development Review Staff Report



LEGAL DESCRIPTION:

ATTACHMENT 3

DESCRIPTION OF STREET RIGHT-OF-WAY TO BE VACATED

Beginning at the Southwest (SW) corner of Lot One (1) of Kansas at Grand Phase 2, a subdivision in the City of Springfield, Greene County, Missouri; thence, South $87^{\circ}49'52''$ East, along and with the South line of said Lot 1, a distance of 459.67 feet; thence, South $02^{\circ}10'08''$ West, departing said South line, a distance of 30.00 feet to the Northeast (NE) corner of Lot Nine (9) of Young's Subdivision, a subdivision in the City of Springfield, Greene County, Missouri; thence, North $87^{\circ}49'52''$ West, along and with the North line of Lot Nine (9) and Ten (10) of Young's Subdivision, a distance of 459.72 feet to the East Right- of-Way line of Kansas Expressway; thence, North $02^{\circ}15'25''$ East, along and with said East line, a distance of 30.00 feet to the POINT OF BEGINNING; containing 0.32 acres.

ATTACHMENT 4

NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: W. Loren Street
(subject address)
2. Meeting Date & Time: 11/8/2022; 4-6:30 PM
3. Meeting Location: 1720 Grand Street, Suite A, Springfield, MO 65802
4. Number of invitations that were sent: 27
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:

There were no verbal comments.

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

There were no written comments.

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: February 2, 2023

TO: Planning and Zoning Commission

FROM: Michael Sparlin
Senior Planner

SUBJECT: Home Occupation Amendments

City staff is requesting that the Home Occupation Amendments be postponed to the next Planning and Zoning Commission meeting on March 9, 2023.

Development Review Staff Report

PLANNING AND ZONING COMMISSION PUBLIC HEARING:	FEBRUARY 9, 2023
CITY COUNCIL PUBLIC HEARING:	March 6, 2023
	CASE: Z-1-2023 w/COD #222
	ACRES: 0.71 acres
	LOCATION: 1018 N. Farmer Avenue and 1622 through 1634 W. Scott Street
	EXISTING LAND USE: Single-family residential, Vacant
	APPLICANT: RAL Property Management LLC
	STAFF: Kyle McGinnis, Senior Planner (417) 864-1615
	STAFF RECOMMENDATIONS: Approve
PROPOSED MOTION: Move to approve as submitted in the staff report.	
REQUIRED VOTE: A majority of those present (5 members are a quorum).	

SUMMARY OF REQUEST:

Request to rezone approximately 0.71 acres of property generally located at 1018 N. Farmer Avenue and 1622 through 1634 W. Scott Street from R-SF, Single-family residential district to R-TH, Residential townhouse district and establishing Conditional Overlay District No. 222.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Land Use and Development* chapter of the *Comprehensive Plan* includes this site within the Established Neighborhood Placetype, which is described as, "Typically [containing] a diverse range of single-family homes with varying architectural styles, setbacks, and parcel sizes." Consisting of neighborhoods which precede WWII, modern infill within this Placetype, "...can include higher density residential development that [blends] with the surrounding character," though vacant or otherwise underutilized properties should also be considered for new uses which complement or reinforce the urban fabric of the neighborhood, such as pocket parks, community gardens, or small neighborhood commercial nodes, as well as housing. Planning within this Placetype is meant to improve infrastructure and support development patterns which help make these neighborhoods more complete, diverse, and accessible.
2. The subject properties are currently zoned R-SF, Single-family residential district, and the applicant, RAL Property Management LLC, has requested to rezone the site to R-TH, Residential townhouse district with the intent to construct a series of duplexes. Per the area map provided above, those properties fronting N. Kansas Expressway to the east are already zoned R-TH and have been zoned as such since the city-wide mapping which took place in 1995. The *Land Development Code* describes the R-TH district as appropriate for, "...a variety of housing types, including single-family detached, single-family semi-detached, duplex, and townhouse dwellings, at low to moderate residential densities (approximately 11 dwelling units per acre)." Though this district does allow for other nonresidential uses, the intent of this district is to preserve the residential character of a given area.
3. No site plan has been made available for the proposal; however, a site plan is not required for such a rezoning. To better ensure the quality of future construction, the applicant will be required to follow the Affordable Housing Design Guidelines, as indicated in the proposed Conditional Overlay District (COD) No. 222. This is the only requirement of the proposed COD.

Development Review Staff Report



4. Lot 3 (1018 N. Farmer Avenue) does not currently have access to City Utilities water or gas infrastructure; as a result, main extensions will be needed to provide these services to this lot specifically. Lot 2 (1628 W. Scott Street) does not have direct access to public sewer infrastructure, requiring an extension of public sewer to serve this lot unless the applicant reconfigures the property lines via a subdivision process to grant access to public sewer to the west. Should an extension of public sewer be necessary, public improvement plans will need to be reviewed, approved, and constructed (or escrowed) prior to the issuance of future building permits or plats. Regardless of changes to the subdivision or extensions of infrastructure, a sewer impact permit fee will be required for any new construction on this site.
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. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

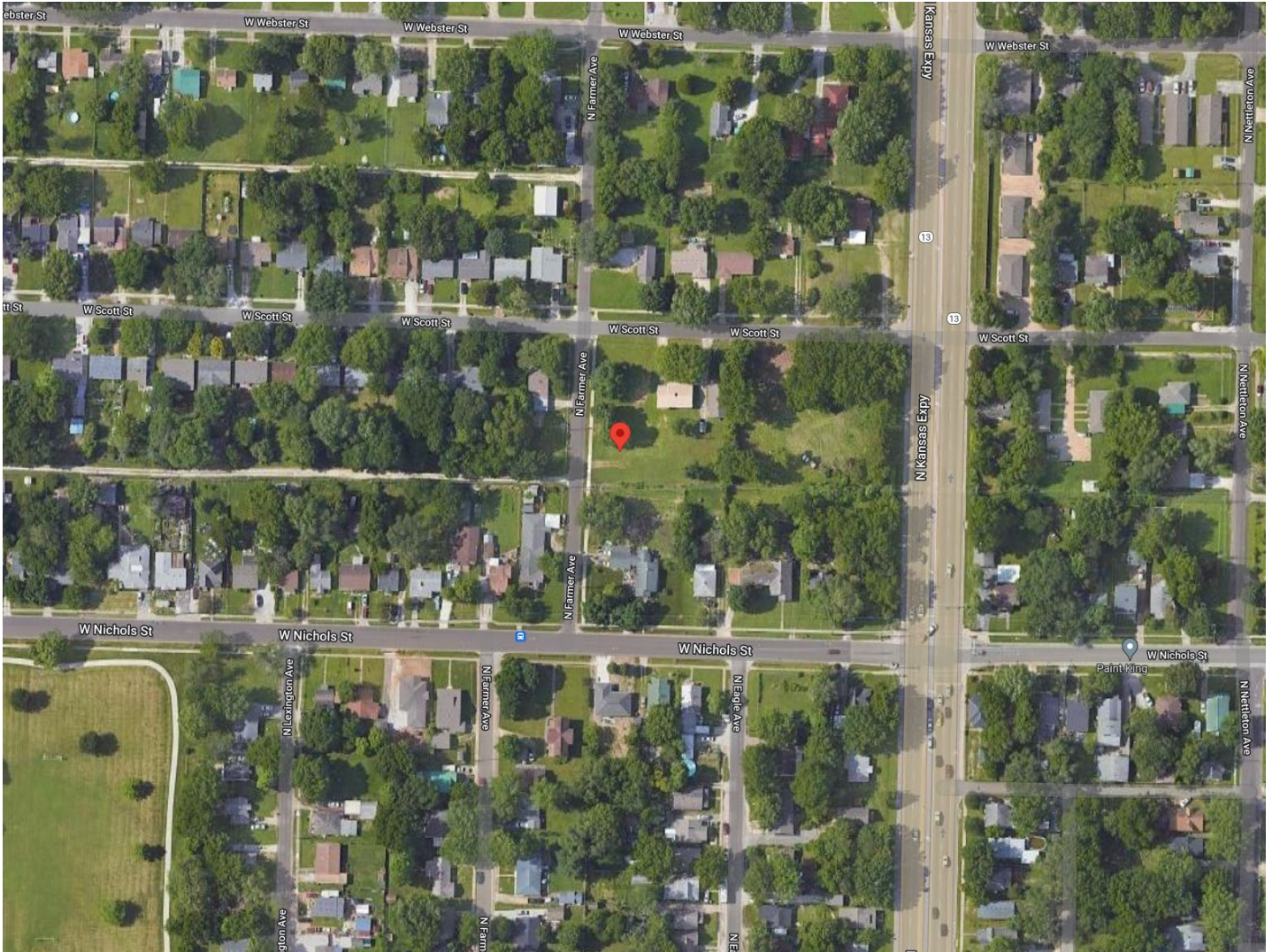
SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-TH	R-SF
LAND USE	Single-family residential	Single-family residential	Vacant	Single-family residential

Development Review Staff Report



SURROUNDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject properties were all zoned R-SF, Single-family residential district as part of the city-wide remapping which took place in 1995. None of the subject properties have been rezoned since that time.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

ZONING ORDINANCE OR CODE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-TH
Minimum Yard Requirements	Front yard: 25 feet along a street classified as a Collector or higher, or 15 feet along a street classified as a Local street. Side yard: Five feet for most uses, six feet for townhouses. Rear yard: Equal to 10% of the lot depth, but cannot be narrower than 10 feet and cannot be required to exceed 20 feet.
Maximum Structure Height	35 feet (or two and one-half stories) when side yards are narrower than 15 feet. 45 feet (or three stories) when side yards exceed 15 feet in width.
Minimum Open Space	Not less than 20 percent of the total lot area.
BULK PLANE	BUFFERYARD AND LANDSCAPING
Not applicable.	Not applicable. A bufferyard would only be required if the site were to contain a nonresidential use.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Land Use and Development* chapter of the *Comprehensive Plan* includes this site within the Established Neighborhood Placetype, which is described as, “Typically [containing] a diverse range of single-family homes with varying architectural styles, setbacks, and parcel sizes.” Consisting of neighborhoods which precede WWII, modern infill within this Placetype, “...can include higher density residential development that [blends] with the surrounding character,” though vacant or otherwise underutilized properties should also be considered for new uses which complement or reinforce the urban fabric of the neighborhood, such as pocket parks, community gardens, or small neighborhood commercial nodes, as well as housing. Planning within this Placetype is meant to improve infrastructure and support development patterns which help make these neighborhoods more complete, diverse, and accessible.

STAFF COMMENTS:

1. The subject properties are currently zoned R-SF, Single-family residential district, and the applicant, RAL Property Management LLC, has requested to rezone the site to R-TH, Residential townhouse district with the intent to

Development Review Staff Report



construct a series of duplexes. Per the area map provided on Page 1 of this report, those properties fronting N. Kansas Expressway to the east are already zoned R-TH and have been zoned as such since the city-wide mapping which took place in 1995. The *Land Development Code* describes the R-TH district as appropriate for, "...a variety of housing types, including single-family detached, single-family semi-detached, duplex, and townhouse dwellings, at low to moderate residential densities (approximately 11 dwelling units per acre)." Though this district does allow for other nonresidential uses, the intent of this district is to preserve the residential character of a given area.

2. No site plan has been made available for the proposal; however, a site plan is not required for such a rezoning. To better ensure the quality of future construction, the applicant will be required to follow the Affordable Housing Design Guidelines, as indicated in the proposed Conditional Overlay District (COD) No. 222 (Attachment 2). This is the only requirement of the proposed COD.
3. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
4. The proposed rezoning was reviewed by City departments, whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on January 19, 2023, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

Notices sent to property owners within 185 feet: Mailed: 146 Returned: 0

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No issues with the proposed rezoning.

