



City of Springfield

Agenda

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2

Brandon Jenson, Zone 3

Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A

Craig Hosmer, General B

Callie Carroll, General C

Derek Lee, General D

July 24, 2023

6:30 PM

City Council Chambers

[Rules and procedures.](#)

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. July 10, 2023, City Council Meeting.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

4. CEREMONIAL MATTERS.

5. CITY MANAGER REPORT, POLICE CHIEF REPORT, AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-170 (Jenson)

A special ordinance granting Conditional Use Permit No. 474 for the purpose of permitting an automobile service garage as a conditional use within the GR – General retail district, generally located at 4564 South Campbell Avenue. (Staff and Planning and Zoning Commission both recommend approval.) (By: Campbell - Buena Vista LLC, VantEdge Auto T5; 4564 S. Campbell Avenue; Conditional Use Permit No. 474).

6.2. Council Bill 2023-171 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.3 acres of property generally located at 1630 North Jefferson Avenue and 1635 North Benton Avenue from R-SF, Single-family residential district, and CC, Center city district,

with UC – Urban conservation district No. 3, to Planned Development No. 386; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Titus Williams LLC & Historic Commercial Development LLC; 1630 N. Jefferson Avenue & 1635 N. Benton Avenue; Planned Development No. 386).

6.3. Council Bill 2023-172 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 25.92 acres of property generally located at 1353, 1409, and 1421 North West Bypass and 3538, 3550, and 3616 West Division Street from HC, Highway Commercial District, and GM, General Manufacturing District, to HM, Heavy Manufacturing District, with Conditional Overlay District No. 230; establishing Conditional Overlay District No. 230; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Demore Interprises Inc. & James Demore; 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street; Z-14-2023 w/ COD No. 230).

6.4. Council Bill 2023-173 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 3518, 3526, and 3532 West Waddill Street from GM, General Manufacturing District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Wilson Trust; 3518, 3526, & 3532 West Waddill Street; Z-2-2023).

6.5. Council Bill 2023-174 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 2035 West Kearney Street from HC, Highway Commercial District, to IC, Industrial Commercial District, with Conditional Overlay District No. 231; establishing Conditional Overlay District No. 231; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Craig and Lori Slater; 2035 W. Kearney Street; Z-15-2023 w/COD #231).

6.6. Council Bill 2023-175 (McGull)

A special ordinance granting Conditional Use Permit No. 475 for the purpose of permitting residential uses on the first-floor frontage within the GR – General retail district, generally located at 2000 North National Avenue. (Planning and Zoning Commission and staff recommend approval.) (By: 3 Best Friends, LLC; 2000 N. National Avenue; Conditional Use Permit No. 475).

6.7. Council Bill 2023-177 (Horton)

A special ordinance granting Conditional Use Permit No. 471 for the purpose of permitting a development project greater than 10,000 square feet of total building floor area and a building greater than three stories in height as a conditional use within the

COM-1 – Commercial Street District, generally located at 411 West Commercial Street. (Planning and Zoning Commission recommends denial; staff recommends approval.) (By: Dan Johnson & Associates, LLC; 411 West Commercial Street; Conditional Use Permit No. 471).

6.8. Council Bill 2023-178 (Jenson)

A special ordinance relinquishing certain sanitary sewer easements located at 3745 South Broadway Avenue for the purpose of accommodating construction of improvements at said location. (Planning and Zoning Commission and staff recommend approval.)

6.9. Council Bill 2023-179 (Hosmer)

A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$143,679, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

6.10. Council Bill 2023-180 (Hardinger)

A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$663,807, in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

6.11. Council Bill 2023-181 (Simpson)

A special ordinance accepting new right-of-way and an extension of South Florence Avenue, generally located at 1131 East Washita Street, connecting South Florence Avenue to East Washita Street. (Planning and Zoning Commission and staff recommend approval.)

7. RESOLUTIONS. Citizens May Speak, May Be Voted On.

7.1. Council Bill 2023-184 (McGull)

A resolution declaring the intent of the City of Springfield to annex approximately 10.6 acres of private property generally located at 4808 East Parallel Lane, referenced as Annexation A-4-2023, into the City. (Staff recommends approval.)

7.2. Council Bill 2023-185 (McGull)

A resolution declaring the intent of the City of Springfield to annex approximately 28 acres of private property generally located at 5500 East Farm Road 104, referenced as Annexation A-5-2023, into the City. (Staff recommends approval.)

7.3. Council Bill 2023-186 (Horton)

A resolution approving the Master Plan for the Fairgrounds submitted by the Greene County Agricultural and Mechanical Society of Springfield, Missouri.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-187 (Simpson)

A special ordinance amending the City of Springfield's Citizen Participation Plan, which is part of the Consolidated Plan for the administration of City programs funded by the United States Department of Housing and Urban Development, to accommodate regulatory changes, update regulatory citations and policy, provide an option for staff to hold public meetings, and improve the Citizen Participation Plan's clarity. (Staff recommends approval.)

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2023-188 (Hosmer)

A special ordinance amending the General Fund budget for the City Clerk for the City of Springfield, Missouri, for Fiscal Year 2023-2024, by appropriating a portion of the accumulated carryover funds and increasing expenses in the amount of \$250,000 for special election costs related to whether to impose an additional sales tax on the retail sales of adult use marijuana.

13.2. Council Bill 2023-189 (Carroll)

A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe Project; accepting the bid of Insituform Technologies USA, LLC, in the amount of \$5,658,166.12 for the Project; authorizing the City Manager, or his designee, to enter into an agreement for said Project; and approving a budget adjustment for the amount needed, plus a 10% contingency, to fund the Project, by amending the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the necessary amount of \$3,300,000.00.

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15. 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.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS.

19. CONSENT AGENDA – ONE READING BILLS.

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

20.1. Council Bill 2023-182 (Lee)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with the City of Republic, Missouri, for the sale of a programming interface that conveys citations from the Springfield Police Niche Records Management System to the Prosecuting Attorney Management System to the City of Republic.

20.2. Confirm the following appointments to the Art Museum Board: Chante Falcon and Debra Mergen with terms to expire June 1, 2026.

20.3. Confirm the following appointment to the Art Museum Board: Dr. Tracy McGrady with term to expire June 1, 2024.

20.4. Confirm the following reappointment to the Art Museum Board: Cheryl Hom with term to expire June 1, 2026.

21. END OF CONSENT AGENDA.

22. ADJOURN.



City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A
Craig Hosmer, General B
Callie Carroll, General C
Derek Lee, General D

July 10, 2023

6:30 PM

City Council Chambers

1. ROLL CALL.

Present: Brandon Jenson, Monica Horton, Matthew Simpson, Heather Hardinger, Callie Carroll, Derek Lee, and Ken McClure. Absent: Abe McGull and Craig Hosmer.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. June 26, 2023, City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the June 26, 2023, City Council Meeting. Councilwoman Hardinger seconded the motion, and the minutes were approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

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.

Anita Cotter, City Clerk, noted a request was received to remove Council Bill 2023-181, item number 18.1, from the Consent Agenda - First Reading Bills. This became item number 13.4 under First Reading Bills.

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

4. CEREMONIAL MATTERS.

4.1. Council Bill 2023-169 (City Council)

A resolution recognizing the dedicated public service of Kris Inman, Director of Springfield-Greene County 9-1-1, upon the occasion of his retirement.

Mayor Pro Tem Simpson read the resolution in its entirety.

Jason Gage, City Manager, noted Kris Inman has always had high energy and enthusiasm. Mr. Gage added Mr. Inman was great for the organization. Councilwoman Horton noted the 9-1-1 organization has consistently been a blue ribbon operation and congratulated Mr. Inman on his retirement.

Council Bill 2023-169 (City Council) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

Mayor McClure presented the presentation resolution to Mr. Inman.

Mr. Inman noted he is a true son of the City, and it has been an honor and a privilege to serve. He acknowledged the great work of the staff at 9-1-1.

Mayor McClure congratulated Mr. Inman.

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

Jason Gage, City Manager, noted two major City projects were funded by the State of Missouri: the Jefferson Avenue Footbridge and Hammons Field Improvements. The two items total \$12 million and would not have been possible without the help of Senator Lincoln Hough, chair of the Senate Appropriations Committee, and members of the Springfield delegation who are on the House Senate Appropriations Committee.

Mr. Gage provided a Forward SGF Community Development Code Update. Mr. Gage noted the City continues to move forward with the comprehensive planning process. The next phase is an implementation phase that will focus on the update to the Community Development Codes. He added an interest form for those wanting to be informed of the process can be located at Forwardsgf.com.

Mr. Gage noted the Lake Springfield visioning process continues, with recommendations for the plan expected this fall. He added a public engagement meeting will take place on October 12 at the Springfield Art Museum.

Mr. Gage noted the 11th Annual Birthplace of Route 66 Festival will take place August 10 through August 12. He added there are several events planned, including an event at the Expo Center lot provided by Springfield Area Rotary Clubs. The event will also

include the Springfield Regional Arts Council and a talent search in conjunction with America's Got Talent.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-161 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept funding in the amount of \$150,000 from the Community Partnership of the Ozarks, through the Community Foundation of the Ozarks Advancing Mental Wellness Program, to support strategies to improve men's mental health and to enter into necessary agreements to carry out the grant; and amending the Fiscal Year 2023-2024 budget of the Springfield-Greene County Health Department in the amount of \$150,000 to appropriate the grant funds.

Councilwoman Horton noted the 2022 Springfield Regional Health Assessment ranked mental health number one among needs. She added if the cannabis tax is approved, more local funds could become available for health needs.

Council Bill 2023-161 (Hosmer) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

6.2. Council Bill 2023-162 (Lee)

A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 6 Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe; accepting the bid of Insituform Technologies USA, LLC, in the amount of \$5,740,724.20 for the project; authorizing the City Manager, or his designee, to enter into an agreement for said project; and approving a budget adjustment in the amount of the bid, plus a contingency, to amend the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the amount of \$6,314,796.62.

Council Bill 2023-162 (Lee) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

6.3. Council Bill 2023-163 (Hosmer)

A special ordinance authorizing the issuance of not to exceed \$13,000,000 principal amount of Special Obligation Bonds (State Environmental Improvement and Energy Resources Authority – Energy Facilities Revenue Bonds), Series 2023 of the City of Springfield, Missouri, for the purpose of expanding and improving the City's landfill biogas recovery system; amending the Fiscal Year 2023-2024 budget of the City in the amount of not to exceed \$16,000,000; prescribing the form and details of the bonds and the agreements made by the City to facilitate and protect their payment; and prescribing other related matters; and declaring an emergency.

Council Bill 2023-163 (Hosmer) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

6.4. Council Bill 2023-164 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to enter into a Subsidy Escrow Agreement, by and among the City, the Missouri Department of Natural Resources, the State Environmental Improvement and Energy Resources Authority, UMB Bank, N.A., as escrow agent, for the purpose of receiving the benefit of certain investment earnings in connection with the expansion and improvement of the City's landfill biogas recovery system; and declaring an emergency.

Council Bill 2023-164 (Hardinger) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

6.5. Council Bill 2023-165 (Carroll)

A special ordinance amending Special Ordinance 27775, Section 5, to authorize the use of up to \$1,927,610 of the City's Coronavirus State and Local Recovery Funds which have been set aside for homelessness and housing projects and are to be used for the acquisition, construction, renovation, or rehabilitation of buildings to create one or more non-congregate shelters to be used to create either non-congregate or congregate shelters; and authorizing the City Manager to enter into funding agreements as necessary with recipients of such funds.

Councilwoman Horton noted the City has access to local data sources on homelessness to help make decisions regarding key homeless services. She added the sources make it clear family sheltering is a critical emergency shelter need and suggested transitional housing could be included.

Mr. Gage noted the proposed is set up to allow City Council to make decisions regarding the spending.

Council Bill 2023-165 (Carroll) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

7. RESOLUTIONS.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-170 (Jenson)

A special ordinance granting Conditional Use Permit No. 474 for the purpose of permitting an automobile service garage as a conditional use within the GR – General retail district, generally located at 4564 South Campbell Avenue. (Staff and Planning and Zoning Commission both recommend approval.) (By: Campbell - Buena Vista LLC, VantEdge Auto T5; 4564 S. Campbell Avenue; Conditional Use Permit No. 474).

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow for a conditional use permit for an automobile service garage at 4564 South Campbell Avenue. He added automobile service garages require a general retail designation. The property will have landscaping requirements.

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

12.2. Council Bill 2023-171 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.3 acres of property generally located at 1630 North Jefferson Avenue and 1635 North Benton Avenue from R-SF, Single-family residential district, and CC, Center city district, with UC – Urban conservation district No. 3, to Planned Development No. 386; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Titus Williams LLC & Historic Commercial Development LLC; 1630 N. Jefferson Avenue & 1635 N. Benton Avenue; Planned Development No. 386).

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow for the rezoning of 2.3 acres located at 1630 North Jefferson and 1635 North Benton to Planned Development No. 386. He added existing structures will be demolished to develop the land for multifamily dwellings in a townhouse style. The property is currently zoned Center City and is within the Mid-Town Urban Conservation District No. 3, Overlay District Area E. He added the proposed contains 72 residential units, and bufferyards would be required.

Councilwoman Horton asked if a traffic study had been conducted. Mr. Hosmer responded a traffic study would be conducted at the time of development.

An opportunity was given for citizens to express their views.

Ricky Haas, a representative of Olsson, spoke in support of the proposed. Mr. Haas noted parking was added, multiple meetings were held with the neighborhood, and the architecture was modified to fit the neighborhood. He added a traffic study was completed, and the recommendations were to adjust the street parking. Mr. Haas noted there is good pedestrian connection.

Councilwoman Horton asked if another traffic study will be conducted. Mr. Haas responded there will not be.

Councilman Lee asked how parking would be provided. Mr. Haas responded each unit will have

a parking garage.

Councilman Jenson noted his appreciation for the collaboration with the neighbors. He asked if the timing of traffic lights could be modified. Dan Smith, Director of Public Works, responded he would verify.

Nick Schurk, the project architect, spoke in support of the proposed. He noted the timeline included two weeks to address neighborhood concerns. He added the neighborhood support modifications included low-sloped roofs, roof dormers, reduction of structure height, brick wainscotting, and increased front porch areas.

Titus Williams spoke in support of the proposed. Mr. Williams noted the size of the development had been reduced.

Councilwoman Horton asked the intended timeline to complete the project. Mr. Williams noted it would move relatively quickly. He added the estimated completion date would be the end of 2024 as a best-case scenario.

Councilman Jenson noted comments received identified concerns with the maintenance of the property. He asked if the property management would be improved going forward. Mr. Williams responded that some of the buildings are offered for training while awaiting development.

Ran Cummings, President of the Midtown Neighborhood Association, spoke in support of the proposed. He expressed some of the neighborhood concerns have been met and added parking could be an issue given the development in the area. Mr. Cummings thanked the developers for working with the neighborhood.

Councilwoman Horton thanked Mr. Cummings for being a model neighborhood advocate.

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

12.3. Council Bill 2023-172 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 25.92 acres of property generally located at 1353, 1409, and 1421 North West Bypass and 3538, 3550, and 3616 West Division Street from HC, Highway Commercial District, and GM, General Manufacturing District, to HM, Heavy Manufacturing District, with Conditional Overlay District No. 230; establishing Conditional Overlay District No. 230; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Demore Interprises Inc. & James Demore; 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street; Z-14-2023 w/ COD No. 230).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow rezoning of approximately 25.92 acres located at North West Bypass and West Division Street to Heavy Manufacturing with Conditional Overlay District No. 230. The intent is to expand intended uses for the property. He added the conditional overlay notes the exterior must have less than 50% metal used on the facade of the building and enhanced landscaping.

An opportunity was given for citizens to express their views.

Lee Viorel, a representative of Moore Enterprises, spoke in support of the proposed. Mr. Viorel noted the request is to rezone the property to fully utilize the property. He added restrictions were put in place through the conditional overlay to address neighborhood concerns.

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

12.4. Council Bill 2023-173 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 3518, 3526, and 3532 West Waddill Street from GM, General Manufacturing District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Wilson Trust; 3518, 3526, & 3532 West Waddill Street; Z-2-2023).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow for the rezoning of property located at 3518, 3526, and 3532 West Waddill Street with the intent to sell the property for use in commercial development.

An opportunity was given for citizens to express their views.

Nick Friend, a representative of the trust, appeared to answer any questions. There were no questions.

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

12.5. Council Bill 2023-174 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 2035 West Kearney Street from HC, Highway Commercial District, to IC, Industrial Commercial District, with Conditional Overlay District No. 231; establishing Conditional Overlay District No. 231; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Craig and Lori Slater; 2035 W. Kearney Street; Z-15-2023 w/COD #231).

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow for rezoning of 1.1 acres at 2035 West Kearney. He added the property would be used as a cabinet shop. Manufacturing would be restricted to indoors.

An opportunity was given for citizens to express their views.

Lori Slater, the applicant, spoke in support of the proposed. Ms. Slater noted the property is used as a cabinet and countertop business. The rezoning would allow the applicant to operate the countertop portion of their business.

Councilwoman Horton noted the applicant provided the necessary information to the Planning and Zoning Commission, and expressed her appreciation for this business in Zone 1.

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

12.6. Council Bill 2023-175 (McGull)

A special ordinance granting Conditional Use Permit No. 475 for the purpose of permitting residential uses on the first-floor frontage within the GR – General retail district, generally located at 2000 North National Avenue. (Planning and Zoning Commission and staff recommend approval.) (By: 3 Best Friends, LLC; 2000 N. National Avenue; Conditional Use Permit No. 475).

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow for a conditional use permit for the purpose of permitting residential uses on first floor frontage at 2000 North National. Mr. Neal added the proposed would be for the restoration of an old fire station to be used as a residential use. He noted new additions would be allowed, and a bufferyard would be required to the east of the property.

Councilman Lee asked for clarification regarding the necessity of the bufferyard. Mr. Neal responded the bufferyard is required for the property.

An opportunity was given for citizens to express their views.

Brady Ghan, a representative of the applicant, noted the property owner wanted the permit to open up the uses for the property. He added local investors were not interested in the development.

Councilwoman Horton expressed her support for development and improvements to this blighted area.

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

12.7. Council Bill 2023-176 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.5 acres of property generally located at 6401 South Farmers Branch Avenue from Planned Development No. 201 to GR, General Retail District, with Conditional Overlay District No. 232; establishing Conditional Overlay District No. 232; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: William F. Walz Jr. Etal Trust; 6401 South Farmers Branch Avenue; Z-16-2023 w/COD No. 232).

Councilman Lee recused himself from Council Bill 2023-176.

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow rezoning of 6.5 acres of property with the intent of developing a medical office facility. He added healthcare is the primary use for this placetype.

An opportunity was given for citizens to express their views.

Norbert Laengrick spoke in support of the proposed. Mr. Laengrick noted the engineering group has worked with the homeowner's association to address concerns.

Daniel Richards, a representative of Lee Engineering, asked that the proposed be remanded to the Planning and Zoning Commission so the Conditional Overlay District language could be amended. He noted the language for the landscaping requirements was incorrect.

Mayor McClure asked if staff was notified of the error. Mr. Richards responded that staff were notified on Friday.

Mayor Pro Tem Simpson asked if this was a scrivener's error, and if so, could the error be corrected without remand. Mr. Sparlin responded that legal advice received from the City's Law Department recommended the proposed be remanded so the changes could be made.

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

Mayor Pro Tem Simpson moved to remand Council Bill 2023-176 to the Planning and Zoning Commission. Councilwoman Horton seconded the motion, and it was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, and McClure. Nays: None. Absent: Lee, McGull, and Hosmer. Abstain: None.

Councilman Lee returned to the dais.

12.8. Council Bill 2023-177 (Horton)

A special ordinance granting Conditional Use Permit No. 471 for the purpose of permitting a development project greater than 10,000 square feet of total building floor area and a building greater than three stories in height as a conditional use within the COM-1 – Commercial Street District, generally located at 411 West Commercial Street. (Planning and Zoning Commission recommends denial; staff recommends approval.) (By: Dan Johnson & Associates, LLC; 411 West Commercial Street; Conditional Use Permit No. 471).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would grant a conditional use permit to permit a development of greater than 10,000 square feet of floor area and a building height of greater than three stories in height at 411 West Commercial Street. He added the building would be a multi-use development. The proposed is located within the Commercial Street Historic District. Mr. Sparlin noted the Landmarks Board approved the development under the rules of an architectural review. Mr. Sparlin further noted the parking plan includes parking located behind buildings to maximize shared parking. He added there are public parking lots near the development, and a parking permit can be obtained through the City.

Councilwoman Horton asked if Landmarks Board Meeting minutes are accessible and if parking was discussed. Mr. Sparlin responded the Landmarks Board minutes have been uploaded to the City's website. He added there were speakers at the meeting that were concerned with parking. He noted the Landmarks Board focuses on the architecture and materials used. Councilwoman Horton asked if any tax dollars are being used on the development and asked how the proposed plan conforms to the ForwardSGF plan. Mr. Sparlin responded that the theory is to utilize off-street parking. Density would be increased through not requiring parking for the development.

Councilman Jenson asked what brought the proposed to City Council. He noted the proposal would be denser if each lot were developed individually. Councilman Jenson expressed his belief the development is slightly taller than surrounding buildings. Mr. Sparlin responded guidelines for new construction were used for the proposed. He added the challenge of adding parking is that the site is small. Mr. Sparlin noted the applicant is required to submit a parking plan, which was provided.

Councilman Lee asked how much traffic is anticipated to be generated by the development. Mr. Sparlin responded the parking demand is anticipated to be 62 vehicles. Councilman Lee asked if the housing had to be low-income housing. Mr. Sparlin responded the conditional use permit does not require low-income housing. Mr. Smith noted parking generation numbers used were for a mid-rise development, and if they were for low-income housing only, the number anticipated would be less.

An opportunity was given for citizens to express their views.

Bruce Adib-Yazdi, the applicant, spoke in support of the proposed. Mr. Adib-Yazdi noted the Sankofa project will provide 42 units of affordable housing. He added the proposed will extend Commercial Street to the west, and the development has received support letters from State Senator Lincoln Hough, a not adverse effect letter from the State Preservation Office, and clearance from the Osage Nation for archeological research. Mr. Adib-Yazdi noted he audited the public parking lots over a month, and on average there was a 75% vacancy.

Mayor Pro Tem Simspon asked if the development received County American Rescue Plan Act (ARPA) funds through Greene County and if affordable housing was a requirement. Mr. Adib-Yazdi responded affirmatively. Mr. Adib-Yazdi noted the long-range plan includes a review of parking in the area.

Councilwoman Horton expressed her opinion she sees the development as workforce based. She asked what affordable housing means. Mr. Adib-Yazdi responded a one-bedroom is in the \$500-\$600 range and for 50%-60% Average Median Income.

Councilman Jenson expressed his belief housing is needed, and surface parking lots are one of the least productive uses for property. He asked if transit fare assistance has been considered. Mr. Adib-Yazdi responded they have used this for other projects. He added they are having discussions regarding long-term parking solutions.

Councilwoman Carroll asked if conversations had been had with neighboring businesses. Mr. Adib-Yazdi responded affirmatively.

Councilman Lee asked if on-site parking had been considered. Mr. Adib-Yazdi responded they have not due to the size of the development. Mr. Lee expressed his belief there would be more support if some parking were provided. Mr. Adib-Yazdi noted parking is not required in the district and feels the area should work together to discuss long-term solutions.

Irene Schaefer spoke in opposition to the proposed. Ms. Schaefer expressed her belief the number one issue on the street is parking. She added the demand will increase over time. Ms. Schaefer asked why a developer would depend on public parking to support their projects. She expressed her opposition to the height of the building.

Joseph Gidman spoke in support of the proposed. Mr. Gidman noted he is a business owner on Commercial Street, and his business has increased over the years. He noted his number one issue is affordable workforce housing. Mr. Gidman expressed his belief the development is needed.

Councilman Horton asked Mr. Gidman for his opinion on a walkable neighborhood. Mr. Gidman responded he has lived in larger cities, and walkable neighborhoods are key in urban areas. He noted there are individuals who cannot afford cars and need workforce housing and walkable neighborhoods.

Michael Muench spoke in opposition to the proposed. Mr. Muench expressed his concern that the proposed could create parking issues for those who already live in the neighborhood. He added that some public parking lots have restricted overnight hours. He noted he would like to see the development be set up for success and would like to see Commercial Street grow.

John Oke-Thomas spoke in support of the proposed. Mr. Oke-Thomas noted not requiring parking can encourage development on the street. He expressed his belief Commercial Street is an ideal place to encourage walkable neighborhoods. He expressed his opinion parking is a larger issue to be discussed by the neighborhood.

Councilwoman Horton asked if there is anything regarding angled parking that has not been covered. Mr. Oke-Thomas responded parking has been discussed regarding one block but there is available parking readily available outside of the block. He suggested addressing parking as a long-term solution. Councilwoman Horton asked if the developer would be clear regarding the parking issues with renters. Mr. Oke-Thomas responded affirmatively. He noted other developments have had waiting lists for occupancy even in the absence of parking.

Christine Schilling spoke in opposition to the proposed. Ms. Schilling noted she has developed five properties on the street, each one with parking. She expressed her belief the developer should give back. Ms. Schilling expressed her opinion the density should require more parking. Councilman Lee asked if she would support the project if the City provided parking. Ms. Schilling responded it would not be enough, and the developer should be responsible.

Becky Volz spoke in support of the proposed. Ms. Volz noted her appreciation for development in North Springfield. She added the growth would be welcomed.

Danny Crisp spoke in opposition to the proposed. Mr. Crisp expressed his belief the development team should carefully consider the parking issue. He noted that Springfield is dependent on cars and the development should be refined to address any issues.

Cindy Ussery spoke in support of the proposed. Ms. Ussery, a business owner on Commercial Street, noted the need for updated affordable housing and expressed her belief the development will improve the neighborhood.

Mary Collette spoke in opposition to the proposed. Ms. Collette noted according to the conditional use permit, the applicant must submit plans to provide parking. She added workforce housing would be beneficial to the neighborhood. Ms. Collette expressed her belief the parking issue should be further reviewed.

Councilman Lee noted the language asks an applicant to submit plans to provide parking. Ms. Collette expressed her belief larger developments should not be within the historical register.

Councilman Jenson thanked Ms. Collette for her service to the City. He asked if some concerns would be alleviated if there were an offset for the parking. Ms. Collette responded that would be helpful. She added the parking issue should be addressed.

Councilwoman Horton thanked Ms. Collette for her service on City Council. She noted the language regarding parking could be waived by City Council if parking is deemed unnecessary.

Tyler Hellweg spoke in support of the proposed. Mr. Hellweg noted the appropriateness for

the development was determined by the Landmarks Board. He added the parking stalls are appropriate for the development.

Connie Rhoades-Hinds spoke in support of the proposed. Ms. Hinds read statements from Commercial Street merchants in support of the development. She noted they expressed parking is not as big of an issue as it is made to be; tenants of the development will be vetted and will be customers. More residents will increase safety and business.

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

Councilman Lee asked if it would be possible for staff to formalize what they would do to address parking. Mr. Smith responded the additional changes will be made to add parking around the time of the development's opening.

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2023-178 (Jenson)

A special ordinance relinquishing certain sanitary sewer easements located at 3745 South Broadway Avenue for the purpose of accommodating construction of improvements at said location. (Planning and Zoning Commission and staff recommend approval.)

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow for the relinquishment of certain sanitary sewer easements located at 3745 South Broadway Avenue to accommodate construction of improvements at the location.

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

Anita Cotter, City Clerk, read Council Bills 2023-179 and 2023-180 together. The two bills were presented together.

13.2. Council Bill 2023-179 (Hosmer)

A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$143,679, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

13.3. Council Bill 2023-180 (Hardinger)

A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$663,807, in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed bills are the annual year end budget adjustments to account for items in Fiscal Year 2023 that were not anticipated or known of during the budget process. He added Council Bill 2023-179 would increase both revenue and expenses in the amount of \$143,679

to adjust the salary budget for retirement payouts and interdepartmental budgets. This includes insurance reimbursements and retirement payouts. Council Bill 2023-180 would increase both revenue and expenses in the amount of \$663,807 to account for certain reimbursements and associated offsetting expense items for Special Revenue and Capital Project Funds. This includes Fire and escrow payments and travel reimbursements.

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

- 13.4. Council Bill 2023-181 (Simpson) This item was removed from the Consent Agenda – First Reading Bills and became item 13.4 under First Reading Bills.

A special ordinance accepting new right-of-way and an extension of South Florence Avenue, generally located at 1131 East Washita Street, connecting South Florence Avenue to East Washita Street. (Planning and Zoning Commission and staff recommend approval.)

Dan Smith, Director of Public Works, provided a brief overview of the proposed. He noted at the corner of Sunshine and National, Cox Hospital built a clinic and wishes to dedicate the right-of-way access to the City of Springfield, with the intent of enhancing safety and improving access for emergency vehicles. He noted there was a request to pull the item from the consent agenda.

Councilman Jenson acknowledged the need for the improvement. He asked why the right-of-way was not dedicated at the same time as the other right-of-way. Mr. Smith responded Cox Hospital bought another property that was not part of the original plat so the dedication of this right-of-way was not able to be done at that time.

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

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

Christina Angle, a representative of the Erlen Group, addressed City Council. Ms. Angle thanked City Council for their efforts regarding ForwardSGF. She acknowledged her appreciation for the work thus far and looks forward to future work on the Community Development Code.

Councilwoman Carroll thanked Ms. Angle for attending.

15. NEW BUSINESS.

The following items were all recommended.

- 15.1. The City Manager recommends the following appointments to the Art Museum Board: Chante Falcon and Debra Mergen with terms to expire June 1, 2026.
- 15.2. The City Manager recommends the following appointment to the Art Museum Board: Dr. Tracy McGrady with term to expire June 1, 2024.
- 15.3. The City Manager recommends the following reappointment to the Art Museum Board: Cheryl Hom with term to expire June 1, 2026.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS.

- 18.1. Council Bill 2023-181 (Simpson) This item was removed from Consent Agenda – First Reading Bills and became item 13.4 under First Reading Bills.

A special ordinance accepting new right-of-way and an extension of South Florence Avenue, generally located at 1131 East Washita Street, connecting South Florence Avenue to East Washita Street. (Planning and Zoning Commission and staff recommend approval.)

- 18.2. Council Bill 2023-182 (Lee)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with the City of Republic, Missouri, for the sale of a programming interface that conveys citations from the Springfield Police Niche Records Management System to the Prosecuting Attorney Management System to the City of Republic.

It is anticipated that City Council will vote on this bill at the July 24, 2023, City Council Meeting.

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

- 19.1. Council Bill 2023-183 (Carroll)

A special ordinance authorizing the City Manager, or his designee, to accept a Section 402 State and Community Highway Safety Grant in the amount of \$29,100 from the Missouri Department of Transportation to continue supporting the City's current pedestrian safety education program, known as 'SGF Yields,' and its sharable version, 'SafeAcross'; amending the budget of the Department of Public Works for Fiscal Year 2023-2024 in the amount of \$29,100 upon award of the grant; and declaring that this bill qualifies as a one-reading bill.

Council Bill 2023-183 (Carroll) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

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

- 20.1. Council Bill 2023-166 (Carroll)

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 KSNF-TV/KODE-TV, 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 throughout the regional roadway network.

Council Bill 2023-166 (Carroll) was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

Confirm the following appointments to the Springfield-Greene County Public Library Board: Melanie Weiler and Robert Stephens with terms to expire July 1, 2026. Confirmed.

21. END OF CONSENT AGENDA.

22. ADJOURN.

Mayor Pro Tem Simpson moved that City Council adjourn. Councilman Jenson seconded the motion, and it was approved by the following vote: Ayes: Jenson, Horton, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: McGull and Hosmer. Abstain: None.

EXPLANATION TO COUNCIL BILL 2023-170 (JENSON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting Conditional Use Permit No. 474 for the purpose of permitting an automobile service garage as a conditional use within the GR – General retail district, generally located at 4564 South Campbell Avenue. (Staff and Planning and Zoning Commission both recommend approval.) (By: Campbell - Buena Vista LLC, VantEdge Auto T5; 4564 S. Campbell Avenue; Conditional Use Permit No. 474).

PURPOSE: To permit an automobile service garage as a conditional use within the GR, General retail district located at 4564 S. Campbell Avenue. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: CONDITIONAL USE PERMIT NUMBER 474

The applicants, Campbell-Buena Vista LLC and VantEdge Auto T5, request a Conditional Use Permit to allow for the construction of a new automobile service garage at 4564 S. Campbell Avenue, near the intersection of S. Campbell Avenue and W. Buena Vista Street. Automobile service garages include those establishments which perform minor maintenance on vehicles, such as oil changes; body and fender repair or painting activity would not be permitted with the approval of a Conditional Use Permit.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 1" shall govern and control the use and development of the land in Conditional Use Permit Number 474 in a manner consistent with the attached site plan ("Exhibit D - Attachment 3").

FINDINGS FOR STAFF RECOMMENDATION:

This application meets the approval standards for a Conditional Use Permit ("Exhibit D - Attachment 2").

Approval of this application is subject to the Requirements for Approval ("Exhibit D - Attachment 1") and site plan ("Exhibit D - Attachment 3").

Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS: The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended approval, by a vote of 9 to 0 of the proposed conditional use permit (see the attached "Exhibit C, Record of Proceedings"). The Planning and



Development staff recommends the application be approved with the conditions (see attached "Exhibit A").

Submitted By: Kyle McGinnis, Senior City Planner

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

Attachments:

1. CUP 474 4564 S campbell_ord
2. CUP 474_exhA
3. CUP 474_exhB
4. CUP 474_exhC
5. CUP 474_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 28
Filed: 07-03-23

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-170

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 474 for the purpose of permitting an
2 automobile service garage as a conditional use within the GR –
3 General retail district, generally located at 4564 South Campbell
4 Avenue. (Staff and Planning and Zoning Commission both
5 recommend approval.)
6 _____
7

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

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
14 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
15 and recommended approval of Conditional Use Permit No. 474 for the property
16 generally located at 4564 South Campbell Avenue and zoned GR – General retail
17 district; and
18

19 WHEREAS, City Council finds that sufficient evidence has been presented to
20 satisfy all applicable standards of the Land Development Code for issuance of
21 Conditional Use Permit No. 474; and
22

23 WHEREAS, the granting of such permit is deemed proper, and it is not found to
24 harm the community or injure the value, lawful use, and reasonable enjoyment of
25 properties in the vicinity of 4564 South Campbell Avenue.
26

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

30 Section 1 – City Council adopts the City staff's specific findings of fact on the
31 proposed conditional use as set forth in "Exhibit D – Attachment 2." "Exhibit D" is
32 attached hereto and incorporated herein by this reference in its entirety. Conditional Use
33 Permit No. 474 is hereby granted in accordance with and subject to the provisions of
34 Section 36-363 of the Land Development Code. Conditional Use Permit No. 474 is

35 granted for the purpose of permitting an automobile service garage as a conditional use
36 within the GR – General retail district, located at the property described in “Exhibit B,”
37 which is attached hereto and incorporated herein by this reference, and which is
38 generally located at 4564 South Campbell Avenue.
39

40 Section 2 – Building permits, certificates of occupancy, and any other required
41 permits or approvals may be issued by the duly authorized officials of the City provided
42 that such issuance is consistent with Section 36-363 of the Land Development Code,
43 any other applicable City regulation or ordinance, and the “Requirements for Conditional
44 Use Permit 474” described in “Exhibit D – Attachment 1” and “Exhibit A,” which is
45 attached hereto and incorporated herein by this reference. Additionally, the provisions
46 contained in “Exhibit D – Attachment 1” and “Exhibit A” shall govern and control the use
47 and development of the land described in “Exhibit B,” in a manner consistent with the
48 attached site plan depicted on “Exhibit D – Attachment 3.”
49

50 Section 3 – Any violation of the provisions of this Ordinance shall be grounds for
51 the revocation of the Conditional Use Permit granted by the adoption of this Ordinance.
52

53 Section 4 – This Ordinance shall be in full force and effect from and after
54 passage only so long as the Property and any improvements thereon conform to the
55 conditions and requirements described in Section 36-363 of the Land Development
56 Code, other applicable City regulations or Ordinances, and this Ordinance.
57

58 Passed at meeting: _____
59

60 _____
61 Mayor
62

63 Attest: _____, City Clerk
64

65 Filed as Ordinance: _____
66

67 Approved as to form: Jill Bennis, Assistant City Attorney
68
69

70 Approved for Council action: Jason C. Hays, City Manager
71

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT NO. 474

1. The automobile service garage shall comply with all of the standards listed in Exhibit D - Attachment 2.
2. The automobile service garage shall be permitted in substantial conformance with Exhibit D - Attachment 3.
3. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 474

All of Lot One (1), Shadowood 2nd Additiona, being a replat of Parcel 1 and Parcel 2 and Parcel 3 of Lot 2 of Shadowood Sudivision Amended Plat, City of Springfield, Greene County, Missouri.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – June 8, 2023

Conditional Use Permit 474
4564 South Campbell Avenue

Applicant: Campbell-Buena Vista, LLC / VantEdge Auto T5

Mr. McGinnis stated that this is a request to permit an automobile service garage as a Conditional Use Permit within a GR, General Retail District.