CITY UTILITIES:

No issues with the proposed rezoning. Lot 3 (1018 N. Farmer Avenue) does not currently have access to City Utilities water or gas infrastructure; as a result, main extensions will be needed to provide these services to this lot specifically.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objections to the proposed rezoning. Lot 2 (1628 W. Scott Street) does not have direct access to public sewer infrastructure, requiring an extension of public sewer to serve this lot unless the applicant reconfigures the property lines via a subdivision process to grant access to public sewer to the west. Should an extension of public sewer be necessary, public improvement plans will need to be reviewed, approved, and constructed (or escrowed) prior to the issuance of future building permits or plats. Regardless of changes to the subdivision or extensions of infrastructure, a sewer impact permit fee will be required for any new construction on this site.

FIRE DEPARTMENT:

No issues with the proposed rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

The property is in the **Jordan Creek Lower Branch** drainage basin. The property **is 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**.

Public Works Stormwater has no concerns with the proposed rezoning of the property. Please note that development of the property will be subject to the following conditions at the time of development. All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022:

<https://www.springfieldmo.gov/DocumentCenter/View/57515/Flood-Control-and-Water-Quality-Protection-Manual-April-2022>

Detention Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in-lieu-of detention may be allowed per the Director of Public Works.
 - a. Detention will be evaluated at the time of development. Floodplain is in the southwest corner of this property and along the stream. A fee in-lieu-of detention application could be made with minimal flooding impact downstream considering the area is in a floodplain.
2. City of Springfield allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec. 4.1.4.
 - a. To a Public Right-of-Way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3).
 - b. If none of the three options are available, then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

Water Quality Requirements

Development Review Staff Report



1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the City Limits of Springfield when disturbing one acre of land or more. This includes projects less than one acre in area that are part of a larger common plan of development or sale that will disturb one acre of land or more over the life of the project. Refer to Chapter 10 Section 2.0. Water Quality will be required.
 - a. Water quality will be required.

Additional Stormwater Standards to be met

1. A land disturbance permit will be required due to the anticipated area of disturbance exceeding one acre in area 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.

DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies N. Farmer Avenue and W. Scott Street as Residential Local roadways. The standard right-of-way width from the centerline for N. Farmer Avenue and W. Scott Street is 25 feet. It appears that no additional right-of-way is needed along N. Farmer Avenue or W. Scott Street. A survey is recommended to determine the exact amount of existing right-of-way. N. Farmer Avenue and W. Scott Street are city-maintained streets.

TRAFFIC COUNTS & ON-STREET PARKING

There are no recent traffic counts for N. Farmer Avenue or W. Scott Street. On-street parking is allowed along N. Farmer Avenue and W. Scott Street.

DRIVEWAY ACCESS

There are no driveway access points onto the properties from N. Farmer Avenue. There are two existing driveway access points onto the properties from W. Scott Street. Access to these properties will be allowed based on existing City of Springfield standards for the street classification.

SIDEWALK

There is existing sidewalk along the property frontage of N. Farmer Avenue. There is existing sidewalk along the north side of W. Scott Street along the property frontage. No additional sidewalks are required for this development.

TRAILS, BUS STOPS, & ADDITIONAL INFORMATION

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are no bus stops along N. Farmer Avenue or W. Scott Street near this property.

IMPROVEMENTS

A Traffic Impact Study is not required for this development.

Development Review Staff Report



TRAFFIC - TABLE 1: REZONING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	N. Farmer Avenue	Residential Local	Yes	30	25
Street 2	W. Scotty Street	Residential Local	Yes	30	25

ATTACHMENT 2
CONDITIONAL OVERLAY DISTRICT NO. 222

1. Future construction on the subject sites shall comply with the City of Springfield's Affordable Housing Design Guidelines.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: RSF to RTH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: January 19, 2023 4:30-6:00 pm
3. Meeting Location: Library Station - Santa Fe Room
4. Number of invitations that were sent: 150
5. How the mailing list was generated: the City
6. Number of neighbors in attendance (attach a sign-in sheet): 5
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

NO ISSUES

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

I, Randy Lopez (print name), attest that the neighborhood meeting was held on 1-19-23 (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

Randy Lopez
Printed name of person completing affidavit

Attendees

1-19-23

Nancy McKay

Anna Pageler

Rocky Anderson

Charlie Van Zandt

Ashton ?

Development Review Staff Report



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

FEBRUARY 9, 2023

March 6, 2023

CASE: Z-3-2023 w/COD #223

ACRES: 14.8 acres

LOCATION: 2238, 2250, 2316 East Catalpa Street

EXISTING LAND USE: Undeveloped Land

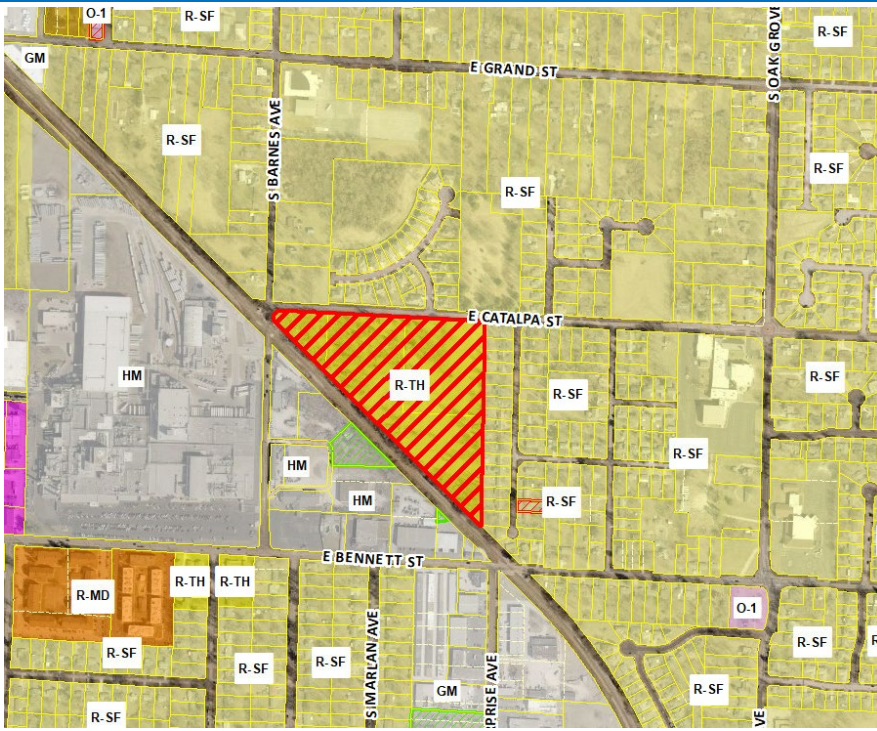
APPLICANT: NGA Holdings, LLC

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

STAFF RECOMMENDATIONS: Approval

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

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



SUMMARY OF REQUEST:

Request to rezone approximately 14.8 acres of property generally located at 2238, 2250, 2316 East Catalpa Street from R-TH, Residential townhouse district to R-LD, Low-density Multi-family Residential and establishing Conditional Overlay District No. 223.

FINDINGS FOR STAFF RECOMMENDATIONS:

1. The *Land Use and Development* chapter of the *Comprehensive Plan* includes this site within the Traditional Neighborhood Placetype. This placetype is predominately comprised of single-family detached residential dwellings with generally uniform setbacks, building designs, and parcel sizes. Planning within this placetype is intended to improve the neighborhood's quality of place, which can be achieved through a number of strategies including beautification efforts via streetscaping, increasing access and connections with nearby greenway or trail systems, and supporting low-intensity multifamily uses, low-intensity neighborhood commercial uses, or a mix of uses to serve area residents. Multifamily uses are meant to be located along higher classification roadways, near greenways or trails, or in areas identified by residents during the neighborhood planning process. The preservation of residential housing and housing patterns is meant to be prioritized where lots are predominately accessed from side or internal local streets. Furthermore, redevelopment efforts including higher-density housing or commercial uses are to be limited to areas adjacent to identified activity centers, where the redevelopment's anticipated traffic and circulation will not negatively affect the adjoining neighborhood.
2. This application is consistent with the *Land Use and Development* recommendation which states that a "step-down approach should be used to create a gradual transition where more intense housing types and dissimilar uses converge along the edges of the neighborhood." The subject property is located on the edge of a neighborhood in an area where manufacturing and single-family land uses and zoning converge.
3. The R-LD district is intended to accommodate multifamily developments at densities up to approximately 18 units per acre (this application limits to 11 du/acre) and is intended to serve as a transition between lower density and higher density residential districts. This district is intended for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. New

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single-family dwellings are not permitted to ensure that vacant land set aside for multifamily development is not preempted by less intense development.

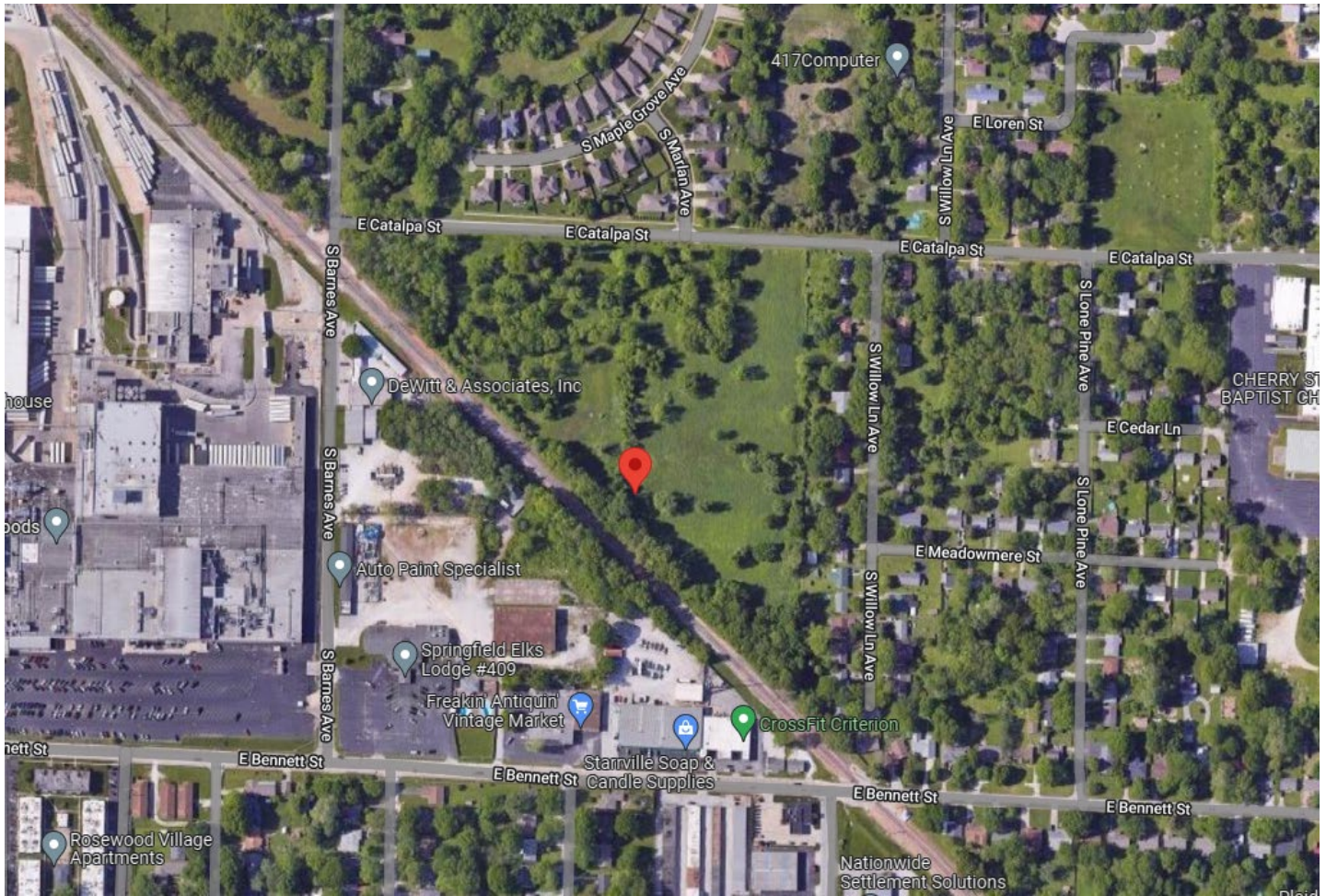
4. To help ensure a compatible housing unit density, the applicant will be required to limit the development of property to 11 dwelling units per acre, as indicated in the proposed Conditional Overlay District (COD) No. 223 (Attachment 2). This is the only requirement of the proposed COD. No site plan has been made available for the proposal; however, a site plan is not required for such a rezoning.
5. The subject property has direct access to Catalpa Street, classified as a Collector roadway and is adjacent to Barnes Avenue, also classified a Collector roadway. New development of apartments would have access to these Collector streets without the need to traverse minor streets in the adjoining residential neighborhood.
6. The proposed zoning and uses will not have a substantial impact on the public street system, pedestrian traffic, or impact traffic safety in the vicinity.
7. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	HM	R-SF	HM
LAND USE	Single-family residential	Railroad right-of-way, Manufacturing, warehouses and commercial uses	Single-family residential	Railroad right-of-way, Manufacturing, warehouses and commercial uses

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SURROUNDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)

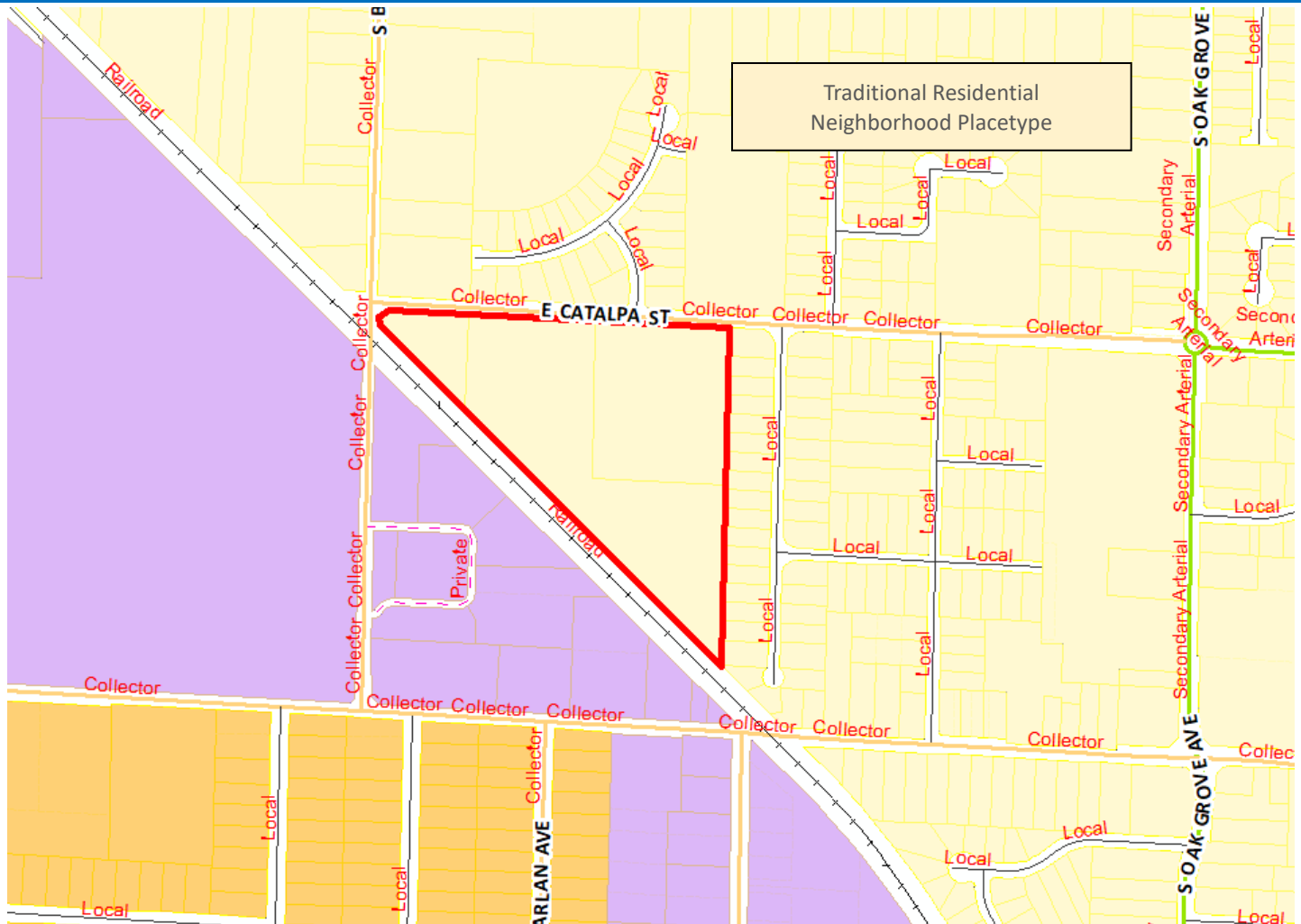


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

FUTURE PLACETYPES FROM DEVELOPMENT & LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject properties were all zoned R-SF, Single-family residential district as part of the city-wide remapping which took place in 1995.

City Council approved a rezoning to R-TH, Residential Townhouse district in February 2004.

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-LD
Minimum Yard Requirements	Front yard: 25 feet along a street classified as a Collector or higher, or 15 feet along a street classified as a Local street. Side yard: Five feet for most uses, six feet for townhouses. Rear yard: Equal to 10% of the lot depth, but cannot be narrower than 10 feet and cannot be required to exceed 20 feet.
Maximum Structure Height	35 feet (or two and one-half stories) when side yards are narrower than 15 feet. 45 feet (or three stories) when side yards exceed 15 feet in width. No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district.
Minimum Open Space	Not less than 20 percent of the total lot area.
BULK PLANE	BUFFERYARD AND LANDSCAPING
No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district.	A bufferyard type B will be required along the east property line adjacent to R-SF zoned property.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Land Use and Development* chapter of the *Comprehensive Plan* includes this site within the Traditional Neighborhood Placetype. This placetype is predominately comprised of single-family detached residential dwellings with generally uniform setbacks, building designs, and parcel sizes. Planning within this placetype is intended to improve the neighborhood's quality of place, which can be achieved through a number of strategies including beautification efforts via streetscaping, increasing access and connections with nearby greenway or trail systems, and supporting low-intensity

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multifamily uses, low-intensity neighborhood commercial uses, or a mix of uses to serve area residents. Multifamily uses are meant to be located along higher classification roadways, near greenways or trails, or in areas identified by residents during the neighborhood planning process. The preservation of residential housing and housing patterns is meant to be prioritized where lots are predominately accessed from side or internal local streets. Furthermore, redevelopment efforts including higher-density housing or commercial uses are to be limited to areas adjacent to identified activity centers, where the redevelopment's anticipated traffic and circulation will not negatively affect the adjoining neighborhood.

The *Land Use and Development* recommends a “step-down approach should be used to create a gradual transition where more intense housing types and dissimilar uses converge along the edges of the neighborhood.” The subject property is located on the edge of a neighborhood in an area where manufacturing and single-family land uses and zoning converge.

STAFF COMMENTS:

1. The subject property is currently zoned R-TH, Residential Townhouse, and the applicant, NGA Holdings, LLC, has requested to rezone the site to R-LD, Low-density Multi-family Residential and establishing Conditional Overlay District No. 223 with the intent to construct a multi-family dwellings.
2. As represented by the area map provided on Page 1 of this report, the subject property is located on the edge of a neighborhood in an area where manufacturing and single-family land uses and zoning converge. The *Land Use and Development* recommends a step-down approach should be used to create a gradual transition where more intense housing types and dissimilar uses converge along the edges of the neighborhood.
3. No site plan has been made available for the proposal; however, a site plan is not required for such a rezoning. To help ensure a compatible housing unit density, the applicant will be required to limit the development of property to 11 dwelling units per acre, as indicated in the proposed Conditional Overlay District (COD) No. 223 (Attachment 2). This is the only requirement of the proposed COD.
4. The surrounding street network is comprised on Catalpa Street and Barnes Avenue, both classified at Collector roadways, and Oak Grove, a secondary arterial. Direct access to this property is from Catalpa Street.
5. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
6. The proposed rezoning was reviewed by City departments, whose comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on January 19, 2023, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

Notices sent to property owners within 185 feet: Mailed: 43 Returned: 0

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DEPARTMENT COMMENTS:

ATTACHMENT 1

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No issues with the proposed rezoning.

CITY UTILITIES:

No issues with the proposed rezoning. 3 Phase Electric, Gas & Water are available along E Catalpa St.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No impact to public sewer system.

FIRE DEPARTMENT:

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

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** 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. The property at time of development requires onsite and downstream stormwater improvements. 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.

Special Stormwater Requirements

1. The property was rezoned to R-TH on Feb. 23, 2004 by general ordinance 5351. As a condition of this rezoning, building permits may not be issued until the necessary easements are obtained and stormwater improvements are constructed as outlined in the stormwater improvement plan. I can provide you with the stormwater improvement plan that was developed.
2. Part of the stormwater improvements is completing downstream improvements for stormwater connecting the outlet in the BNSF R/W to the Stormwater infrastructure at E Bennett and S Enterprise Ave.

Detention Requirements:

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. In accordance with the City of Springfield Code and the manual, if the additional impervious is minimal then a fee in lieu of detention may be allowed per the Director of Public Works.
 - a. Detention is required and a fee in lieu of detention for this development will not be permitted. This site receives the overflow runoff from two large sinkholes in the area and discharges them to the drainage culvert along the railway right-of-way. The two drainage channels can be redesigned and diverted to the proposed two separate detention basins. This offsite runoff will need to be accounted for in the basin designs. Contact PW-Stormwater for assistance in the recorded plans available from the two sinkhole/basins.

Development Review Staff Report



- b. Any stormwater infrastructure serving more than one property needs to be submitted on public improvement plans. <https://www.springfieldmo.gov/DocumentCenter/View/55360/Sept-2021-Design-Standards>
- c. Detention must be built and approved prior to issuance of the building permit.

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.

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.

ATTACHMENT 2
CONDITIONAL OVERLAY DISTRICT NO. 223

1. The maximum density for the subject property shall be eleven (11) dwelling units per acre.

Development Review Staff Report



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

FEBRUARY 9, 2023

MARCH 6, 2023

CASE: Preliminary Plat of Troy Acres 1st Addition

ACRES: Approximately 1.13 acres

LOCATION: 520 South Troy Avenue

EXISTING LAND USE: Vacant land

APPLICANT: Crawford-Mace, LLC

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

STAFF RECOMMENDATIONS:
 Approve w/Conditions

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



SUMMARY OF REQUEST:

Request to approve the preliminary plat of Troy Acres 1st Addition, a 6-lot, 1.13-acre, single-family residential subdivision generally located at 520 South Troy Avenue.