Mr. Jobe opened the public hearing.

Mr. Derek Ziegelbein, 3213 S. West Bypass, here on behalf of the owner and noted that it is not automobile repair but a quick service for replacing fluids, wheel changes, etc.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **adopt** Conditional Use Permit 474 (4564 South Campbell Avenue) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report. Mr. Lebeck seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



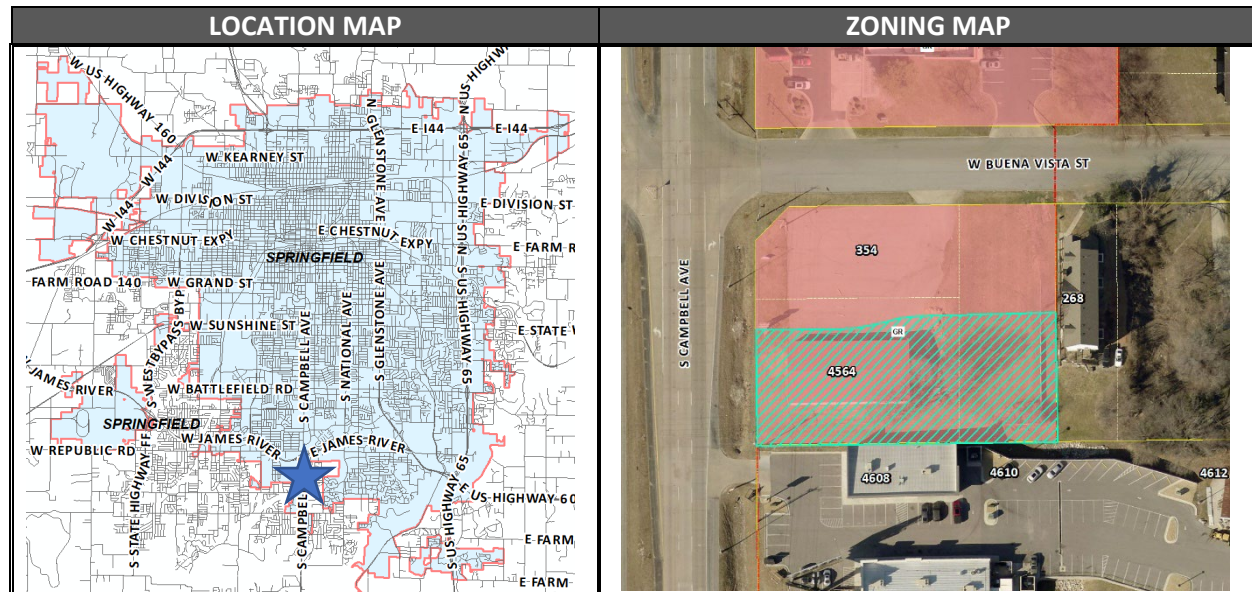
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 474
Location:	4564 S. Campbell Avenue
Total Acres:	0.58 acres
Applicant:	Campbell-Buena Vista LLC, VantEdge Auto T5
Existing Land Use:	Vacant/Unused
Neighborhood Meeting:	May 18, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Senior Planner Kyle McGinnis, (417) 864-1615
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 to the staff report as the findings of fact and recommend approval of CUP 474 subject to the conditions listed in Attachment 1 to the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to permit an automobile service garage as a Conditional Use Permit within a GR, General retail district generally located at 4564 S. Campbell Avenue.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE MAPS STREET VIEW:



PROPERTY HISTORY:

The subject property was annexed into the City in early 2023 via Ordinance No. 6767 and was subsequently zoned GR, General Retail district via Ordinance No. 6768. Prior to its annexation, the previous commercial tenant sold fireworks.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. – Conditional Use Permit

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located so as to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(8) *Period of validity.*

DEVELOPMENT REVIEW STAFF REPORT

- (a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18 months period:
1. A building permit is obtained and the erection or alteration of a structure is started; or
 2. An occupancy permit is obtained and the conditional use is commenced.
- The city council may grant one additional extension not exceeding 18 months, upon written application, without notice or hearing provided such grant is approved by city council prior to the expiration of the original 18-month period. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit. This additional extension shall be considered to have begun on the date of expiration of the original conditional use permit regardless of when this additional extension is granted by city council.
- (b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

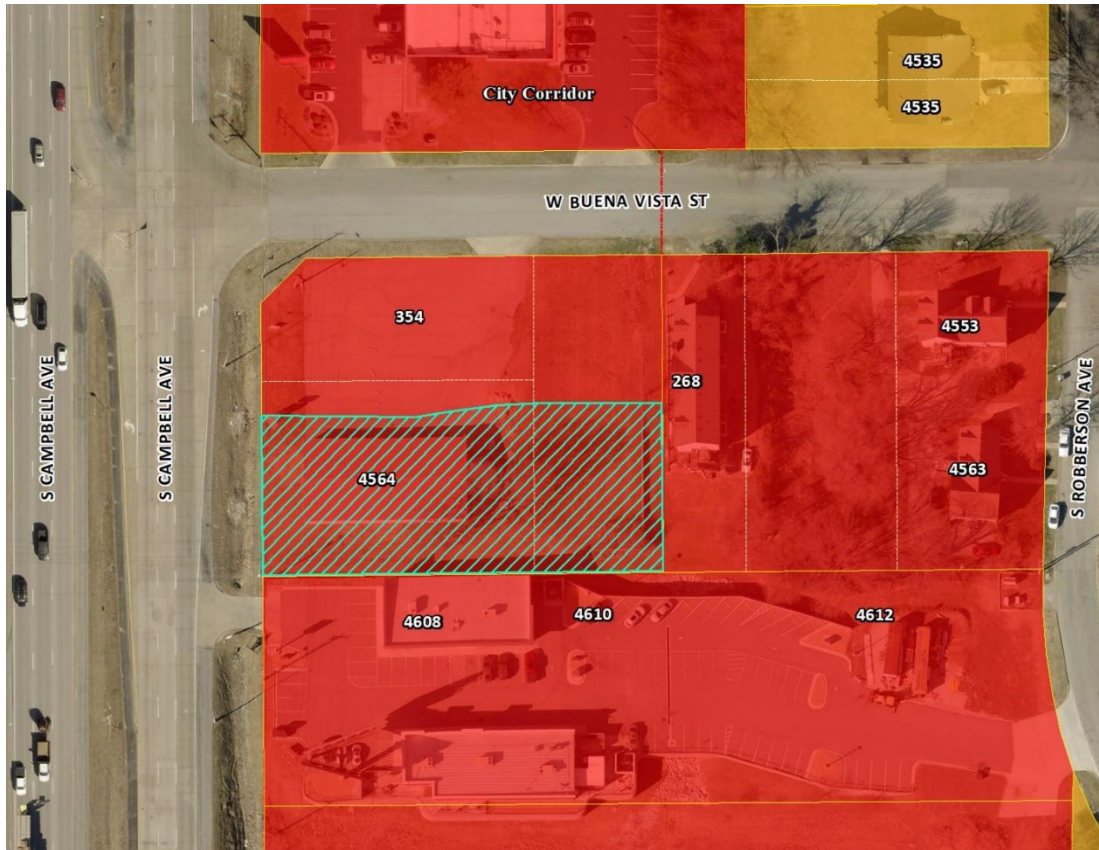
The City's *Comprehensive Plan* classifies this property as part of the City Corridor Placetype, which is detailed in Chapter 5: Land Use & Development. Per the plan, this Placetype "...predominantly consists of commercial and service-related development... [providing] a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors." Based on the land uses typically contained within this Placetype, it is best situated along major roadways which receive a high volume of traffic, utilizing access management through the use of curb cut consolidation and cross-access agreements between commercial properties to reduce traffic conflicts and backups. Where commercial development abuts conflicting land uses, such as residential land uses, the *Comprehensive Plan* calls for sufficient screening between such properties. The plan also calls for thoughtful site design which emphasizes improved placemaking and streetscaping through the use of quality exterior materials and street-facing development – though our current zoning regulations do not necessarily reflect these goals at this time.

The subject property is currently zoned GR, General Retail district, which is described in Section 36-421 of the City's *Land Development Code*. This district permits a large variety of commercial-, service-, and entertainment-oriented land uses located along or at the intersection of two or more streets classified as arterials or higher (this property is located along S. Campbell Avenue, classified as an Expressway at this location, and will take access to W. Buena Vista Street via a cross-access easement through the proposed lot to the north per the administrative subdivision currently under review by staff [ADMSUB2023-00002]). Per subsection (3), Conditional uses, of Section 36-421, automobile service garages may be permitted within the GR district with the approval of a Conditional Use Permit pursuant to Section 36-363,

DEVELOPMENT REVIEW STAFF REPORT

Conditional use permits. Based on these factors, the proposed automobile service garage would generally conform with the objectives and intent of the *Comprehensive Plan*.

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major, Arden & Innovation Spokes	Public & Private Schools & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	◇	◇	◇	○							
Downtown		●	○	○	○	○	○	○	○	○				
Mixed-Use	○	○	○	○	○	○	○	○	○	○				
City Corridor		○	○	○	○	○	○	○	○	○				
Institutional & Employment Center		○	○	○	○	○	○	○	○	○				
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation		●	●	○										

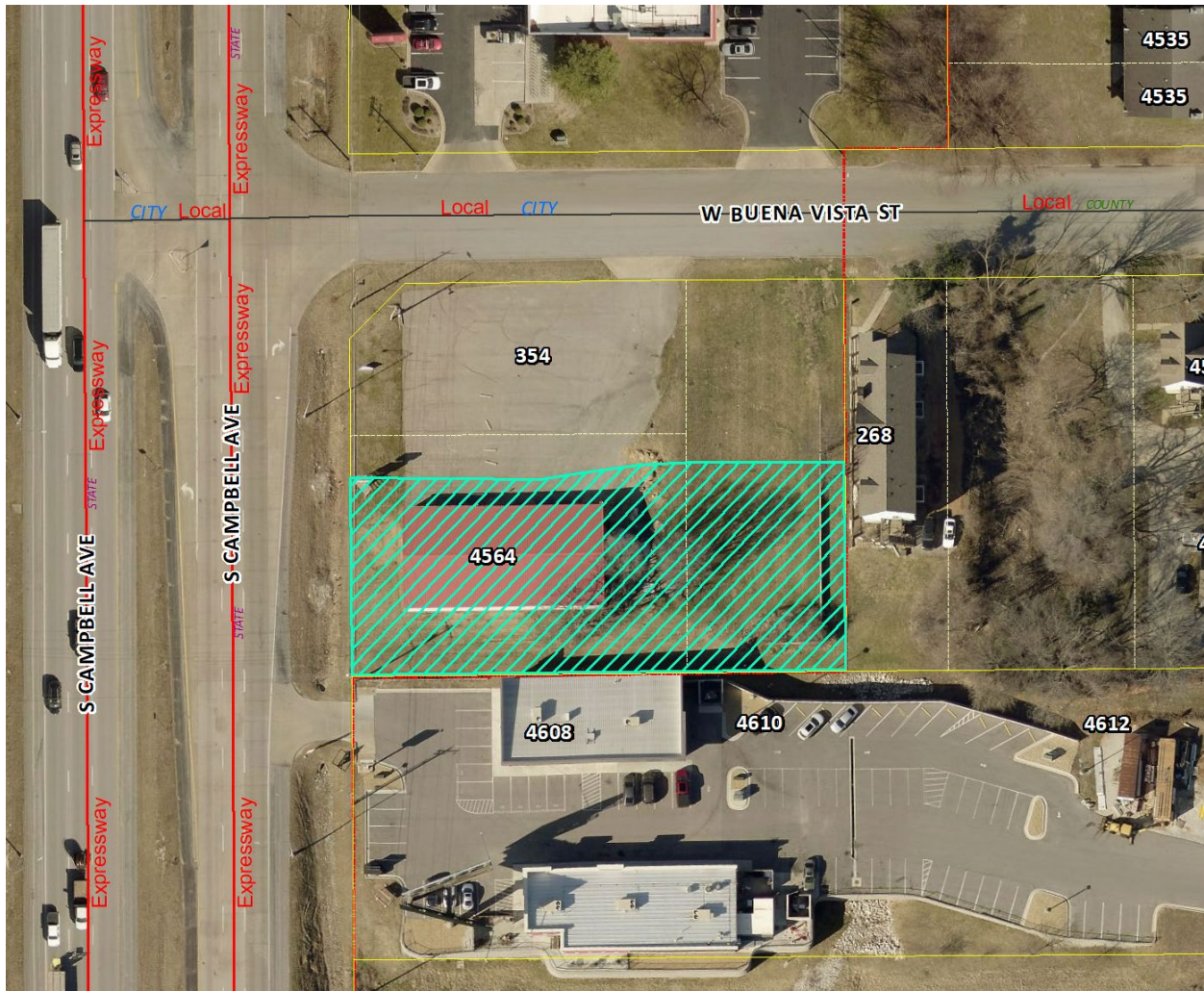
● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype

○ Supporting Land Use: Less prevalent and serve to support the primary land use.

◇ Low Intensity Supporting Land Use: Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	Greene County C-2	Greene County R-4	GR
LAND USE	Commercial strip center	Eating & drinking establishment, retail sales	Multifamily dwellings	Public Library
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No issues with the proposed Conditional Use Permit.
2. CITY UTILITIES:
No issues with the proposed Conditional Use Permit. For specific utility-oriented comments, refer to PRJ2023-00546, as needed.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to the proposed Conditional Use Permit. Development of this property is contingent upon the extension of public sewer infrastructure to serve the site. The plans for this sewer extension have been approved by the City but have not yet been filed.
4. FIRE DEPARTMENT:
No issues with the proposed Conditional Use Permit.
5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
Site Description & Drainage Pattern:
4564 S. Campbell Avenue is a one-half acre lot that is part of one-acre redevelopment that has a regional basin providing Water Quality. The property is in the **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The City **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in-lieu-of on-site stormwater detention **will be allowed due to proximity to the floodplain**.

Public Works – Stormwater has no concerns for the proposed Conditional Use Permit. Please note that development of the property will be subject to the following conditions at the time of development:

All chapter and section references below are from the City's Flood Control and Water Quality Protection Manual, Version April 2022.

Detention & Discharge Requirements:

A fee in-lieu-of on-site detention was paid as part of the public improvements detailed in 2023PW0006.

Water Quality Requirements:

Water Quality is provided through the basin constructed for both lots included in the subdivision associated with 2023PW0006.

Floodplain:

Not applicable to this site.

DEVELOPMENT REVIEW STAFF REPORT

Natural Channel & Stream Buffers:

Not applicable to this site.

Sinkholes & Karst Features:

Not applicable to this site.

Additional Stormwater Requirements:

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 Environmental Services – Water Quality per Chapter 12, Section 3.0. As-built of the detention and Water Quality improvements are required. We would like the following as-builts notes on the plans: the engineer of record is required to submit an as-built certification of the stormwater control measures upon completion of the project. The contractor shall coordinate with the engineer to identify the list of stormwater control measures requiring certification and coordinate during the construction to allow the engineer to make any observations necessary during construction to certify the measures.

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	S. Campbell Avenue	Expressway	MoDOT	65	95	39,551	No	No	No

Access:

There is currently no driveway access point onto the property from S. Campbell Avenue. No access is allowed to S. Campbell Avenue. All access will come from W. Buena Vista Street through a cross-access easement.

Trails, Bus Stops, & Additional Information:

Ward Branch Greenway Trail is near the property. There is one bus stop along S. Campbell Avenue near the property.

Improvements:

No improvements are required for this development. A traffic study is not required for this development.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicants, Campbell-Buena Vista LLC and VantEdge Auto T5, have requested this Conditional Use Permit for an automobile service garage within an existing GR district located at the intersection of S. Campbell Avenue and W. Buena Vista Street. Automobile service garages are a conditional use within the GR district as outlined in Section 36-421 of the City's *Land Development Code*. Per staff's analysis on pages four and five of this report, the proposal generally conforms to the objectives and intent of the *Comprehensive Plan's* City Corridor Placetype, which is meant to contain a variety of commercial-, service-, and entertainment-oriented land uses along higher classification roadways.
2. A site plan package has been provided (Attachment 3) depicting the scope of the proposed development. Per this plan package, the development would take sole access from W. Buena Vista Street via a cross-access easement and would install and maintain a landscape buffer along the east property line where the property abuts a residential land use. Both items are in alignment with the *Comprehensive Plan's* recommendations for development in this Placetype.
3. The applicants have responded to the 21 standards of approval (Attachment 2), which are required as part of all Conditional Use Permit applications.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the *Comprehensive Plan's* City Corridor Placetype and the development's compliance with the standards of approval below (Attachment 2).

PLANNING AND ZONING OPTIONS:

The Planning and Zoning Commission shall make one of the following recommendations in connection with each proposed conditional use:

1. Recommend against the proposed conditional use,
2. Recommend approval of the proposed conditional use, or
3. Recommend approval of the proposed conditional use together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed conditional use is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 CONDITIONAL USE PERMIT NO. 474

1. The automobile service garage shall comply with all of the standards listed in Attachment 2.
2. The automobile service garage shall be permitted in substantial conformance with Attachment 3.
3. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 474

Sec. 36-363 (10) Standards. An application for a Conditional Use Permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Applicant's response:	Staff's response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield <i>Comprehensive Plan</i> .	Yes. A Conditional Use Permit allowing for an automobile body/repair business in this location is consistent with the City of Springfield's <i>Comprehensive Plan</i> .	The proposed conditional use is consistent with the adopted policies of the <i>Comprehensive Plan</i> per staff's analysis contained in pages four and five of this report, above.
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	No. The site's proposed access will meet all City of Springfield regulations.	Staff has reviewed the proposed plan package and, per Public Works – Traffic's review, does not anticipate that this use will adversely affect the safety of the motoring public or pedestrians in the vicinity of the proposed vicinity. In alignment with the <i>Comprehensive Plan's</i> recommendations to consolidate access points onto public right-of-way in the City Corridor Placetype in order to reduce traffic conflicts and potential hazards, the applicant has proposed to share access from W. Buena Vista Street with the future development to the north via a cross-access easement.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	Yes. A fire lane meeting the requirements of the International Fire Code and the City of Springfield Fire Department will be provided. All other requirements will be addressed during the site plan review process.	Should the Conditional Use Permit be approved, all future building permits will be reviewed by the Fire Department for compliance with the applicable Codes and regulations pertaining to fire safety and control.

DEVELOPMENT REVIEW STAFF REPORT

4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	No. The proposed development will meet all City of Springfield regulations regarding stormwater management. All runoff drawings go downstream to a regional detention and extended detention basins constructed as part of 9PW4715 so no adjacent properties will see an increase of runoff.	Per the review provided by Public Works – Stormwater and the applicant's response, the subject site drains to existing detention facilities constructed to meet the needs of future development on this lot.
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	No. The noise levels of the equipment to be used onsite should be at or close to the existing noise levels in the area created by the traffic on S. Campbell Avenue and W. Buena Vista Street, and the existing commercial uses to the north and south.	Staff does not anticipate that the proposed conditional use will produce noise levels in excess of those typically associated with the uses permitted by right in the GR district. Furthermore, per the use limitations noted in Section 36-421 (4) of the <i>Land Development Code</i> , the use will be subject to the noise standards contained in Section 36-485.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	Glare from vehicular lights will not be an issue because screening will be provided per City of Springfield requirements. A photometric site plan will be developed per City of Springfield regulations to keep light at allowable levels on adjacent properties. Stationary lights will be positioned to direct light away from neighboring properties and roads.	Per the requirements of Section 36-480, Screening and fencing, a permitted form of headlight screening will be required for any vehicular use areas which direct headlights to the east (a residential land use). As stated by the applicant, they will also be required to provide a photometric site plan meeting the requirements and limitations of Section 36-484. Both of these items would be reviewed and enforced at the time of the building permit review.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	Yes. Any signage and site lighting will be installed per City of Springfield requirements.	Staff has not noted any concerns with the signage proposed at this time. Furthermore, all signage will be subject to a sign permit review enforcing the regulations of Section 36-454, which is

DEVELOPMENT REVIEW STAFF REPORT

		completed separately from the building permit review.
8. Such signs will not have an adverse effect on any adjacent properties.	No. The proposed monument sign will be located appropriately and sized for the site. All signage will meet City standards.	All future signage will be subject to the requirements and limitations of Section 36-454, which are enforced through the sign permit review process administered by Building Development Services.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	Yes. W. Buena Vista Street is classified as a Local street with two travel lanes and a low speed limit. This is suitable for the proposed use.	The total property within which the subject development would be contained is undergoing an administrative subdivision that will limit this area's frontage to S. Campbell Avenue, from which the site will not be permitted to take access. All traffic traveling to this property will enter through a shared access point located on W. Buena Vista Street to be constructed to the City's standards.
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	No. The site is in close proximity to retail shops and auto repair shops. This will make it compatible with existing surrounding developments. The proposed improvements will be constructed per City of Springfield standards and will not adversely affect the surrounding commercial properties.	This development would fill unused commercial land along the east side of S. Campbell Avenue's commercial frontage, making the use compatible with both the existing land uses along the corridor as well as those permitted in the present zoning. Where the development abuts residential land to the east, a bufferyard C shall be installed.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining	The proposed building will be in accordance with and will be similar in height to the existing neighboring buildings. The fences onsite would be the trash pad screening, a gate to separate the parking lot from customer access the car/mechanic retention area, and possibly a	The GR district limits the height of structures by a 30-degree bulk plane, which only applies from properties zoned R-SF or R-TH. As a result, there is technically no maximum height limit for any development on this property, regardless of the approval of the proposed conditional use. To help shield the existing residential land uses

DEVELOPMENT REVIEW STAFF REPORT

whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.	screening fence on the north side of the site which would provide additional screening for S. Campbell Avenue. Landscaping and screening will conform with the City of Springfield zoning requirements.	from this commercial development, a minimum 15-foot-wide bufferyard C will be required along the east property line, and any vehicular use area which results in vehicular lights being directed to the east will be required to be screened per Section 36-480.
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	No. There are no significant natural topographic or physical features on the site. The entire site is currently vacant.	Staff is in agreement with the applicant in that this site lacks significant natural topographic or physical features.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	No. The entire site is currently vacant.	Staff is in agreement with the applicant in that the site does not contain any natural, scenic, or historic features of significance.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.	Yes. The proposed development will comply with all other City of Springfield regulations.	Staff has reviewed the plan package submitted by the applicant and has not found it to be deficient. Furthermore, a full permit plan package will be submitted and reviewed for compliance with all Zoning Ordinance requirements and limitations following the approval of a Conditional Use Permit.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	Yes. The site will provide the public with an optional service/amenity.	If approved, the conditional use would result in the creation of an additional amenity for the motoring public which frequents the heavily trafficked S. Campbell Avenue corridor.

DEVELOPMENT REVIEW STAFF REPORT

16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.	Yes. The parking and loading areas for the proposed development will comply with City standards set forth in Sections 36-455, 36-456, and 36-483.	All vehicular use areas will be reviewed for compliance with the applicable Sections of Code prior to the issuance of building permits for the conditional use, should it be approved.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	Yes. The proposed development will comply with all other City of Springfield regulations and have been coordinated with City staff.	The developer intends to share access from W. Buena Vista Street with the future development to the north, and will not take access from S. Campbell Avenue. The consolidation of access points is one strategy identified by the <i>Comprehensive Plan</i> to help reduce conflicts in traffic movements and hazards.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	No. The vehicular circulation elements have been designed to provide adequate use of the site and will provide for safe circulation of a fire truck per City of Springfield requirements and the IFC.	Staff has reviewed the site plans submitted by the developer as part of this application and have not identified any vehicular circulation elements which might generate hazards, cause disjointed circulation paths onto or off of the site, or undue interference with the convenience of vehicular or pedestrian travel.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	No. There are no known interferences at this time.	Staff has not identified any conflicts between the proposed development and present easements, roadways, rail lines, utilities, or public/private rights-of-way.
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing	The site is currently vacant. The development will meet all fire, health, building, plumbing, and electrical requirements of the City of Springfield.	This standard is not applicable to this particular application as there will be no infill or alteration of existing structures. This project will involve new construction subject to all

DEVELOPMENT REVIEW STAFF REPORT

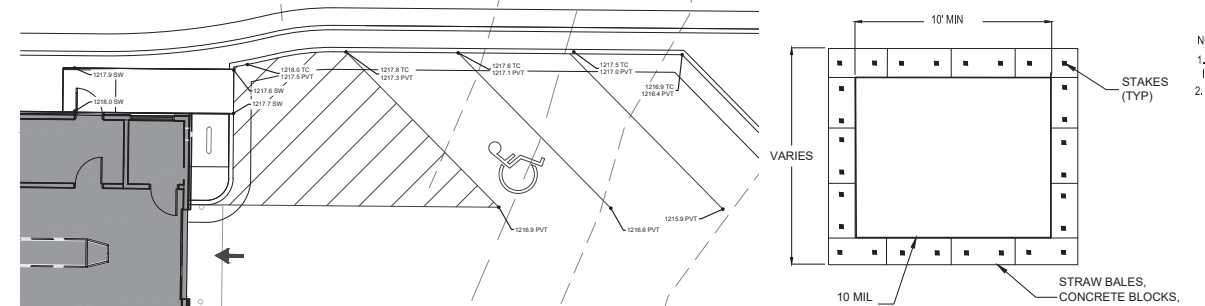
and electrical requirements of the City of Springfield.		requirements of all City departments.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	All public utilizes are available at the site. Stormwater runoff will be addressed during plan review but will be designed to meet City of Springfield standards.	The proposed development will be served by all applicable facilities and services as noted in the standard and required by the City.

1. RETAIN FLOATABLE WIND BLOWN MATERIALS ON SITE BY STORING ALL TRASH AND BUILDING MATERIAL WASTE IN ENCLOSURES UNTIL PROPER DISPOSAL AT OFF-SITE FACILITIES. CHECK ADJACENT AREAS DAILY AND PICK UP CONSTRUCTION WASTE MATERIALS AND DEBRIS THAT HAVE BLOWN OR WASHED OFF SITE.
2. PERMANENTLY STABILIZE ALL SURFACE AREA WITHIN AND ADJACENT TO THIS SITE THAT IS DISTURBED BY VEHICLES, GRADING AND OTHER CONSTRUCTION FOR THE PROPOSED FACILITY. STABILIZATION IS OBTAINED WHEN THE DISTURBED SURFACE IS COVERED WITH STRUCTURES, PAVING AND/OR PERENNIAL VEGETATION, HAVING A UNIFORM COVERAGE DENSITY OF AT LEAST 70%. STABILIZATION OF ALL DISTURBED AREA IS REQUIRED BEFORE TERMINATING MAINTENANCE AND REMEDIATION OF EROSION CONTROL MEASURES.
3. CONTRACTORS SHALL INSPECT POLLUTION CONTROL MEASURES AT LEAST ONCE EVERY 7 DAYS AND WITHIN 24 HOURS AFTER A STORM EVENT OF 1/2 INCH OR GREATER. DAMAGED MEASURES THAT PROVE TO BE INEFFECTIVE SHALL BE REPLACED WITH MORE EFFECTIVE MEASURES OR ADDITIONAL MEASURES WITHIN SEVEN DAYS. REPEATED FAILURE OF A CONTROL MEASURE REQUIRES INSTALLATION OF A MORE SUITABLE DEVICE TO PREVENT DISCHARGE OF POLLUTANTS FROM THE CONSTRUCTION SITE.
4. IN THE EVENT OF ADDITIONAL POLLUTION CONTROL MEASURES MAY BE REQUIRED BY THE CITY OR STATE. CONTRACTOR TO VERIFY REQUIREMENTS PRIOR TO BEGINNING ANY WORK ON PROJECT SITE.
5. CARE SHALL BE TAKEN TO MINIMIZE THE ENCRoACHMENT OF SEDIMENT INTO ALL STORM DRAIN APPURTENANCES, PUBLIC STREETS, AND ONTO PRIVATE PROPERTY UNTIL IMPERVIOUS MATERIAL (ROAD/PARKING AREA SURFACE) IS APPLIED OR UNTIL PROPOSED LANDSCAPE HAS BEEN ESTABLISHED.
6. REFER TO 4C1-2 FOR SILT FENCE CONSTRUCTION.
7. ALL GRASS SEEDS WHICH EXCEED 3:1 (H:V) SHALL UTILIZE CONTECH CONSTRUCTION PRODUCTS PERMANENT TURF REINFORCEMENT MAT 450 OR APPROVED EQUAL. MATS SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND STANDARDS. CONTRACTOR SHALL COORDINATE INSTALLATION INSPECTION WITH MANUFACTURER.

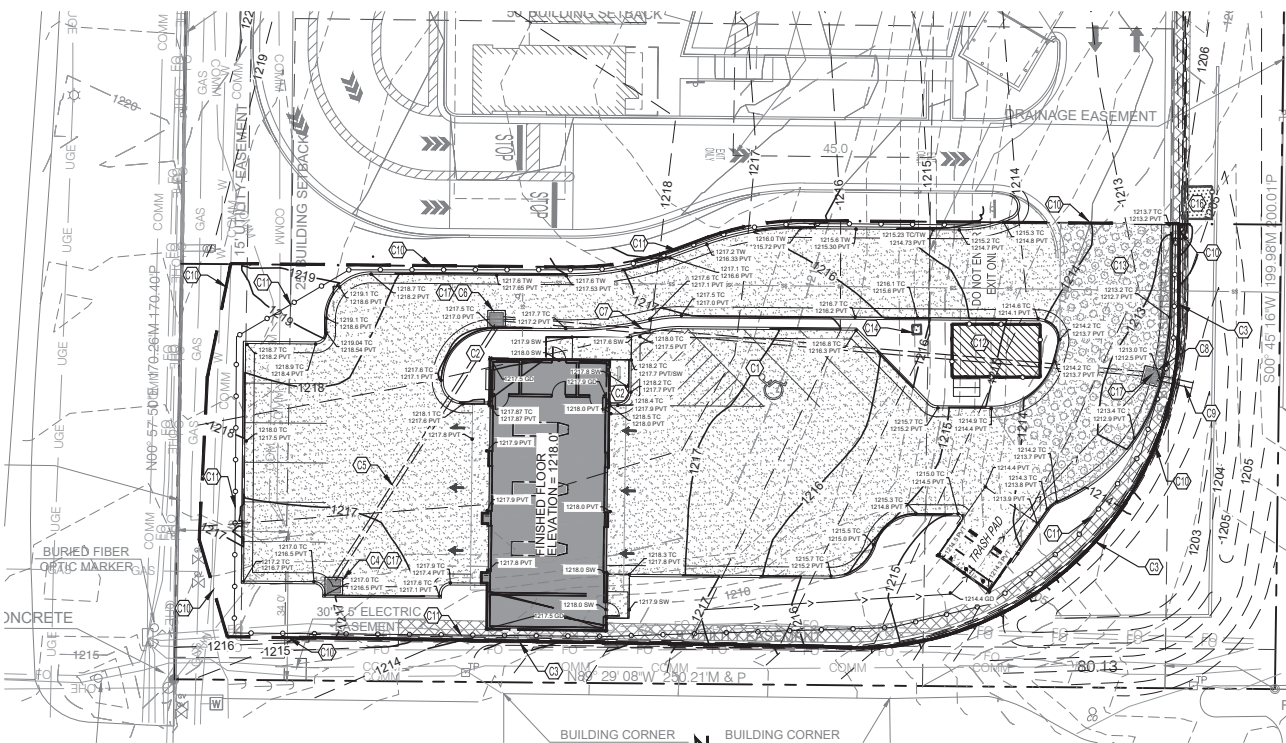
TOTAL PROPERTY AREA = 0.58 ACRES
TOTAL DISTURBED AREA = 0.43 ACRES
EXISTING IMPERVIOUS COVER = 0.14 ACRES
PROPOSED IMPERVIOUS COVER = 0.32 ACRES
SITE WILL MODEL EXISTING DRAINAGE PATTERNS AND REDUCE FLOW
TO MODOT RIGHT-OF-WAY BY PROVIDING DETENTION ON-SITE.

- A. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
- B. SITE CONDITIONS BASED UPON SURVEY SUBMITTED BY OWNER. FIELD VERIFY EXISTING CONDITIONS BY DETAILED SITE INSPECTION PRIOR TO SUBMITTING BID AND BEGINNING CONSTRUCTION.
- C. FIELD VERIFY SANITARY SEWER SERVICE CONNECTION INVERT PRIOR TO ESTABLISHING FINAL FINISH FLOOR ELEVATION.
- D. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.

1. THE CONTRACTOR IS OBLIGATED TO INSPECT FOR EXISTING CONDITIONS/INSTALLATIONS AND AVAILABLE INFORMATION PRIOR TO SUBMITTING A BID. REFER TO SPECIFICATIONS ALSO.
2. EXISTING INSTALLATIONS (SUCH AS WATER MAINS/LINES, GAS MAINS/LINES, SEWER MAINS/LINES, TELEPHONE LINES, POWER LINES, AND UTILITY STRUCTURES IN THE VICINITY OF THE WORK TO BE DONE) ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN PREPARING THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION, AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR LOCATING ALL EXISTING INSTALLATIONS.
4. ANY DELAY, ADDITIONAL WORK, FEES OR EXTRA COST TO THE CONTRACTOR CAUSED BY OR RESULTING FROM DAMAGE TO OR MODIFICATION OF EXISTING INSTALLATIONS BY THE CONTRACTOR OR AFFECTED UTILITY COMPANY SHALL NOT CONSTITUTE A CLAIM FOR EXTRA WORK, ADDITIONAL PAYMENT OR DAMAGES.
5. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION PRIOR TO SUBMITTING HIS BID. NO EXTRAS WILL BE PAID DUE TO UNANTICIPATED EXISTING CONDITIONS/INSTALLATIONS.