FINDINGS FOR STAFF RECOMMENDATIONS:

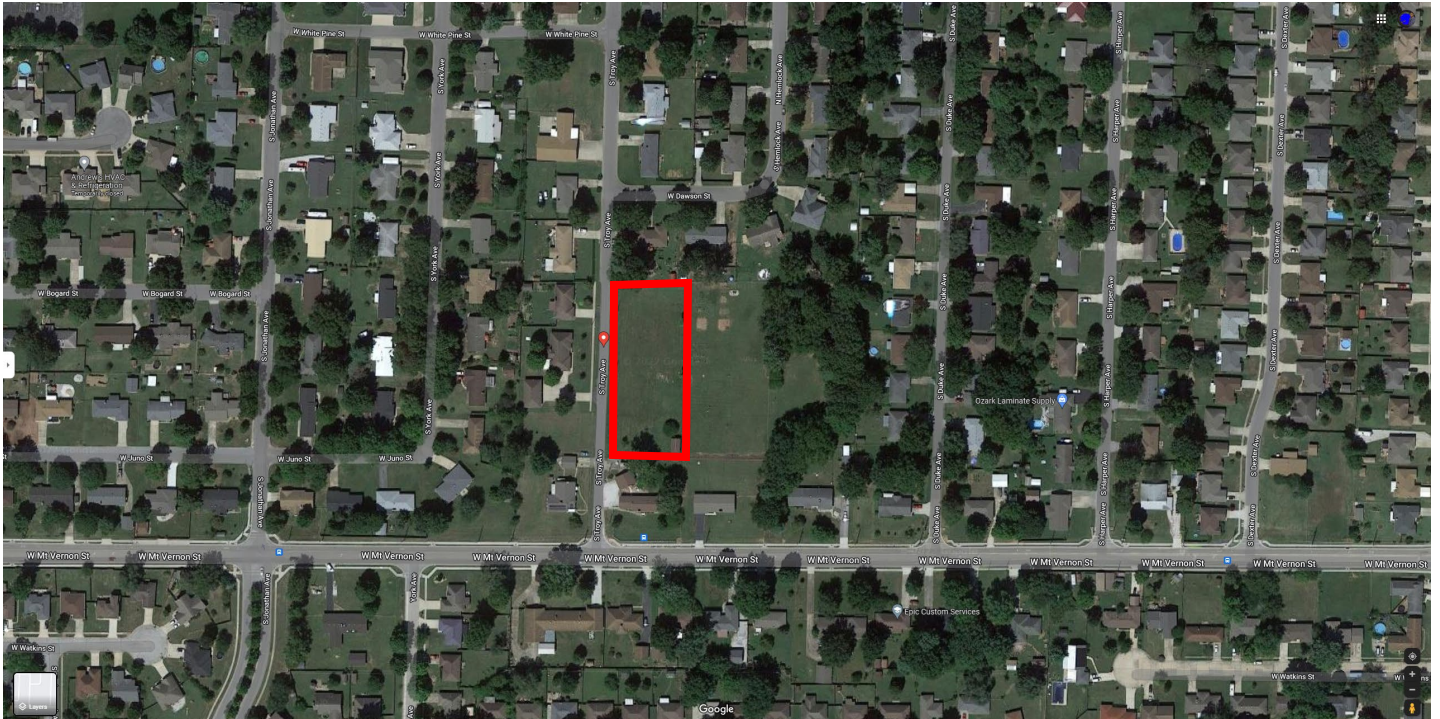
1. The applicant's proposal, with the conditions listed below are consistent with the City's *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single family residences	Single family residences	Single family residences	Single family residences

Development Review Staff Report

SURROUNDING ZONING AND LAND USES: (GOOGLE AERIAL VIEW)



GOOGLE MAPS STREET VIEW:



Development Review Staff Report

FORWARD SGF: LAND USE & DEVELOPMENT, FUTURE PLACETYPES MAP



Area designated as Residential Neighborhood: Traditional

- | | |
|--|--|
| <p>Residential Neighborhood: Center City
Typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, and parcel sizes.</p> | <p>City Corridor
Predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers.</p> |
| <p>Residential Neighborhood: Traditional
Post-war residential neighborhoods that contain predominantly single-family detached dwellings with uniform setbacks, building designs, and parcel sizes.</p> | <p>Institutional & Employment Center
Contains institutional uses, such as universities, museums, community centers, municipal facilities, and large religious complexes, as well as major medical and office parks.</p> |
| <p>Mixed Residential
Primarily higher density single-family attached and multifamily residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings.</p> | <p>Business Flex
Includes areas with an eclectic mix of light industrial and office uses, complemented by the occasional commercial use, that serve as centers of employment opportunities.</p> |
| <p>Downtown
Serves as the primary activity center of Springfield, containing a wide variety of uses, such as retail, entertainment, office, hospitality, institutional, multifamily residential, and public gathering spaces.</p> | <p>Industry & Logistics
Consists of light and heavy industrial uses dedicated to a range of industries, such as manufacturing, packaging, warehousing, storage, transportation, commerce, and distribution.</p> |
| <p>Mixed Use
Functions as small-scale activity centers that provide a mix of residential, shopping, service, office, entertainment, and dining options. They can include vertically stacked or horizontally laid out mixed of uses.</p> | <p>Urban Green Space & Recreation
Consists of Springfield's most significant natural areas as well as major community parks, sports complexes, recreational facilities, and community and educational centers that draw both residents and regional visitors.</p> |

Development Review Staff Report



PROPERTY HISTORY:

The property was annexed into the City in 1968 and was first subdivided in 2019 as “Lot 1” under Troy Acres subdivision. The original Preliminary Plat of Troy Acres 1st Addition was approved in 2020 but expired.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-226. - Major subdivision review procedure.

- (3) Preliminary plat.
- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
 - (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
 - (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.
 - (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.
 - (e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.
 - (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.
 - (g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.
 - (h) Effective period of preliminary approval.
 - 1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
 - 2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

ZONING ORDINANCE AND SUBDIVISION REGULATION STANDARDS:

CODE ITEM	REQUIREMENTS FOR: R-SF, Single-Family Residential District
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Development Review Staff Report



Minimum Lot Size	6,000 square feet
Maximum Structure Height	When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front Yard Setback	Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Side and Rear Setbacks	Side – 5 feet Rear – 10% of lot depth
Street Classification	Troy Avenue – Local
Sidewalks (Per Sec.36-471)	Sidewalk is required to be constructed along the west side of S. Troy Avenue as a portion of sidewalk already exists along the west side.
Open Space Requirement	Not less than 20 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Land Use & Development* chapter of the *2022 Forward SGF Comprehensive Plan* designates the subject property as Residential Neighborhood: Traditional, which identifies single-family residential homes as a primary land use. The proposed preliminary plat will subdivide the property in a way that will allow the construction of six (6) single-family residential homes. *The Plan* also encourages the prioritization of infill development of vacant or underutilized property over outward growth, which is accomplished by this plat. The subject property has been vacant since being annexed into the City in 1968.

STAFF COMMENTS:

1. The applicant is proposing a 6-lot subdivision named "Troy Acres 1st Addition". The original Preliminary Plat of Troy Acres 1st Addition was approved in 2020 but expired in 2022.
2. All proposed lots meet the minimum requirements of the subdivision regulations.
3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
4. The proposed preliminary plat was reviewed by City departments and comments are contained in **Attachment 1**. Conditions of Approval are provided in **Attachment 2**. The Preliminary Plat drawing is provided in **Attachment 3**.

PUBLIC NOTIFICATIONS:

The property was posted by the applicant at least 10 days prior to the public hearing.

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1

CITY UTILITIES COMMENTS:

No issues with prelim plat, however, CU is requesting a 10 ft utility easement along the Troy Ave frontage of all lots. This can be added to the final plat. All lots have access to Electric & Water, but there is a fee due of \$6,968.29 for an additional public fire hydrant to be installed.

ENVIRONMENTAL SERVICES CLEAN WATER SERVICES COMMENTS:

Please add minimum finished floor elevations for each lot on the final plat.

PUBLIC WORKS CONSTRUCTION INSPECTION COMMENTS:

If required, PW plans must be constructed and accepted prior to approval of final plat. If allowed, a security (escrow) could be placed in lieu of construction prior to approval of final plat.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No issues with the preliminary plat.

STREET CLASSIFICATION, RIGHT-OF-WAY, & JURISDICTION

City's Transportation Plan classifies S. Troy Avenue as a Residential Local roadway. The standard right-of-way width for S. Troy Avenue is 25-feet from the centerline. It appears no additional right-of-way is needed along S. Troy Avenue. A survey is recommended to determine the exact amount of existing right-of-way as nothing can be constructed or placed within the required right of way. S. Troy Avenue is a city-maintained roadway.

TRAFFIC COUNTS & ON-STREET PARKING

There is no recent traffic count on S. Troy Avenue. On-street parking is allowed along S. Troy Avenue.

DRIVEWAY ACCESS

There are currently no driveway access points onto the properties from S. Troy Avenue. Current City Code requires access on S. Troy Avenue to be a minimum of 20-feet from the edge of driveway to the edge of driveway.

SIDEWALK

There is no existing sidewalk along the property frontage of S. Troy Avenue. There is existing sidewalk along the west side of S. Troy Avenue. Sidewalk is required to be extended along the west side of S. Troy Avenue in front of this property to current City Standards at the time of development.

IMPROVEMENTS

None required at this time. A Traffic Impact Study was not required, as there is no proposed change in zoning or use.

TRAFFIC - TABLE 1: PLATTING DETAILS

	Street Name	Street Classification	On-Street Parking	Existing Street ROW From Centerline (ft)	Required Street ROW From Centerline (ft)
Street 1	S. Troy Avenue	Local - Residential	Yes	25	25

Development Review Staff Report



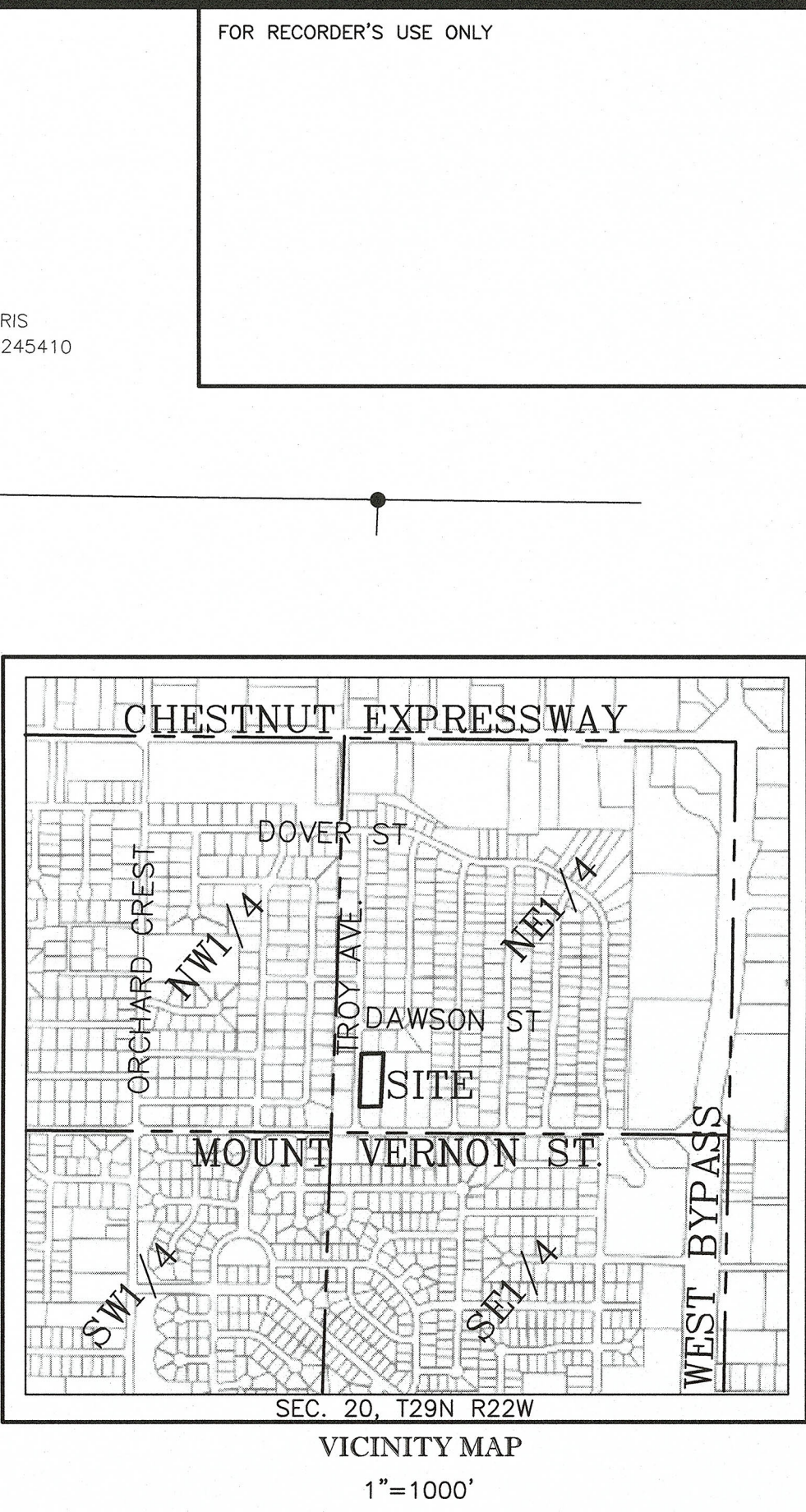
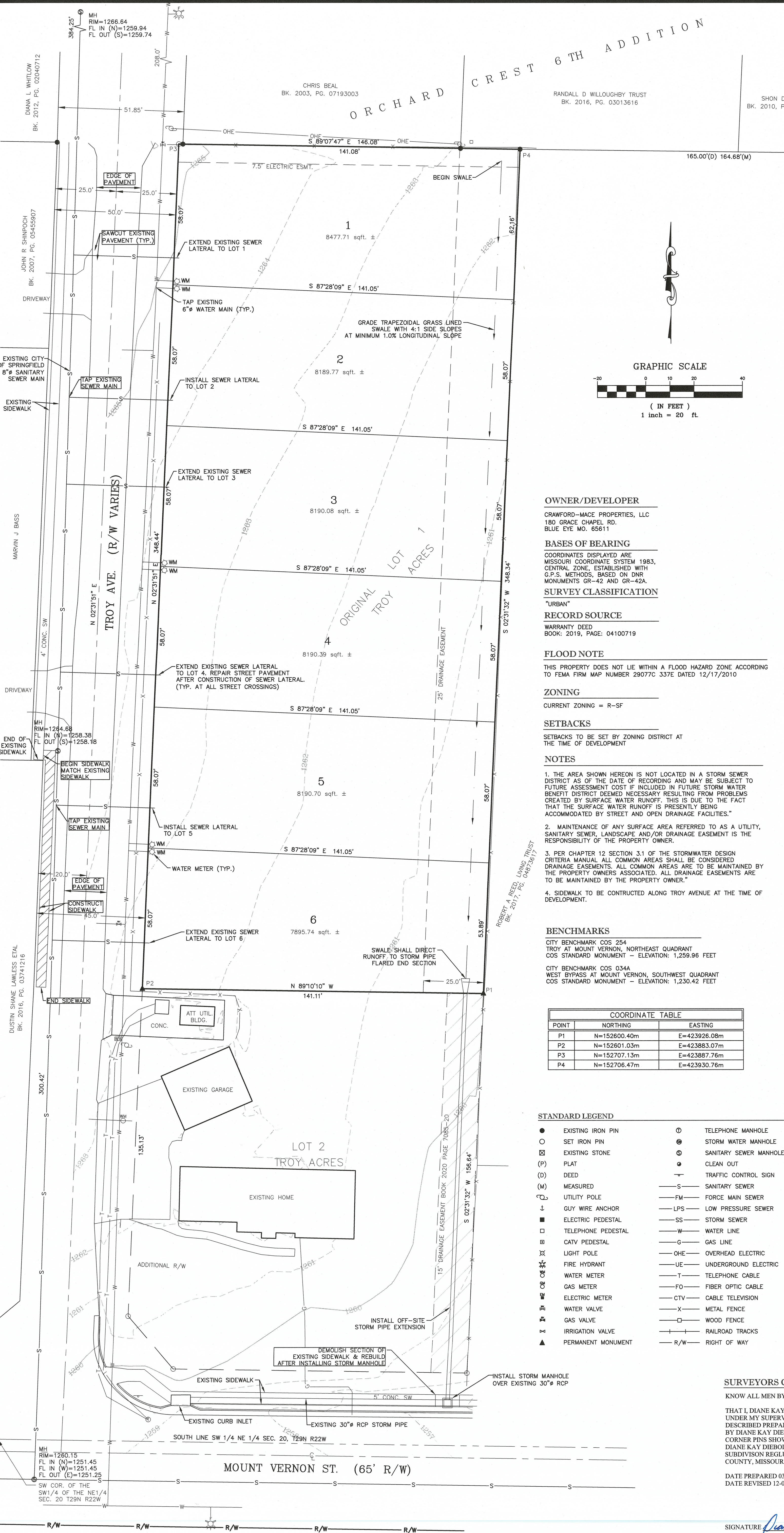
REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

Staff recommends the Planning and Zoning Commission approve the Preliminary Plat, with the conditions listed below:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.



ACKNOWLEDGMENT

STATE OF MISSOURI }
COUNTY OF GREENE } SS

ON THIS DAY OF 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE OF MISSOURI, PERSONALLY APPEARED WILLIAM MACE, TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGING MEMBER OF CRAWFORD-MACE, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT SAID DOCUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND SAID WILLIAM MACE ACKNOWLEDGED SAID DOCUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES HEREIN STATED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL SEAL AT THE DAY AND YEAR ABOVE WRITTEN,

NOTARY PUBLIC, PRINT NAME,

APPROVAL PLANNING AND DEVELOPMENT

APPROVED THE DAY OF 2022, BY THE PLANNING AND ZONING COMMISSION OF SPRINGFIELD, MISSOURI.

SUSAN ITENES, AICP
DIRECTOR OF PLANNING AND DEVELOPMENT

APPROVAL CITY COUNCIL

I, ANITA COTTER, CITY CLERK OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE PLAT OF TROY ACRES FIRST ADDITION SUBDIVISION WAS PRESENTED TO, ACCEPTED AND APPROVED BY THE COUNCIL OF SAID CITY OF SPRINGFIELD, AND APPROVED BY SPECIAL ORDINANCE NO. ON THIS DAY OF 2022.

ANITA J. COTTER
CITY CLERK

RECORD DESCRIPTION (PARENT TRACT)

ALL OF LOT 1 TROY ACRES, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DESCRIPTION AND EXECUTION OF PLAT:

I, THE UNDERSIGNED, WILLIAM MACE, IS THE OWNER IN FEE SIMPLE OF THE PROPERTY DESCRIBED BELOW:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 22 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 1 TROY ACRES SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

SAID LAND HAS BEEN SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN HEREON AND SAID SUBDIVISION SHALL HEREAFTER BE KNOWN AS TROY ACRES FIRST ADDITION SUBDIVISION, ALL EASEMENTS, ADDITIONAL RIGHTS-OF-WAY SHOWN ON PLAT AND NOT HERETOFORE DEDICATED TO THE PUBLIC USE ARE HEREBY SO DEDICATED.

AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF SPRINGFIELD, MISSOURI TO LOCATE AND MAINTAIN, AND TO AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE, OR USE OF CONDUITS, FOR ALL AND ANY PURPOSE, WATER, GAS, AND SEWER MAINS, POLES, WIRES, ANCHORS AN APPURTENANCES THERETO, OR ANY OR ALL OF THEM OPEN, UNDER AND ALONG THE STRIP OF LAND OUTLINED ON THIS PLAT AND DESIGNATED "UTILITY EASEMENT" OR "UTIL. ESMT."

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR OTHERWISE LOCATED BETWEEN THIS LINE AND THE LOT OR STREET LINE, DESIGNATED "BUILDING SETBACK", "BLDG. SETBACK", OR "B.L."

ALL STREETS ARE HEREBY DEDICATED TO THE PUBLIC.

IN TESTIMONY WHEREOF, THE UNDERSIGNED TRUSTEE HAS HEREUNTO SET THEIR HAND THIS DAY OF 2022.

WILLIAM MACE

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DIANE KAY DIEBOLD, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY DIANE KAY DIEBOLD DATED MARCH 21, 2017 AND SIGNED BY DIANE KAY DIEBOLD L.S. NO. 2424 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACE UNDER THE PERSONAL SUPERVISION OF DIANE KAY DIEBOLD L.S. NO. 2424 IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

DATE PREPARED 03-02-2020
DATE REVISED 12-05-2022

SIGNATURE
DIANE KAY DIEBOLD MISSOURI L.S. NO. 2424



ALL PLATS THAT DO NOT SHOW A SEAL IMPRINT IN RED INK MAY HAVE BEEN FRAUDULENTLY ALTERED. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS ON THIS DOCUMENT.

SURVEYED FOR: CRAWFORD-MACE, LLC

SECTIONAL MAP R 22 W

W.O.# 219024.02A
DATE: 12-05-2022
DRAWN BY: TRR
CHECKED BY: DKD
REVISED:
SCALE: 1" = 20'
SHEET: 1 OF 1

PRELIMINARY PLAT OF
TROY ACRES FIRST ADDITION
3843 W. MT VERNON STREET
CITY OF SPRINGFIELD
GREENE COUNTY, MISSOURI

REVISIONS

ROZELL SURVEY CO.
4270 S. HILLCREST STE 211
SPRINGFIELD, MISSOURI 65810
PHONE: (417) 881-0505
FAX: (417) 881-0564

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: January 31, 2023

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP
Planner Manager

SUBJECT: Neighborhood Compatibility Amendments

This case is postponed to the Planning and Zoning Commission meeting on March 9, 2023.

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: January 31, 2023

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP
Planner Manager

SUBJECT: Stand Alone Multi-Family in Commercial Districts

This case is postponed to the Planning and Zoning Commission meeting on March 9, 2023.

RULES OF PROCEDURE for the PLANNING AND ZONING COMMISSION

The following Rules of Procedure are adopted by the Planning and Zoning Commission to facilitate the performance of its duties and the exercising of its powers, as outlined in Article XI of the City Charter of the City of Springfield, Missouri.

Section 1.0 Officers

1.1 Selection During the first meeting in January of each year, the Commission shall select from the membership a ~~Chairman~~Chairperson and a Vice ~~Chairman~~Chairperson. The Director of Planning and Development shall serve as the Executive Secretary of the Commission. Election of a Chairperson and Vice Chairperson shall be made by motion with second. Tie votes shall be decided by a runoff of the persons tied. Before a vote is taken, for each position, a Commissioner may request that his or her name be stricken from the list.
(10-8-1998)

1.2 Tenure The ~~Chairman~~Chairperson and Vice ~~Chairman~~Chairperson shall take office at the first meeting ~~in January~~ immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
(10-8-1998)

1.3 Duties The ~~Chairman~~Chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Commission.

The Vice ~~Chairman~~Chairperson shall act in the capacity of the ~~Chairman~~Chairperson in ~~his~~their absence, ~~and in~~ in the event the office of the ~~Chairman~~Chairperson becomes vacant, the Vice ~~Chairman~~Chairperson shall succeed to this office for the unexpired term until a new election.

The Executive Secretary shall execute documents in the name of the Commission, perform the duties hereafter listed, and shall perform such other duties as the Commission may determine.

In the absence of the Director, the Director shall appoint a representative who the Zoning Administrator shall act in ~~his~~their capacity as Executive Secretary.

Section 2.0 Meetings

2.1 Regular Meetings ~~The~~A meetings of the Commission shall be held at least one Thursday per month. 6:30pm in Room 315, City Hall. The first meeting of the

~~month shall be held on the third Thursday preceding the last City Council meeting of each month.~~ A second meeting ~~shall~~ may also be held each month. The Commission shall determine the meeting dates for the following calendar year at their first meeting in December. ~~The second meeting of each month shall normally exclude from its agenda Subdivision Plats, Zoning District Amendment requests, Use Permits, Planned Unit Developments, Easements, and Vacations. The items on the table and items that in the discretion of the Executive Secretary warrant expedient action may be placed on the agenda of the second meeting.~~ Agendas for the regular meetings shall be given by the Executive Secretary to the members of the Commission at least seventy-two (72) hours prior to such meetings. (09-17-2009)

2.2 Special and Rescheduled Meetings

(a) Special meetings shall be called at the request of the ~~Chairman~~ Chairperson, or at the request of five members of the Commission. Notice of special meetings shall be given by the Executive Secretary to the members of the Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose and the time of the meeting.