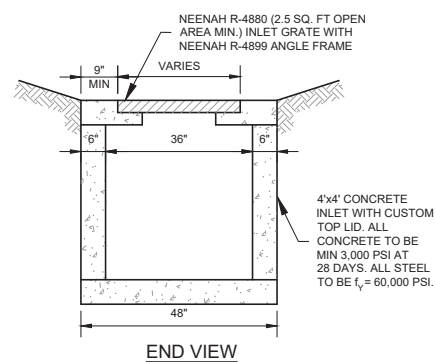


HANDICAP AREA TO BE ADA COMPLIANT. SLOPES SHALL NOT EXCEED 2.0% IN ANY DIRECTION IN THIS AREA.

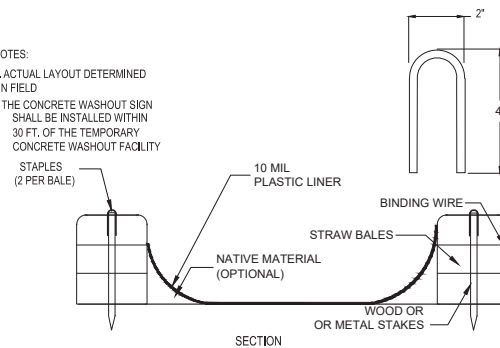


1 SITE GRADING & EROSION CONTROL PLAN
C1.2 SCALE: 1" = 20'

1. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
2. THE DUTY OF THE ENGINEER OR OWNER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON, OR NEAR THE CONSTRUCTION SITE.



NOTE: MIN. #4 BARS @ 12" O.C. (ALL WALLS VERT. HOR. & SLAB)



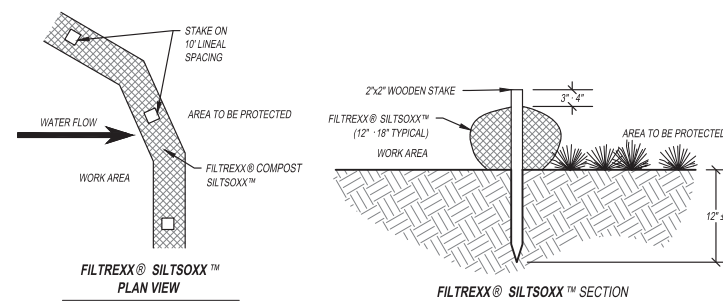
5 CONCRETE WASHOUT AREA
C1.2 SCALE: NOT TO SCALE

C1 HANDICAP PARKING AREA. REFER TO DE

- (C1)** HANDICAP PARKING AREA. REFER TO DETAIL 2/C1.2.
- (C2)** CONTRACTOR TO ENSURE AREA IS GRADED TO DRAIN AWAY FROM THE BUILDING AND ENSURE PONDING DOES NOT OCCUR.
- (C3)** REFER TO PUBLIC IMPROVEMENT PLANS FOR STORMWATER CONVEYANCE, WATER QUALITY, AND RETAINING WALL DESIGN BY CJW TRANSPORTATION CONSULTANTS.
- (C4)** INSTALL 4' X 4' AREA INLET.
RIM = 1216.5' INV = 1212.5'
REFER TO DETAIL 3/C1.2.
- (C5)** INSTALL 69' LF OF 12" PIPE @ MIN 0.3% SLOPE. REFER TO PIPE NOTES.
- (C6)** INSTALL 4' X 4' AREA INLET.
RIM = 1217.0' INV = 1212.0'
REFER TO DETAIL 3/C1.2.
- (C7)** INSTALL 146' LF OF 12" PIPE @ MIN 0.3% SLOPE. REFER TO PIPE NOTES.
- (C8)** INSTALL 4' X 4' AREA INLET.
RIM = 1212.5' INV W = 1209.0' INV E = 1204.1'
REFER TO DETAIL 3/C1.2.
- (C9)** INSTALL 8' LF OF 15" PIPE @ MIN 0.3% SLOPE. REFER TO PIPE NOTES.
- (C10)** LIMITS OF LAND DISTURBANCE.
- (C11)** LIMITS OF TEMPORARY EROSION CONTROL FENCE. REFER TO DETAIL 4/C1.2
- (C12)** INSTALL DUMPSTER AND CONTRACT TRASH COMPANY FOR PICK UP. FINAL LOCATION TO BE DETERMINED BY CONTRACTOR.
- (C13)** INSTALL TEMPORARY CONSTRUCTION ENTRANCE. REFER TO DETAIL 6/C1.2
- (C14)** INSTALL PORTABLE TOILET AND STAKE FIRMLY TO GROUND. FINAL LOCATION TO BE DETERMINED BY CONTRACTOR.
- (C15)** AREAS TO BE VEGETATED. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE SEED AND STRAW MULCH UNLESS OTHERWISE NOTED. OVER MIN. 4" TOPSOIL. STOCKPILE HAULED IN AS APPROVED BY THE PROJECT MANAGER. SEE SEEDING NOTES. REFER TO LANDSCAPE PLANS FOR PERMANENT STABILIZATION DETAILS.
- (C16)** LOCATION OF 10'x10' CONCRETE WASHOUT AREA. REFER TO DETAIL 5/C1.2.
- (C17)** INLET PROTECTION.
REFER TO DETAIL 7/C1.2
- COMPACTED TO PREVENT RUNOFF WITH SEDIMENT**
- 7 IN 12**
- C1.2**
- SCA**

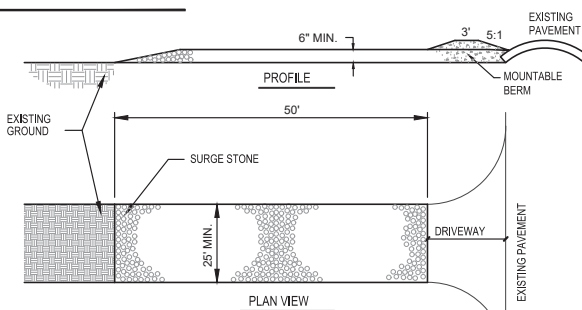
CONTRACTOR TO PERFORM DETAILED SITE INSPECTION TO LOCATE ALL EXISTING UTILITIES AND VERIFY ANY POSSIBLE CONFLICTS WITH PROPOSED IMPROVEMENTS PRIOR TO BEGINNING ANY CONSTRUCTION. CONTACT ENGINEER WITH ANY CONFLICTS.

SPECIAL NOTE:
CONTRACTOR SHALL FIELD VERIFY PROPOSED GRADES MATCH EXISTING
PAVEMENT AT DRIVEWAY ENTRANCES, SIDEWALK CONNECTIONS, AND ALL
CONNECTION POINTS PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR
SHALL NOTIFY ENGINEER IF DISCREPANCY OCCURS.



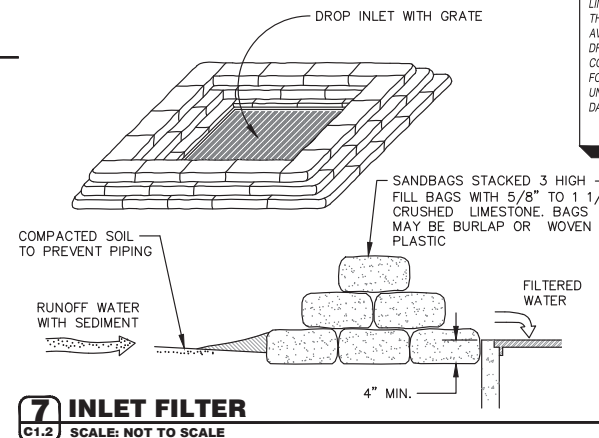
4 **FILTREXX SILTSOXX™**
C1.2 SCALE: NOT TO SCALE

HAND PLACE RIP-RAP IN ALL PLACES AS INDICATED ON THE PLAN. THE STONE FOR RIP-RAP SHALL CONSIST OF FIELD STONE OR ROUGH UNHEWN QUARRY STONE AS NEARLY AS UNIFORM, IN SECTION AS PRACTICAL. THE STONES SHALL BE DENSE, RESISTANT TO THE ACTION OF AIR AND WATER, AND SUITABLE IN ALL ASPECTS FOR THE PURPOSE INTENDED UNLESS OTHERWISE SPECIFIED. ALL STONES USED AS RIP-RAP SHALL WEIGH BETWEEN 30-150 POUNDS EACH, AND AT LEAST 60 PERCENT OF THE STONES SHALL WEIGH MORE THAN 100 POUNDS EACH. STONES SHALL BE A MINIMUM OF 6" IN DIAMETER AND PLACED A MINIMUM OF 16" BELOW FINISH GRADE.



6 CONSTRUCTION ENTRANCE DETAIL

1. STONE SIZE - USE 3/4" STONE, OR EQUAL
2. MIN. LENGTH - 50 FEET
3. MIN. THICKNESS - SIX(6) INCHES
4. WIDTH - TWENTY FIVE (25) FOOT MINIMUM
5. FROM 10 TO 15 FEET FROM THE ENTIRE AREA PRIOR TO PLACING OF STONE
6. SURFACE WATER - ALL SURFACE WATER FLOWING TOWARD THE CONSTRUCTION EGRESS SHALL BE DIVERTED EITHER BY PIPE OR SWALES TO PREVENT THE WASHOUT OF THE EGRESS.
7. TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY - MEASURES MUST BE TAKEN TO PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE POSTING OF TOP OF DITCH OR EGRESS WITH STONES AS CONDITIONS DEMAND AND REPORT AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.



7 INLET FILTER
C1.2 SCALE: NOT TO SCALE

1. CONTRACTOR TO PERFORM DETAILED SITE INSPECTION TO LOCATE ALL EXISTING UTILITIES AND VERIFY ANY POSSIBLE CONFLICTS WITH PROPOSED IMPROVEMENTS PRIOR TO BEGINNING ANY CONSTRUCTION. CONTACT OWNER WITH ANY CONFLICTS.
2. INSTALLATION OF CONSTRUCTION ENTRANCE
3. INSTALLATION OF EROSION CONTROL FENCE.
4. DEMOLITION OF EXISTING SITE IMPROVEMENTS.
5. REMOVAL OF EXISTING PAVEMENT ON THE SITE.
6. INSTALLATION OF ALL STORM WATER DRAINAGE IMPROVEMENTS.
7. ROUGH GRADING.
8. CONSTRUCTION OF NEW SITE IMPROVEMENTS.
9. FINAL GRADING.
10. PLACEMENT OF FINAL LANDSCAPING ITEMS AND SOD.
11. REMOVAL OF EROSION CONTROL FENCE.



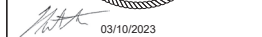
3213 S WEST BYPASS
SPRINGFIELD, MO 65807
PHONE (417) 866-2741
A LICENSED MISSOURI
ENGINEERING CORPORATION
COA 00062

354 W BUENA VISTA
SPRINGFIELD, MO

Vantage Auto T5
8700 State Line Road
Suite #330
Leawood, KS 66206

[illegible]

PROJECT NO:	22SP10316
DRAWN BY:	JCH
CHECK BY:	NAA
ISSUED FOR:	PERMITS
ISSUED DATE:	3/10/2023



ISSUED BY:	NATHAN A. ADAMS
LICENSE NO:	PE No. 2022010967

C1.2

THE CONTRACTOR IS OBLIGED TO INSPECT FOR EXISTING CONDITIONS/INSTALLATIONS AND AVAILABLE INFORMATION PRIOR TO SUBMITTING A BID. REFER TO SPECIFICATIONS ALSO.

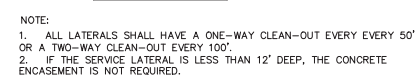
EXISTING INSTALLATIONS (SUCH AS WATER MAINS/LINES, GAS MAINS/LINES, SEWER MAINS/LINES, TELEPHONE LINES, POWER LINES, AND UTILITY STRUCTURES AND ETC.) MAY BE FOUND TO DIFFER FROM INDICATED ON THE DRAWINGS DUE TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN PREPARING THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION, AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL EXISTING INSTALLATIONS.

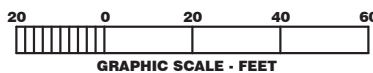
ANY DELAY, ADDITIONAL WORK, FEES OR EXTRA COST TO THE CONTRACTOR CAUSED BY OR RESULTING FROM DAMAGE TO OR MODIFICATION OF EXISTING INSTALLATIONS BY THE CONTRACTOR OR AFFECTED UTILITY COMPANY SHALL NOT CONSTITUTE A CLAIM FOR EXTRA WORK, ADDITIONAL PAYMENT OR DAMAGES TO THE CONTRACTOR OR FOR ANY OTHER REASON.

THE CONTRACTOR SHALL VERIFY ALL EXISTING CONSTRUCTION PRIOR TO SUBMITTING HIS BID. NO EXTRA WILL BE PAID DUE TO UNANTICIPATED EXISTING CONDITIONS/INSTALLATIONS.

1. SITE CONDITIONS BASED UPON SURVEY SUBMITTED BY OWNER. THE CONTRACTOR SHALL FIELD VERIFY ALL HORIZONTAL AND VERTICAL LINES AND GRADES OF EXISTING UTILITIES PRIOR TO THE CONSTRUCTION OF IMPROVEMENTS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY UPON DISCOVERING A DISCREPANCY BETWEEN THE CONTRACT DRAWINGS AND ACTUAL FIELD CONDITIONS. CONTACT ONE CALL: 1-800-344-7483.
2. THE CONTRACTOR MUST COORDINATE CONSTRUCTION WITH THE NECESSARY AUTHORITIES.
3. ALL PERMITS MUST BE OBTAINED PRIOR TO CONSTRUCTION OF ANY EXCAVATION WITHIN ANY RIGHT-OF-WAY AND PRIOR TO ANY CONSTRUCTION.
4. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS WITHOUT PONDING ON PARKING LOTS OR SIDEWALKS.
5. ALL IMPROVED RUNOFF TO DRAIN TO DRAINWAYS.
6. ALL CONTOURS AND SPOT ELEVATIONS SHOWN ARE FINISH GRADE.
7. THE REMOVAL OF ANY TREES SHALL BE APPROVED BY THE PROJECT MANAGER PRIOR TO REMOVAL.
8. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
9. TESTING OF CONTROLLED STRUCTURAL FILL, OBSERVATION OF EXCAVATIONS AND COMPACTION OF SUBGRADE SHALL BE DONE BY A QUALIFIED GEOTECHNICAL ENGINEER, FOLLOWING GEOTECHNICAL ENGINEER RECOMMENDATIONS FOR EXCAVATION REQUIREMENTS.
10. REFER TO STRUCTURAL DRAWINGS FOR BUILDING EXCAVATION REQUIREMENTS.
11. GRADING AT HANDICAP ACCESSIBLE PARKING SPACES SHALL NOT EXCEED 2% IN ANY DIRECTION. GRADING AT HANDICAP ACCESSIBLE ROUTE SHALL NOT EXCEED 5% IN DIRECTION OF TRAVEL WITH 2% MAXIMUM CROSS SLOPE. GRADING AT BUILDING EGRESS DOORS SHALL NOT EXCEED 2% FOR A DISTANCE OF 5'-0".



C1.3 SCALE: NOT TO SCALE



1. WATER LINES SHALL HAVE A MIN. 10 FEET HORIZONTAL CLEARANCE AND 18 INCHES VERTICAL CLEARANCE (MEASURED FROM EDGE OF PIPE TO EDGE OF PIPE) FROM ALL SANITARY AND STORM SEWER LINES.
2. WATER LINES SHALL HAVE A MINIMUM OF 42 INCHES OF COVER, UNLESS OTHERWISE NOTED, MEASURED FROM THE TOP OF FINISHED GROUND TO THE TOP OF PIPE.
3. THERE SHALL BE A MINIMUM OF 18 INCHES CLEARANCE FROM THE BOTTOM OF ANY STORMWATER PIPE TO THE TOP OF WATER LINES AT ALL CROSSING.
4. ALL SANITARY AND SEWER CROSSESSINGS, THE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO BOTH JOINTS WILL BE AS FAR FROM SEWER AS POSSIBLE. SPECIAL STRUCTURAL SUPPORT FOR THE WATER AND SEWER PIPES MAY BE REQUIRED.
5. THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION OF THE WATER LINES.
6. CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND /OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND ANDERSON ENGINEERING OF ANY CONFLICTS PRIOR TO CONSTRUCTION.
8. COORDINATE ALL CONSTRUCTION WITH CITY OF SPRINGFIELD. ALL SANITARY SEWER AND WATER LINE CONSTRUCTION MUST COMPLY WITH CITY OF SPRINGFIELD STANDARDS.
9. CONTRACTOR TO PROVIDE SANITARY SEWER CLEANOUTS EVERY 50' TO ALLOW ACCESS FOR CLEANING.

- A. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
- B. SITE CONDITIONS BASED UPON SURVEY SUBMITTED BY OWNER. FIELD VERIFY EXISTING CONDITIONS BY DETAILED SITE INSPECTION PRIOR TO SUBMITTING BID AND BEGINNING CONSTRUCTION.
- C. FIELD VERIFY SANITARY SEWER SERVICE CONNECTION INVERT PRIOR TO ESTABLISHING FINAL FINISH FLOOR ELEVATION.
- D. COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.

BEFORE STARTING ANY BUILDING PAD GRADING AND PLUMBING WORK THE CONTRACTOR SHALL FIELD VERIFY LOCATION, MATERIAL, CONDITION, ACCESSIBILITY (INCLUDING STATE HIGHWAY OR OTHER RIGHTS-OF-WAY) AND WORKABLE FLOW LINE ELEVATION OF THE EXISTING SANITARY SEWER SERVICE LINE OR MAIN.

IF A WORKABLE FLOW LINE HAS NOT BEEN ESTABLISHED AT THE TIME OF FINAL SANITARY SEWER SERVICE CONNECTION, THEN THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EXPENSES ASSOCIATED WITH THE INSTALLATION OF A NEW GRINDER PUMP SYSTEM TO MEET OWNER AND LOCAL REQUIREMENTS.



1. THE CONTRACTOR IS OBLIGATED TO INSPECT FOR EXISTING CONDITIONS/INSTALLATIONS AND AVAILABLE INFORMATION PRIOR TO SUBMITTING A BID. REFER TO SPECIFICATIONS ALSO.
2. EXISTING INSTALLATIONS (SUCH AS WATER MAINS/LINES, GAS MAINS/LINES, SEWER MAINS/LINES, TELEPHONE LINES, POWER LINES, AND UTILITY STRUCTURES IN THE VICINITY OF THE WORK TO BE DONE) ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN PREPARING THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION, AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR LOCATING ALL EXISTING INSTALLATIONS.
4. ANY DELAY, ADDITIONAL WORK, FEES OR EXTRA COST TO THE CONTRACTOR CAUSED BY OR RESULTING FROM DAMAGE TO OR MODIFICATION OF EXISTING INSTALLATIONS BY THE CONTRACTOR OR AFFECTED UTILITY COMPANY SHALL NOT CONSTITUTE A CLAIM FOR EXTRA WORK, ADDITIONAL PAYMENT OR DAMAGES.
5. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION PRIOR TO SUBMITTING HIS BID. NO EXTRAS WILL BE PAID DUE TO UNANTICIPATED EXISTING CONDITIONS/INSTALLATIONS.

1. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
2. THE DUTY OF THE ENGINEER OR OWNER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON, OR NEAR THE CONSTRUCTION SITE.

ELECTRIC, WATER, & GAS	CITY UTILITIES 301 E. CENTRAL ST. SPRINGFIELD, MO 65802 (417) 863-9000
SANITARY SEWER:	CITY OF SPRINGFIELD 840 BOONVILLE AVE SPRINGFIELD, MO 65802 (417) 864-1919
TELEPHONE:	AT&T MISSOURI 1111 S. GLENSTON AVE. SPRINGFIELD, MO 65804 (417) 864-3700



CAUTION:
INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

NOTE:
REFER TO ELECTRIC PLANS FOR ADDITIONAL
SITE LIGHTING REQUIREMENTS.



SPECIAL NOTE:
ANY EXCAVATION ON MODOT RIGHT OF WAY FOR UTILITY
CONNECTIONS REQUIRES MODOT UTILITY PERMIT APPLICATION

SPECIAL NOTE:
ANY BELOW-GRADE UTILITIES ENTERING THE BUILDING SHOULD HAVE CLAY STOPS PLACED AROUND THE UTILITY TO REDUCE WATER IN THE UTILITY TRENCH BACKFILL FROM ENTERING BELOW THE FOOTING AND/OR SLAB CAUSING SWELLING.

NOTE: PRIOR TO BEGINNING ANY SITE WORK & ORDERING OF MATERIALS, CONTRACTOR SHALL FIELD VERIFY ALL UTILITY & DRAINAGE CONNECTIONS TO EXISTING SYSTEMS BY POT HOLING AND SHALL NOTIFY ENGINEER OF NEEDED CHANGES: FAILURE TO DO SO WILL RESULT IN THE CONTRACTOR BEING RESPONSIBLE FOR ALL REVISION COSTS AND DELAYS.

NEW UTILITIES SYMBOLS (SYMBOLS APPLY ONLY WHEN USED ON DRAWINGS)	
— WS —	WATER SERVICE
— SAN —	SANITARY SEWER SERVICE
— UGE —	U/G ELECTRIC
— UT —	U/G PHONE
— T —	U/G PHONE (BY PHONE CO.)
— GS —	U/G GAS SERVICE
— OHE —	OVERHEAD ELECTRIC
— OHT —	OVERHEAD PHONE
— FO —	FIBER OPTIC CABLE
	SAW CUT
	BORE



**ANDERSON
ENGINEERING**
EMPLOYEE OWNED
ENGINEERS · SURVEYORS
LABORATORIES · DRILLING

3213 S WEST BYPASS
SPRINGFIELD, MO 65807
PHONE (417) 866-2741
A LICENSED MISSOURI
ENGINEERING CORPORATION
COA 00062

354 W BUENA VISTA
SPRINGFIELD, MO

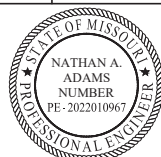
Vantage Auto T5
8700 State Line Road
Suite #330
Leawood, KS 66206

ISSUED FOR

[illegible]

DRAWING INFORMATION

PROJECT NO:	22SP10316
DRAWN BY:	JCH
CHECK BY:	NAA
ISSUED FOR:	PERMITS
ISSUED DATE:	3/10/2023



03/10/2023

ISSUED BY:	NATHAN A. ADAMS
LICENSE NO:	PE No. 2022010967

SHEET TITLE

SITE UTILITY PLAN

SHEET NUMBER

C1.3

1. THE CONTRACTOR SHALL FOLLOW ALL LOCAL CODES THAT PERTAIN TO LANDSCAPE INSTALLATION, AND SHALL NOTIFY THE DESIGNER REGARDING ANY DISCREPANCIES BETWEEN LOCAL CODES, PLANS, AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL NOTIFY THE DESIGNER OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.
3. THE CONTRACTOR SHALL VERIFY DEPTHS AND LOCATIONS OF ALL EXISTING UTILITIES, STRUCTURES, UNDERGROUND UTILITIES AND SITE LIGHTING CONDUITS WITHIN THE PROJECT SITE BEFORE LANDSCAPE CONSTRUCTION BEGINS.
4. THE CONTRACTOR SHALL KEEP THE PREMISES FREE FROM RUBBISH AND ALL DEBRIS ASSOCIATED WITH THE WORK AT ALL TIMES. ALL UNUSED MATERIALS AND DEBRIS SHALL BE REMOVED FROM THE SITE.
5. THE CONTRACTOR SHALL BE REQUIRED TO PERFORM A WATER PERMEABILITY TEST TO DETERMINE SOIL QUALITY. TEST IS PERFORMED BY DIGGING A SHARP SHOOTER SPADE 18" (INCHES) INTO THE GROUND, FILL THE HOLE WITH WATER, RETURN TO THE TEST SITE AFTER 18 HOURS TO VISUALLY CONFIRM IF THE HOLE STILL RETAINS WATER. IF THE HOLE RETAINS WATER, THE SOIL IS DETERMINED TO BE TOO POOR FOR PLANTING CONDITIONS. TO REMEDY POOR SOIL CONDITIONS, THE CONTRACTOR SHALL BE REQUIRED TO OVER EXCAVATE THE SOIL, TO THE DEPTH OF THE ROOTS AND REPLACE THE SOIL WITH CLEAN PLANTING SOIL AS SPECIFIED ON THE PLANS PRIOR TO PLANTING TREES OR SHRUBS.
6. ALL LANDSCAPE MATERIALS TO BE WATERED BY CONTRACTOR UNTIL ESTABLISHED.

7. PLANT MATERIAL:

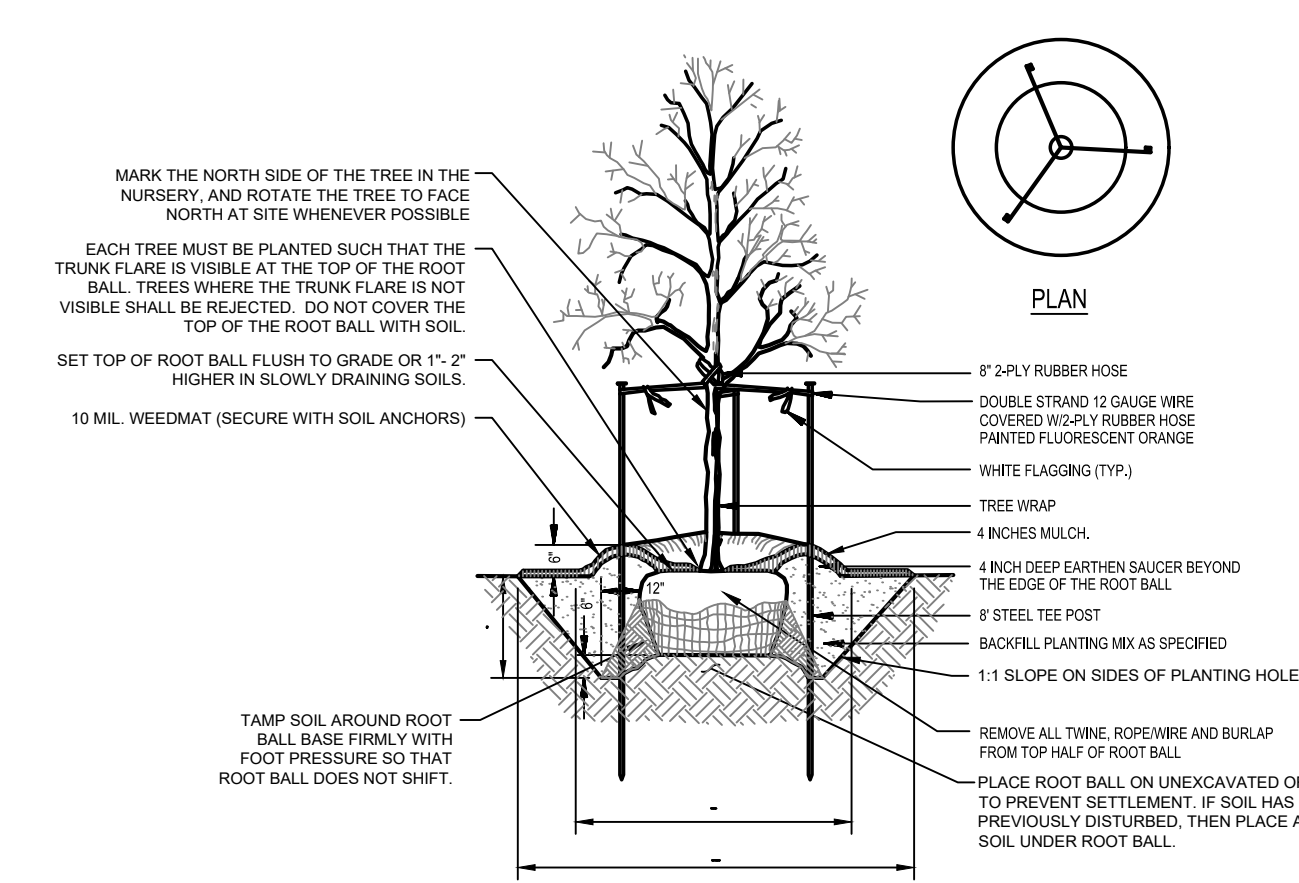
A. SHALL BE INSTALLED BY THE CONTRACTOR PER DETAILS (REFER TO DETAIL SHEETS) AND CLIENT'S SPECIFICATION OR REQUIREMENTS OF THE REGULATORY AUTHORITY HAVING JURISDICTION WHICHEVER IS MORE STRINGENT.

B. THE CONTRACTOR ACCEPTS ALL LIABILITY FOR THE INSTALLATION, LAYOUT, AND DESTRUCTION OF THESE PLANTS AND SHALL BE RESPONSIBLE FOR REPLANTING ANY DEAD PLANTS AND SHALL BE GRANTED FOR A PERIOD OF ONE (1) YEAR AFTER SUBSTANTIAL COMPLETION LETTER IS ISSUED AND/OR ACCEPTANCE OF FINISHED JOB. ALL DEAD OR DAMAGED PLANT MATERIAL SHALL BE REPLACED ONE YEAR AFTER DISCOVERED AT THE CONTRACTORS EXPENSE.
8. QUALITY SHALL COMPLY TO THE HIGHEST STANDARDS IN THE NURSERY INDUSTRY: GRASS SOD AND PLANTS SHALL BE REASONABLY CLEAN AND FREE OF WEEDS, PESTS, DISEASES. WEEDS SHALL NOT BE PLANT IN FROZEN STATE.
9. ANY EXISTING TREES DESIGNATED TO BE SAVED MUST BE PRESERVED DURING CONSTRUCTION.
10. ALL PLANTING BEDS AND TREE PLANTING PITS TO BE FILLED WITH A MIXTURE OF 30% COMPOST (COW, MUSHROOM OR COTTON BUR), 20% PEAT MOSS AND 50% TOPSOIL BY VOLUME. ALSO, MIX IN LB 10-20-10 SLOW RELEASE PLANT FERTILIZER PER 10 SQ FT. OR AS RECOMMENDED BY THE SOIL ANALYST.
11. STAKE MARKERS:

A. 1/2" DIA. GALVANIZED STEEL PIPE WITH "1" BAR FENCE POST, 6' LONG, PAINTED DARK GREEN WITH TOP 6" PAINTED WHITE. TREE LINE SYSTEMS SHALL BE EASILY ADJUSTABLE, STRONG IN ALL WEATHER, AND EASILY ATTACHED AND REMOVED. HOSE AND WIRE NOT

- ACCEPTABLE FOR STAKED TREES. TREE TIES SHALL BE 20" DEWITT (BLACK) TREE STRAP/SPLINL-BX (80 PER CASE) OR APPROVED EQUAL-NO PLASTIC TIES ALLOWED. WIRE: 14 GAUGE ELECT FENCE WIRE.
11. ALL PLANTING BEDS AS DESIGNATED ON THESE PLANS SHALL BE BORDERED BY 2" x 4" PAINTED BROWN STEEL EDGING AND RYERSON OR APPROVED EQUAL WITH INTEGRATED STAKES THROUGH SLOTS IN THE EDGING. (REFER TO DETAIL SHEETS FOR ACCEPTED EDGING MATERIAL)
12. MULCH ALL TREE PLANTINGS AND PLANTING BEDS WITH 4" OF EITHER SHREDDED HARDWOOD BARK MULCH OR CYPRESS MULCH. IN THE SEASONAL FLOWER BEDS USE EITHER CYPRESS OR PINE BARK MULCH; DO NOT USE HARDWOOD MULCH IN SEASONAL FLOWER BEDS.
13. ALL PLANTING AREAS SHALL RECEIVE A THREE INCH (3") TOP DRESSING OF MULCH OVER A 1/4" TO 1/2" DEEP EQUAL TO "WEEBLOK" FABRIC BY "EASY GRASSER" OR DEWITT WOOD BARRIER. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND (REFER TO PLANTING DETAILS).
14. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION, EXCEPT THOSE OCCUPIED BY BUILDINGS, STRUCTURES, OR PAVING SHALL BE GRADED SMOOTH AND 4" (INCHES) OF TOPSOIL APPLIED. (REFER TO THE TOPSOIL CONTROL DETAIL SHEET(S) FOR TOPSOIL AND SEEDING SPECIFICATIONS)
15. CONTRACTOR SHALL FERTILIZE ALL PLANTS AT THE TIME OF PLANTING WITH 10-10-10 TIME RELEASE FERTILIZER.