2.3 Rescheduled Meetings

~~(b) A regular m~~ Meetings shall be automatically rescheduled to the following Thursday, unless such Thursday is a scheduled City holiday and then for the Thursday after such holiday, for the same time and location as previously noted on an agenda, advertisement or other notice of public hearing when, at the time scheduled for the regular meeting:

1. There exists within the City of Springfield a state of emergency declared by the Mayor, the Director of the Springfield-Greene County Emergency Management Office, the Governor or the President, or their respective designees; or
2. Weather or other condition threatens safe travel to and from the meeting for the public, staff and commission members as determined solely at the discretion of the City Manager, the Director of the Springfield-Greene County Emergency Management Office, the Chair, or the Executive Secretary to the Commission, or their respective designees; or
3. The location of the meeting is not considered habitable or safe to remain within the structure at the discretion of the City Manager, the Director of the Springfield-Greene County Emergency Management Office, the Fire Chief, the Directors of Public Works, Building Development Services, or Health, the

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Chair, or the Executive Secretary to the Commission, or their respective designees.

4. Should a meeting be automatically rescheduled under this Rule, the continuation of such shall be posted on at least two locations, at least one of which shall be the main entrance, at the address where the meeting was to be held unless posting itself poses as danger to staff to go to the location. If such danger exists, then posting notice at the two closest locations available to the public as determined by the Executive Secretary to the Commission, or ~~their his~~ designee, shall be deemed sufficient notice. All practical methods to contact the applicants and public about the changes or cancellation will be used. In addition, upon such rescheduling, all public hearings and other proceedings requiring public notices shall be deemed to be continued and extended to such rescheduled date and time without need for new notices or advertisements with the exception of those required by Chapter 610, RSMo.

5. In the event the conditions leading to the rescheduling have not been alleviated by the rescheduled date and time, such hearings and proceedings shall be noticed and re-advertised in the same manner as previously done under the Land Development Code of the City of Springfield or other law or rule. (2-20-2014)

2.34 Public Hearings All regular and special meetings, hearings, records, and accounts shall be open to the public. After presentation of testimony and exhibits at each public hearings, the Chairperson shall declare the Ppublic Hhearing-closed of the Commission shall be declared at an end by the Chairman, so that the Commission may make its decisions on the item.

2.45 Quorum Five (5) members shall constitute a quorum for the transaction of business.

2.56 Action by the Commission A majority of fFive (5) votinges members shall be required to either approve or disapprove any action on which the Commission has final authority and to approve any item or amend any plan or policy. In the event the five (5) votes cannot be obtained, the item is automatically postponed tabled to the Commission's next scheduled meeting, and voted on again at that meeting, and voted on at the Commission's next scheduled meeting. If five votes are not obtained after three such votes, the item shall be deemed denied.

On actions on which the Commission acts as a recommending body to the City Council or to any other governmental body, a majority of voting members those- present at the time the vote is taken shall prevail. In the event of a tie vote, the item shall be forwarded to the City Council as a tie vote, automatically-postponed to the next scheduled meeting tabled.

2.67 Order of Business, Agenda The Executive Secretary shall prepare an agenda for each meeting and the Order of Business therein shall be as follows:

1. Roll Call
2. Approval of Minutes
3. Communications
4. Finalization and Approval of Consent Items
5. Unfinished Business
6. Hearings
 - ~~a. Vacations~~
 - ~~b.a.~~ Zoning Cases
 - ~~e.b.~~ Planned Developments
 - ~~c. Conditional~~ Use Permits
 - ~~d. Vacations~~
 - e. Other Public Hearings
 - f. Subdivisions
 - g. Other Business
7. Reports
8. New Business
9. Adjournment

The Executive Secretary shall place items that do not require a public hearing such as renewal of ~~S~~subdivision ~~P~~plats, ~~r~~Relinquishments of ~~E~~asements, ~~O~~ffers to ~~D~~edicate property, property disposals, change of use, property acquisitions and other similar requests, under Consent Items. Any item placed under Consent Items may be removed from that portion of the agenda and moved to the appropriate portion for discussion, debate, and vote upon the request of a citizen, Commission member, or Executive Secretary. Removal of any Consent Item shall be done prior to the Finalization of Consent Items. After the Consent Items are finalized, no item of business shall be removed there from except by temporary suspension of Commission's Rules of Procedure. A Consent Item shall not be discussed unless the item is removed as stated above. A single vote by the Commission shall recommend for approval or denial all Consent Items. (7-1-1999) (9-9-1999)

2.78 Motions Motions shall be made orally and ~~such motions~~ shall be restated by the Chair before a final vote is taken, ~~and a~~ All oral motions shall be recorded by the Executive Secretary for the minutes of the Commission.

2.89 Staff Reports At all hearings, the report and recommendations, if any, of the staff on ~~thean item matter involved~~ shall be presented to the Commission before the Commission takes action on ~~the any item is taken.~~

2.910 Commission Action ~~Action by The~~ Commission ~~shall not take action~~ on any ~~matter item~~ on which a public hearing is ~~required held shall not be taken~~ until the ~~public~~ hearing has been ~~closedconcluded~~.

2.101 Parliamentary Procedures Parliamentary procedure in Commission meetings shall be governed by the latest published edition of "Roberts Rules of Order, Newly Revised" except as specifically modified herein.

2.142 Recommendations Forwarded to Council

1. ~~When the Items receiving~~ Commission ~~makes a~~ recommendations ~~on an item, the item whether positive or negative~~ shall be automatically forwarded to City Council for final action as required by code. It shall be the duty of the Executive Secretary, provided all notice requirements are satisfied, to place such items on the City Council agenda no later than the third Council meeting following the Commission meeting at which the Commission takes action ~~is taken~~. (6-4-2015)
2. ~~Commission shall not forward a recommendation to City Council when the applicant or a person acting in his behalf did not appear and present evidence in regard to the applicant's request for a change in zoning classification.~~

Section 3.0 Duties of the Executive Secretary

3.1 Minutes The Executive Secretary shall keep the minutes of each meeting of the Commission.

3.2 Communications, Petitions, Etc All communications, petitions, and reports shall be addressed to the Commission and delivered or mailed to the Executive Secretary.

Section 4.0 Hearings

4.1 Regular Hearings The Planning and Zoning Commission shall hold a public hearing on all ~~proposed proposals requiring a public hearing changes in classification~~. Notice of the public hearing shall be given in accordance with the requirements of the Springfield City Code.

(10-8-1998)

4.1.1 Personal Notice ~~In addition to the above forms of notice of public hearing, notice of such hearing shall also be provided by regular mail no later than ten (10)~~

~~days prior to the hearing to the record owners of property within the area proposed to be rezoned and within 185 feet of the property to be rezoned. Reliance upon the information submitted by the applicant shall be deemed in compliance with this paragraph, and failure to give notice by mail or to actually receive such notice by mail without a clear showing of prejudice shall not be grounds to invalidate actions for which notice was to be provided.~~

1. Plats. For any preliminary plat application, notice of the hearing shall be posted at least ten (10) days prior to the hearing in conspicuous places on or in the immediate vicinity of the property which is the subject of the application. One (1) sign shall be posted for each one hundred fifty (150) feet of street frontage, or part thereof, up to a maximum of three (3) signs, provided at least one (1) sign is posted on each frontage of the subject property. Further provided, for preliminary plat applications involving more than one (1) block, one (1) sign is required for each street bounding or contained within the area to be platted. Additional signs may be posted at the discretion of the Executive Secretary of the Commission. Signs shall conform to the requirements for posted notices contained in the Zoning Ordinance.

4.1.2-1 Applicant The applicant, or person acting ~~on his~~ their behalf for consideration of changes to zoning district classifications, conditional use permits, or text amendments ~~items~~ before the Commission, shall appear at the scheduled public hearing. On all other agenda items Commission has the discretion to conduct the public hearing without the applicant present by a motion and a second. ~~Failure to appear on requests for a change of zoning classification shall not bar the Commission from acting on the item. Commission may, at its discretion, conduct the public hearing as scheduled, taking public comment from those in attendance. Following public comment from those present, the Commission shall continue the public hearing for one meeting to allow the applicant to comment. If no one is present to make comments on the change of zoning classification, the public hearing shall be continued for one meeting. Commission may make its recommendation on change of zoning classification following the close of the public hearing at the following meeting. Agenda items not involved a change in zoning classification may be acted upon at the discretion of the Commission in the absence of the applicant. In the event the Commission does not elect to take action, the item shall be automatically continued once, and thereafter the Commission may act on the item. (10-8-1998)~~

4.1.32 Requests for Postponement ~~Tabling~~ Any applicant may request that the Commission ~~postpone table~~ their application to a specific Commission meeting by submitting such request in writing to the Executive Secretary at least forty-eight (48) hours in advance of the scheduled meeting at which the applicant is to be

considered. If a request is made less than forty-eight (48) hours in advance of such meeting, the Commission may, upon good cause shown, ~~postpone table~~ such item upon its own motion. All items postponed for a period of 180 days from the original scheduled public hearing date without substantive amendments from the applicant or final action by the Commission, shall be withdrawn from the agenda without further action by the Commission.

Exceptions: The Commission may grant a request to postpone or table a case for a longer period than from the originally scheduled date of the public hearing, in cases where circumstances beyond the control of the applicant render it difficult to comply with the public hearing schedule.

The Commission reserves the right to continue a public hearing to a date certain, without requiring new notice or a new application, for purposes of hearing additional testimony or viewing additional exhibits.

(10-8-1998)

4.1.43 Removal From Table by Applicant If an applicant desires to have an application removed from the table, the applicant shall notify the Executive Secretary in writing at least 10 days ~~two (2) weeks~~ prior to the meeting date. If ~~tabled-postponed~~ to a specific meeting date, the applicant does not have to request removal for that date. The Commission shall determine at the meeting whether or not it is appropriate to remove the application from the table as requested by the applicant. Nothing in this section precludes the Commission from removing an item from the table. (7-1-1999)

4.2 Recommendations All motions are made in the affirmative. After ~~such a~~ public hearings, the Planning and Zoning Commission may, within its discretion, make one or more recommendations, together with pertinent principal reasons, in connection with each proposed change in zoning classification or text amendment. The recommendations will be in one of the following forms:

1. Recommend against the proposed change in the zoning district classification or text amendment;
2. Recommend the change in the zoning district classification or text amendment or;
3. Recommend the change in the zoning district classification or text amendment together with recommendations which, in the judgement of the Commission, will protect adjacent property and ensure that the proposed changes are consistent with the purpose and intent of the zoning ordinance and the comprehensive plan. ~~for such area;~~

~~together with its recommendation as to requirements for the paving of streets, alleys, and sidewalks; means of ingress and egress to the public streets, provisions~~

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~~for drainage, parking spaces and street layouts, and protective screening in open spaces, and any other requirements which, within the discretion of the Planning and Zoning Commission, will protect adjacent property and secure substantially the purpose and intent of the Zoning Ordinance.~~

~~The recommendation of the Planning and Zoning Commission shall expire and cease to be valid if it is not reported to the City Council after ninety (90) days shall have passed immediately following the date it was made, thereby requiring the filing of a new application with the Commission in each instance. Recommendations reported to City Council within ninety (90) days shall not expire, but shall continue to be valid so long as the case remains pending on the City Council agenda, active, or tabled.~~ (11-4-1993) (7-1-1999)

4.2.1 Reconsideration of Cases ~~The Planning and Zoning Commission may reconsider a case which it has previously denied, only when an applicant aggrieved by a final negative vote of the Commission delivers a written request for reconsideration to the Commission, as follows:~~

- ~~1. The request shall state that there is new or additional evidence not previously considered by the Commission which pertains to issues which caused the Commission to vote negatively on the case. The request shall outline the substance of the new or additional evidence, and shall be delivered to the Executive Secretary of the Planning and Zoning Commission no later than 30 days after the date of the Commission's negative vote, and no later than 20 days prior to a regularly scheduled meeting of the Commission.~~
- ~~2. Based solely on the reasons stated in the written request for reconsideration and testimony limited to the matters stated in the request for reconsideration, Commission may vote to allow reconsideration only upon an affirmative motion by a Commission who had previously voted against applicant's case, passed by a majority of the Commission. If reconsideration is approved, the case shall be heard only after full public notification in the same form and manner as would pertain to a new case. The applicant shall bear the costs of all publications and notifications.~~ (6-29-1992)

4.3 Report of Action Taken Each such recommendation made by the Planning and Zoning Commission, whether orally or by other methods, shall be reported by the Executive Secretary of said Commission to the City Council, by applicable administrative procedure, and the applicant notified of the action of the Planning and Zoning Commission. The Executive Secretary of the Planning and Zoning

Commission shall set up and maintain a separate file for each application received and all records and files herein provided shall be permanent and official files of the City of Springfield.

4.4 Report of Action Taken – When Filed ~~The Planning and Zoning Commission shall take action upon all matters before it following the close of the advertised public hearing upon such matter within two (2) regular meetings of the Commission at which such matters may be considered by the Commission. An applicant to the Commission may waive this provision by filing in writing, a request that his matter be tabled or by requesting in person or by legal representative, that this matter be tabled, which personal request shall be followed by an identical request in writing. If the Commission tables a matter upon such a request, Commission is required to take action upon such matter following bringing such matter off the table within two (2) regular meetings of the Commission at which such matter may be considered. All matters tabled for a period of 180 days without substantive amendment or final action shall be denied and removed from the agenda without further action by the Commission. The Commission shall file the report of action by it with the appropriate persons within twenty (20) days following the day action was taken. In all cases, failure to meet the requirements of this section shall cause a matter to be considered approved by the Commission as submitted.~~

4.54 Hearing Exhibits Any part to any proceeding before the Commission shall, insofar as it may be possible, prepare and submit in advance for hearing, any exhibits proposed to be used in the proceeding, which said submission shall be made to the Commission by filing the same in the office of the Planning and Development Department of the City of Springfield. The applicant and other proponents shall submit all exhibits at least ten (10) days in advance of the hearing; the Planning and Development Department, other governmental agencies and departments, and opponents of the applicant's request shall submit exhibits including all staff reports at least five (5) days in advance of the hearing. Staff visual presentations, such as PowerPoint presentations, shall not be considered exhibits. Such exhibits shall be identified as to the party who intends to sponsor the exhibit and shall be consecutively numbered or lettered. All material so submitted shall be deemed a public record and shall be open for inspection and copy by any person whomsoever. Any exhibit not so filed shall be admitted by the Commission only upon a clear showing as determined by a majority vote of the Commission that such filing was not in good faith reasonably possible.

4.65 Hearing Testimony ~~The applicant bears the burden, in any item before the Commission. It shall be the burden of the applicant in any case before the Commission to present sufficient facts and/or testimony such that an affirmative decision by the Commission in favor of the applicant will.~~

~~is be~~-based upon substantial evidence ~~upon the in the whole~~ record of proceedings before the Commission. Nothing shall prohibit any member of the Commission inquiring of any witness or party at any time during the proceedings upon any fact ~~or~~ matter-item relating to the proceedings, but it shall not be the duty of the Commission to supply any deficiencies in or to seek to provide facts in any proceedings.

4.76 Manner of Addressing Commission/Time Limit Each person addressing the Commission, including the applicant or applicant's representative, shall step up to the podium, give ~~his-their~~ name and address for the record, and unless further time is granted by the Commission, shall limit ~~his-their~~ address to five (5) minutes. The Commission may reduce the time to three (3) minutes by a majority vote. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission without the permission of the ~~Chairman~~Chairperson. No question shall be asked of a member of the Commission except through the presiding officer.

4-8 **4.7 Decorum**

- 1.** No person shall make personal, impertinent, or slanderous remarks, nor otherwise disturb the order and decorum of any Commission meeting.
- 2.** The Sergeant-at-Arms, at the direction of the ~~Chairman~~ Chairperson, shall remove any person violating the provisions of this section. The Chief of Police, or such members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Commission meetings. He shall carry out all orders and instructions given by the ~~Chairman~~ Chairperson for the purpose of maintaining order and decorum at the Commission meetings.
- 1.3.** No person shall carry or display a sign inside the room wherein the Commission is meeting, or any other similar type of written communication which is carried or displayed, except nothing contained herein shall be construed to prohibit a person from using visual materials when presenting an matter-item to the Commission. The Commission hereby determines that signs or displays in the meeting room may obstruct the view of citizens, can cause injury, and affect the decorum of Commission meetings, and are hereby prohibited for such reasons. The Sergeant-at-Arms shall inform citizens when signs or displays violate this section and shall remove the signs or displays from the meeting room or may cause citizens

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carrying such signs or displays to be removed from the meeting room.

Section 5.0 — Standing Committees

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5.1 Council Liaison Committee shall be composed of not less than three (3) members. Its duties shall be to communicate with the Council regarding plans, policies, procedures, work programs, budget requests, and other items of mutual interest.

5.2 Governmental Liaison Committee shall be composed of not less than three (3) members. Its duties shall be to communicate with the Greene County Planning Commission and other local governments regarding plans, policies, programs, regulations, and other matters of mutual interest.

5.3 Special Committees From time to time and as circumstances warrant, the Commission may establish special committees to assist the Commission in the conduct of its business.

5.4 Appointment/Reassignment The Chairman shall appoint all committee members and shall designate one member as Chairman, for one year, expiring with the calendar year, and until his successor has been appointed and qualified. The Chairman may reassign members or re-designate chairmen, when, in his discretion, the situation requires anything hereto, to the contrary notwithstanding.

5.5 Meetings of Committees All committees shall meet at the call of the Chairman, provided that the Chairman of this Commission shall request the chairman to call a special meeting of any committee at any time upon such notice as he may specify and in the event of noncompliance may issue the call in his name. The Executive Secretary shall issue notice of meetings at the request of the Chairman.

5.6 Quorum Ratification A majority of the members appointed shall constitute a quorum of all committees. When it appears that a quorum may not be present at any committee meeting, the Chairman of this Commission may designate other members of this Commission as temporary members of such committee with full rights for that particular meeting. In the absence of a quorum, any member who was present may join in making a recommendation to the Commission, and if, by so doing, a majority action results, same may be received; but such ratifying action shall be called to the attention of the Commission at the time of presenting same.

~~5.7 **Cooperation with Interested Groups** When thought to be helpful, the Chairman of any Standing or Special Committee may request the Director to invite any interested party to appear before the Commission.~~

Section ~~6.05.0~~ Behavior; Ethics

~~65.1 **Member Service** Membership on the Planning and Zoning Commission is accepted as public service. Members are appointed by the City Council for a term of four (4) years and until their successors are appointed and qualified. Any member who misses three consecutive regular meetings of the Commission without good reason shall be in violation of the City Code of Ethics, and such violation shall constitute good cause for removal. Any member who misses three (3) consecutive regular meetings of the Planning and Zoning Commission shall be deemed to have resigned unless the City Council reaffirms such appointment.~~
Any member may be removed from the Planning and Zoning Commission by action of the City Council. The removal of any such member shall be in accordance with Article IV, Section 15.6 of the Charter and notification of such removal shall be made in writing stating the reasons for such removal and sent to such member at ~~his~~ their residence address by United States Mail.

(8-6-2015)

~~65.2 **Commissioners Unpaid** Commissioners are unpaid. When Commissioners attend meetings for the benefit of the Commission, staff or City Planning for Springfield generally, expenses may be paid in full or in part by the City of Springfield as provided by current rules and regulations; such reimbursed travel must be indicated in the annual budget officially approved by the City Council.~~

~~56.3 **Case Discussion** Except at public meetings of the Commission, its members shall ~~do~~ not discuss the resolution of specific cases scheduled or likely to come before the Commission, with applicants, their representatives, or others with a direct interest.~~

~~65.4 **Personal Interest** A member of the Commission who has some personal or financial interest, as defined in the City Code of Ethics, in any case presented to the Commission shall disqualify himself as the particular case is concerned, shall not sit as a member of the Commission during the hearing of the particular case, and shall not participate in the Commission's hearing and decision in such case.~~

~~6.5 **Implied Conflict** In cases where an implied conflict of interest exists, a Commissioner abstains from voting and from participation in the hearing.~~

~~56.6.5 **Representing Commission** Each Commissioner decides which invitations to attend or participate in public and private functions, he can appropriately accept as a member of the Commission. He is ~~Commissioners should be~~ careful to~~

indicate when ~~he-they are is~~ representing the Commission, rather than acting or speaking for- ~~them self~~ himself. Such allied efforts, contributing to the work and purposes of City Planning in Springfield are unpaid, except when infrequently acceptance of out-of-pocket expenses is necessary to make possible the constructive participation; in such instances, the Commission is officially consulted or advised.

6.76 Employment not Qualification Commissioners do not engage in any private or profitable employment, or in any personal business transaction in which the fact of membership on the Commission or any knowledge of its actions unique to membership would be qualification for such employment or a significant reason for the personal business transaction.

6.87 Gifts Commissioners do not accept gifts from applicants, their representatives, or other persons and institutions concerned with ~~items matters~~ which have been or might come before the Commission. However well intended acceptance of such gifts could lead to misconceptions by prospective donors or the public generally.

6.98 Meeting Conduct City Planning and Zoning Commissioners shall conduct themselves at Commission meetings in a fair, understanding, and as gracious a manner as circumstances permit. They shall seek to be considerate of all individuals, attitudes, and the difference of opinion almost always involved.

6.109 Commissioner Responsibility In ~~his- their~~ behavior and actions, each City Planning and Zoning Commissioner is keenly aware of the Commission's responsibility, together with the City Planning staff, to plan for Springfield as a whole in all primary aspects, both with respect to the present and long-range future. Numerous organizations and individuals contribute significantly to one or several elements of the City, but very few are obliged to continuously consider the entire physical City, its present population and condition, and its future development and inhabitants.

Section 7.0 Miscellaneous

7.1 Amendment to Rules of Procedure The rules of procedure of this Commission shall be amended only with five (5) affirmative votes. Any proposed amendment or rescission of rules shall be voted upon only after the same has been reduced to writing, filed with the Executive Secretary of the Commission and read at the regular meeting immediately preceding the meeting at which the same is voted upon. Debate on the proposed amendment or rescission shall be permitted at both the meeting where the proposed amendment or rescission was read and at the meeting where it is to be voted upon.

~~7.2 Forms~~ In all cases, the application shall contain the name, address, and telephone number of the applicant, the name and address of the record owner of property proposed to be rezoned, a plot plan with accompanying legal description of the property proposed to be rezoned and a list of the record owners of property within 185 feet of the property proposed to be rezoned properly certified by a recognized abstractor.

Passed this ~~9th 22nd~~ day of ~~February 2023~~ April, 1957.

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~~/s/ Briton Jobe~~ Jack Powell
~~Chairman~~ Chairperson

ATTESTED: ~~/s/ Susan Istenes, AICP Planning Director~~ H.M. DeNoble
Secretary

AMENDED: July 12, 1965
November 15, 1965
February 17, 1969
November 19, 1973
February 11, 1974
January 13, 1975
February 3, 1977
August 18, 1977
November 6, 1980
January 29, 1981
February 25, 1982
December 15, 1983
January 19, 1984
October 10, 1985
May 22, 1986
November 30, 1989
December 12, 1991
June 29, 1992
November 4, 1993
July 31, 1997
March 12, 1998
October 8, 1998
July 1, 1999
September 9, 1999
April, 2002
September, 2009
February 20, 2014
June 4, 2015
August 6, 2015

February 9, 2023

RULES OF PROCEDURE for the PLANNING AND ZONING COMMISSION

The following Rules of Procedure are adopted by the Planning and Zoning Commission to facilitate the performance of its duties and the exercise of its powers, as outlined in Article XI of the City Charter of the City of Springfield, Missouri.

Section 1.0 Officers

1.1 Selection. During the first meeting in January of each year, the Commission shall select from the membership a Chairperson and a Vice Chairperson. The Director of Planning and Development shall serve as the Executive Secretary of the Commission. Election of a Chairperson and Vice Chairperson shall be made by motion with second. Tie votes shall be decided by a runoff of the persons tied. Before a vote is taken, for each position, a commissioner may request that his or her name be stricken from the list.
(10-8-1998)

1.2 Tenure. The Chairperson and Vice Chairperson shall take office at the first meeting immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
(10-8-1998)

1.3 Duties. The Chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Commission.

The Vice Chairperson shall act in the capacity of the Chairperson in their absence. In the event the office of the Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term until a new election.