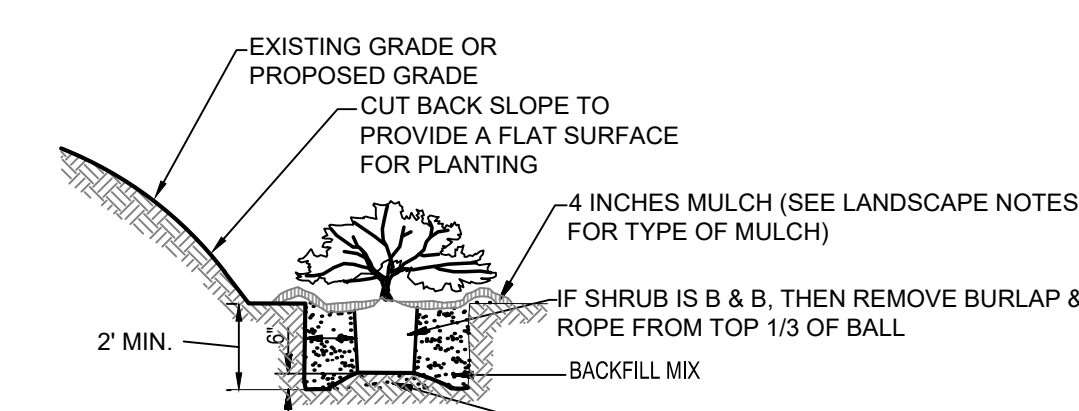
16. IF REQUIRED BY THE CLIENT'S SPECIFICATIONS OR REQUIREMENTS OF THE REGULATORY AUTHORITY HAVE JURISDICTION, WHICHEVER IS MORE STRINGENT, THE CONTRACTOR SHALL REPAIR, REPLACE AND/OR AUGMENT EXISTING IRRIGATION SYSTEM AS NECESSARY THAT PROVIDES SEPARATE ZONES AND HEAD PLACEMENT FOR SHRUB AREAS AND TURF AREAS. 100% HEAD TO HEAD COVERAGE WILL BE REQUIRED. THE CONTRACTOR WILL SUBMIT AS-BUILT DRAWINGS FOR THE IRRIGATION SYSTEM AND WILL ACCEPT RESPONSIBILITY FOR THE IRRIGATION SYSTEM. PROVIDE SUBMITTALS AS REQUIRED.
17. ALL PLANTING TYPES SHALL COMPLY WITH LOCAL GOVERNING CODES AND REGULATIONS. CONFORM TO REQUIREMENTS OF PLANT LIST AND TO THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARD OF NURSERY STOCK" AND "HORTICULTURAL STANDARDS" AS TO SPECIES, AGE, SIZE, AND PLANTING RECOMMENDATIONS.
18. LANDSCAPE CONTRACTOR SHALL OBTAIN AN ORIGINAL PRINT OF THIS PLANT LIST AND HAVE IT ON SITE. ALL PLANTING MATERIALS IN SHADY COLORS ARE COMPLETELY LEGIBLE AS ORIGINALLY PRINTED.
19. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED.
20. PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS.
21. QUANTITIES OF MATERIALS SHOWN ON LANDSCAPING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON PLANTING SCHEDULE. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON LANDSCAPING PLAN.
22. FIRE CODE LANDSCAPE GUIDELINES: Combustible landscaping materials



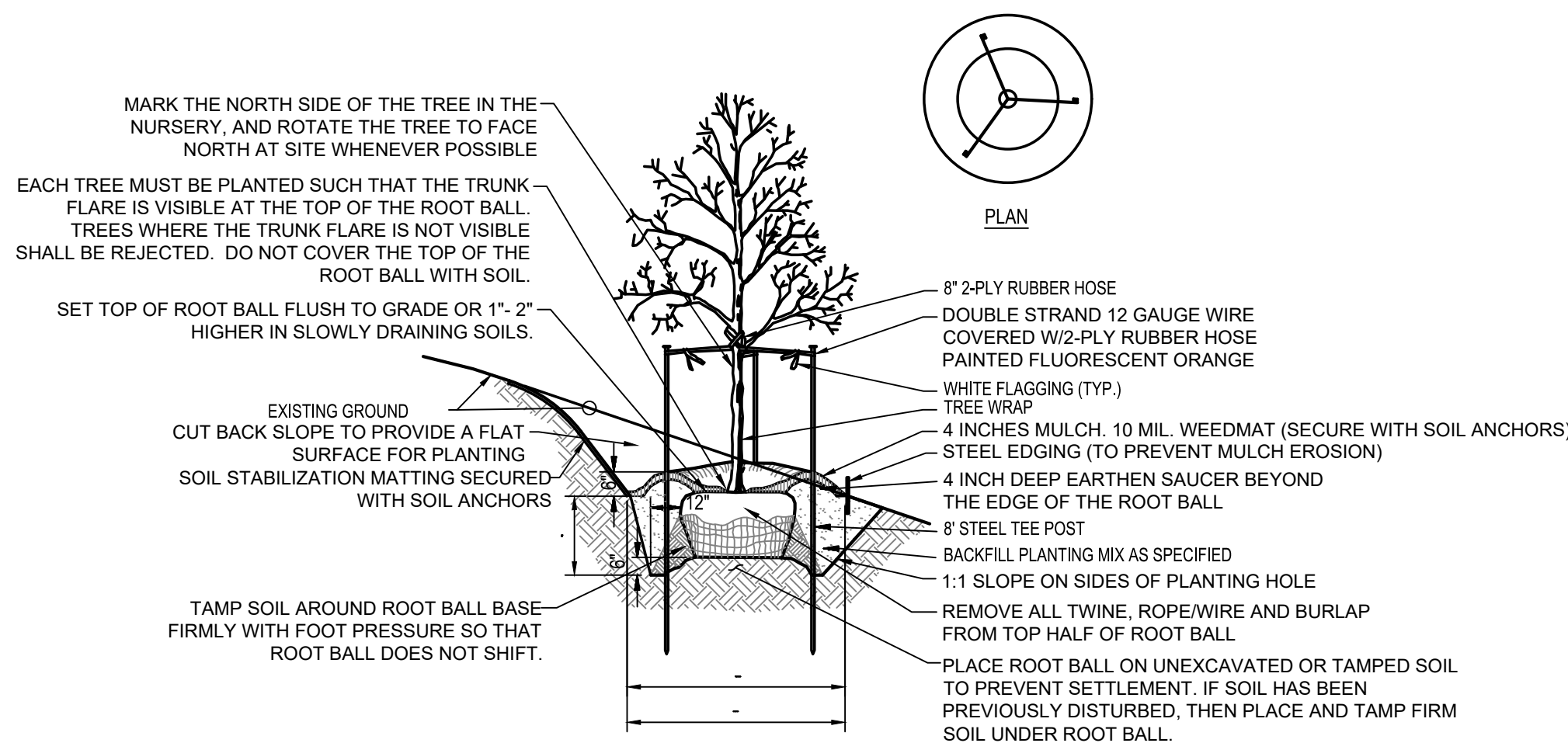
NOTES:

- DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.
- STAKE TREES ONLY UPON THE APPROVAL OF THE ENGINEER.
- WRAP FIVE TRUNKS ONLY UPON THE APPROVAL OF THE ENGINEER.
- BACKFILL WITH EXISTING SOIL IN SANDY LOAM SOILS. ADD 20% MAX. BY VOLUME COMPOSTED ORGANIC MATERIAL TO THE EXISTING SOIL.
- SEE LANDSCAPE PLAN NOTES FOR TYPE OF MULCH TO BE USED.

N.T.S



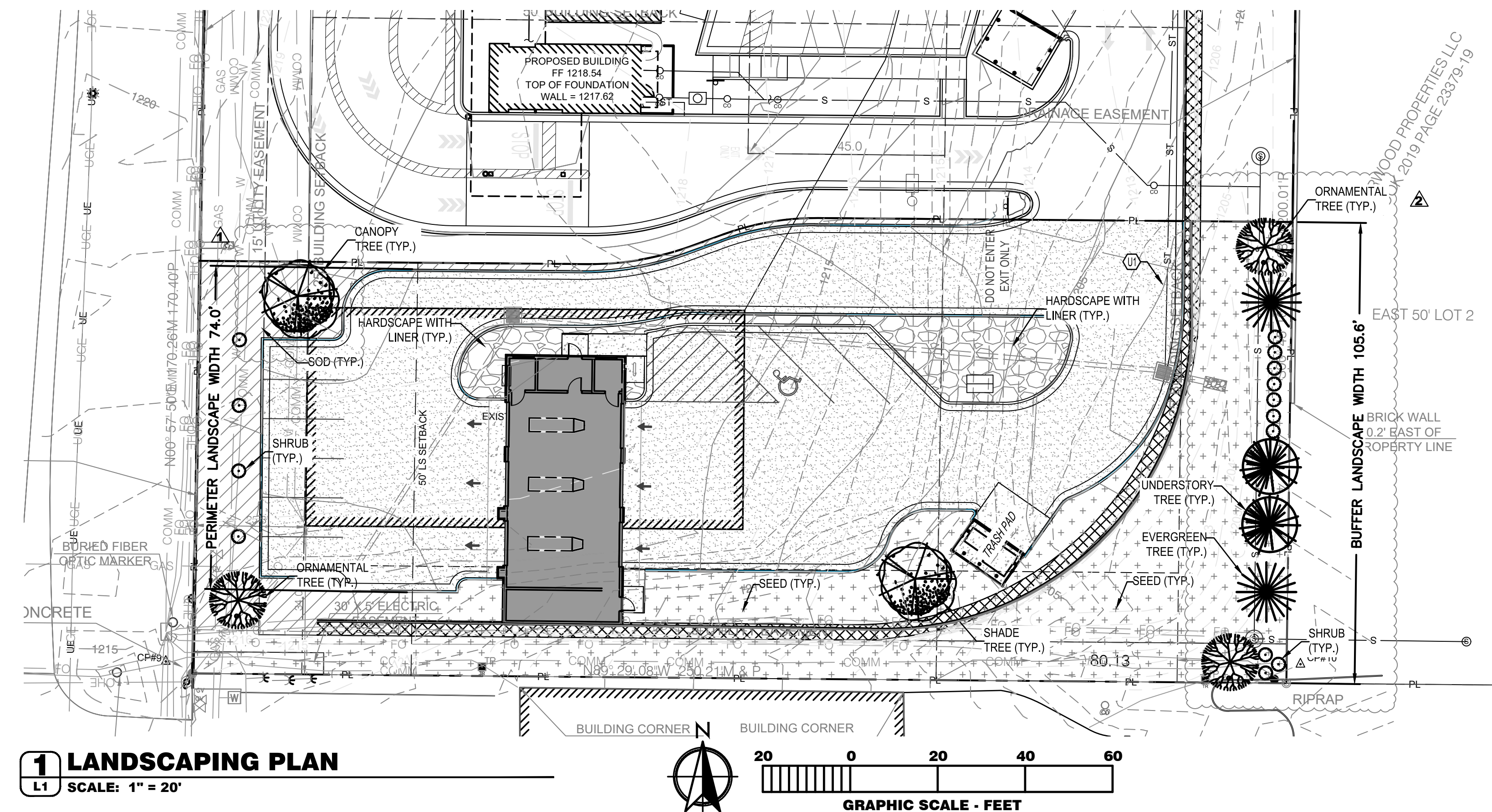
N.T.S



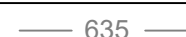
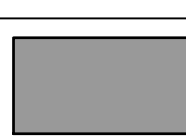
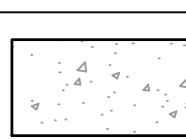
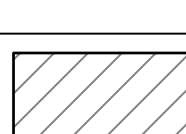
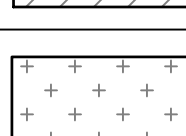
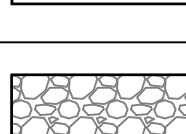
NOTES:

1. DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.
2. STAKE TREES ONLY UPON THE APPROVAL OF THE ENGINEER.
3. WRAP TREE TRUNKS ONLY UPON THE APPROVAL OF THE ENGINEER.
4. BACKFILL WITH EXISTING SOIL IN SANDY/LOAM SOILS. ADD 25% MAX. BY VOLUME COMPOSTED ORGANIC MATERIAL TO THE EXISTING SOIL.
5. SEE LANDSCAPE PLAN NOTES FOR TYPE OF MULCH TO BE USED.

N.T.S.



REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS
LEGEND AND SITE CONTROL.

	EXISTING GRADE LINES
	PROPOSED NEW GRADE LINES
	NEW BUILDING CONSTRUCTION
	NEW PAVEMENT
	SOD
	SEED
	HARDSCAPE
	DRAINAGE SWALE



ATTACHMENT 4

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Automobile Service Garage
2. Meeting Date & Time: May 18, 2023 - 4:00 PM to 6:30 PM
3. Meeting Location: The Library Center - 4653 S Campbell Ave, Springfield, MO 65810 Grisham
4. Number of invitations that were sent: 43
5. How was the mailing list generated: By City
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

No comments made

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

No comments made

I, Derek Ziegelbein (*print name*), attest that the neighborhood meeting was held on 05/18/2023 (*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

Derek Ziegelbein

Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2023-171 (HORTON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.3 acres of property generally located at 1630 North Jefferson Avenue and 1635 North Benton Avenue from R-SF, Single-family residential district, and CC, Center city district, with UC – Urban conservation district No. 3, to Planned Development No. 386; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Titus Williams LLC & Historic Commercial Development LLC; 1630 N. Jefferson Avenue & 1635 N. Benton Avenue; Planned Development No. 386).

PURPOSE: Amending the Springfield Land Development Code Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.3 acres of property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential District, Center City District and Urban Conservation District #3 to Planned Development No. 386. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
PLANNED DEVELOPMENT DISTRICT NO. 386

The applicants, Titus Williams LLC, and Historic Commercial Development LLC have requested to rezone the property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential District, CC, Center City District and Urban Conservation District #3 to Planned Development No. 386. This Planned Development would allow for the construction of multi-family dwellings following a townhouse architectural style, as well as temporary uses, accessory uses, and home occupations typically associated with multi-family development.

REMARKS: The Planning and Zoning Commission held a public hearing on May 11, 2023, and recommended to approve the proposed Planned Development No. 386, by a vote of 4-4. Due to the tie vote, the application is automatically postponed to the Planning and Zoning Commission public hearing on June 8, 2023. This provided time for the applicant and representatives from the neighborhood to discuss further changes to the proposal.

The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended to approve the proposed Planned Development No. 386, by a vote of 9-0.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicants, Titus Williams LLC, and Historic Commercial Development LLC have requested to rezone the property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential District, CC, Center City District and Urban Conservation District #3 to Planned Development No. 386. This Planned Development would allow for the construction of multi-family dwellings following a townhouse architectural style, as well as temporary uses, accessory uses, and home occupations typically associated with multi-family development.
2. Following staff's presentation, input from the development team, and comments from the public at the public hearing held on May 11, 2023, the Planning & Zoning Commission's vote resulted in a 4-4 split, requiring that the project be postponed to the following agenda occurring on June 8, 2023. The Planning & Zoning Commission encouraged the developer to again meet with the Mid-Town neighborhood to discuss further revisions to the project's aesthetics and its scope. As a result of conversations between the development team and neighborhood organizers, the development team has provided an updated set of renderings reflecting the intended product to be constructed should the Planned Development be approved, contained in "Exhibit 2."
3. Aside from the change in appearance, the only other aspect of the proposal altered has been the dog park, which the developer has opted to switch for a 900 square foot tot lot to be used as a picnic area, including at least one picnic table and communal barbeque grill/pit.
4. A total of 72 multifamily dwelling units have been proposed, equating to a density of approximately 32 dwelling units per acre. This density was determined appropriate for this property via the Multifamily Matrix Analysis – the process by which City staff reviews multi-family development proposals, the surrounding infrastructure, land uses, and amenities to determine the most appropriate range of residential densities for a given development. Based on the context of the project's surroundings, the development was given an initial Assessment Criteria Score of 10, which would permit a density between 15 and 17 dwelling units per acre. Upon review of a full development plan against the Design Guidelines Assessment Criteria, the project received an additional three points (see 3. below for further details), which would permit a density between 25 and 28 dwelling units per acre. And finally, one additional point was awarded as part of the assessment's Opportunities or Constraints, specifically because this is a higher-density proposal located within a lower-density neighborhood. The resulting 14-point total permits between 29 and 32 dwelling units per acre.
5. The Design Guidelines Assessment Criteria – those design elements of a proposal used in determining a development's most appropriate density – are

split into three general categories: Design to Encourage Pedestrian Activity; Provide a Good Circulation System; and Respect the Natural Environment. Each of these categories is further split into three or more criterion; the more criteria a development meets, the higher the density that will be awarded for the development. Within the Respect the Natural Environment category, one criteria calls for the incorporation of one or more of the following recreational amenities or facilities: a swimming pool; a golf course; a resident clubhouse; one (1) tot lot with a minimum size of 900 square feet; a basketball, volleyball, tennis court, handball court, or other sports court; one (1) picnic area, with a minimum size of 900 square feet; a community center (meeting room, assembly hall, etc.); an exercise room and/or recreation building; a par three golf course (nine-hole minimum); or any proposed amenity found by City Council to provide recreation or meet the needs of the multifamily development residents to a level similar to that provided by those amenities previously listed.

For a proposed development containing between 51 and 100 dwelling units, two such amenities are required. The applicant has proposed a 900 square foot community room (in Building A, see "Exhibit 2") and a 900 square foot tot lot (to the east of Building F, see "Exhibit 2") in order to meet this criterion.

6. The subject property is also located within the Mid-Town Urban Conservation District (also known as Urban Conservation District No. 3). Staff reviewed the applicant's proposed site plan for compliance with the requirements and restrictions of this UCD and have found it to be in conformance with these regulations. Per this UCD, the Administrative Review Committee ("ARC") shall review and approve the Planned Development's site plan and notice of this review shall be given to the Mid-town Neighborhood Association President; the representatives of the Neighborhood Association shall be permitted to provide comment on the site plan prior to the ARC's action to approve it. This UCD site plan review will coincide with the ARC's review of the Final Development Plan ("FDP"), as required, and outlined by Section 36-405 (9) of the Land Development Code.
7. The project area is contained within the Comprehensive Plan's Center City Neighborhood Placetype, which promotes higher-density residential development within these traditionally single-family neighborhoods when located along higher classification streets. Due to the varying conditions, age, affordability, and vacancies of housing within these neighborhoods, the Comprehensive Plan encourages support for development which diversifies the housing stock. When higher-density residential developments are proposed, the Comprehensive Plan focuses on ensuring such land uses do not conflict with adjacent lower-density residential properties by promoting design elements which blend the new construction with the character of the neighborhood. Based on the design requirements and elements proposed by the developer as outlined in Exhibits 1 and 2, staff has determined that the proposal is in general conformance with the objectives and intent of the Comprehensive Plan.
8. The developer has proposed automated security gates at each vehicular access point onto the subject site, to be located between 25 feet and zero feet from their

respective property lines as depicted in Exhibit 2. The City's standard setback for such gated entries is 30 feet, providing ample space for a single vehicle to pull into the property and out of public right-of-way while waiting to be granted entry. Public Works – Traffic is aware of the proposed gated entries and has determined that they are acceptable as depicted due to the street classifications of N. Benton Avenue, N. Jefferson Avenue, and E. Pacific Street, the presence of on-street parking around the site, the one-way flow of traffic on N. Jefferson Avenue, and the traffic counts for all adjacent streets. No formal variance request is necessary as Planned Developments are permitted to vary from the City's typical standards. All fencing and gates shall be limited to a maximum height of seven feet (as limited by the Land Development Code) and shall be of an aluminum material.

9. The development site currently exists as two separate lots which must be administratively combined in order to accommodate the proposal as depicted in Exhibit 2. Prior to the issuance of any building permits pertaining to the proposed Planned Development, the applicant shall submit an application for an administrative subdivision – lot combination, as outlined by Section 36-223, Administrative subdivisions – administrative approval of lot divisions, lot combinations, property line adjustments, tract certifications and administrative condominiums, of the Land Development Code. Subsequent applications may be filed after construction is complete should the developer wish to subdivide the dwelling units into individual condominium units.
10. There are no changed or changing conditions in the area affected that make the proposed rezoning necessary; however, the applicants intend to redevelop these underutilized properties to improve the neighborhood's existing housing stock and enhance the existing aesthetics of the block.
11. The range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity. The proposed Planned Development District would exclusively permit multifamily dwellings not to exceed 32 dwelling units per acre, along with those accessory uses, temporary uses, and home occupations typically associated with residential land uses. The proposed development would act as a transition between the mix of residential and nonresidential land uses north of E. Pacific Street and the single-family zoning south of the development area.
12. There are adequate utility, sewer, and water facilities existing in the area, or they can be provided to serve the uses that would be permitted on the property if it were rezoned. Per the reviews provided by City Utilities and Environmental Services – Wastewater Management, neither entity has critical concerns regarding the proposed Planned Development. City Utilities has stated that some extensions may be required as part of the construction; however, such extensions can be identified and built at the time of development.
13. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic, as well as traffic safety in the vicinity, is expected to be marginal. The developer completed and submitted a Traffic Impact Study ("TIS") to the City for review prior to the

Planning & Zoning Commission's review of this application. The City has accepted the TIS and its results, which indicate that no public improvements are necessary as part of this development. Indeed, based on the results of this TIS, it has been determined that the proposed Planned Development No. 386 will decrease traffic significantly from the most intense uses permitted by the current zoning.

14. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of Planned Development No. 386, per "Exhibit 1."
15. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Should the rezoning be denied, the subject properties will maintain their existing zoning designations. The R-SF district is typically used for detached single-family dwellings and certain low-intensity nonresidential uses, while the CC district permits a full range of residential and nonresidential uses.

Submitted By: Kyle McGinnis, Senior City Planner

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

- Attachments:**
1. PD 386 1630 N Jefferson and 1635 N Benton _ord
 2. PD 386 Legal Description _exhA
 3. PD 386 ROP_exhB
 4. PD 386 Staff Report_exhC

One-rdg. _____
P. Hrngs. X
Pgs. 53
Filed: 07-03-23

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-171

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.3 acres of property generally located at 1630 North Jefferson
4 Avenue and 1635 North Benton Avenue from R-SF, Single-family
5 residential district, and CC, Center city district, with UC – Urban
6 conservation district No. 3, to Planned Development No. 386; and
7 adopting an updated Official Zoning Map. (Staff and Planning and
8 Zoning Commission recommend approval.)
9 _____

10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 1630 North Jefferson Avenue and 1635 North Benton Avenue, and
13 more fully described in "Exhibit A," from R-SF, Single-family residential district, and CC,
14 Center city district, with UC – Urban conservation district No. 3, to Planned
15 Development No. 386; and
16

17 WHEREAS, following proper notice, public hearings were held before the
18 Planning and Zoning Commission on May 11, 2023, and June 8, 2023, a copy of the
19 Record of Proceedings from said public hearings being attached hereto and
20 incorporated herein by this reference as "Exhibit B," and said Commission made its
21 recommendation at the June 8, 2023, public hearing; and
22

23 WHEREAS, the City has reviewed the applicant's request and prepared a staff
24 report concerning the application; and
25

26 WHEREAS, proper notice was given of a public hearing before City Council and
27 said hearing was held in accordance with law.
28

29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:
31

32 Section 1 – The property described in "Exhibit A," which is attached hereto and
33 incorporated herein by this reference, is hereby rezoned from R-SF, Single-family

residential district, and CC, Center city district, with UC – Urban conservation district No. 3, to Planned Development No. 386. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – The property described in "Exhibit A" of this Ordinance shall be subject to the requirements and standards included in "Exhibit C – Exhibit 1," with said "Exhibit C" being attached hereto and incorporated herein in its entirety by this reference; and these requirements and standards shall govern and control the use and development of the land in Planned Development No. 386.

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

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Burris, Assistant City Attorney

Approved for Council action: Jason A. Hage City Manager

EXHIBIT A

LEGAL DESCRIPTION
PLANNED DEVELOPMENT 386

LOTS 1 THRU 3 BLOCK 18 SURVEY DESCRIPTION

A TRACT OF LAND AS LYING IN LOTS 1 THRU 3, BLOCK 18 IN THE PLAT OF NORTH SPRINGFIELD AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2017, PAGE 006001-

17 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS

FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 18 IN THE PLAT OF

NORTH SPRINGFIELD, SAID POINT ALSO LYING AT THE SOUTHWEST CORNER OF BENTON AVENUE AND PACIFIC STREET; THENCE ALONG THE WEST RIGHT-OF-WAY OF BENTON AVENUE, SOUTH $01^{\circ}06'58''$ WEST, 198.73 FEET TO THE SOUTHEAST CORNER OF LOT 3; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF LOT 3, NORTH $89^{\circ}18'51''$ WEST, 211.13 FEET TO THE SOUTHWEST CORNER OF LOT 3,

SAID POINT ALSO LYING ON THE EAST LINE OF A PLATTED ALLEY; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID EAST LINE, NORTH $01^{\circ}09'10''$ EAST, 199.11 FEET TO NORTHWEST CORNER OF LOT 1, SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY OF PACIFIC STREET; THENCE LEAVING SAID EAST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH $89^{\circ}12'37''$ EAST, 211.00 FEET TO THE POINT OF BEGINNING.

ALL LYING IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 0.96 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

LOTS 9 THRU 12 BLOCK 18 SURVEY DESCRIPTION

A TRACT OF LAND AS LYING IN LOTS 9 THRU 12, BLOCK 18 IN THE PLAT OF NORTH SPRINGFIELD AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2017, PAGE 006001-

17 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS

FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 12, BLOCK 18 IN THE PLAT OF

NORTH SPRINGFIELD, SAID POINT ALSO LYING AT THE SOUTHEAST CORNER OF JEFFERSON AVENUE AND PACIFIC STREET; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF PACIFIC STREET, SOUTH $89^{\circ}21'28''$ EAST, 211.00 FEET TO THE NORTHEAST CORNER OF LOT

12, SAID POINT ALSO LYING ON THE WEST LINE OF A PLATTED ALLEY; THENCE LEAVING SAID SOUTH RIGHT-OF-

WAY AND ALONG SAID WEST LINE, SOUTH $01^{\circ}09'18''$ WEST, 265.10 FEET TO THE SOUTHEAST CORNER OF LOT 9; THENCE LEAVING SAID WEST LINE AND ALONG THE SOUTH LINE OF LOT 9, NORTH $89^{\circ}18'51''$ WEST, 211.17 FEET TO A POINT LYING ON THE EAST RIGHT-OF-

WAY OF JEFFERSON AVENUE; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID EAST RIGHT-OF-WAY, NORTH 01°11'35" EAST, 264.95 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 1.28 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

RECORD OF PROCEEDINGS
Planning and Zoning Commission – May 11, 2023

Planned Development 386

1630 North Jefferson Avenue and 1635 North Benton Avenue

Applicant: Titus Williams, LLC and Historic Commercial Development, LLC

Mr. McGinnis stated that this is a request to rezone approximately 2.3 acres of property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-family residential district, CC, Center city district, and Urban Conservation District #3 to Planned Development No. 386. The applicant intends to demolish the existing structures to uniformly develop the land area for multifamily dwellings utilizing a townhouse style of construction.

Mr. Jobe opened the public hearing.

Mr. Ricky Haase, 550 E. St. Louis and here representing the developer. He noted that this was originally started pre-covid and that the neighborhood wanted it to be less dense. The development was pulled back to tiered development and believes this is a good compromise for everyone and noted that the neighborhood concerns were traffic, trash and the upkeep of the property and want to get things underway.

Ms. Gunther asked if they old Klinger-Cope Funeral Home is included in the development and if it is on the historical register.

Mr. Haase does not believe it is but will double check if it is on the register.

Mr. Pauly asked why the trash and other issues has not been addressed yet and why has the property been allowed to fall in disrepair.

Mr. Haase noted that Mr. Williams can answer some of those concerns.

Mr. Titus Williams, 1660 N. Campbell Avenue and is the developer for the property and noted that the property was already in disrepair and noted issues with the title, however they have hired a fulltime maintenance person that monitors all the property around Commercial Street, and they do consistently clean up the area, however there are significant homeless people breaking into the properties. We presented a multifamily development to the neighborhood, and they were not in favor of a high density development, so the plans have been revamped and believes it is a good compromise that is being presented today.

Mr. Pauly asked if the renderings shown do represent their project.

Mr. Williams stated that they took the historical elements and what is adjacent to the community and put it into the current design (brick and Hard board siding). He noted they would have preferred a high-end townhome style (brownstone), but the cost of development would not allow build with that type of finish.

Mr. Colony asked what was being shown is what is being developed and Mr. Williams noted that it does reflect what they are proposing.

Mr. Scott noted that it does not quite fit in the area (Commercial Street and Mid-Town).

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Lebeck motioned to **approve** Planned Development 386 (1630 North Jefferson Avenue and 1635 North Benton Avenue) as set forth in Exhibits 1 and 2 of the staff report on this item. Mr. Pauly seconded the motion. Ayes: Jobe, Knuckles, Lebeck, and Gunther. Nays: Colony, Pauly, Ridge, and Scott. Abstain: None. Absent: Broekhoven. **Motion Tied – Goes forward to the June 8, 2023 Planning and Zoning Commission meeting.**

A handwritten signature in black ink, appearing to read "Bob Hosmer", is enclosed in a rectangular box. A horizontal line extends from the right side of the box.

Bob Hosmer, AICP
Planning Manager

RECORD OF PROCEEDINGS
Planning and Zoning Commission – June 8, 2023

Planned Development 386

1630 North Jefferson Avenue and 1635 North Benton Avenue

Applicant: Titus Williams, LLC and Historic Commercial Development, LLC

Mr. McGinnis stated that this is a request to rezone approximately 2.3 acres of property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential District, CC, Center City District, and Urban Conservation District #3 to Planned Development No. 386. The applicant intends to demolish the existing structures to uniformly develop the land area for multifamily dwellings utilizing a townhouse style of construction.

Mr. Jobe opened the public hearing.

Mr. Jared Rasmussen, 550 E. St. Louis Street, noted that they had met with the neighborhoods and the density will be 72 units, down from 200 units that was the initial proposal. It is zoned Center City with 85 parking spaces (seventy would be an apartment style or in the garage portion with another 15 on the site) and there has been a traffic study completed. The changes from last month's public hearing: update to the exterior appearance, 900 square foot dog park to be replaced with a 900 square foot tot lot (includes on picnic table and communal grill/fire pit). He also mentioned that only two units may be used as short-term rentals.

Ms. Mary Jo Greer, 1520 N. Jefferson noted that they have done a fine job of accommodating the aesthetics, but her main concern is traffic and that it will be funneled into the neighborhood (Jefferson Avenue). She would like to see shrinkage for the traffic as well as the density of the project.

Mr. Ran Cummings, 619 E. Lynn, president of Midtown Neighborhood Association and is in favor of the development but has issues with the lack of parking availability.

Mr. Nick Schurk, 3100 S. National Avenue and project architect and said the neighborhood response seem positive and gave out changes from last presentation (double gables removed, low slope roofs and dormers have been introduced).

Ms. Christine Schilling, 307 E. Commercial is pleased with the design and wants to know if there can be a timeframe for the project due to Mr. Titus acquiring more buildings but not doing any of the promised projects.

Ms. Mary Collette, 1539 N. Washington, would like the process to continue of having meetings with the developer and is concerned regarding a 100-year-old tree and if it could be saved. She also noted that properties get demolished and then end up as vacant properties.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Planned Development 386 (1630 North Jefferson Avenue and 1635 North Benton Avenue) as set forth in Exhibits 1 and 2 of the staff report. Mr. Colony seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

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

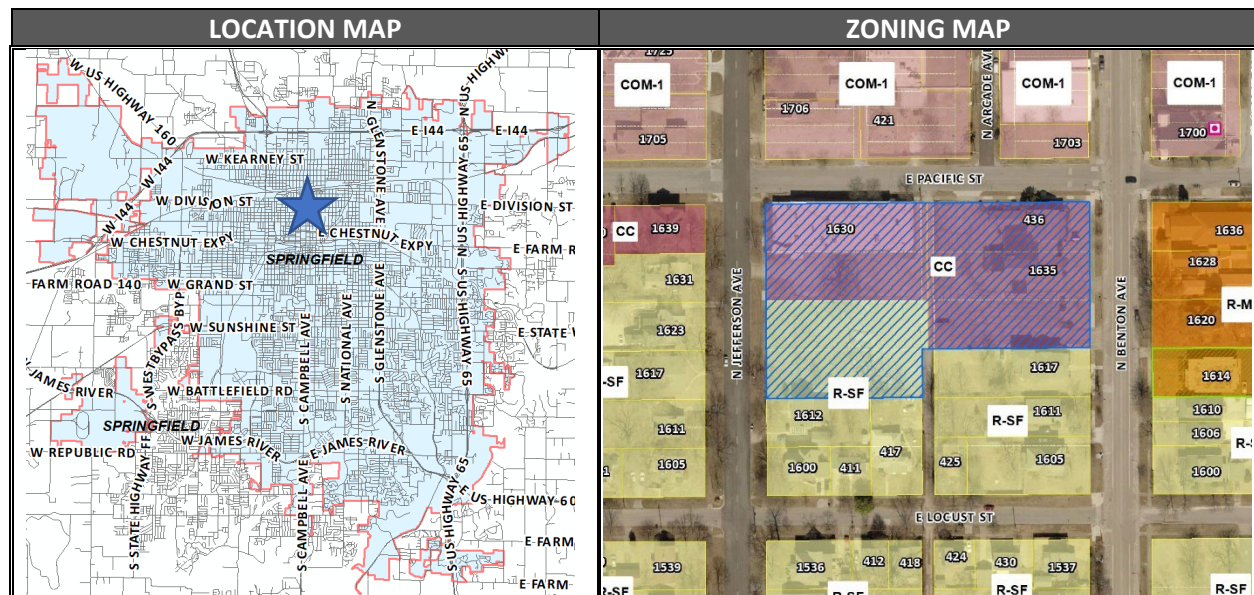
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Planned Development No. 386
Location:	1630 N. Jefferson Avenue & 1635 N. Benton Avenue
Total Acres:	Approximately 2.3 acres
Applicant:	Titus Williams LLC & Historic Commercial Development LLC
Existing Land Use:	Office, mortuary, vacant land
Neighborhood Meeting:	April 18, 2023
Planning and Zoning Commission:	May 11, 2023
City Council:	June 5, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Kyle McGinnis
Staff Recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of the preliminary development plan for Planned Development No. 386, as set forth in Exhibits 1 and 2 of the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 2.3 acres of property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential district, Center city district and Urban Conservation District #3 to Planned Development No. 386. The applicant intends to demolish the existing structures in order to uniformly develop the land area for multifamily dwellings utilizing a townhouse style of construction.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



PROPERTY HISTORY:

The development area is comprised of a number of individual lots (Lots 1, 2, 3, 9, 10, 11, and 12 of Block 18) platted within the North Springfield subdivision in 1869. Each of these lots was later zoned as part of the Citywide remapping which occurred in 1995 and approved via General Ordinance No. 4494. While Lots 1, 2, 3, 11, and 12 were zoned CC, Center City district at that time, Lots 9 and 10 were zoned R-SF, Single-family residential district. As a result, the development area is currently split-zoned. In addition, the full development area is included within the Mid-Town Neighborhood Plan area (adopted in 2001), as well as the Mid-Town Urban Conservation District (adopted in 2002).

DEVELOPMENT REVIEW STAFF REPORT

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 REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR PLANNED DEVELOPMENT NO. 386
Use Limitations	1. All uses shall operate in accordance with the noise standards contained in Section 36-485 of the Springfield <i>Zoning Ordinance</i>. 2. No use shall emit an odor that creates a nuisance as determined by the Springfield City Code. 3. Single-family detached and single-family semi-detached dwellings are not permitted.
Minimum Lot Size	Not applicable. This is an existing property which is not undergoing subdivision as part of this proposal; rather, the individual lots which comprise the development area must be administratively combined into a single lot. Individual townhomes may be platted as separate condominium units at the developer's discretion at a later date.
Maximum Height	The maximum structure height shall not exceed 42 feet above the finished grade.
Bulk Plane	In no instance may a structure exceed a 45-degree bulk plane as measured from the district boundaries of any adjacent R-SF, Single-family residential district.
Minimum Yard Requirements	Not applicable.

DEVELOPMENT REVIEW STAFF REPORT

Minimum Open Space	Not less than 15% of the total lot area shall be devoted to open space, including bufferyards. Open space shall not include areas covered by buildings, structures, parking areas, driveways, or internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	1. All construction shall utilize a mix of brick veneer cladding and Hardie Board siding (or similar fiber cement siding), with a combination of vertical and horizontal patterns in solid colors and a traditional wood appearance. 2. All front façades shall incorporate architectural articulations which result in a difference in the vertical plane of the wall of at least 18 inches. All front façades shall be further enhanced through the incorporation of stoops, awnings, windows, bay window projections, and balconies. 3. Four-foot-wide pedestrian walkways shall be provided throughout the entirety of the development, connecting to one another and with public sidewalks located in adjacent public right-of-way. Each dwelling's front entry must connect to either the pedestrian circulation system or public sidewalks, as applicable. 4. Development amenities shall include six (6) pedestrian benches, a community room located within Building A, and a 900 square foot dog park located east of Building F. 5. Security fencing and gating shall be provided throughout the property as depicted in Exhibit 2. The fencing shall be of an aluminum material not to exceed seven feet in height. The location of the various vehicular entry gates do not conform to Code's typical standards for gated entries; however, based on the context of the property and the adjacent public right-of-way, Public Works – Traffic is comfortable supporting the design as shown.
Buffering and Landscaping	1. A bufferyard D, with a minimum width of ten (10) feet, shall be installed and maintained along the south property line where adjacent to R-SF, Single-family residential districts and the existing alley. a. The minimum plantings within this bufferyard shall be: 12 canopy trees; 12 understory trees; 12 evergreen trees; and 84 shrubs. Such plantings shall be distributed evenly throughout the bufferyard area as depicted in Exhibit 2. b. A six-foot wood privacy fence, or other form of acceptable screening as described in Section 36-480, Screening and fencing of the Land Development Code, shall be installed and maintained throughout the entirety of the bufferyard area as depicted in Exhibit 2.