The Executive Secretary shall execute documents in the name of the Commission, perform the duties hereafter listed and shall perform such other duties as the Commission may determine.

In the absence of the Director, the Director shall appoint a representative who shall act in their capacity as Executive Secretary.

Section 2.0 Meetings

2.1 Regular Meetings. A meeting of the Commission shall be held at least one Thursday per month. A second meeting may also be held each month. The Commission shall determine the meeting dates for the following calendar year at their first meeting in December. Agendas for the regular meetings shall be given by the Executive Secretary to the members of the Commission at least seventy-two (72) hours prior to such meetings.
(09-17-2009)

2.2 Special Meetings. Special meetings shall be called at the request of the Chairperson, or at the request of five members of the Commission. Notice of special meetings shall be given by the Executive Secretary to the members of the Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose and the time of the meeting.

2.3 Rescheduled Meetings. A regular meeting shall be automatically rescheduled to the following Thursday, unless such Thursday is a scheduled City holiday and then for the Thursday after such holiday, for the same time and location as previously noted on an agenda, advertisement or other notice of public hearing when, at the time scheduled for the regular meeting:

1. There exists within the City of Springfield a state of emergency declared by the Mayor, the Director of the Springfield-Greene County Emergency Management Office, the Governor or the President, or their respective designees; or
2. Weather or other condition threatens safe travel to and from the meeting for the public, staff and commission members as determined solely at the discretion of the City Manager, the Director of the Springfield-Greene County Emergency Management Office, the Chair, or the Executive Secretary to the Commission, or their respective designees; or
3. The location of the meeting is not considered habitable or safe to remain within the structure at the discretion of the City Manager, the Director of the Springfield-Greene County Emergency Management Office, the Fire Chief, the Directors of Public Works, Building Development Services, or Health, the Chair, or the Executive Secretary to the Commission, or their respective designees.
4. Should a meeting be automatically rescheduled under this Rule, the continuation of such shall be posted on at least two locations, at least one of which shall be the main entrance, at the address where the meeting was to be held unless posting itself poses as danger to staff to go to the location. If such danger exists, then posting notice at the two closest locations available to the public as determined by the Executive Secretary to the Commission, or their designee, shall be deemed sufficient notice. All practical methods to contact the applicants and public about the changes or cancellation will be used. In addition, upon such rescheduling, all public hearings and other proceedings requiring public notices shall be deemed to be continued and extended to such rescheduled date and time without need for new notices or advertisements with the exception of those required by Chapter 610, RSMo.
5. In the event the conditions leading to the rescheduling have not been alleviated by the rescheduled date and time, such hearings and proceedings shall be noticed and re-advertised in the same manner as previously done under the Land Development Code of the City of Springfield or other law or rule.

(2-20-2014)

2.4 Public Hearings. All regular and special meetings, hearings, records, and accounts shall be open to the public. After presentation of testimony and exhibits at each public hearing, the Chairperson shall declare the public hearing closed, so that the Commission may make its decision on the item.

2.5 Quorum. Five (5) members shall constitute a quorum for the transaction of business.

2.6 Action by the Commission. A majority of five (5) voting members shall be required to either approve or disapprove any action on which the Commission has final authority and to approve any item or amend any plan or policy. In the event the five (5) votes cannot be obtained, the item is automatically postponed to the Commission's next scheduled meeting and voted on again at that meeting. If five votes are not obtained after three such votes, the item shall be deemed denied.

On actions on which the Commission acts as a recommending body to the City Council or to any other governmental body, a majority of voting members present at the time the vote is taken shall prevail. In the event of a tie vote, the item shall be automatically postponed to the next scheduled meeting.

2.7 Order of Business, Agenda. The Executive Secretary shall prepare an agenda for each meeting and the Order of Business therein shall be as follows:

1. Roll Call
2. Approval of Minutes
3. Communications
4. Finalization and Approval of Consent Items
5. Unfinished Business
6. Hearings
 - a. Zoning Cases
 - b. Planned Developments
 - c. Conditional Use Permits
 - d. Vacations
 - e. Other Public Hearings
 - f. Subdivisions
 - g. Other Business
7. Reports
8. New Business
9. Adjournment

The Executive Secretary shall place items that do not require a public hearing such as renewal of subdivision plats, relinquishments of easements, offers to dedicate property, property disposals, change of use, property acquisitions and other similar requests, under Consent Items. Any item placed under Consent Items may be removed from that portion of the agenda and moved to the appropriate portion for discussion, debate, and vote upon the request of a citizen, Commission member, or Executive Secretary. Removal of any Consent Item shall be done prior to the Finalization of Consent Items. After the Consent Items are finalized, no item of business shall be removed there from except by temporary suspension of Commission's Rules of Procedure. A Consent Item shall not be discussed unless the item is removed as stated above. A single vote by the Commission shall recommend for approval or denial all Consent Items.

(7-1-1999) (9-9-1999)

2.8 Motions. Motions shall be made orally and shall be restated by the Chair before a final vote is taken. All oral motions shall be recorded by the Executive Secretary for the minutes of the Commission.

2.9 Staff Reports. At all hearings, the report and recommendations, if any, of the staff on an item shall be presented to the Commission before the Commission takes action on the item.

2.10 Commission Action. The Commission shall not take action on any item on which a public hearing is required until the public hearing has been closed.

2.11 Parliamentary Procedures. Parliamentary procedure in Commission meetings shall be governed by the latest published edition of "Roberts Rules of Order, Newly Revised" except as specifically modified herein.

2.12 Recommendations Forwarded to Council. When the Commission makes a recommendation on an item, the item shall be automatically forwarded to City Council for final action as required by code. It shall be the duty of the Executive Secretary, provided all notice requirements are satisfied, to place such items on the City Council agenda no later than the third Council meeting following the Commission meeting at which the Commission takes action.

(6-4-2015)

Section 3.0 Duties of the Executive Secretary

3.1 Minutes. The Executive Secretary shall keep the minutes of each meeting of the Commission.

3.2 Communications. Petitions, etc., all communications, petitions, and reports shall be addressed to the Commission and delivered or mailed to the Executive Secretary.

Section 4.0 Hearings

4.1 Regular Hearings. The Planning and Zoning Commission shall hold a public hearing on all proposals requiring a public hearing. Notice of the public hearing shall be given in accordance with the requirements of the Springfield City Code. (10-8-1998)

1. **Plats.** For any preliminary plat application, notice of the hearing shall be posted at least ten (10) days prior to the hearing in conspicuous places on or in the immediate vicinity of the property which is the subject of the application. One (1) sign shall be posted for each one hundred fifty (150) feet of street frontage, or part thereof, up to a maximum of three (3) signs, provided at least one (1) sign is posted on each frontage of the subject property. Further provided, for preliminary plat applications involving more than one (1) block, one (1) sign is required for each street bounding or contained within the area to be platted. Additional signs may be posted at the discretion of the Executive Secretary of the Commission. Signs shall conform to the requirements for posted notices contained in the Zoning Ordinance.

4.2 Applicant. The applicant, or person acting on their behalf for consideration of changes to zoning district classifications, conditional use permits, or text amendments before the Commission, shall appear at the scheduled public hearing. On all other agenda items Commission has the discretion to conduct the public hearing without the applicant present by a motion and a second.

4.3 Requests for Postponement. Any applicant may request that the Commission postpone their application to a specific Commission meeting by submitting such request in writing to the Executive Secretary at least forty-eight (48) hours in advance of the scheduled meeting at which the applicant is to be considered. If a request is made less than forty-eight (48) hours in advance of such meeting, the Commission may, upon good cause shown, postpone such item upon its own motion. All items postponed for a period of 180 days from the original scheduled public hearing date without substantive amendments from the applicant or final action by the Commission, shall be withdrawn from the agenda without further action by the Commission.

Exceptions: The Commission may grant a request to postpone or table a case for a longer period than from the originally scheduled date of the public hearing, in cases where circumstances beyond the control of the applicant render it difficult to comply with the public hearing schedule.

The Commission reserves the right to continue a public hearing to a date certain, without requiring new notice or a new application, for purposes of hearing additional testimony or viewing additional exhibits.

(10-8-1998)

4.4 Removal from Table by Applicant. If an applicant desires to have an application removed from the table, the applicant shall notify the Executive Secretary in writing at least 10 days prior to the meeting date. If postponed to a specific meeting date, the applicant does not have to request removal for that date. The Commission shall determine at the meeting whether or not it is appropriate to remove the application from the table as requested by the applicant. Nothing in this section precludes the Commission from removing an item from the table.

(7-1-1999)

4.5 Recommendations. All motions are made in the affirmative. After a public hearing, the Planning and Zoning Commission may, within its discretion, make one or more recommendations, together with pertinent principal reasons, in connection with each proposed change in zoning classification or text amendment. The recommendations will be in one of the following forms:

1. Recommend against the proposed change in the zoning district classification or text amendment.
2. Recommend the change in the zoning district classification or text amendment or.
3. Recommend the change in the zoning district classification or text amendment together with recommendations which, in the judgement of the Commission, will protect adjacent property and ensure that the proposed changes are consistent with the purpose and intent of the zoning ordinance and the comprehensive plan.

(11-4-1993) (7-1-1999)

4.6 Report of Action Taken. Each such recommendation made by the Planning and Zoning Commission, whether orally or by other methods, shall be reported by the Executive Secretary of said Commission to the City Council, by applicable administrative procedure, and the applicant notified of the action of the Planning and Zoning Commission. The Executive Secretary of the Planning and Zoning Commission shall set up and maintain a separate file for each application received and all records and files herein provided shall be permanent and official files of the City of Springfield.

4.7 Hearing Exhibits. Any part to any proceeding before the Commission shall, insofar as it may be possible, prepare and submit in advance for hearing, any exhibits proposed to be used in the proceeding, which said submission shall be made to the Commission by filing the same in the office of the Planning and Development Department of the City of Springfield. The applicant and other proponents shall submit all exhibits at least ten (10) days in advance of the hearing; the Planning and Development Department, other governmental agencies and departments, and opponents of the applicant's request shall submit exhibits including all staff reports at least five (5) days in advance of the hearing. Staff visual presentations, such as PowerPoint presentations, shall not be considered exhibits. Such exhibits shall be identified as to the party who intends to sponsor the exhibit and shall be consecutively numbered or lettered. All material so submitted shall be deemed a public record and shall be open for inspection and copy by any person whomsoever. Any exhibit not so filed shall be admitted by the Commission only upon a clear showing as determined by a majority vote of the Commission that such filing was not in good faith reasonably possible.

4.8 Hearing Testimony. The applicant bears the burden, in any item before the Commission, to present sufficient facts and/or testimony such that a decision by the Commission is based upon substantial evidence in the record of proceedings before the Commission. Nothing shall prohibit any member of the Commission inquiring of any witness or party at any time during the proceedings upon any fact or item relating to the proceedings, but it shall not be the duty of the Commission to supply any deficiencies in or to seek to provide facts in any proceedings.

4.9 Manner of Addressing Commission/Time Limit. Each person addressing the Commission, including the applicant or applicant's representative, shall step up to the podium, give their name and address for the record, and unless further time is granted by the Commission, shall limit their address to five (5) minutes. The Commission may reduce the time to three (3) minutes by a majority vote. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Commission without the permission of the Chairperson. No question shall be asked of a member of the Commission except through the presiding officer.

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Passed this 9th day of February 2023

/s/ Briton Jobe
Chairperson

ATTESTED: /s Susan Istenes, AICP Planning Director
Secretary

AMENDED:

July 12, 1965	February 25, 1982	March 12, 1998
November 15, 1965	December 15, 1983	October 8, 1998
February 17, 1969	January 19, 1984	July 1, 1999
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August 18, 1977	June 29, 1992	June 4, 2015
November 6, 1980	November 4, 1993	August 6, 2015
January 29, 1981	July 31, 1997	February 9, 2023