DEVELOPMENT REVIEW STAFF REPORT

	2. Interior landscaping shall be installed and maintained as depicted in Exhibit 2. a. A minimum of 1,870 square feet of interior open space shall be required. b. The minimum plantings within the interior landscape area shall include: eight (8) understory trees and two (2) canopy trees. 3. Foundation landscaping shall be installed at least 18 inches from the foundation of those buildings whose front entries address public right-of-way. a. Each foundation landscape area shall contain at least one (1) evergreen shrub, two (2) deciduous shrubs, and four (4) perennial flowers. 4. Tree replacements shall be required to offset the loss of mature tree canopy interior to the site and within adjacent public right-of-way as a result of construction. a. Three (3) canopy trees shall be planted interior to the development to replace those anticipated to be removed during construction. b. Four (4) canopy trees shall be planted within adjacent public right-of-way to replace those anticipated to be removed during construction. c. All replacement trees shall be canopy trees of a minimum caliper width of one and one-half (1.5) inches at the time of planting. 5. No perimeter landscaping – typically located between vehicular use areas (drive aisles and parking spaces) and public right-of-way – shall be required as depicted in Exhibit 2.
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COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject property is located within the Center City Neighborhood Placetype, which contains Springfield's oldest residential neighborhoods predating WWII. These neighborhoods are typically characterized by a wide range of single-family homes of varying architectural styles, built on lots of variable size with differing setbacks. Historically, these neighborhoods also contained small-scale neighborhood-supporting retail services or other nonresidential uses, located at key intersections, historic streetcar routes, and other neighborhood centers. Infill development within this placetype is intended to include higher-density residential development, provided such development matches the character of its surroundings, along with certain low-intensity nonresidential uses such as dining, personal services, and offices when located along higher classification roadways along the periphery of the neighborhood. Planning efforts within the Center City Neighborhood Placetype should, "... strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents," per page 36, Center City Neighborhoods, of the *Comprehensive Plan*.

DEVELOPMENT REVIEW STAFF REPORT

The subject property is located on the edge of the Center City Neighborhood Placetype in this area, just south of the Mixed Use Placetype which applies to most of the property within and directly bordering the E. Commercial Street corridor to the north. This edge of contact between differing placetypes makes this site ideal for higher-density residential development, which can act as a transition between the mix of uses located north of E. Pacific Street and the detached single-family residential homes which exist south of the development area. Furthermore, the project area is bound to the east and west by Collector roadways, further solidifying the justification for higher-density residential development at this location.

Per the recommendations of the *Comprehensive Plan*, the development will utilize certain design elements which will enhance the aesthetics of the area and emulate the general residential character of the neighborhood south of E. Pacific Street, including the use of brick veneer cladding on front façades, gable rooflines, and front entry walkways which will connect to existing public sidewalks. These elements will be further enhanced through the installation of pedestrian benches within and along the edges of the development, as well as through the installation of foundation plantings, which will serve to soften the impact of the buildings on the adjacent streetscape. To the greatest extent feasible, vehicular use areas have been contained interior to the site to eliminate instances in which large areas of pavement separate buildings from public right-of-way.

The subject property is also located within the *Mid-Town Neighborhood Plan* area, which was adopted in 2001. This plan was formulated to identify the primary issues threatening the integrity of the predominately single-family neighborhood, and to outline solutions to be utilized in combatting these identified issues. Through the neighborhood planning process, six objectives were identified:

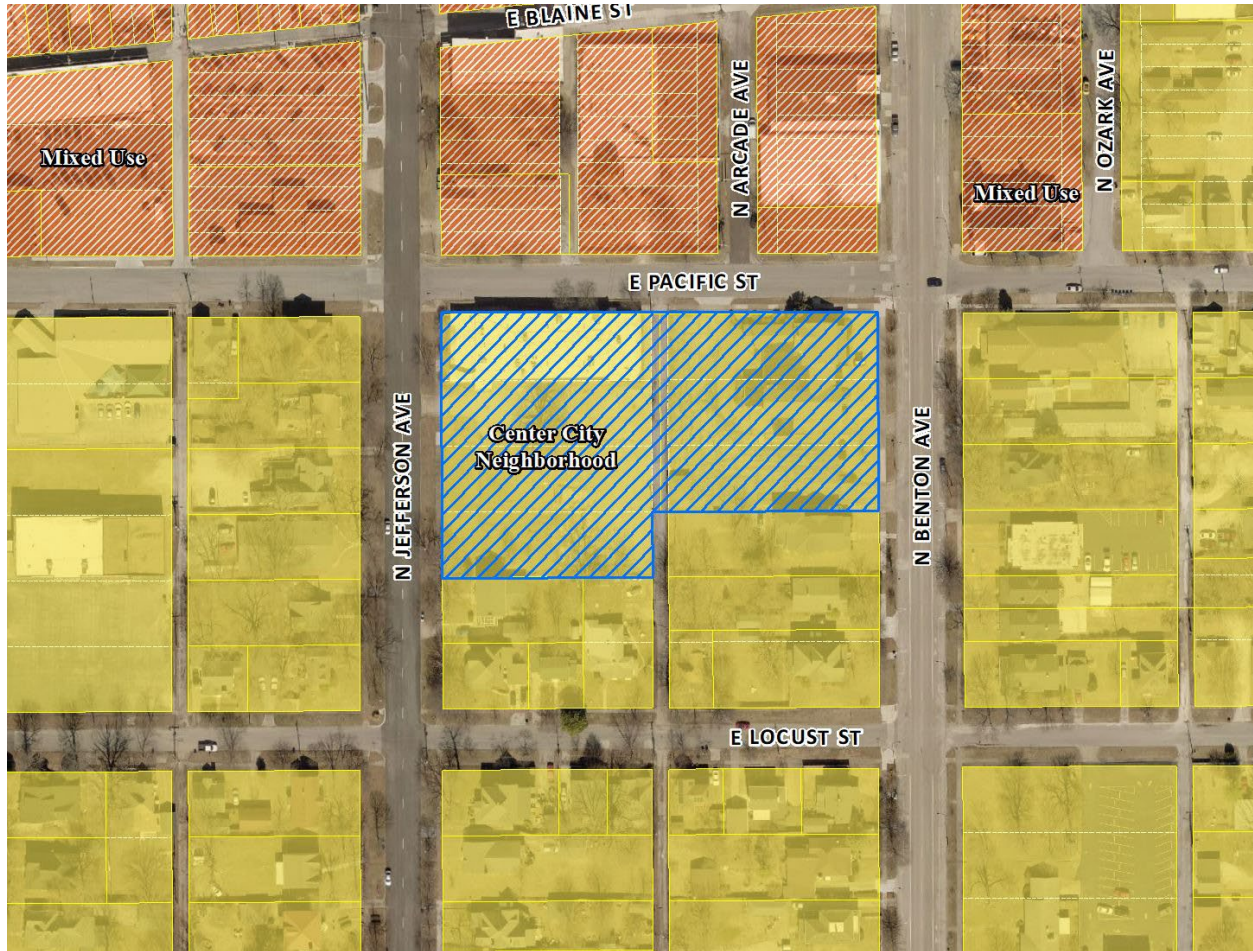
1. Protect and improve the single-family character of the neighborhood.
2. Manage the expansion of institutional uses without negatively affecting the future of the residential portions of the neighborhood.
3. Review the City Code and provide a system of code enforcement for chronic issues.
4. Maintain a safe environment for residents of the Mid-Town neighborhood.
5. Encourage the preservation of architecturally significant structures and design features.
6. Coordinate public improvements and encourage private redevelopment in a manner that will not detract from the neighborhood's historic character.

The *Mid-Town Neighborhood Plan* outlines strategies which serve to protect and enhance the character of the neighborhood, including the preservation of the neighborhood's mature tree canopy, and the buffering, landscaping, and screening of non-residential or multifamily uses when adjacent to single-family homes. Due to the scope of the development, the majority of the trees currently located within and adjacent to the site within public right-of-way will be removed; however, as detailed in Exhibit 1 and depicted in Exhibit 2, the developer intends to replace these trees to the greatest extent feasible, with replacement trees proposed within public right-of-way as well as throughout the development area. In addition, the developer will install a ten-foot-wide bufferyard along the south property line where the development abuts single-family zoning. The plantings within this bufferyard alone sufficiently replace the mature canopy that will be lost during the construction phase of this project. The bufferyard will also contain a six-foot wood privacy fence, further screening the existing single-family homes south of the development area from future construction.

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Based on the proposed Planned Development language provided in Exhibit 1 and the site plan, landscape plan, and accompanying documents provided in Exhibit 2, staff has determined that the proposal is in general alignment with the objectives and intent of both the *Comprehensive Plan* and the *Mid-Town Neighborhood Plan*.

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES														
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Vocational Schools	Universities, Colleges & Places of Worship	Government, Healthcare & Institutional Facilities	Personal Storage	Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○								
Mixed Residential	●	●	○	○	◇	◇	○								
Downtown			●	●	●	●	●	●	●	●	●	●	●	●	●
Mixed-Use	○	○	●	●	●	●	●	●	●	●	●	●	●	●	●
City Corridor			●	○	●	○	●	○	●	○	●	○	●	○	●
Institutional & Employment Center			○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			○	○	○	○	○	○	○	○	○	○	○	○	○

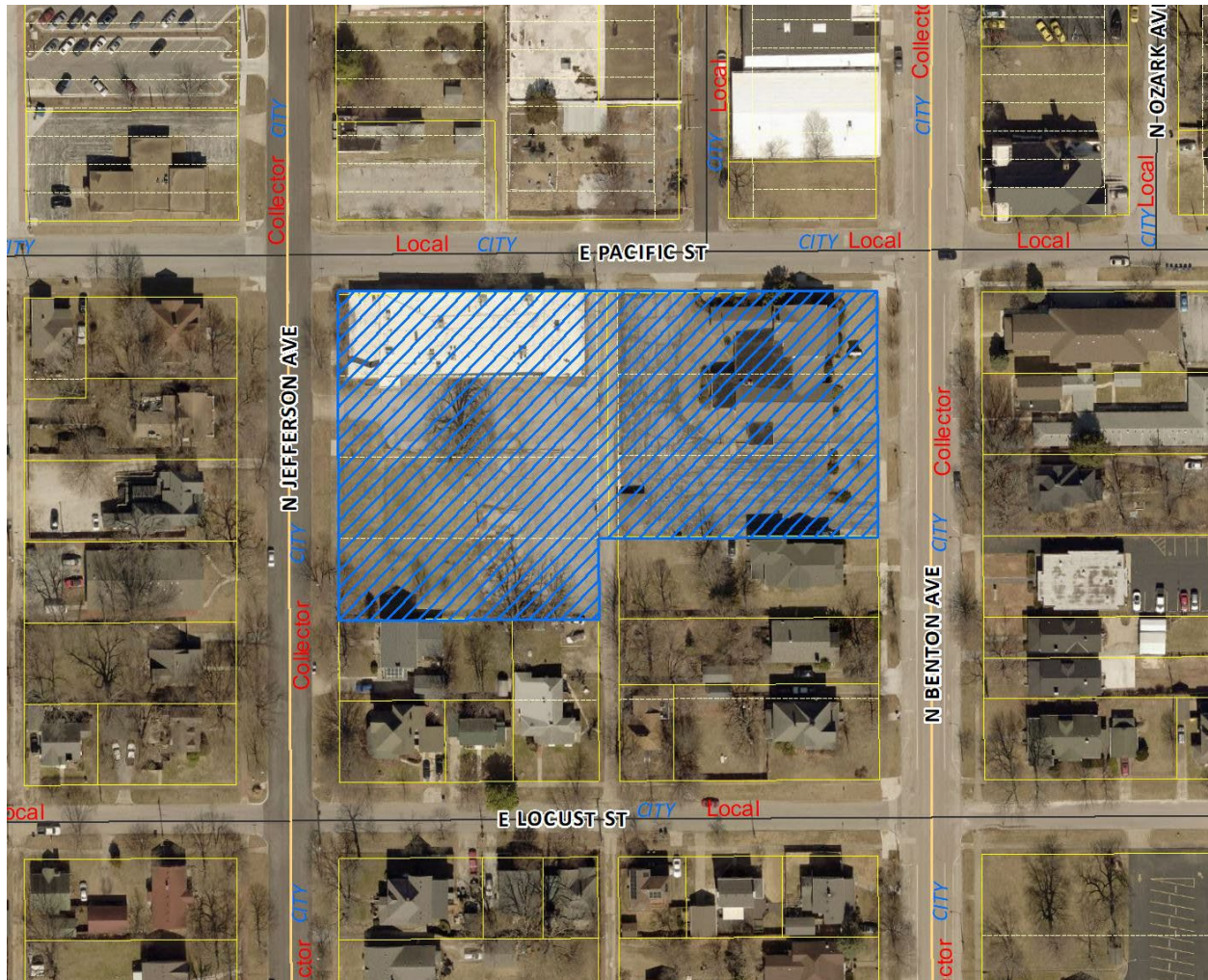
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	COM-1	R-SF	R-MD	R-SF, CC
LAND USE	Vacant, unused land	Detached single-family dwellings	Multifamily dwellings, detached single-family dwelling, medical office	Detached single-family dwellings, multifamily dwellings
PLACETYPES	Mixed Use	Center City Neighborhood	Center City Neighborhood	Center City Neighborhood

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DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No issues with the proposed rezoning.
2. CITY UTILITIES:
No issues with the proposed rezoning or Planned Development language. Some utility extensions and relocations will likely be required based on the site plan submitted, but this can be done at the time of development.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to the rezoning or Planned Development language, although we would like to see the proposed peak and average sewer flow rates for the development to assess downstream impacts. Plans show no conflict with public sewer.
4. FIRE DEPARTMENT:
The installation of fire hydrants and fire access lanes shall comply with the 2018 IFC.
5. 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**.

Public Works – Stormwater has no concerns or additions to the Planned Development. No specific language for Stormwater is included in the Planned Development but at the time of development the property will be subject to the following conditions:

All Chapter and Section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

Detention Requirements:

- a. 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.
 - i. The site has a large amount of existing impervious area, additional impervious area requires detention. If the final project site layout decreases the impervious area, no detention is required.
 - ii. The site currently drains onto the southern adjacent properties through sheet flow on impervious parking areas. The redevelopment will need the captured runoff to meet the runoff requirements from Chapter 2.

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

- a. 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 one acre or greater. Including projects less than one acre that are part of a larger common plan of development or sale that will disturb one or more acres of the life of the project. Chapter 10 Sec. 2.0.
 - i. The site plan shows two acres of disturbance. Redeveloped area has a decreased rainfall intensity for calculating the Water Quality Volume.

Additional Stormwater Standards to be met:

- a. A land disturbance permit will be required with disturbing one acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
- b. As-builts of the detention and water quality improvements are required. We would like the following as-built notes on the plans:
 - i. 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 measures.
- c. 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.
- d. 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.
 - i. Existing gravel surfaces meeting the above definition are eligible for 50% credit.

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6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

Street Classification, Right-Of-Way, and Jurisdiction:

City's Transportation Plan classifies N. Jefferson Avenue and N. Benton Avenue as Collector roadways, and E. Pacific Street as a Local roadway. The standard right-of-way width from the centerline of N. Jefferson Avenue and N. Benton Avenue is 30 feet. It appears that no additional right-of-way is needed along either street. The standard right-of-way width from the centerline of E. Pacific Street is 30 feet. It appears that no additional right-of-way is needed along this street. A survey is recommended to determine the exact amount of existing right-of-way. N. Jefferson Avenue, N. Benton Avenue, and E. Pacific Street are City-maintained streets.

Traffic Counts & On-Street Parking:

The recent traffic count for N. Jefferson Avenue is 250 vehicles per day, for N. Benton Avenue is 1,090 vehicles per day, and for E. Pacific Street is 190 vehicles per day. On-street parking is allowed along N. Jefferson Avenue and N. Benton Avenue. On-street parking is allowed along both sides of E. Pacific Street.

Access:

Access to this property will be allowed based on the accepted Traffic Impact Study for this development and current City of Springfield standards.

Sidewalk:

There are existing sidewalks along the property frontage of N. Jefferson Avenue, N. Benton Avenue, and E. Pacific Street.

Trails, Bus Stops, and Additional Information:

There are no Greenway Trails in the area surrounding the property pertaining to this zoning. There are bus stops along E. Commercial Street near this property.

Improvements:

A TIS has been completed for this development. Based on the TIS, no public improvements are required.

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Traffic – Table 1: Rezoning Details

	Street Name	Street Classification	On-Street Parking	Existing Street ROW from Centerline (ft.) (Approx.)	Required Street ROW from Centerline (ft.)
Street 1	N. Jefferson Avenue	Collector	Yes	40	30
Street 2	N. Benton Avenue	Collector	Yes	40	30
Street 3	E. Pacific Street	Local	Yes	30	30
		AM Peak	PM Peak	Weekday	Weekend
Existing Trips Generated		184	267	2671	-
Proposed Trips Generated*		249	249	498	-
Additional Trips Generated		65	-18	-2173	-

*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed Planned Development.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicants, Titus Williams LLC and Historic Commercial Development LLC, have requested to rezone the property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-family residential district, CC, Center city district and Urban Conservation District #3 to Planned Development No. 386. This Planned Development would allow for the construction of multifamily dwellings following a townhouse architectural style, as well as temporary uses, accessory uses, and home occupations typically associated with multifamily development.
2. Following staff's presentation, input from the development team, and comments from the public at the public hearing held on May 11, 2023, the Planning & Zoning Commission's vote resulted in a 4-4 split, requiring that the project be postponed to the following agenda occurring on June 8, 2023. The Planning & Zoning Commission encouraged the developer to again meet with the Mid-Town neighborhood to discuss further revisions to the project's aesthetics and its scope. As a result of conversations between the development team and neighborhood organizers, the development team has provided an updated set of renderings reflecting the intended product to be constructed should the Planned Development be approved, contained in Exhibit 2.
3. Aside from the change in appearance, the only other aspect of the proposal altered has been the dog park, which the developer has opted to switch for a 900 square foot tot lot to be used as a picnic area, including at least one picnic table and communal barbeque grill/pit.

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4. A total of 72 multifamily dwelling units have been proposed, equating to a density of approximately 32 dwelling units per acre. This density was determined appropriate for this property via the Multifamily Matrix Analysis – the process by which City staff reviews multifamily development proposals, the surrounding infrastructure, land uses, and amenities to determine the most appropriate range of residential densities for a given development. Based on the context of the project's surroundings, the development was given an initial Assessment Criteria Score of 10, which would permit a density between 15 and 17 dwelling units per acre. Upon review of a full development plan against the Design Guidelines Assessment Criteria, the project received an additional three points (see 3. below for further details), which would permit a density between 25 and 28 dwelling units per acre. And finally, one additional point was awarded as part of the assessment's Opportunities or Constraints, specifically because this is a higher-density proposal located within a lower-density neighborhood. The resulting 14-point total permits between 29 and 32 dwelling units per acre.
5. The Design Guidelines Assessment Criteria – those design elements of a proposal used in determining a development's most appropriate density – are split into three general categories: Design to Encourage Pedestrian Activity; Provide a Good Circulation System; and Respect the Natural Environment. Each of these categories is further split into three or more criterion; the more criteria a development meets, the higher the density that will be awarded for the development. Within the Respect the Natural Environment category, one criteria calls for the incorporation of one or more of the following recreational amenities or facilities: a swimming pool; a golf course; a resident clubhouse; one (1) tot lot with a minimum size of 900 square feet; a basketball, volleyball, tennis court, handball court, or other sports court; one (1) picnic area, with a minimum size of 900 square feet; a community center (meeting room, assembly hall, etc.); an exercise room and/or recreation building; a par three golf course (nine-hole minimum); or any proposed amenity found by City Council to provide recreation or meet the needs of the multifamily development residents to a level similar to that provided by those amenities previously listed.

For a proposed development containing between 51 and 100 dwelling units, two such amenities are required. The applicant has proposed a 900 square foot community room (in Building A, see Exhibit 2) and a 900 square foot tot lot (to the east of Building F, see Exhibit 2) in order to meet this criterion.

6. The subject property is also located within the Mid-Town Urban Conservation District (also known as Urban Conservation District No. 3). Staff reviewed the applicant's proposed site plan for compliance with the requirements and restrictions of this UCD and have found it to be in conformance with these regulations. Per this UCD, the Administrative Review Committee (ARC) shall review and approve the Planned Development's site plan and notice of this review shall be given to the Mid-town Neighborhood Association President; the representatives of the Neighborhood Association shall be permitted to provide comment on the site plan prior to the ARC's action to approve it. This UCD site plan review will coincide with the ARC's review of the Final Development Plan (FDP), as required and outlined by Section 36-405 (9) of the Land Development Code.
7. The project area is contained within the *Comprehensive Plan's* Center City Neighborhood Placetype, which promotes higher-density residential development within these traditionally

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single-family neighborhoods when located along higher classification streets. Due to the varying conditions, age, affordability, and vacancies of housing within these neighborhoods, the *Comprehensive Plan* encourages support for development which diversifies the housing stock. When higher-density residential developments are proposed, the *Comprehensive Plan* focuses on ensuring such land uses do not conflict with adjacent lower-density residential properties by promoting design elements which blend the new construction with the character of the neighborhood. Based on the design requirements and elements proposed by the developer as outlined in Exhibits 1 and 2, staff has determined that the proposal is in general conformance with the objectives and intent of the *Comprehensive Plan*.

8. The developer has proposed automated security gates at each vehicular access point onto the subject site, to be located between 25 feet and zero feet from their respective property lines as depicted in Exhibit 2. The City's standard setback for such gated entries is 30 feet, providing ample space for a single vehicle to pull into the property and out of public right-of-way while waiting to be granted entry. Public Works – Traffic is aware of the proposed gated entries and has determined that they are acceptable as depicted due to the street classifications of N. Benton Avenue, N. Jefferson Avenue, and E. Pacific Street, the presence of on-street parking around the site, the one-way flow of traffic on N. Jefferson Avenue, and the traffic counts for all adjacent streets. No formal variance request is necessary as Planned Developments are permitted to vary from the City's typical standards. All fencing and gates shall be limited to a maximum height of seven feet (as limited by the Land Development Code) and shall be of an aluminum material.
9. The development site currently exists as two separate lots which must be administratively combined in order to accommodate the proposal as depicted in Exhibit 2. Prior to the issuance of any building permits pertaining to the proposed Planned Development, the applicant shall submit an application for an administrative subdivision – lot combination, as outlined by Section 36-223, Administrative subdivisions – administrative approval of lot divisions, lot combinations, property line adjustments, tract certifications and administrative condominiums, of the Land Development Code. Subsequent applications may be filed after construction is complete should the developer wish to subdivide the dwelling units into individual condominium units.
10. There are no changed or changing conditions in the area affected that make the proposed rezoning necessary; however, the applicants intend to redevelop these underutilized properties to improve the neighborhood's existing housing stock and enhance the existing aesthetics of the block.
11. The range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity. The proposed Planned Development District would exclusively permit multifamily dwellings not to exceed 32 dwelling units per acre, along with those accessory uses, temporary uses, and home occupations typically associated with residential land uses. The proposed development would act as a transition between the mix of residential and nonresidential land uses north of E. Pacific Street and the single-family zoning south of the development area.

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12. There are adequate utility, sewer, and water facilities existing in the area, or they can be provided to serve the uses that would be permitted on the property if it were rezoned. Per the reviews provided by City Utilities and Environmental Services – Wastewater Management, neither entity has critical concerns regarding the proposed Planned Development. City Utilities has stated that some extensions may be required as part of the construction; however, such extensions can be identified and built at the time of development.
13. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular and pedestrian traffic, as well as traffic safety in the vicinity, is expected to be marginal. The developer completed and submitted a Traffic Impact Study (TIS) to the City for review prior to the Planning & Zoning Commission's review of this application. The City has accepted the TIS and its results, which indicate that no public improvements are necessary as part of this development. Indeed, based on the results of this TIS, it has been determined that the proposed Planned Development No. 386 will decrease traffic significantly from the most intense uses permitted by the current zoning.
14. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of Planned Development No. 386, per Exhibit 1.
15. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. Should the rezoning be denied, the subject properties will maintain their existing zoning designations. The R-SF district is typically used for detached single-family dwellings and certain low-intensity nonresidential uses, while the CC district permits a full range of residential and nonresidential uses.

STAFF RECOMMENDATION:

1. Staff recommends approval of the rezoning request based on its conformance with the *Comprehensive Plan*, the *Mid-Town Neighborhood Plan*, the Mid-town Urban Conservation District, and the findings of fact.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification.
2. Recommend a change in the zoning district classification.
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

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REQUIREMENTS FOR APPROVAL:

EXHIBIT 1

Requirements and Standards Applicable To Planned Development District No. 386

A. APPLICATION

Building or other permits may not be issued for development permitted by this Planned Development nor can any changes be made to this property until the Final Development Plan has been approved in the manner described at the end of this exhibit.

All requirements of the Springfield *Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

B. INTENT

The intent of this Planned Development is to permit the construction of multifamily dwellings in a row house style on a single lot, utilizing architectural features and exterior materials which emulate and enhance the historic nature of the Mid-Town neighborhood. The total development includes six row house-style structures (labeled Buildings A through F, Exhibit 2, Site Plan) containing 72 multifamily dwelling units.

C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

D. USES PERMITTED

The following uses are permitted:

1. Accessory uses, as permitted by Section 36-450, Accessory structures and uses, of the *Zoning Ordinance*.
2. Multifamily dwellings.
3. Residential condominiums.
4. Short-term rentals, as permitted by Section 36-473, Short-term rentals, of the *Zoning Ordinance*.
5. Temporary uses, as permitted by Section 36-452, Temporary uses, of the *Zoning Ordinance*.
6. Home occupations, as permitted by Section 36-451, Home occupations, of the *Zoning Ordinance*.

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E. USE LIMITATIONS

1. All uses shall operate in accordance with the noise standards contained in Section 36-485 of the *Springfield Zoning Ordinance*.
2. No use shall emit an odor that creates a nuisance as determined by the *Springfield City Code*.

F. INTENSITY OF DEVELOPMENT

Development within this district shall adhere to the following standards:

1. The maximum residential density shall not exceed 32 dwelling units per acre.

G. BULK, AREA, AND HEIGHT REQUIREMENTS

Development within this district shall adhere to following bulk, area, and height requirements:

1. *Maximum structure height:* 42 feet above finished grade; however, in no event shall any structure exceed a 45-degree bulk plane as measured from the district boundary of any property zoned R-SF, Single-family residential district or R-TH, Residential townhouse district.
2. *Minimum yard requirements:* None, except for the bufferyard requirement along the south property line where adjacent to property zoned R-SF as described in I. **OPEN SPACE, LANDSCAPING, AND SCREENING** below.

H. DESIGN REQUIREMENTS

Development within this district shall adhere to the following design requirements:

1. *Exterior building materials:* All construction must utilize a combination of brick cladding veneer and Hardie Board siding (or similar cement fiber siding). Hardie Board siding (or such similar material) shall be oriented horizontally and provided in solid colors with a traditional wood appearance (see Exhibit 2, renderings provided by Buxton Kubik Dodd Design Collective).
2. *Architectural articulations:* All front façades shall incorporate architectural articulations which result in a difference in the vertical plane of such wall of at least 18 inches; in addition, all front façades shall be further enhanced through the incorporation of stoops, awnings, windows, bay window projections, and balconies (see Exhibit 2, renderings provided by Buxton Kubik Dodd Design Collective).
3. *Pedestrian circulation:* In general alignment with Exhibit 2, Site Plan, four-foot-wide pedestrian walkways shall be provided throughout the entirety of the development, connecting to one another and public sidewalks located in adjacent

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public right-of-way. The front entry of all dwellings shall be connected to the pedestrian circulation system or public sidewalks, as applicable.

4. *Development amenities:*
 - a. *Pedestrian benches.* Per Exhibit 2, Landscape Plan, a minimum of six (6) pedestrian benches shall be installed throughout the total development area.
 - b. *Community room.* Per Exhibit 2, Site Plan, Building A – located at the northwest corner of the development area – shall provide a shared community room on its first floor for shared use by the development's residents.
 - c. *Tot lot.* Per Exhibit 2, Site Plan, a fenced tot lot shall be provided internal to the development for use by the development's residents. The tot lot must be a minimum of 900 square feet in area and must contain at least one picnic table and one communal barbeque grill/pit.
5. *Security fencing, gating.* To be provided per Exhibit 2, Site Plan. All fencing and gates shall be of an aluminum material. All fencing and gates shall be limited to a maximum height of seven (7) feet above finished grade.

I. OPEN SPACE, LANDSCAPING AND SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the district; to improve the environmental performance by contributing to the abatement of heat, glare, and noise, and by promoting natural percolation of stormwater and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. *Open space requirements:*
 - a. *Minimum open space.* Not less than 15 percent of the total lot area shall be devoted to open space, including the required bufferyard. Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
 - b. *Maximum impervious surface.* The combined area occupied by all main and accessory buildings or structures, parking, loading and other paved areas and any other surfaces which reduce and prevent absorption of stormwater shall not exceed 85 percent of the total lot area.
2. *Bufferyards:* A bufferyard D, as described in Section 36-482 of the *Springfield Zoning Ordinance*, must be installed along the south property line where adjacent to property zoned R-SF and the existing alley.
 - a. *Minimum width.* The bufferyard D shall have a minimum width of ten feet, as identified in Exhibit 2, Landscape Plan.
 - b. *Minimum plantings.* The minimum plantings within the bufferyard D shall include 12 canopy trees, 12 understory trees, 12 evergreen trees, and 84

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- shrubs to be evenly distributed throughout the entirety of the bufferyard area as depicted in Exhibit 2, Landscape Plan.
- c. *Screening.* The bufferyard D shall include a six-foot wood privacy fence, or other form of accepted screening as described in Section 36-480 of the *Springfield Zoning Ordinance*, throughout the entirety of the bufferyard's area.
 3. *Interior landscaping:*
 - a. *Minimum area.* A minimum of 1,870 square feet of open space shall be provided interior to the development's vehicular use areas and pedestrian circulation system.
 - b. *Minimum plantings.* The minimum plantings within the interior landscape area shall include eight (8) understory trees and two (2) canopy trees, as depicted in Exhibit 2.
 4. *Foundation landscaping:* To further soften the architectural impact of the development on adjacent public right-of-way and to improve the streetscape, the following plantings shall be provided at least 18 inches from the foundation of those buildings whose front entries address public right-of-way.
 - a. *Minimum plantings.* Each foundation landscape area, located at the front entry of each townhouse, shall contain at least one (1) evergreen shrub, two (2) deciduous shrubs, and four (4) perennial flowers.
 5. *Tree replacement.* The following additional plantings shall be required to offset the removal of certain existing trees interior to the site and within adjacent public right-of-way.
 - a. *Interior replacement trees.* Per Exhibit 2, Landscape Plan, three (3) trees shall be planted interior to the development to replace those trees anticipated to be removed as part of this project's construction; these replacement trees shall be canopy trees of a minimum caliper width of one and one-half (1.5) inches at the time of planting.
 - b. *Public right-of-way replacement trees.* Per Exhibit 2, Landscape Plan, four (4) trees shall be planted within the adjacent public right-of-way to replace those trees anticipated to be removed as part of this project's construction; these replacements shall be canopy trees of a minimum caliper width of one and one-half (1.5) inches at the time of planting.
 6. No perimeter landscaping, as defined in Section 36-482 of the *Springfield Zoning Ordinance*, shall be required as part of this development.

J. EXTERIOR LIGHTING

The requirements and standards of Section 36-484 of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply but for the following:

1. *Light sources or luminaries with cutoffs.* Light sources or luminaries which have a cutoff shall not exceed a maximum height of 30 feet.

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K. ACCESS TO PUBLIC THOROUGHFARES

Access to the public street system shown in Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification.

L. OFF-STREET PARKING

Vehicular and bicycle off-street parking facilities shall be provided in conformance with Exhibit 2, Site Plan and Site Calculations.

1. *Enclosed parking.* A minimum of 70 vehicular parking spaces shall be provided via the first-floor garage space associated with each dwelling unit.
2. *Outdoor parking.* A minimum of 15 vehicular parking spaces shall be provided as parallel parking along the east-west internal drive.
3. *Bicycle parking.* A minimum of 12 bicycle racks, meeting the design standards of Section 36-483 of the *Springfield Zoning Ordinance*, shall be distributed throughout the development as depicted in Exhibit 2, Site Plan.

M. SIGNS

The requirements and standards of Section 36-454 of the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

N. REQUIRED IMPROVEMENTS

A traffic study was submitted to and accepted by the City of Springfield prior to the review of the proposed Planned Development concluding that no public improvements shall be required as part of this development.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

P. PHASING

Development within this District will not be phased.

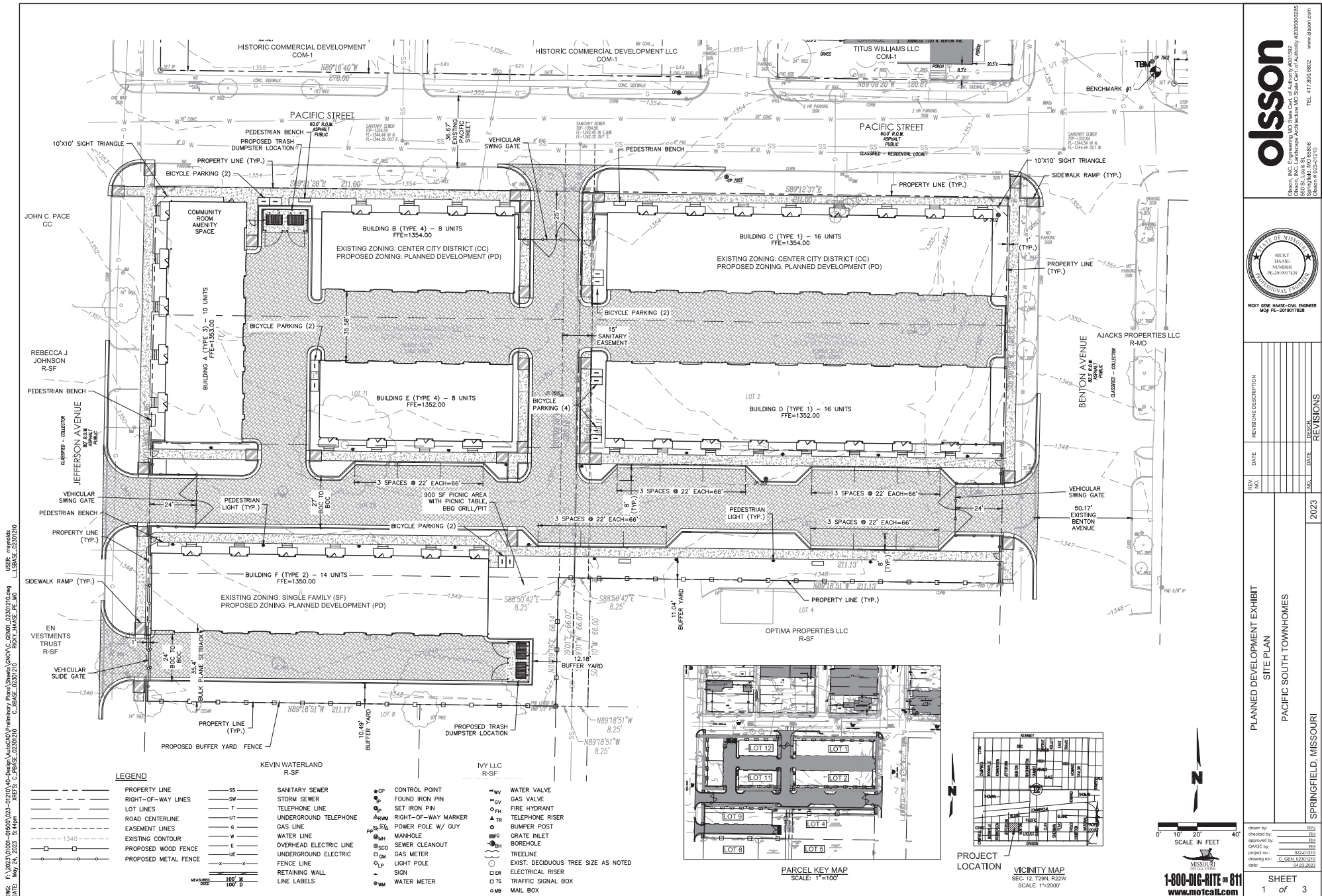
DEVELOPMENT REVIEW STAFF REPORT

Q. FINAL DEVELOPMENT PLAN

A Final Development Plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. Development in this district shall be in accordance with the approved Final Development Plan.

1. A Final Development Plan shall only be approved if it is in substantial conformance with Exhibits 1 and 2 as defined by subsection 36-405 (9) (c) of the *Zoning Ordinance*.
2. The Final Development Plan shall be submitted to the Administrative Review Committee for review and approval, either as a whole or in phases. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - a. Any uses within the district other than those specifically prescribed by the ordinance.
 - b. Any increase in the intensity of use permitted within the district.

EXHIBIT 2





EXISTING SITE TREE REMOVAL TABLE	
SIZE	NUMBER REMOVED
4"	1
6"	6
8"	2
50"	1
TREE CANOPY (NO CALIPER SURVEY TREES)	1,220 SF (ABOUT 2 TREES)
12 EXISTING TREES ONSITE	
11 EXISTING TREES <6" REMOVED*	
12 EXISTING TREE REMOVED	
0 EXISTING TREES REMAIN	

[illegible]

IN/THOMES	2023
-----------	------

PLANNED DEVELOPMENT EXHIBIT
LANDSCAPE PLAN
PACIFIC SOUTH TOWNHOMES
DURI

SPRINGFIELD, MISSOURI

Drawn by: _____ RPJ
 Checked by: _____ RH
 Approved by: _____ RH
 AQC by: _____ RH
 Project no.: _____ 022-B1210
 Drawing no.: _____ C-GEN 02101210
 Date: _____ 04.03.2023







ATTACHMENT 1

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: CC and R-SF to PD with COD UCD 3
(existing zoning) (proposed zoning)
2. Meeting Date & Time: April 18 from 4-6:30 pm
3. Meeting Location: Sacred Heart Catholic Church 1609 N. Summit, Springfield, MO 65803
4. Number of invitations that were sent: 163
5. How the mailing list was generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 15
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

-There were concerns about the increase traffic. We will be completing a traffic study for the development.
-Previous design (pre-covid) had a 4 story building. Neighbors were all happy to see a less intense development.
-Neighbors were happy to see parking being provided and they want the trash cleaned up.
-Neighbors were happy to see the plan is very similar to what was shown to them at a previous neighborhood meeting
-Neighbors are concerned about people speeding down Benton and Jefferson. We let the neighbors know we would inform Public Works about this as they own and control the streets.
-The neighbors had questions about who would own these units and who the target leasers are. We informed the neighbors these could be condos new grads, couples with a child, senior folks and we shared expected rental rates.

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

No written comments received.

I, Ricky Haase (print name), attest that the neighborhood meeting was held on 04/18/2023 (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."

Ricky D Haase

Signature of person completing affidavit

Ricky Haase

Printed name of person completing affidavit

Neighborhood Meeting

Rezoning @ 1630 N Jefferson Ave, Springfield, MO

April 18, 2023

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Kate Thiemann	1515 N. Benton Ave.	417-827-0957
MARK FREES	3801 S. NATIONAL AVE REPRESENTATION 1632 N. ROBBERSON	417-408-3421
BRIAN KUBIK	1554 RIVER OAKS LN SPRD. MO. 65804	417-299-5000
KATHERINE GILBERT	1537 N. BENTON AVE	408-338-5834
The Rev. David Kendrick	1526 N. Benton	417-536-4047
Karen Moss	1500 N. Jefferson	816-520-0321
Harold Munson	1500 N. Jefferson	816-350-0772
DYLAN CHORCE	1412 N WASHINGTON AVE	417-633-0821
Brian King	1600 N. JEFFERSON AVE.	417-365-1469
Titus Williams	1640 N. Campbell Ave	417-413-4687

Neighborhood Meeting

Rezoning @ 1630 N Jefferson Ave, Springfield, MO

April 18, 2023

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Viviana Writer	1660 N. Campbell Ave	417-818-1384
Ricky Haase	550 E St Louis	417-890-8802
NICK SCHURK	2039 E WYLAND	34.723.9779
BRIAN MATSON	1510 N. Washington Ave	573-239-3125
Er Ray Smith	1609 N. Summit Ave.	417 869 3646

ATTACHMENT 2
PUBLIC COMMENT

From: [rccpromotions](#)
To: [McGinnis, Kyle](#)
Subject: Kyle (Planned development 1630 N Jefferson Ave)
Date: Wednesday, April 12, 2023 10:48:37 AM

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

I just wanted to weigh in on the project at 1630 N Jefferson Ave. I own a home that was in complete disrepair and we helped bring it back to its original glory days and helped to do a small part of revitalizing this area. I think it's great what they're doing at the project and as a property owner at 415 E Division in Springfield I want to email my support for the planned development. They're going to build something there anyways but might as well let them be as creative as possible to maximize the area and continue the revitalization of the neighborhood. Nathan 913-704-7740.

From: [Katie Gilbert](#)
To: Zoning@springfieldmo.gov
Cc: rhaase@olsson.com
Subject: Re: Feedback on Titus Williams's planned development along Benton & Jefferson in Midtown.
Date: Thursday, April 27, 2023 4:01:27 PM

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

Dear Springfield Planning and Zoning,

Thank you for providing the opportunity to give feedback on Titus Williams' planned development along Benton & Jefferson in Midtown. I live just three homes down from what, I anticipate, will be the new development on my street. I am glad to see that there is movement forward with development. I am writing to share my response to the presentation. In brief, I shared these thoughts at the recent in-person meeting but would like to reiterate them here.

I should note that I served as one of two liaisons between the Midtown neighborhood Association and Titus Williams et al during the first round of meetings in 2020 and 2021. Because of this, I have had a sense of what Williams is aiming for, and importantly, I have an ear to the ground when it comes to my neighbors and their concerns.

1) The design has come a tremendous way since the original drawings. This is very good to see. My remaining recommendations are the following:

a) Our neighborhood committee suggested brownstones, in line with something like this: <https://www.redfin.com/GA/Atlanta/446-Bill-Kennedy-Way-SE-30316/home/24675253>

The current look is brownstone-*ish*, but it tips towards much less expensive “townhomes” that we see pop up quickly around Springfield, which are less elegant. I think it’s exceptionally important that the designers go with a high-end look. This is exceptionally important **for this project in particular** because of the history of the area. Our neighborhood and C-Street have worked so hard over the recent decades to renew the region. If something goes up with even a hint of a slap-dash inexpensive feel, the building will fall in line with the long-standing reputation of the area as “impoverished.” Because of that, the design needs to look *even more high end* than it would in, say, an upper-middle class neighborhood. The design has to *up the value of the surrounding area* or else it will not actually have a positive effect on the area at all. It will have the vibe of: “a developer put up some cheap places in an economically struggling area.”

b) With that in mind, I recommend the design move more towards a higher-end brownstone look (mixed with stone is fine) and less of a look that is in line with, say, Silver Springs apartments, which are in another part of our neighborhood.

c) I also suggest the developer and architect consider flat roofs, in line with brownstones historically and with the flat roofs of C-Street buildings. This will also give the design less of a "Silver Springs" townhomes feel.

2) One of the major concerns of neighbors had to do with the original number of occupants and parking. The developer seems to have addressed these concerns, at least to my mind, and this is also great to see.

However, there is a related issue. I live in a home located at 1537 Benton Avenue. Because of that, I see the traffic that runs between Division and Commercial street all day long. What has been a long-standing problem with Benton will need to be addressed as traffic increases along the street. That has to do with the way that the street design allows people to drive.

Drivers go up and down our street as if they are racing on Germany's autobahn. It is a nightmare. In the case of both my home and my next-door neighbor's home, our cars have been completely totaled by speeding drivers when our cars were parked on the street in front of our homes.

Having lived in this spot for thirteen years, I know exactly what the issues are:

1) The light that is at the intersection of Benton and Division is set up so that it is green for only a few seconds when you are driving north and south along Benton. Because of this, people put the pedal to the metal to make the light.

In addition, the street layout is structured like a high-speed avenue. Because of this, the number of horrific car accidents I have witnessed at the intersection has been stunning. Cars speeding, then flipping, and flying through the air. It's incredibly dangerous.

So, if we add heavy traffic to the street and do nothing to slow it down, I am certain that it will result in a serious uptick in traffic accidents. We will have not just speeding, but crowded speeding, and more accidents.

I recommend major changes to the street. These could include at least two

roundabouts, and/or a median with trees (along the lines of what has been added along Central by Drury) and/or speed bumps / signage like that along Cherry and Pickwick. In addition, the timing of the light at the intersections of Benton and Division should be recalibrated so that people don't rush to get through the light.

As it is, it's an incredibly dangerous street. It would be a disaster if the city did not match the timing of the construction of the development with major street reconfiguration.

3) My third and final observation has to do with the current way in which Titus Williams et al care for the properties in my neighborhood. I understand why a developer would not want to pour money into buildings he intends to tear down. However, *many* folks in the neighborhood have witnessed the incredible deterioration of Titus Williams's properties and understandably believe that his company's method is demolition by neglect. Normally, the first thing one does when one purchases an older property is to secure the outside, waterproof it, etc.

None of that work has taken place. The state of the buildings is truly appalling. While the area has always had a couple issues with trash/littering, unhoused folks, etc., the amount of trash, broken glass, spray paint, busted-in doors and windows, has been appalling since Williams purchased the properties.

I walk my dog every day in the neighborhood. Before Williams bought the properties, professionals, churchgoers, etc. came and went. The area was not without any issues, but it was actually surprisingly well-kept and maintained. There was a real sense of *care*, and it had a ripple effect.

Now it is unbelievably depressing. I have watched unsheltered folks walk in and out of buildings, cluster under the awnings for days on end, etc. I watched a child drop an enormous glass planter off the top of one of William's properties last summer. The shards of glass are *still all over the sidewalk*.

I have brought this up twice already with Williams—by email a year ago and in person recently. I did not receive a response to my email. The recent response is, "we have someone do a walk through of our buildings each week." Whoever they have doing the walk through must have a blindfold on to miss the shopping carts, mounds of litter, chunks of glass, etc.

To be clear, if someone drives by along the road, they might miss all this. A person needs to get out of their car and walk along the sidewalks, on the grounds, and around the buildings. Williams must have someone walk the perimeter and CLEAN UP.

What is important, too, is that Williams should realize that this approach is “make or break it” when it comes to gaining neighborhood support. If a developer buys tons of properties, allows them to become trash, thereby turning the neighborhood into trash, that developer cannot then expect that the people who live in that neighborhood will support him/her when he/she asks for support for executing their development. They’ve completely lost the faith of the neighbors because they’ve trashed the neighborhood and directly lowered the neighbors’ property values. It’s infuriating. It’s negligent. It’s short sighted. It’s self-defeating of a developer to do.

So, to reiterate, if Titus Williams wants the support of neighbors like me, I strongly suggest he clean up the properties ASAP. Really: pick up the glass, pick up the trash, take care of the landscaping, deal with the unhoused folks busting down the doors.

I’m including just one example of what I now see on my daily walk. Previously, this building was meticulously maintained with lovely landscaping.

It will likely be another year before work on the development gets started. In the meantime, if Williams hopes to have the support of the neighbors, I can guarantee that his showing some basic respect and care for us will make a difference. Currently, the message conveyed is one of complete and total indifference if not downright disdain for us. Based on what I’ve seen so far, should he buy properties in another neighborhood, I would warn the neighbors: “He will trash your neighborhood and your own home’s property value.”

I imagine that is not the reputation Williams’ would like to maintain. He can fix it. Or not.

I also *honestly* would like to see the now trashed properties be re-developed/newly developed, and I’d like to see it done in style. I hope, *very much*, that Williams is indeed able to pull it off. Indeed, the whole neighborhood is watching.

Thank you for reading.
Katherine Gilbert



From: Mary Collette <historicfirehouse@gmail.com>

Sent: Wednesday, May 10, 2023 9:12 AM

To: Hosmer, Bob <bhosmer@springfieldmo.gov>

Subject: Midtown/Prosperiti Conversations

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

Greetings Commissioners,

A group of Midtown residents and property owners met with Prosperiti representative over many months back in 2021. There was good, healthy dialog and we all felt we made great progress with the project in question. The neighborhood did not get all we wanted, nor did Prosperiti so we all walked away feeling we had done something productive. (see attached pdf) Now today, to be shown what the plans have morphed into, is disappointing to say the least. I feel P&Z should send the project back to the drawing board using that same Midtown committee.

The final plan should reflect more of our conversations and thus be a good model for other developments in the future. Otherwise, it was a waste of time for all involved, including the developer.

Mary Collette,
Midtown Member, Resident, Property Owner

From: [Phyllis Holzenberg](#)
To: Zoning@springfieldmo.gov
Subject: Planned Development by Titus Williams (1630 N. Jefferson/1635 N. Benton)
Date: Thursday, June 1, 2023 1:50:29 PM

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

To whom it may concern: this is the second time that Mr. Williams has come to the Midtown Neighborhood with a proposal to build over 70 townhomes about a block from where I live. The first time, the discussions lasted for several weeks, and, in the end, nothing happened. A plan was settled on, but Mr. Williams suddenly lost almost 2 million dollars in cryptocurrency and he and his company disappeared. We were all left wondering. Where did he and his company go? What happened?

I'm guessing that Planning and Zoning will approved this plan but while the neighborhood might not be able to completely stop this, there are some things we would like to see happen: 1.) a reduction of about %20 of the townhomes down to about 50; 2.) a more aesthetically pleasing look that will complement the existing brick buildings on or near Commercial Street; 3.) the residents of Jefferson (a narrow one way street) would like to not have an entry/exit to this development on our street. Pacific and Benton would be better streets to handle this kind of traffic. Also, we do not want the parking overflow to take over Jefferson between Commercial and Division Streets. Many of the older homes on Jefferson don't have the capacity in their driveways or garages (if they do have garages, some do not) for parking and must park on the street.

I really don't have much faith in Mr. Williams or his team. He has purchased a huge number of Commercial Street properties and in many surrounding areas near Midtown, and has done NOTHING to them except let them slowly fall down. The Midtown Neighborhood has nothing to judge him by. Why doesn't he rebuild/rehab the Missouri Hotel and some of the Kitchen buildings he owns and then we can see what he can do. He should be taking care of the properties he already owns, not trying to build something new.

Thank you,

Phyllis Holzenberg
1605 N. Jefferson
Springfield MO 65803



EXPLANATION TO COUNCIL BILL 2023-172 (HORTON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 25.92 acres of property generally located at 1353, 1409, and 1421 North West Bypass and 3538, 3550, and 3616 West Division Street from HC, Highway Commercial District, and GM, General Manufacturing District, to HM, Heavy Manufacturing District, with Conditional Overlay District No. 230; establishing Conditional Overlay District No. 230; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Demore Interprises Inc. & James Demore; 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street; Z-14-2023 w/ COD No. 230).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 25.92 acres of property generally located at 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-14-2023 w/COD No. 230

The applicant is requesting to rezone approximately 25.92 acres of property generally located at 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing.

REMARKS:

The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended to approve, by a vote of 9 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Industry & Logistics placetype. This placetype consists of heavy and moderately intense manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities. Businesses and operations that supplement and provide logistical support for larger operations are also accommodated, such as those with significant outdoor storage and parking and circulation lots for trucking and freight. This placetype is critical to Springfield's economy and employment base and is enhanced as such with improved access management, clear wayfinding, and gateway features. Planning for this placetype involves a highly collaborative effort to preserve and help procure sufficient real estate for industrial parks, airport, rail operations, and expansion needs.
2. The HM district is consistent with the other properties in this area. The range of uses in the proposed HM district are compatible with the uses permitted on other properties to the north and east.
3. The proposed COD prohibits several permitted intense uses and conditional uses to mitigate potential adverse effects from these uses. Also, all uses are required to have 15 percent of open space.
4. The COD requirements that metal shall not be used more than fifty percent (50%) of the exterior wall façades of buildings with frontage along Division Street and West Bypass Expressway. The perimeter landscaping will be enhanced to provide one canopy tree, three understory, ornamental, or evergreen trees and six shrubs per 100 linear feet of street frontage. These requirements are consistent with the goals stated in SGF Forward on page 91, 2.4 "Enhance the character of industrial districts."
5. The subject property is located along West Bypass and Division Street, classified as an Expressway and Primary Arterial, respectively.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this development.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact of the uses, which would be permitted if the property were rezoned, will not significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity. Traffic Engineering's comments reflect that a decrease in traffic trips is expected with the HM zoning from the existing zoning.
9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.



STAFF RECOMMENDATION:

Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Industry & Logistics Placetype and on the findings of facts above.

Submitted By: Michael Sparlin, Senior City Planner

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

- Attachments:**
1. Z-14-2023 COD 230_ord
 2. COD Provisions_exhA
 3. Legal Description_exhB
 4. ROP_exhC
 5. Staff Report_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 24
Filed: 07-03-23

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-172

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 25.92 acres of property generally located at 1353, 1409, and 1421
4 North West Bypass and 3538, 3550, and 3616 West Division Street
5 from HC, Highway Commercial District, and GM, General
6 Manufacturing District, to HM, Heavy Manufacturing District, with
7 Conditional Overlay District No. 230; establishing Conditional
8 Overlay District No. 230; and adopting an updated Official Zoning
9 Map. (Staff and the Planning and Zoning Commission recommend
10 approval.)
11 _____
12

13 WHEREAS, an application has been filed for a zoning change of the property
14 generally located at 1353, 1409, and 1421 North West Bypass and 3538, 3550, and
15 3616 West Division Street from HC, Highway Commercial District, and GM, General
16 Manufacturing District, to HM, Heavy Manufacturing District, with Conditional Overlay
17 District No. 230; and
18

19 WHEREAS, Conditional Overlay District No. 230 shall modify the requirements of
20 the Springfield Land Development Code Section 36-433, HM, Heavy Manufacturing
21 District, by requiring that the property described in "Exhibit B" comply with the
22 requirements described in "Exhibit A;" and
23

24 WHEREAS, following proper notice, the Planning and Zoning Commission held a
25 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
26 hearing being part of "Exhibit C," which "Exhibit C" is attached hereto and incorporated
27 herein in its entirety by this reference, and said Commission made its recommendation;
28 and
29

30 WHEREAS, the City has reviewed the applicant's request and prepared a staff
31 report concerning the application, which is attached hereto and incorporated herein by
32 this reference as "Exhibit D;" and
33

34 WHEREAS, proper notice was given of a public hearing before City Council, and
35 said hearing was held in accordance with the law.
36

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

40 Section 1 – The property described in "Exhibit B," which is attached hereto and
41 incorporated herein by this reference, is hereby rezoned from HC, Highway Commercial
42 District, and GM, General Manufacturing District, to HM, Heavy Manufacturing District,
43 with Conditional Overlay District No. 230. Springfield Land Development Code, Section
44 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed,
45 and modified consistent with this Ordinance.
46

47 Section 2 – City Council hereby establishes Conditional Overlay District No. 230,
48 which shall contain the requirements and standards provided in "Exhibit A," which is
49 attached hereto and incorporated herein by this reference as though set forth herein.
50 The requirements of Conditional Overlay District No. 230 shall modify the requirements
51 of the Springfield Land Development Code Section 36-433, HM, Heavy Manufacturing
52 District, by requiring the property described in "Exhibit B" comply with the requirements
53 contained in "Exhibit A."
54

55 Section 3 – City Council hereby directs the City Manager, or designee, to update
56 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
57 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
58 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
59 rules of interpretation.'
60

61 Section 4 – The Official Zoning Map herein adopted shall be maintained and
62 archived in the same digital form in which this Council has approved its adoption.
63

64 Section 5 – This Ordinance shall be in full force and effect from and after
65 passage.
66

67 Passed at meeting: _____
68

69 _____
70 Mayor

71 Attest: _____, City Clerk
72

73 Filed as Ordinance: _____
74

75
76 Approved as to form: Jill Burris, Assistant City Attorney
77

78
79 Approved for Council action: Jason A. Hage, City Manager

EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-14-2023 COD No. 230

The requirements of Section 36-433, Heavy Manufacturing district of the Land Development Code shall be modified as set forth herein for development within this district:

1. The following uses shall be prohibited:
 - a. Junk yards and automobile wrecking yards
 - b. Scrap and salvage yards
 - c. Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.
2. The following conditional uses shall be prohibited:
 - a. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous substances from off-site sources and radioactive substances.
 - b. Permanent storage or disposal of hazardous substances
 - c. Processing, reprocessing and storage of PCB containing oils.
 - d. Quarries and mining operations
3. Design requirements:
 - a. Metal shall not be more than fifty percent (50%) of the exterior wall façades of buildings with frontage along Division Street and West Bypass Expressway.
4. Perimeter landscaping:
 - a. The plantings within the perimeter landscape area shall consist of at least one canopy tree; three understory, ornamental, or evergreen trees; and six shrubs per 100 linear feet of street frontage.
5. Open space requirements:
 - a. For all uses:
 - i. Minimum open space: Not less than 15 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
 - ii. Maximum impervious surface: The combined area occupied by all main and accessory buildings or structures, parking, storage, loading and other paved areas shall not exceed 85 percent of the total lot area unless modified in accordance with subsection 36-482(15).

EXHIBIT B

LEGAL DESCRIPTION
ZONING CASE Z-14-2023 COD No. 230

BEGINNING 315' SOUTH OF THE NORTHEAST CORNER OF SECTION 17,
TOWNSHIP 29, RANGE 22, THENCE WEST 265' THENCE NORTH 93'
THENCE WEST 165' THENCE SOUTH TO THE NORTH LINE OF RAILROAD
RIGHT-OF-WAY THENCE NORTHEASTERLY ON THE NORTH LINE OF SAID
RAILROAD RIGHT-OF-WAY TO THE EAST LINE OF SECTION 17,

TOWNSHIP

29, RANGE 22 THENCE NORTH ALONG SAID EAST LINE TO THE POINT
OF BEGINNING, IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

Beginning 315 feet South of the Northeast corner of Section 17,
Township 29, Range 22, for a beginning point, thence West 265
Feet, thence North 93 feet, thence West 165 feet, thence South
482 feet, thence East 163 feet, thence North 53 feet, thence
East 267 feet more or less to a point due South of the beginning
point, thence North 336 feet more or less to the beginning point,
less any part taken for Highway purposes; including the improvements
and building thereon, EXCEPT a rectangular tract located in the
Southwest corner of the above-described property running 170 feet
North and South by 214 feet East and West upon which is located
Two buildings which are not covered by this lease, and which shall
be retained by the Lessor (the "Leased Premises").

ALL THAT PART OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE NORTHEAST
QUARTER (NE $\frac{1}{4}$) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY-NINE (29),
RANGE TWENTY-TWO (22), DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER THEREOF; THENCE WEST TWO
HUNDRED SIXTY-FIVE (265); THENCE SOUTH THREE HUNDRED FIFTEEN
(315) FEET; THENCE EAST TWO HUNDRED SIXTY-FIVE (265) FEET,
MORE OR LESS TO THE EAST LINE OF SAID SECTION; THENCE NORTH
TO THE BEGINNING, EXCEPT ANY PART TAKEN AND USED FOR ROAD
PURPOSES, IN GREENE COUNTY, MISSOURI.

ALSO: ALL BEGINNING 265 FEET WEST OF THE NORTHEAST CORNER OF
SECTION SEVENTEEN (17), TOWNSHIP TWENTY-NINE (29), RANGE
TWENTY-TWO (22); THENCE WEST 165 FEET; THENCE SOUTH 222 FEET;
THENCE EAST 165 FEET; THENCE NORTH 222 FEET TO POINT OF
BEGINNING, EXCEPT ANY PART TAKEN OR USED FOR ROAD PURPOSES,
IN GREENE COUNTY, MISSOURI.

All beginning 430 feet West of the Northeast corner of Section Seventeen (17),
Township Twenty-nine (29), Range Twenty-two (22); thence West 164 feet,
more or less, to the East line of the property conveyed by the warranty deed

recorded in Book 1097 at Page 302; thence South to the North line of the railroad right-of-way; thence northeasterly along the railroad right-of-way to a point due south of the beginning point; thence North to the place of beginning, in Section Seventeen (17), Township Twenty-nine (29), Range Twenty-two (22), all in Greene County, Missouri, except any part deeded, taken, or used for road, street or highway purposes. This description shall include all land located between the property owned by James H. Demore abutting on the West and the property owned by Thermo King of Springfield, Inc. abutting on the East.

All of the East Six (6) Acres more or less of the West Twenty-two (22) Acres of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and that part of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) lying North and West of the Railroad right of way of Section Seventeen (17), Township Twenty-nine (29), Range Twenty-two (22) all in Greene County, Missouri.

ALL OF THE EAST 126 FEET OF THE FOLLOWING DESCRIBED TRACT: ALL BEGINNING AT A POINT 240 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 29, RANGE 22; RUNNING THENCE EAST 283 FEET; THENCE SOUTH TO THE RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY ALONG SAID RAILROAD RIGHT OF WAY TO A POINT WHERE SAID RAILROAD INTERSECTS THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 29, RANGE 22; RUNNING THENCE NORTH TO A POINT 950 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 29, RANGE 22; RUNNING EAST 240 FEET; THENCE NORTH 950 FEET TO THE PLACE OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT THAT PART THEREOF TAKEN, DEEDED OR USED FOR STREET OR HIGHWAY PURPOSES.

ALL BEGINNING AT A POINT 523 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE SOUTH A DISTANCE OF 339 FEET; THENCE WEST A DISTANCE OF 126 FEET; THENCE NORTH A DISTANCE OF 339 FEET; THENCE EAST A DISTANCE OF 126 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT THAT PART THEREOF TAKEN, DEEDED OR USED FOR STREET OR HIGHWAY PURPOSES.

EXHIBIT C

RECORD OF PROCEEDINGS
ZONING CASE Z-14-2023 COD No. 230

Z-14-2023 w/COD 230

3538, 3550, 3616 West Division Street and 1353, 1409 & 1421 North West Bypass

Applicant: Demore Enterprises, Inc., James Hershel Demore and Robert Demore

Mr. Sparlin stated that this is a request to rezone approximately 25.92 acres from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing.

Mr. Jobe opened the public hearing.

Mr. Lee Viorel, 901 E. St. Louis Street representing the owners and they are leasing out the premises and requesting to rezone to Heavy Manufacturing and feel that this will attract tenants. We have met with the neighbors, and they raised some issues, i.e., noise and hazardous waste, but we have mitigated those concerns through a Conditional Overlay District.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** of Z-14-2023 w/COD 230 (3538, 3550, 3616 West Division Street and 1353, 1409 & 1421 North West Bypass) as listed in the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



Bob Hosmer, AICP
Planning Manager

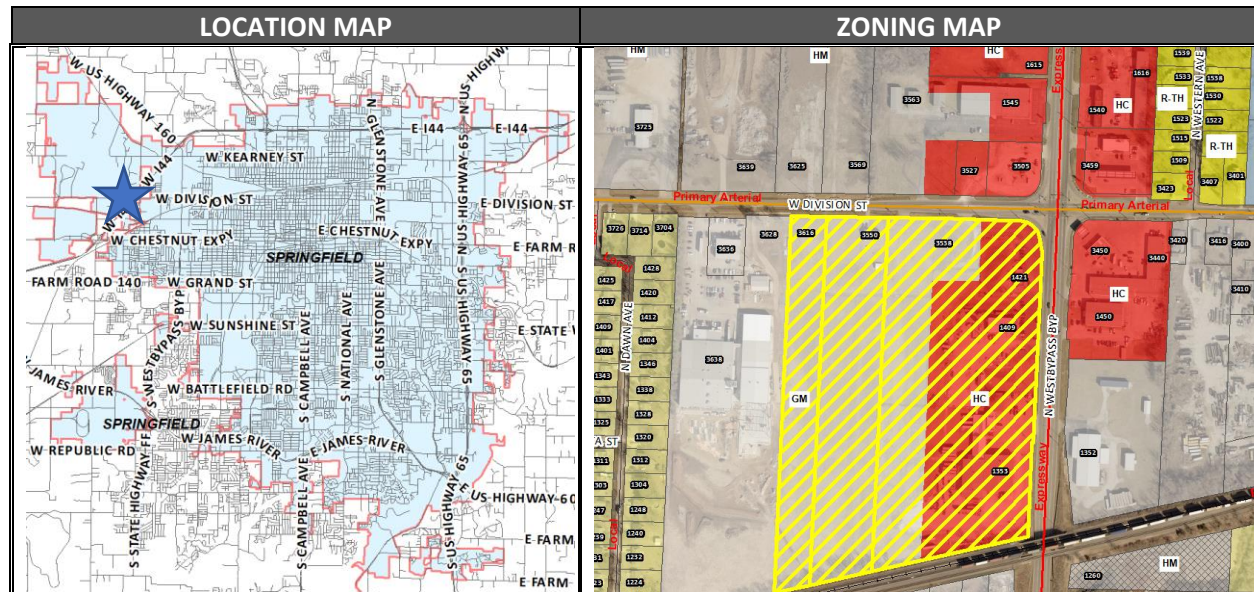
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-14-2023 w/ COD No. 230
Location:	1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street
Total Acres:	25.92 acres
Applicant:	Demore Interprises Inc. & James Demore
Existing Land Use:	Manufacturing, Engine repair and undeveloped land
Neighborhood Meeting:	April 26, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-14-2023 w/ COD No. 230 as set forth in Attachment 1 to the staff report. (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

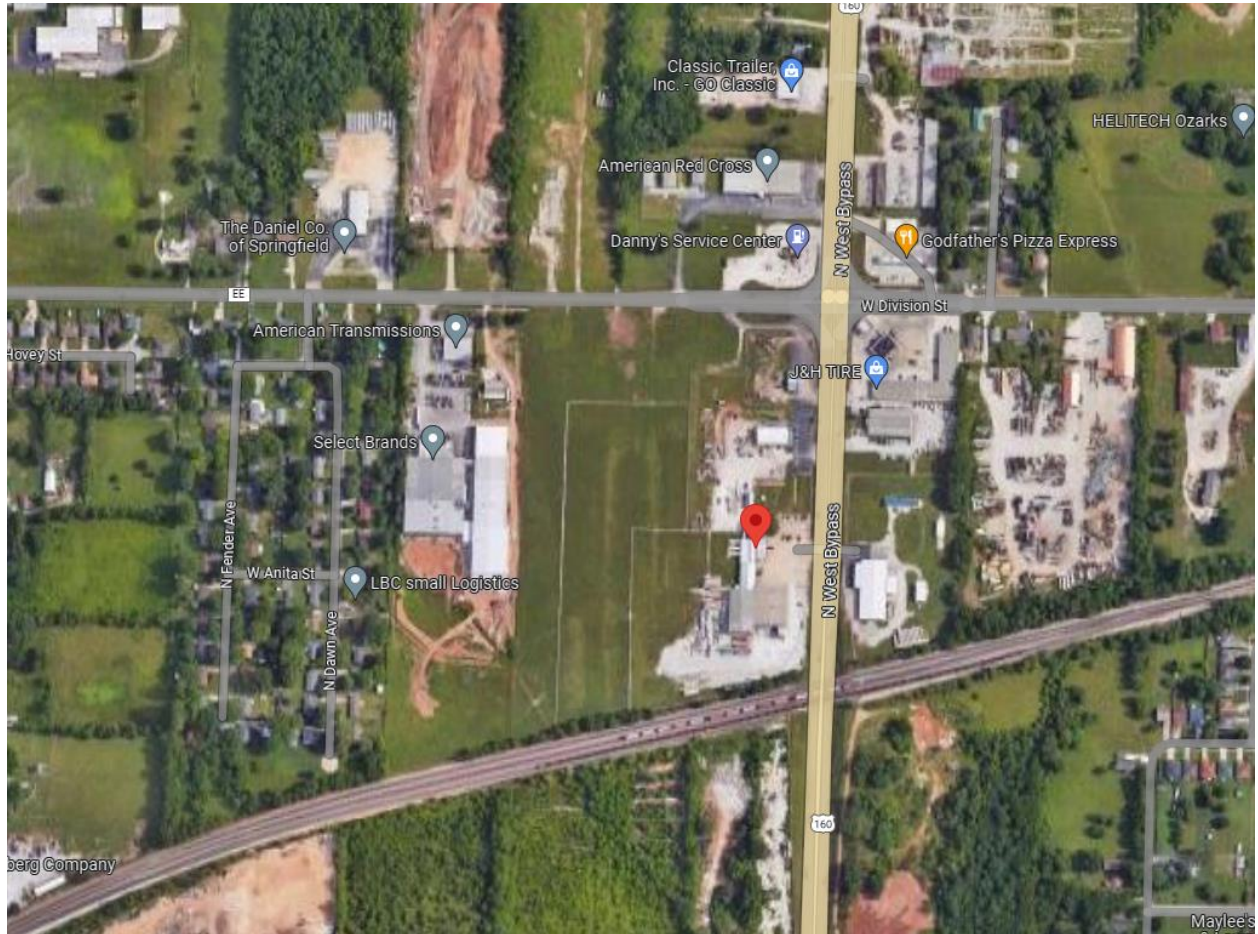
PROJECT SUMMARY:

Request to rezone approximately 25.92 acres of property generally located at 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned to HC and GM district in the city-wide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the planning and zoning commission may consider:

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HM
Use Limitations	(a)No building shall be used for residential purposes, except that a guard, caretaker, or other person employed on the premises, and their family, may reside on the premises in conformance with subsection 36-450(3)(b)6. Existing nonconforming residential uses may be expanded up to ten percent of the floor area existing at the time the district is mapped to provide enlarged cooking and sanitary facilities but not bedrooms or other living space. (b)No junk, scrap, salvage, or automobile wrecking yard shall be located within 500 feet of any residential district. (c)All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d)No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (e)Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).

DEVELOPMENT REVIEW STAFF REPORT

Maximum Height	None
Minimum Open Space	(a) Offices, as a principal use, athletic clubs, fitness centers, indoor sports facilities, and recording, television, and radio studios. 1. Minimum open space: Not less than 15 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials. 2. Maximum impervious surface: The combined area occupied by all main and accessory buildings or structures, parking storage, loading and other paved areas shall not exceed 85 percent of the total lot area unless modified in accordance with subsection 36-482(15). (b) All other uses. 1. Minimum open space: None. 2. Maximum impervious surface: None.
Buffering and Landscaping	A landscape plan, meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, has been approved.

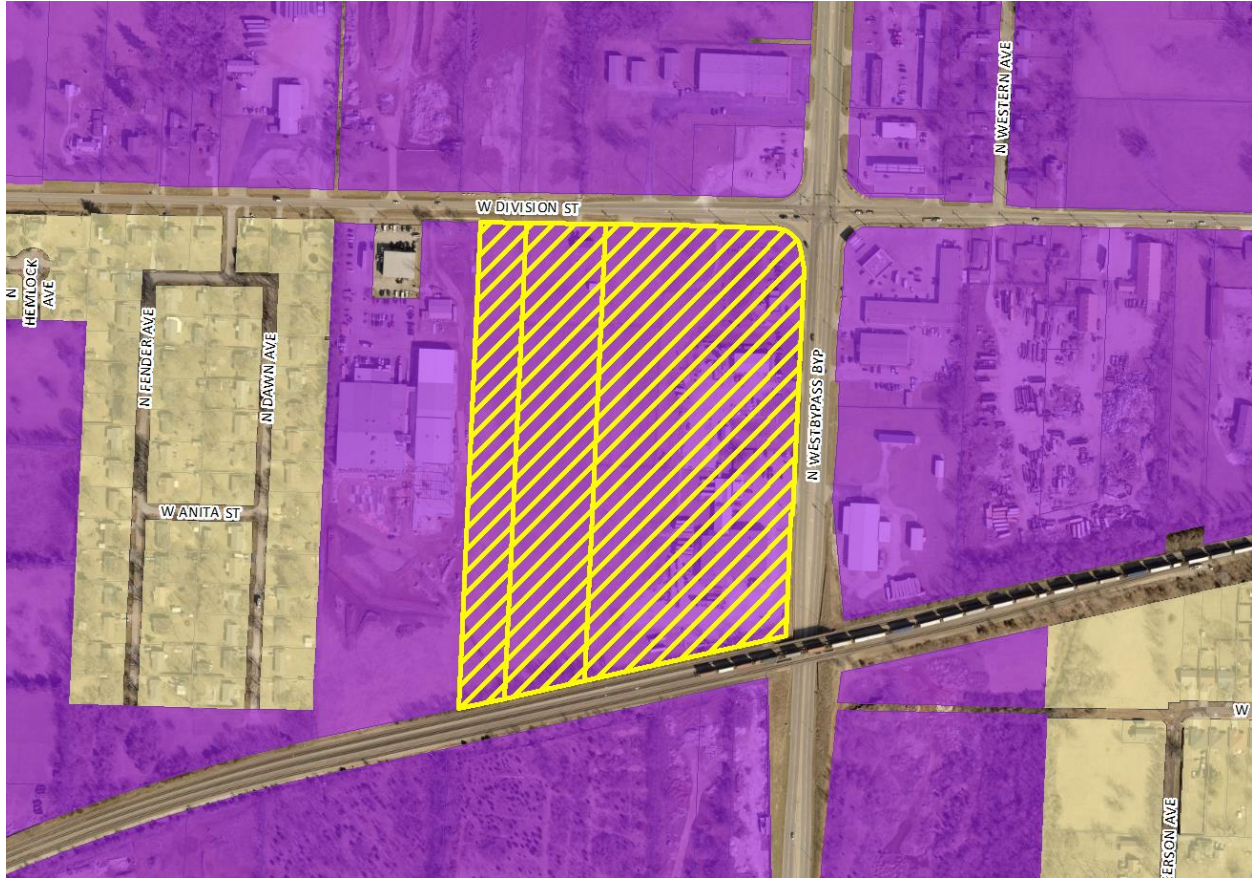
COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Industry & Logistics placetype. This placetype consists of heavy and moderately intense manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities. Businesses and operations that supplement and provide logistical support for larger operations are also accommodated, such as those with significant outdoor storage and parking and circulation lots for trucking and freight. This placetype is critical to Springfield's economy and employment base and is enhanced as such with improved access management, clear wayfinding, and gateway features. Planning for this placetype involves a highly collaborative effort to preserve and help procure sufficient real estate for industrial parks, airport, rail operations, and expansion needs.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES														
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spokes	Public & Private Schools & Places of Worship	Government, Colleges & Vocational Schools	Personal Services, Healthcare & Institutional Facilities	Light Industry	Warehousing & Distribution Facilities	Heavy Industry & Manufacturing
Residential Neighborhood	●	○	◇	○	◇	◇	○								
Mixed Residential	●	●	○	○	◇	◇	○								
Downtown		●	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor		○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center			○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex				○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			○	○	○	○	○	○	○	○	○	○	○	○	○

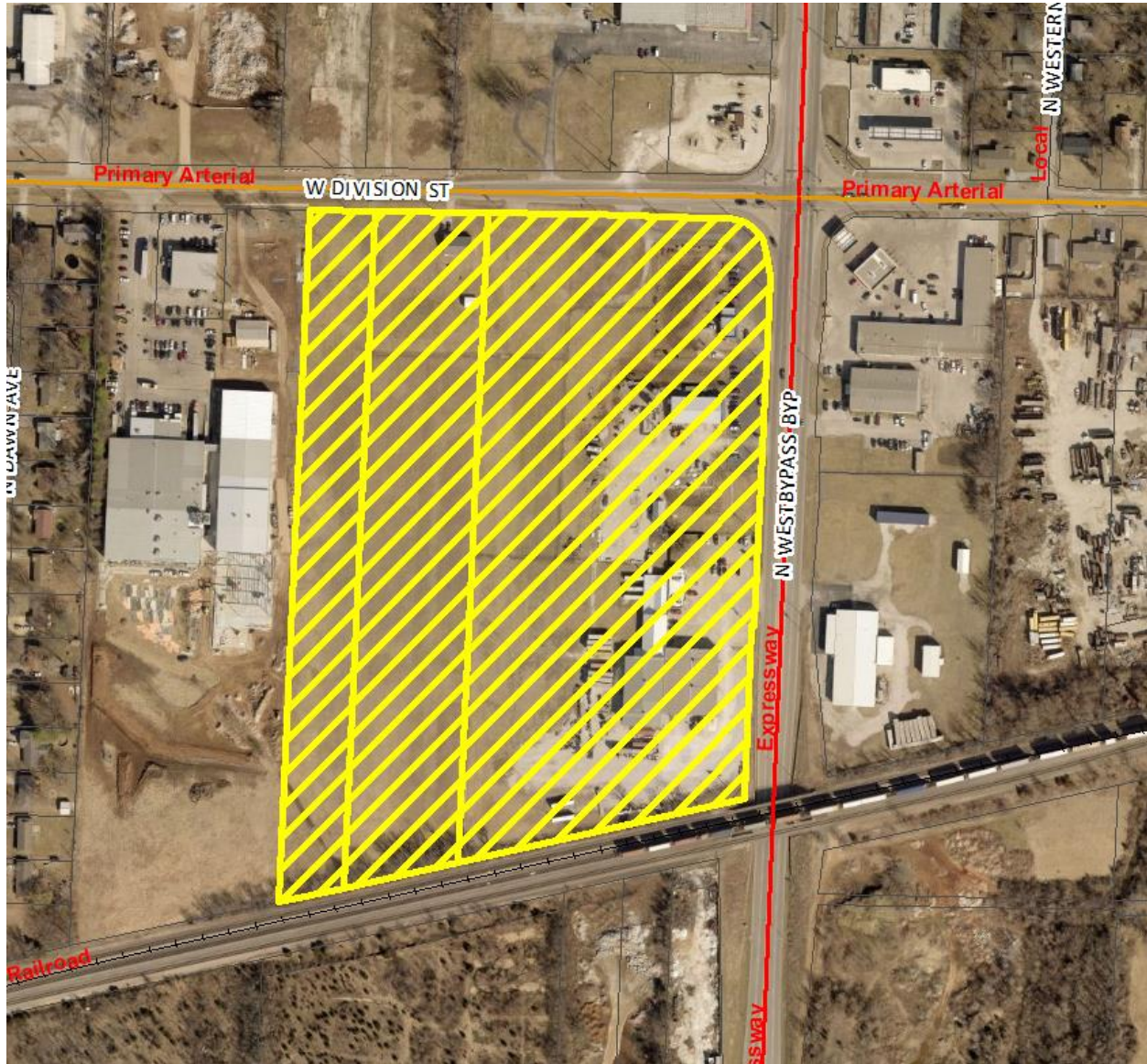
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC, HM	GM	HC, HM	GM
LAND USE	Car repair, undeveloped land	Industrial uses, undeveloped land	Gas station, commercial uses, warehouse	Manufacturing and assembly
PLACETYPES	Industry & Logistics	Industry & Logistics	Industry & Logistics	Industry & Logistics

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed planned development.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to rezoning. Each property has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

MISSOURI DEPARTMENT OF TRANSPORTATION:

No issues with rezoning. Access to Division and West Bypass subject to approval by MoDOT as development occurs.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Division Street	Primary Arterial	MoDOT	50	40	7,056	No	Yes	No
Street 2	N. West Bypass	Expressway	MoDOT	65	50	21,745	No	No	No
			Daily	AM	PM				
Trips Generated (Existing Zoning)			1,633	259	259				
Trips Generated (Proposed Zoning)			1,011	181	207				
Additional Trips Generated			-622	-78	-52				

ACCESS - There are currently four driveway access points onto the property from W. Division Street and three driveway access points onto the property from N. West Bypass Avenue. All new or modified driveway approaches shall comply with current MoDOT and City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one bus stop along W. Division Street near the property.

DEVELOPMENT REVIEW STAFF REPORT

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

3616-3538 W Division to 1353-1421 N West By-Pass combined sites are 25 acres that is approximately 20% existing impervious area. The combined sites drain from NE to the SW and into the drainage channel along the railroad at the southern property lines. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Upper Willsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site.**

A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.**

PW Stormwater has no concerns for the proposed rezoning to HM. The submitted application does not have a site plan. 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 AND DISCHARGE 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. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

a. Detention is required for future developments on the combined sites and no fee in lieu of detention applications will be approved. The downstream Stormwater infrastructure will not support increase in peak flowrates.

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. 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.

(1) To a Public Right-of-way.

(2) A recorded drainage easement, continuing to a public right-of-way or public drainage system.

(3) A certified natural watercourse.

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.

DEVELOPMENT REVIEW STAFF REPORT

- a. Water Quality SCMs is required for future developments on the combined sites.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. 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.

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 25.92 acres of property generally located at 1353, 1409, 1421 North West Bypass & 3538, 3550, 3616 West Division Street from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Industry & Logistics placetype. This placetype consists of heavy and moderately intense manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities. Businesses and operations that supplement and provide logistical support for larger operations are also accommodated, such as those with significant outdoor storage and parking and circulation lots for trucking and freight. This placetype is critical to Springfield's economy and employment base and is enhanced as such with improved access management, clear wayfinding, and gateway features. Planning for this placetype involves a highly collaborative effort to preserve and help procure sufficient real estate for industrial parks, airport, rail operations, and expansion needs.
3. The HM district is consistent with the other properties in this area. The range of uses in the proposed HM district are compatible with the uses permitted on other properties to the north and east.

DEVELOPMENT REVIEW STAFF REPORT

4. The proposed COD prohibits several permitted intense uses and conditional uses to mitigate potential adverse effects from these uses. Also, all uses are required to have 15 percent of open space.
5. The COD requirements that metal shall not be used more than fifty percent (50%) of the exterior wall façades of buildings with frontage along Division Street and West Bypass Expressway. The perimeter landscaping will be enhanced to provide one canopy tree, three understory, ornamental, or evergreen tree and six shrubs per 100 linear feet of street frontage. These requirements are consistent with the goals stated in *SGF Forward* on page 91, 2.4 “Enhance the character of industrial districts.”
6. The subject property is located along West Bypass and Division Street, classified as an Expressway and Primary Arterial, respectively.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities’ extension policy, though new easements may be necessary to accommodate this development.
8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact the uses, which would be permitted if the property were rezoned, will not significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity. Traffic Engineering’s comments reflect that a decrease in traffic trips is expected with the HM zoning from the existing zoning.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal’s general conformance to the Comprehensive Plan’s Industry & Logistics Placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification
2. Recommend a change in the zoning district classification.

DEVELOPMENT REVIEW STAFF REPORT

3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the planning and zoning commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORTATTACHMENT 1
CONDITIONAL OVERLAY DISTRICT NO. 230

The requirements of Section 36-433, Heavy Manufacturing district of the Land Development Code shall be modified as set forth herein for development within this district:

1. The following uses shall be prohibited:
 - a. Junk yards and automobile wrecking yards
 - b. Scrap and salvage yards
 - c. Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.
2. The following conditional uses shall be prohibited:
 - a. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous substances from off-site sources and radioactive substances.
 - b. Permanent storage or disposal of hazardous substances
 - c. Processing, reprocessing and storage of PCB containing oils.
 - d. Quarries and mining operations
3. Design requirements:
 - a. No buildings shall have more than fifty percent (50%) metal on any exterior wall façade facing Division Street or West Bypass Expressway. This requirement does not apply to existing buildings at the time of ordinance passage.
4. Perimeter landscaping:
 - a. The plantings within the perimeter landscape area shall consist of at least one canopy tree; three understory, ornamental, or evergreen trees; and six shrubs per 100 linear feet of street frontage.
5. Open space requirements:
 - a. For all uses:
 - i. Minimum open space: Not less than 15 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
 - ii. Maximum impervious surface: The combined area occupied by all main and accessory buildings or structures, parking storage, loading and other paved areas shall not exceed 85 percent of the total lot area unless modified in accordance with subsection 36-482(15).

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GM/HC and Residential to Heavy Manufacturing
(existing zoning) (proposed zoning)
2. Meeting Date & Time: May 15, 2023 from 4 p.m. to 6 p.m.
3. Meeting Location: 1352 NW Bypass but Moved to 1423 N.W. Bypass
4. Number of invitations that were sent: 74
5. How the mailing list was generated: Through City Planning Department
6. Number of neighbors in attendance (attach a sign-in sheet): 6
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).

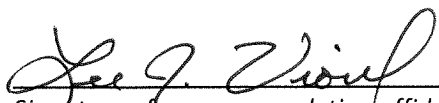
The neighbors raised issues as to property values, noise and sound issues, presence of hazardous materials, traffic and danger to playing children because of traffic.

Owners responded that noise is generated from existing manufacturing of Select Brands which abuts the residential neighborhood. Activity of Owner/Developer will not increase noise or traffic. Surrounding areas already zoned for manufacturing and heavy manufacturing across the street. Developer will not impact traffic on Division Street. No plans by Owner/Developer to allow for the lease by a tenant that has hazardous materials and any lease would contain contractual provisions barring such materials.

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

Now written comments have been received.

I, Lee J. Viorel (print name), attest that the neighborhood meeting was held on 5/15/2023 (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

Lee J. Viorel
Printed name of person completing affidavit

RE: ZONING – Z-14-2023

[illegible]

Sparlin, Michael

From: John Weidner <jweidner@select-brands.net>
Sent: Wednesday, June 7, 2023 12:52 PM
To: Sparlin, Michael
Cc: Matt Scott; Christina Worth; Jerry Taylor | Director of Quality & Food Safety; John Weidner
Subject: Z-14-2023 w / COD 230

Importance: High

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

Michael,

My family owns two properties next to the proposed rezoning site. Select brands, LLC and Select Properties, LLC prepare food items. This requires a consistent supply of quality water as an ingredient, for cleaning and creating Steam for cooking. I **do not** have any Protest Issues but am seeking clarification on a potential water pressure issue. We have added 4 building additions since 2015 and we are in the final stages of design to add another 20,000 sq foot addition to this food processing plant.

We have moved from 34 employees to over 120 workers in that same time frame. My concerns reside around water pressure on the west side of Springfield. From time to time, we see our water pressure dropping lower. We know that when there is a house fire on the west side, our Sprinkler alarms pressure sensor goes off. Last fall, thru George Hays fire company and the Fire Marshal, they reduced the pressure setting to a lower point so it did not go off when an event occurred. I suppose only a few people even know that this is an issue.

Our insurance carrier also voiced concern that lower sprinkler water pressure setting is not the best solution.

As you can see, the west side is taking on more growth and new Buildings are going up. All of them need quality water pressure, making our issue even bigger. We want to express this now since we are expanding again. I am sure the City of Springfield has a plan to support the current water users in our area of town and make sure that the City does not put anyone at risk. Thank you for supporting our growth. j

John Weidner

President

Select Brands, LLC

3638 West Division St

Springfield, Mo, 65803

417 863 0404

EXPLANATION TO COUNCIL BILL 2023-173 (HORTON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 3518, 3526, and 3532 West Waddill Street from GM, General Manufacturing District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Wilson Trust; 3518, 3526, & 3532 West Waddill Street; Z-2-2023).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 3518, 3526, and 3532 West Waddill Street from GM, General Manufacturing to HC, Highway Commercial. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-2-2023 COD No. 224

The applicant is requesting to rezone approximately 1.1 acres of property generally located at 3518, 3526 & 3532 West Waddill Street from GM, General Manufacturing to HC, Highway Commercial. The applicant intends to sell the property for future commercial development opportunities.

REMARKS: The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended to approve, by a vote of 9 to 0. The Planning and Development staff recommends the application be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the City Corridor placetype. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide

a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

2. The subject property is located along Waddill Street, which is classified as a local street. West Bypass is classified as an Expressway. The subject property is within a quarter mile of a major intersection of West Bypass and Chestnut Expressway.
3. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
4. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity. The properties to the east and south are zoned HC. Further, this application could allow further expansion and redevelopment of the commercially zoned property within this area. The subject property is within proximity of the Chestnut and West Bypass intersection.
5. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
6. The impact of the proposed uses, which would be permitted if the property were rezoned, will not significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity.
7. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
8. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor Placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

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

Attachments:

1. Z-2-2023_ord
2. Legal Description_exh A
3. ROP_exh B
4. staff report_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 17
Filed: 07-03-23

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-173

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.1 acres of property generally located at 3518, 3526, and 3532
4 West Waddill Street from GM, General Manufacturing District, to
5 HC, Highway Commercial District; and adopting an updated Official
6 Zoning Map. (Staff and Planning and Zoning Commission
7 recommend approval.)
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 3518, 3526, and 3532 West Waddill Street from GM, General
12 Manufacturing District, to HC, Highway Commercial District; and
13

14 WHEREAS, following proper notice, the Planning and Zoning Commission held a
15 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
16 hearing being attached hereto and incorporated herein by this reference as "Exhibit B,"
17 and said Commission made its recommendation; and
18

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

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

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

29 Section 1 – The property described in "Exhibit A," which is attached hereto and
30 incorporated herein by this reference, is hereby rezoned from GM, General
31 Manufacturing District, to HC, Highway Commercial District. Springfield Land
32 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
33 hereby amended, changed, and modified consistent with this Ordinance.

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

39
40 Section 3 – The Official Zoning Map herein adopted shall be maintained and
41 archived in the same digital form in which this Council has approved its adoption.

42
43 Section 4 – This Ordinance shall be in full force and effect from and after
44 passage.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

54
55
56 Approved as to form: Jill Burris, Assistant City Attorney

57
58
59 Approved for Council action: Jason A. Hays City Manager

EXHIBIT A

LEGAL DESCRIPTION
ZONING CASE Z-2-2023

PROPERTY DESCRIPTION FOR 3518, 3526 & 3532 W. WADDELL STREET.
COMMENCING AT THE NORTHEAST CORNER OF LOT 17 IN CARPENTER
HEIGHTS ADDITION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY,
MISSOURI.

THENCE WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF WADDILL STREET
AND THE NORTH LINE OF SAID LOT 17, A DISTANCE OF 150 FEET FOR A POINT
OF BEGINNING; THENCE CONTINUING WEST ALONG THE NORTH LINE OF LOT
17 AND THE NORTH LINE OF LOT 16, A DISTANCE OF 165 FEET; THENCE SOUTH
PARALLEL WITH THE WEST LINE OF SAID LOT 17, A DISTANCE OF 150 FEET;
THENCE WEST, AND PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 3
FEET; THENCE SOUTH, AND PARALLEL WITH THE AFOREMENTIONED WEST
LINE, A DISTANCE OF 227 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT
16; THENCE EAST, A DISTANCE OF 100 FEET TO THE SOUTHEAST CORNER OF
SAID LOT 16; THENCE NORTH, ALONG THE EAST LINE OF LOT 16, A DISTANCE
OF 227 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINES OF LOTS
16 AND 17, A DISTANCE OF 68 FEET; THENCE NORTH, PARALLEL WITH THE
WEST LINE OF LOT 17, A DISTANCE OF 150 FEET TO THE POINT OF
BEGINNING. ALL LYING IN SPRINGFIELD, GREENE COUNTY, MISSOURI AND
CONTAINING 1.09 ACRES, MORE OR LESS.

EXHIBIT B

RECORD OF PROCEEDING
ZONING CASE Z-2-2023

Z-2-2023
3518, 3526 & 3532 West Waddill Street
Applicant: Wilson Trust

Mr. Sparlin stated that this is a request to rezone approximately 1.1 acres of property from GM, General Manufacturing to HC, Highway Commercial.

Mr. Jobe opened the public hearing.

Mr. Nick Freund, 3518 W. Waddill, authorized representative and wanting the zoning change so each parcel has the same zoning classification.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Z-2-2023 (3518, 3526 & 3532 West Waddill Street). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



Bob Hosmer, AICP
Planning Manager

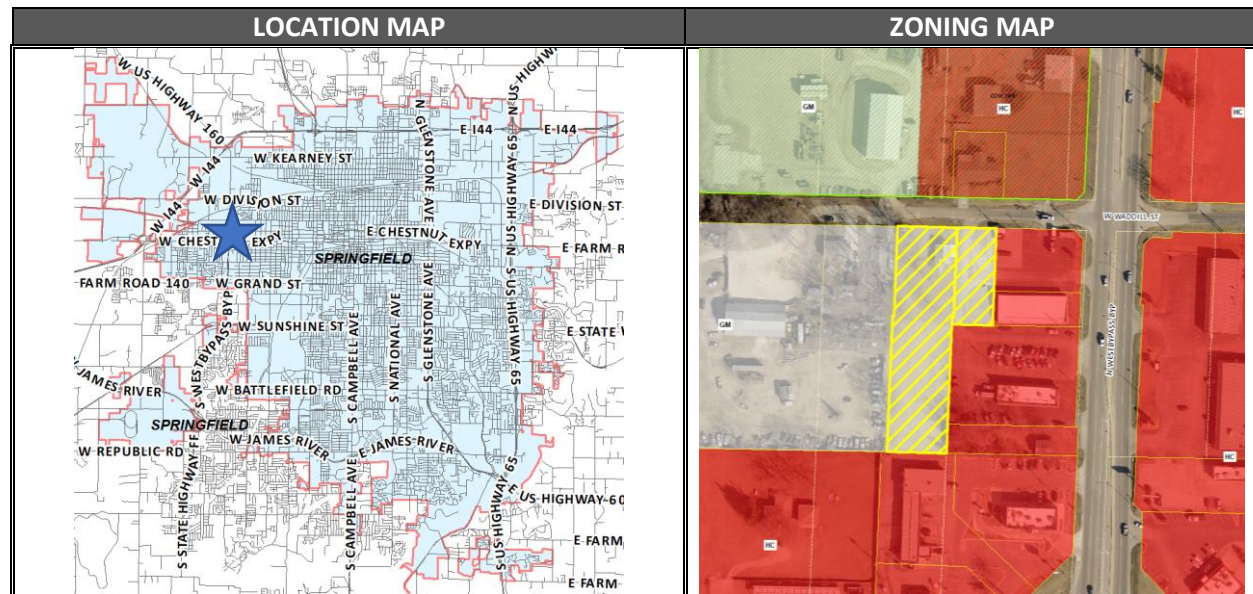
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-2-2023
Location:	3518, 3526 & 3532 West Waddill Street
Total Acres:	1.1 acres
Applicant:	Wilson Trust
Existing Land Use:	Single-family home, undeveloped land
Neighborhood Meeting:	January 19, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-2-2023 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

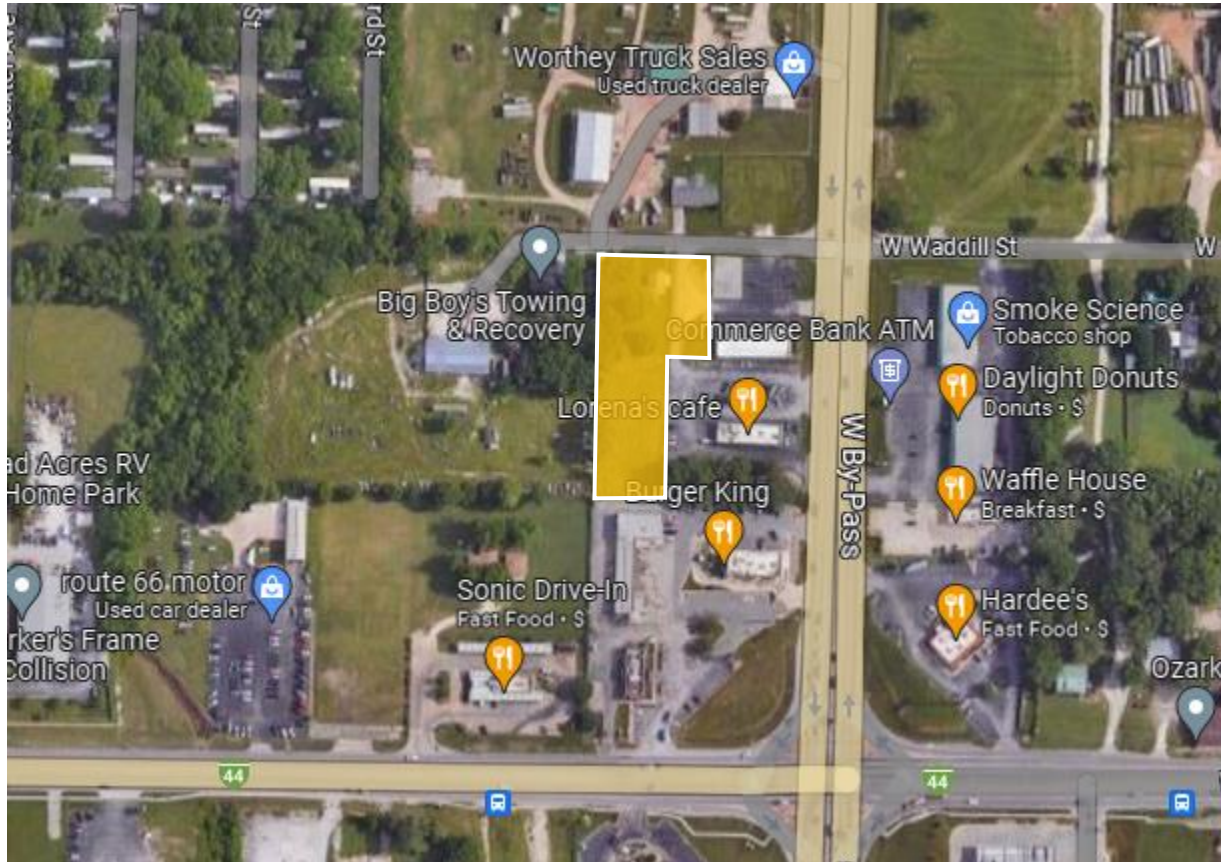
PROJECT SUMMARY:

Request to rezone approximately 1.1 acres of property generally located at 3518, 3526 & 3532 West Waddill Street from GM, General Manufacturing to HC, Highway Commercial.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned GM since the city-wide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) Rezoning. If the application is for a reclassification of property to a different zoning district classification on the zoning map, the report of the Planning and zoning commission may consider:

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Use Limitations	(a) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors. (b) No motor vehicle repair or maintenance work shall take place outdoors within 150 feet of the boundary of any residential district. (c) All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved, or otherwise improved with an all-weather, dust-free surface. (d) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

DEVELOPMENT REVIEW STAFF REPORT

	(f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Open Space	Not less than 20 percent
Buffering and Landscaping	A landscape plan, meeting the requirements of sections 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES												
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service
Residential Neighborhood	●	○	◇	○	◇	◇	○						
Mixed Residential	●	●	○	◇	◇	◇	○						
Downtown			●	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	●	○	○	○	○	○	○	○	○	○	○
City Corridor			●	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center			○	○	○	○	○	○	○	○	○	○	○
Business Flex			○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			○	○	○	○	○	○	○	○	○	○	○

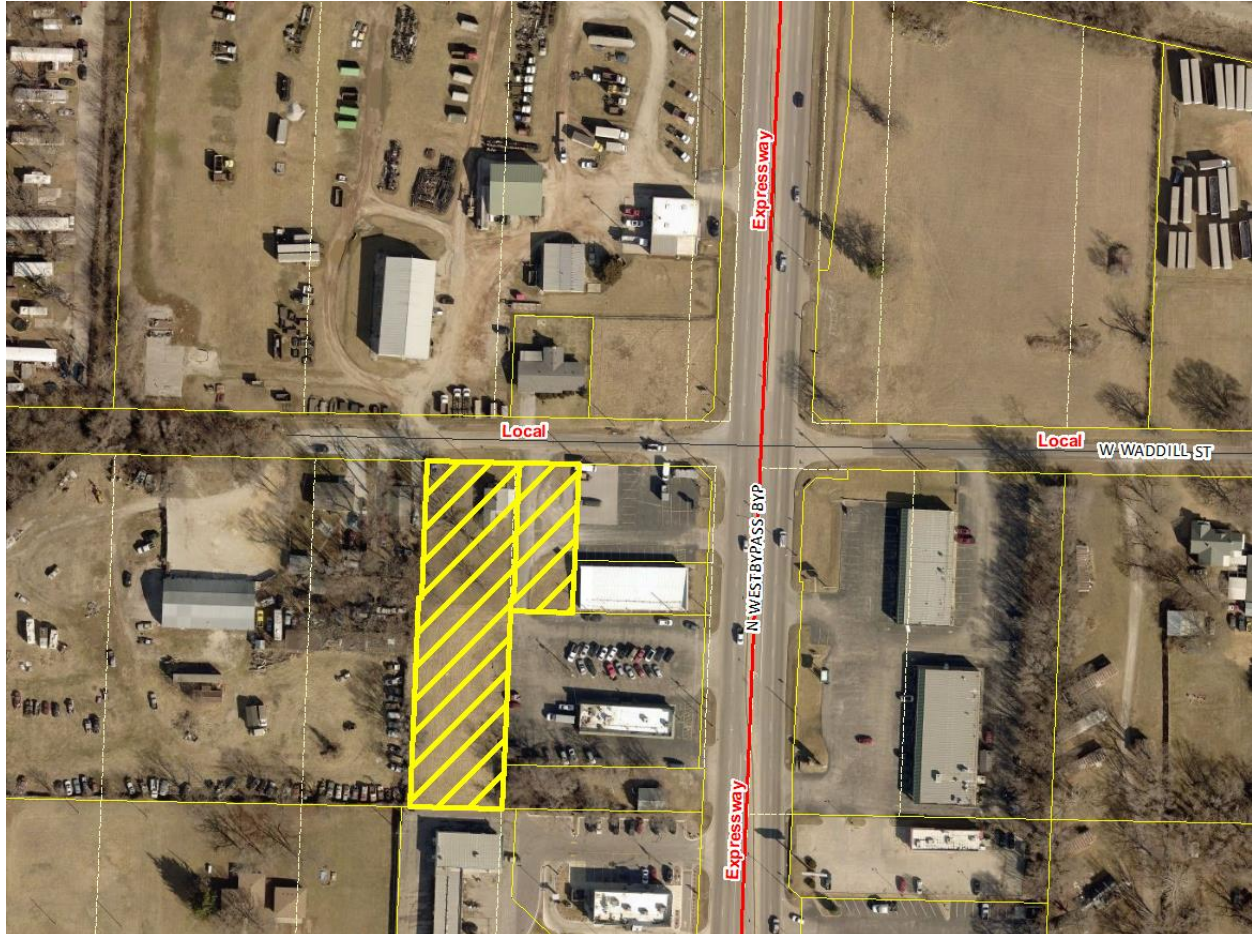
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HC COD 149, GM	HC	HC	GM
LAND USE	Truck sales and storage yard	Commercial car wash	Commercial, retail uses and restaurant	Commercial warehouse and storage yard
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed planned development.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Each parcel has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Waddill Street	Local	City	30	25	NA	Yes	Yes	No
			Daily	AM	PM				
Trips Generated (Existing Zoning)			63	10	10				
Trips Generated (Proposed Zoning)			720	16	67				
Additional Trips Generated			657	6	57				

ACCESS - There are currently two driveway access points onto the property from W. Waddill Street. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are no bus stops along W. Waddill Street near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

DEVELOPMENT REVIEW STAFF REPORT

3518-3532 W Waddill St is a 1.1-acre lot that is primarily open space area. The Site drains from East to West and onto the west adjacent lot. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Upper Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site.**

A fee in lieu of on-site stormwater detention **will not be allowed and detention is required.**

PW Stormwater has no concerns for the proposed rezoning from GM to HC. 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 AND DISCHARGE REQUIREMENTS

1. Detention is required for any future development on site. The site drains onto adjacent property and ultimately to the Upper Wilsons Creek stream further west. Any discharge needs to reach sheet flow before entering an adjacent property or discharge to public right-of-way.

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

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

1. No Stream or Stream Buffer is on site.

DEVELOPMENT REVIEW STAFF REPORT

2. A Category A-Large Stream is present on the west adjacent lot.

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. 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.
 - a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.1 acres of property generally located at 3518, 3526 & 3532 West Waddill Street from GM, General Manufacturing to HC, Highway Commercial and establishing Conditional Overlay District No. 224. The applicant intends to sell the property for future commercial development opportunities.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.
3. The subject property is located along Waddill Street, which is classified as a local street. West Bypass is classified as an Expressway. The subject property is within a quarter mile of a major intersection of West Bypass and Chestnut Expressway.

DEVELOPMENT REVIEW STAFF REPORT

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
5. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity. The properties to the east and south are zoned HC. Further, this application could allow further expansion and redevelopment of the commercially zoned property within this area. The subject property is within proximity of the Chestnut and West Bypass intersection.
6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
7. The impact of the proposed uses, which would be permitted if the property were rezoned, will not significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity.
8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's City Corridor and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

The Planning and Zoning Commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification,
2. Recommend a change in the zoning district classification, or
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GM to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday, January 19, 2023 from 4:00 pm -6:30 pm
3. Meeting Location: 535 N West Bypass, Suite A Springfield, MO 65802
4. Number of invitations that were sent: 47
5. How the mailing list was generated: City of Springfield 500' and 185' lists
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

None

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

None

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

Signature of person completing affidavit

Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2023-174 (HORTON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 2035 West Kearney Street from HC, Highway Commercial District, to IC, Industrial Commercial District, with Conditional Overlay District No. 231; establishing Conditional Overlay District No. 231; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.) (By: Craig and Lori Slater; 2035 W. Kearney Street; Z-15-2023 w/COD #231).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 2035 W. Kearney Street from HC, Highway Commercial district to IC, Industrial Commercial district and establishing Conditional Overlay District No. 231. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-15-2023/CONDITIONAL OVERLAY DISTRICT NO. 231

The applicants, Craig, and Lori Slater have requested to rezone approximately 1.1 acres of property generally located at 2035 W. Kearney Street from HC, Highway commercial district to IC, Industrial commercial district and establishing Conditional Overlay District No. 231.

The applicant is proposing a Conditional Overlay District that will prohibit uses that will align the IC District closely with the HC District. The COD will restrict any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods, or products to indoor operations only. It will also prohibit the following uses in the HC District: marijuana testing facilities, motor freight terminals and warehousing, storage, and distribution centers.

Public Works Stormwater has recommended that a provision for protection of the stream buffer be added to the COD. It states that any future land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases shall require the developer to record a Stream Buffer Easement in accordance with the City of Springfield's Flood Control and Water Quality Protection Manual.

FINDINGS FOR STAFF RECOMMENDATION:

1. The City's Comprehensive Plan, Forward SGF, placed this property within the Center Corridor Placetype. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.
2. The subject property, located about quarter mile west of the intersection of Kansas Expressway and Kearney Street, fronts directly on W. Kearney Street, a Primary Arterial roadway. The businesses that are immediately adjacent to the east is an automotive service garage that specializes in batteries and to the west is a dental office. There are other uses along the Kearney Street corridor and located in the HC District that have similar uses that would be considered nonconforming. There is R-SF zoning to the north; however, there is a natural buffer of trees and over 100 feet between the subject property and any single-family residences. All the existing residences are aligned along Albertha Avenue to the northeast of the subject property.
3. Based on the IC, Industrial Commercial District, and the conditional overlay district's compatibility with the City Corridor Placetype, the presence of other similar nonresidential uses in the area, the subject property's proximity to nonresidential zoning districts and land uses, and the site's direct frontage on a higher classification roadway, the proposed rezoning is in general alignment with the vision and objectives of the City's Comprehensive Plan.
4. The IC, Industrial Commercial District is intended to allow industrial operations and activities in combination with commercial uses in those areas where the combination of such uses is consistent with adopted policies and plans. This district is designed primarily to accommodate land that both meets the above intent and was zoned for industrial uses prior to the enactment of said ordinance. All industrial operations are permitted provided they are conducted inside a building, although related outdoor storage is permitted.
5. Adequate utility, sewer, and water facilities are available to the property currently. Neither City Utilities nor Environmental Services – Wastewater Management noted any concerns with the proposed rezoning to IC.
6. The proposed rezoning has been reviewed by Public Works – Traffic, who did not note any concerns with the anticipated levels of traffic which could be

generated because of an approved rezoning at this location. No Traffic Impact Study was required for this rezoning.

7. Public Works Stormwater has recommended that a provision for protection of the stream buffer be added to the COD. It states that any future land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases shall require the developer to record a Stream Buffer Easement in accordance with the City of Springfield's Flood Control and Water Quality Protection Manual.
8. As far as staff is aware, there are no changed or changing conditions around the proposed rezoning which make the request necessary if the business is to operate as the applicant desires. The applicant has acquired the subject property with the intent to run a cabinet and countertop business.
9. This rezoning has not been requested to correct an error in the application of the Zoning Ordinance.
10. Should the rezoning request be denied, a reasonably viable economic use of the property would remain feasible. The property's current zoning designation, HC, would allow for the permitted uses noted in Section 36-422 of the Land Development Code.

REMARKS: The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended to approve, by a vote of 9 to 0.

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

STAFF RECOMMENDATION: Based on the proposal's compliance with the Comprehensive Plan's City Corridor Placetype, staff recommends approval of the proposed rezoning at this location.

Submitted By: Daniel Neal, Senior City Planner

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

Attachments:

1. Z-15-2023 COD 231_ord
2. Legal Description_exhA
3. ROP_exhB
4. Staff Report_exhC

One-rdg. _____
P. Hrngs. X
Pgs. 26
Filed: 07-03-23

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-174

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.1 acres of property generally located at 2035 West Kearney
4 Street from HC, Highway Commercial District, to IC, Industrial
5 Commercial District, with Conditional Overlay District No. 231;
6 establishing Conditional Overlay District No. 231; and adopting an
7 updated Official Zoning Map. (Staff and the Planning and Zoning
8 Commission recommend approval.)
9 _____

10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 2035 West Kearney Street from HC, Highway Commercial District,
13 to IC, Industrial Commercial District, with Conditional Overlay District No. 231; and
14

15 WHEREAS, Conditional Overlay District No. 231 shall modify the requirements of
16 the Springfield Land Development Code Section 36-434, IC, Industrial Commercial
17 District, by requiring that the property described in "Exhibit A" comply with the
18 requirements described in "Exhibit C – Attachment 1"; and
19

20 WHEREAS, following proper notice, the Planning and Zoning Commission held a
21 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
22 hearing being attached hereto as "Exhibit B," and incorporated herein in its entirety by
23 this reference, and said Commission made its recommendation; and
24

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

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

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

34 Section 1 – The property described in "Exhibit A," which is attached hereto and
35 incorporated herein by this reference, is hereby rezoned from HC, Highway Commercial
36 District, to IC, Industrial Commercial District, with Conditional Overlay District No. 231.
37 Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for
38 interpretation,' is hereby amended, changed, and modified consistent with this
39 Ordinance.

40
41 Section 2 – City Council hereby establishes Conditional Overlay District No. 231,
42 which shall contain the requirements and standards provided in "Exhibit A," which is
43 attached hereto and incorporated herein by this reference as though set forth herein.
44 The requirements of Conditional Overlay District No. 231 shall modify the requirements
45 of the Springfield Land Development Code Section 36-434, IC, Industrial Commercial
46 District, by requiring the property described in "Exhibit A" comply with the requirements
47 contained in "Exhibit C – Attachment 1."

48
49 Section 3 – City Council hereby directs the City Manager, or designee, to update
50 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
51 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
52 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
53 rules of interpretation.'

54
55 Section 4 – The Official Zoning Map herein adopted shall be maintained and
56 archived in the same digital form in which this Council has approved its adoption.

57
58 Section 5 – This Ordinance shall be in full force and effect from and after
59 passage.

60
61 Passed at meeting: _____

62
63 _____
64 Mayor

65
66 Attest: _____, City Clerk

67
68 Filed as Ordinance: _____

69
70 Approved as to form: Jill Bennis, Assistant City Attorney

71
72 Approved for Council action: Jason A. Hays, City Manager
73
74

EXHIBIT A

LEGAL DESCRIPTION
ZONING CASE Z-15-2023 COD #231

ALL OF LOT 7, MCKOINS SUBDIVISION, EXCEPT THE EAST 250.00 FEET, AND
EXCEPT THAT PART USED FOR ROAD PURPOSES IN THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI; SUBJECT TO ANY EASEMENTS
OR RIGHT OF WAYS OF RECORD.

Exhibit B

RECORD OF PROCEEDINGS
Planning and Zoning Commission – June 8, 2023

Z-15-2023 w/COD 231
2035 West Kearney Street
Applicant: Craig and Lori Slater

Mr. Neal stated that this is a request to rezone approximately 1.1 acres of property from HC, Highway Commercial District to IC, Industrial Commercial District and establishing Conditional Overlay District No. 231.

Mr. Knuckles asked about limited storage of materials outside the building.

Mr. Neal stated that it would be a limited amount, but majority would be indoors.

Mr. Scott asked about outdoor storage and gave an example where there are several skids of granite onsite and outdoors and asked this company will be able to store all their product indoors.

Mr. Neal stated that the applicant is available to answer those questions.

Mr. Jobe opened the public hearing.

Ms. Lori Slater, 2035 W. Kearney Street stated that they are not the granite store that was mentioned earlier and will not use the premises to store/stack the product and will only order products and cut on demand.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** of Z-15-2023 w/COD 231 (2035 West Kearney Street) as listed in the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



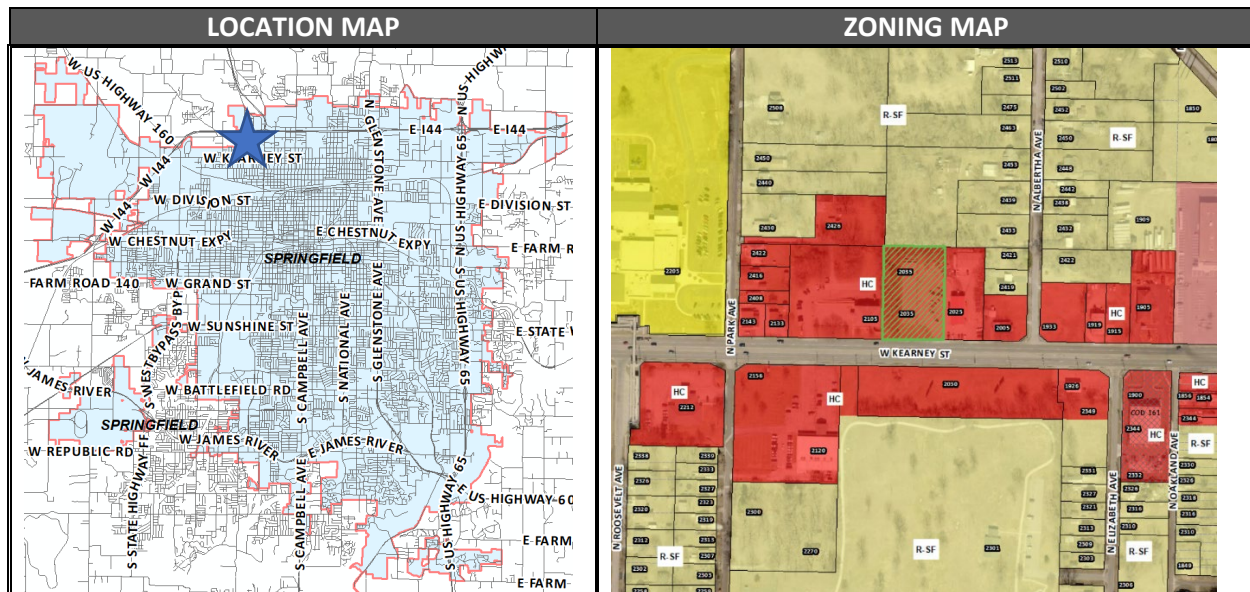
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-15-2023 w/ COD #231
Location:	2035 W. Kearney Street
Total Acres:	1.1 acres
Applicant:	Craig and Lori Slater
Existing Land Use:	Limited cabinet business with conditions on business license
Neighborhood Meeting:	May 18, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner – (417) 864-1036
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-15-2023 with COD 231 as set forth in Attachment 1 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

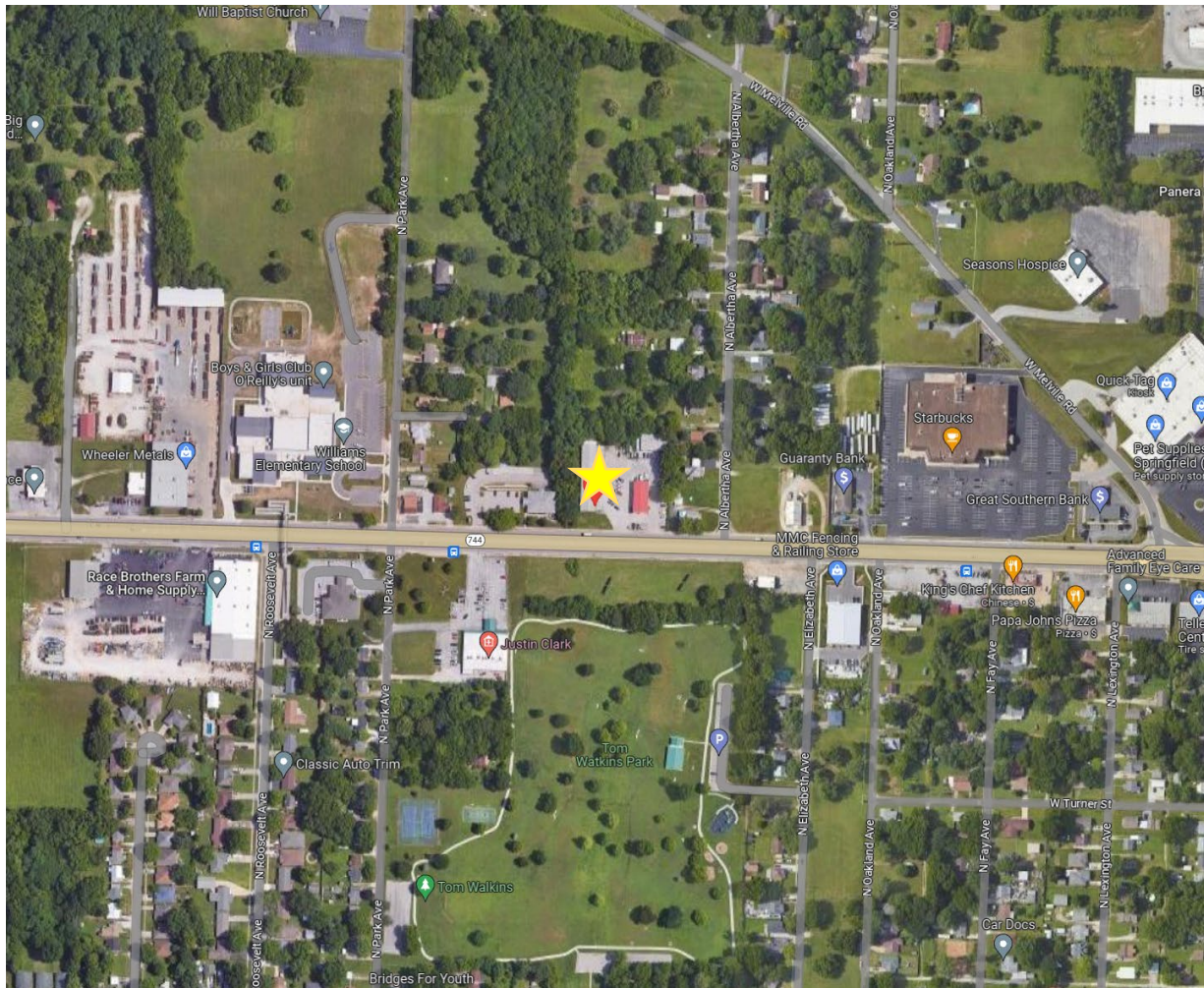
PROJECT SUMMARY:

Request to rezone approximately 1.1 acres of property generally located at 2035 W. Kearney Street from HC, Highway Commercial district to IC, Industrial Commercial district and establishing Conditional Overlay District No. 231. The applicants, Craig and Lori Slater, have requested the proposed rezoning with the intent to operate a cabinet and countertop business.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

This property was zoned HC, Highway Commercial district as part of the citywide remapping which occurred in 1995, approved via Ordinance No. 4494.

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 REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR INDUSTRIAL COMMERCIAL DISTRICT
Use Limitations	(a) No landfill activities shall occur within 1,000 feet of a residential district. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor than creates a nuisance as determined by Springfield City Code. (d) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Lot Size Requirements	None.
Maximum Structure Height & Bulk Plane	(a) <i>Maximum structure height:</i> None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Yard Requirements	(b) <i>Yard requirements:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection (8), and, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed

DEVELOPMENT REVIEW STAFF REPORT

	below, except as permitted by subsection 36-303(17)(b) and subsection 36-303(17)(d).
Minimum Open Space	1. 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials. 2. Not less than ten percent of the total lot area, with an approved conditional use permit in accordance with section 36-363, conditional use permits, 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, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of sections 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted and approved. (c) All off-street parking lots and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with section 36-480, screening and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening and fencing. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	<i>Bufferyard requirements.</i> Whenever any development in a GI district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The City's *Comprehensive Plan, Forward SGF*, placed this property within the Center Corridor Placetype. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. City Corridors provide a wide range of shopping, service, entertainment, and employment

DEVELOPMENT REVIEW STAFF REPORT

destinations for both residents and visitors. Common uses within the placetype include chain restaurants, gas stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

PRIMARY USES

Office, hospitality, retail sales and service
Multi-family
Sports complexes and recreation facilities
Maker, artisan and innovation spaces

SUPPORTING USES

Public and private schools and places of worship
Parks, greenways and open space
Urban agriculture
Universities, colleges and vocational schools
Personal and outdoor storage

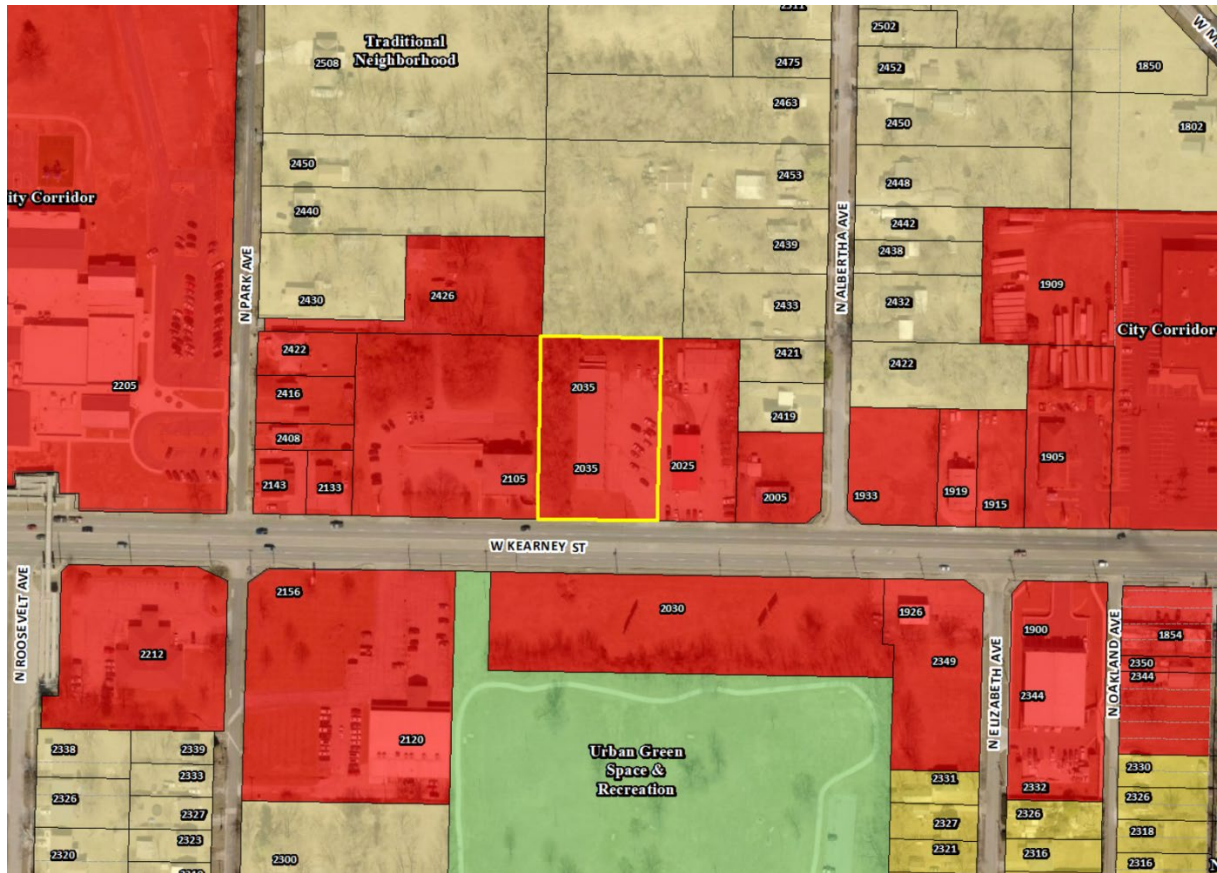
The City Corridor Placetype recommends commercial and higher density residential is sufficiently screened and buffered between low-density residential development.

The subject property, located about quarter mile west of the intersection of Kansas Expressway and Kearney Street, fronts directly on W. Kearney Street, a Primary Arterial roadway. The businesses that are immediately adjacent to the east is an automotive service garage that specializes in batteries and to the west is a dental office. There are other uses along the Kearney Street corridor and located in the HC District that have similar uses that would be considered nonconforming. There is R-SF zoning to the north; however, there is a natural buffer of trees and over 100 feet between the subject property and any single-family residences. All of the existing residences are aligned along Albertha Avenue to the northeast of the subject property.

Based on the IC, Industrial Commercial district with conditional overlay district's compatibility with the City Corridor Placetype, the presence of other similar nonresidential uses in the area, the subject property's proximity to nonresidential zoning districts and land uses, and the site's direct frontage on a higher classification roadway, the proposed rezoning is in general alignment with the vision and objectives of the City's *Comprehensive Plan*.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES														
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	◇	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

The map displays a residential neighborhood with the following details:

- Streets:** N PARK AVE, N ALBERTHA AVE, N ELIZABETH AVE, W KEARNEY ST, W STATE ST.
- Zoning Designations:** R-SF (Residential Single-Family), R-MD (Residential Medium-Density), R-LD (Residential Low-Density), HC (Community Center), SF (Single-Family), R-SF (Residential Single-Family).
- Property Lots:** Numerous lots are numbered, including 2508, 2475, 2452, 2450, 2448, 2442, 2438, 2432, 1909, 2422, 1905, 1933, 1919, 1915, 2035, 2025, 2005, 2421, 2419, 2433, 2439, 2453, 2463, 2475, 2508, 2450, 2440, 2430, 2426, 2422, 2416, 2408, 2143, 2133, 2105, 2120, 2156, 2030, 1926, 2349, 1900, 2344, 2332, 2326, 2327, 2321, 2339, 2333, 2327, 2323, 2310, 2300, 2212, 2210, 2208, 2206, 2204, 2202, 2200, 2198, 2196, 2194, 2192, 2190, 2188, 2186, 2184, 2182, 2180, 2178, 2176, 2174, 2172, 2170, 2168, 2166, 2164, 2162, 2160, 2158, 2156, 2154, 2152, 2150, 2148, 2146, 2144, 2142, 2140, 2138, 2136, 2134, 2132, 2130, 2128, 2126, 2124, 2122, 2120, 2118, 2116, 2114, 2112, 2110, 2108, 2106, 2104, 2102, 2100, 2098, 2096, 2094, 2092, 2090, 2088, 2086, 2084, 2082, 2080, 2078, 2076, 2074, 2072, 2070, 2068, 2066, 2064, 2062, 2060, 2058, 2056, 2054, 2052, 2050, 2048, 2046, 2044, 2042, 2040, 2038, 2036, 2034, 2032, 2030, 2028, 2026, 2024, 2022, 2020, 2018, 2016, 2014, 2012, 2010, 2008, 2006, 2004, 2002, 2000.

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	HC	HC	HC
LAND USE	Single-family dwellings	Billboards and undeveloped	Automotive Services	Dental office and other office uses
PLACETYPES	Traditional Neighborhood	City Corridor	City Corridor	City Corridor

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.

DEVELOPMENT REVIEW STAFF REPORT

2. CITY UTILITIES:
No issues with the rezoning/COD.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No issues with rezoning. Tract is served by public sewer.
4. FIRE DEPARTMENT:
No comments.
5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
2035 W Kearney is a 1.1-acre lot that is approximately 80% existing impervious area. the Site drains from East to West and into the existing natural channel. The Lot along with the adjacent, 2105 W Kearney St lot were heavily filled in to make room for development between 1960 and 1975. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Spring 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 or other Karst feature at this location. The property **does have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will not be allowed and detention is required**.

PW Stormwater has no concerns for the proposed rezoning from HC to IC. The submitted application does not have a site plan, but no mention of future development is made. 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 AND DISCHARGE 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. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.
 - a. A fee in lieu of detention would not be approved and detention is required for this site with the adjacent property bottom elevation is 8 feet below the top of bank.
2. City of Springfield only allows three acceptable methods of discharge for stormwater if a property has been modified to increase the amount, location, or character of discharge per Chapter 2 Sec 4.1.4.
 - a. To a Public Right-of-way (1); a recorded drainage easement, continuing to a public right-of-way or public drainage system (2); or a certified natural watercourse (3)
 - b. If none of the three options are available then the development must be modified so that the amount, location, or character of discharge is not changed, or a downstream easement must be obtained.

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WATER QUALITY REQUIREMENTS

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

a. The redevelopment on this site is below the 1-acre redevelopment threshold.

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

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

1. A Category C Large Tributary is present on the Lot along the western side. Rezoning triggers the requirement for recording the 100 feet wide stream buffer easement. Chapter 8, Sec 4.1.1, the stream buffer requirements apply to streams for all new applications for land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases.

a. Chapter 8, Sec 4.1.3 Ownership and Recording: Stream buffers consisting of the stream and approved buffer zones shall be designated as a Stream Buffer Area on any replat, preliminary plat, or final plat in accordance with City Code Sec. 36-253 or recorded in a stream buffer easement.

<https://www.springfieldmo.gov/documentcenter/view/36832>

b. The required stream buffer easement recording is approved to be delayed until time of development with the rezoning of the site a request for from the City and no new development planned with the rezoning. The existing building and impervious areas in the Stream Buffer can remain but will not be allowed to redevelop if demolished in the future.

c. The COD is required to state the following:

"Stormwater Requirements

Any future land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases shall require the developer to record a Stream Buffer Easement in accordance with the City of Springfield's Flood Control and Water Quality Protection Manual."

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

1. 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.

DEVELOPMENT REVIEW STAFF REPORT

a. As-builts of the detention and water quality improvements are required. we would like the following as-built notes on the plans:

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

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

Street Classification, Right-Of-Way, and Jurisdiction:

City's Transportation Plan classifies W. Kearney Street as a Primary Arterial roadway. The standard right-of-way width from the centerline of W. Kearney Street is 50 feet. It appears that additional right-of-way is needed along W. Kearney Street. A survey is recommended to determine the exact of existing right-of-way. W. Kearney Street is a city-maintained street.

Traffic Counts & On-Street Parking:

There are no recent traffic counts for W. Kearney Street. On-street parking is not allowed along W. Kearney Street.

Driveway Access:

There is currently one shared driveway access point onto the property from W. Kearney Street. All new or modified driveway approaches shall comply with current MoDOT and City of Springfield standards for the street classification.

Sidewalk:

There is existing sidewalk along the property frontage of W. Kearney Street.

Trails, Bus Stops, and Additional Information:

There are no Greenway Trails near the property. There is one bus stop along W. Kearney Street near the property.

Improvements:

No improvements are required for this development. A traffic study is not required for this development.

Traffic – Table 1: Rezoning Details

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Kearney Street	Primary Arterial	MoDOT	50	45	NA	No	Yes	Yes
			Daily	AM	PM				

DEVELOPMENT REVIEW STAFF REPORT

Trips Generated (Existing Zoning)	792	18	74
Trips Generated (Proposed Zoning)	924	20	86
Additional Trips Generated	132	2	12

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicants, Craig and Lori Slater, have requested to rezone approximately 1.1 acres of property generally located at 2035 W. Kearney Street from HC, Highway commercial district to IC, Industrial commercial district and establishing Conditional Overlay District No. 231.
2. The applicants applied for a business license for a cabinet and countertop business at 2035 W. Kearney Street in March of 2023. They were notified by staff as part of that review that only certain aspects of the business could operate at this location. It was communicated that if they operated as a retail establishment or office/showroom with 50% or less of the space being used as assembly and storage, then they would qualify as one of those uses. However, it was determined that cutting or sawing of countertop materials would categorize the business as a processing component of cabinets and countertops.
3. The Highway Commercial district, as established in [Section 36-422](#) of the Zoning Ordinance, does not list the fabricating or processing of products as a permitted use, as is the case in the City's industrial districts. The sale of cabinets is permitted as a part of the retail sales use group (Section 36-422(2)(oo) for the HC district). The retail sales use group allows "restricted production and repair of goods sold on site" as an accessory use ([Section 36-310\(6\)\(a\)2](#)). The original proposal indicated only 25% of the building would be used for office and showroom space, with the rest dedicated to product storage, assembly, and fabrication/processing. The processing component included the cutting of stone and granite countertops. Retail sales is not the primary use in this instance because of the amount of floor area dedicated to the other uses. Additionally, the cutting of countertops does not fit into any of the permitted uses established for the HC district. The closest use to this in the Zoning Ordinance is the "any manufacturing, production, processing..." use found in the industrial districts ([Section 36-434\(2\)\(c\)](#) for the Industrial Commercial district).
4. The applicant is proposing a Conditional Overlay District that will prohibit uses to align the IC closely with the HC District. The COD will restrict any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products to indoor operations only. It will also prohibit the following uses that are not permitted in the HC District: marijuana testing facilities, motor freight terminals and warehousing, storage, and distribution centers.
5. Based on staff's analysis, the proposal is in general alignment with the vision and objectives of the *Comprehensive Plan*. *Forward SGF* included this property within the City Corridor Placetype. While the cabinet and countertop business are not exactly a maker, artisan or innovation space, there are many of the same activities while the COD limits these uses to indoor only.

DEVELOPMENT REVIEW STAFF REPORT

6. The countertops and cabinet use includes the design, processing, fabrication, assembly, treatment, and packaging of products as well as the incidental storage, sales, and distribution of such products. However, artisan manufacturing is defined as a small-scale business that produce artisan goods such as artisan leather, glass, wood, paper, ceramic, textile, or yarn products; specialty foods; or baked goods, primarily for direct sales to consumers.
7. The IC, Industrial Commercial district is intended to allow industrial operations and activities in combination with commercial uses in those areas where the combination of such uses is consistent with adopted policies and plans. This district is designed primarily to accommodate land that both meets the above intent and was zoned for industrial uses prior to the enactment of said ordinance. All industrial operations are permitted provided they are conducted inside a building, although related outdoor storage is permitted.
8. Adequate utility, sewer, and water facilities are available to the property at this time. Neither City Utilities nor Environmental Services – Wastewater Management noted any concerns with the proposed rezoning to IC.
9. The proposed rezoning has been reviewed by Public Works – Traffic, who did not note any concerns with the anticipated levels of traffic which could be generated as a result of an approved rezoning at this location. No Traffic Impact Study was required for this rezoning.
10. Public Works Stormwater has recommended that a provision for protection of the stream buffer be added to the COD. It states that any future land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases shall require the developer to record a Stream Buffer Easement in accordance with the City of Springfield's Flood Control and Water Quality Protection Manual.
11. As far as staff is aware, there are no changed or changing conditions around the proposed rezoning which make the request necessary if the business is to operate as the applicant desires. The applicant has acquired the subject property with the intent to run a cabinet and countertop business.
12. This rezoning has not been requested to correct an error in the application of the Zoning Ordinance.
13. Should the rezoning request be denied, a reasonably viable economic use of the property would remain feasible. The property's current zoning designation, HC, would allow for the permitted uses noted in Section 36-422 of the Land Development Code.

STAFF RECOMMENDATION:

1. Based on the proposal's compliance with the *Comprehensive Plan's* City Corridor Placetype, staff recommends approval of the proposed rezoning at this location.

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PLANNING AND ZONING OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification of this article:

1. Recommend against the proposed change in the zoning district classification,
2. Recommend a change in the zoning district classification, or
3. Recommend a change in the zoning district classification together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed amendment is consistent with the purpose and intent of this article.

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ATTACHMENT 1 CONDITIONAL OVERLAY DISTRICT NO. 231 PROVISIONS

The requirements of Section 36-434, Industrial Commercial district of the Land Development Code shall be modified as set forth herein for development within this district:

1. The following uses shall be prohibited in this district:
 - a. Any outdoor manufacturing, production, processing, cleaning, servicing, testing or repair of materials, goods or products.
 - b. Marijuana testing facility.
 - c. Motor freight terminals.
 - d. Warehouses, storage and distribution centers. This prohibition does not include storage uses that are accessory to a permitted use.
2. Any future land disturbance permits, building permits requiring site plan review, floodplain permits, public improvements, preliminary plats, subdivision, and zoning cases shall require the developer to record a Stream Buffer Easement in accordance with the City of Springfield's Flood Control and Water Quality Protection Manual.

ATTACHMENT 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Highway Commercial Industrial Commercial
(existing zoning) (proposed zoning)
2. Meeting Date & Time: May 18, 2023 4:00pm - 6:30pm
3. Meeting Location: 2035 W. Kearney St.
4. Number of invitations that were sent: _____
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 4
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

see attached

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

see attached.

I, Lori Slater (print name), attest that the neighborhood meeting was held on 5/18/23 (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."

Lori Slater
Signature of person completing affidavit

Lori L. Slater
Printed name of person completing affidavit

Slater Cabinets and More

Neighborhood Meeting - Rezoning

5-18-23

4:00 pm - 6:30 pm

same person

PAUL DUFFY 417-988-8197 2430 N. PARK

2426 N. PARK 417-988-8197

Aurelian Constantinescu 417-619-6054

Lon's Southern Rental LLC

(2408 N. Park Ave) (Aurelian Constantinescu)
417-619-6054

Lon's Southern Rental K LLC

(2133 W. Kearney) (Aurelian Constantinescu)
417-619-6054

Steve Brown

417-319-9512

Bruce Beadles

417-425-7006

4 people total

Neighborhood Meeting Summary

The following verbal comments/concerns were expressed by those in attendance at the Neighborhood Meeting on 5/18/23.

- There were concerns about the noise level of cutting countertops.
 - Response: We explained that the type of tool used in our process is a handsaw with water, not large equipment. The two gentlemen with this concern seemed to feel that this was not going to be as loud as they had thought considering the other businesses in close proximity.
- There was concern that this rezoning would affect their property zoning and taxes. They didn't feel this was necessary that highway commercial zoning should accommodate our business, similar to other businesses in the area.
 - Response: We explained what we had done to try to win this very argument to no avail.
- One person was concerned that we would be cutting until late into the night like an automotive body shop that shares a parking lot with us. He says it is very loud and didn't want more late-night noise added to that.
 - Response: We assured him that we only work during business hours, typically 8:00am – 5:00pm. We definitely would not be operating in the middle of the night.

The following written comments/concerns were received by the city through comment cards.

- Two comment cards were received by the same person. This individual also attended the neighborhood meeting and expressed the same concerns as captured above, including concerns about noise and property value with rezoning.

DATE:	05/08/23	Telephone No.	417-619-6054
YOUR NAME:	AURELIAN CONSTANTINESCU OWNER OF LOU'S SOUTHERN RENTAL LLC		
YOUR ADDRESS:	2408 N Park Avenue - Rental address. 2422 N Park Ave. - LLC Address Springfield 65803		
PROJECT ADDRESS:	2035 W Kearney St. Springfield MO 65803		

COMMENTS:

I oppose to the change of area zoning to "Industrial Commercial". My rental will be losing value because of louder noises of "CUTTING OF COUNTERTOP MATERIALS". This area should be a place to live not a "INDUSTRIAL" zone. Again; my property will lose value because of this change!

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable

DATE:	05/06/23	Telephone No.	417-619-6054
YOUR NAME:	AURELIAN CONSTANTINESCU		
YOUR ADDRESS:	2422 N PARK AVE, SPRINGFIELD 65803		
PROJECT ADDRESS:	2035 W KEARNEY ST, SPRINGFIELD 65803		

COMMENTS:

I'm the owner of 2422 N Park Ave house. I do not agree to rezoning the 2035 W Kearney St, Springfield, MO to have a counter-top business! The area is already a pretty bad place because of the Kearney St. traffic and will become a louder place to live. Current zoning should stay in place because the cutting of counter-top material to customers specs will transform this neighborhood into a INDUSTRIAL area NOT a residential place to live. My property will lose value because of REZONING!

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611
Application for Zoning Map Amendment & Planned Developments
*Fees are non-refundable



EXPLANATION TO COUNCIL BILL 2023-175 (MCGULL)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting Conditional Use Permit No. 475 for the purpose of permitting residential uses on the first-floor frontage within the GR – General retail district, generally located at 2000 North National Avenue. (Planning and Zoning Commission and staff recommend approval.) (By: 3 Best Friends, LLC; 2000 N. National Avenue; Conditional Use Permit No. 475).

PURPOSE: To permit residential uses on the first-floor frontage of a building as a Conditional Use Permit within a GR, General Retail District generally located at 2000 N. National Avenue. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NUMBER 475

The applicant, 3 Best Friends, LLC, has requested a Conditional Use Permit for residential uses on the first floor within a GR, General Retail District generally located at 2000 N. National Avenue. The applicant wants to convert the existing commercial structure (old fire station) into a single-family residence.

CONDITIONS:

The regulations and standards listed on "Exhibit D - Attachment 2" shall govern and control the use and development of the land in Conditional Use Permit Number 475 in a manner consistent with the attached site plan ("Exhibit D - Attachment 3").

FINDINGS FOR STAFF RECOMMENDATION:

This application meets the approval standards for a Conditional Use Permit ("Exhibit D - Attachment 2").

Approval of this application is subject to the Requirements for Approval ("Exhibit D - Attachment 1") and site plan ("Exhibit D - Attachment 3").

Approval of this request will provide for development of the subject property as a residential use but still retain the GR zoning district designation. The existing building is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS: The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended approval, by a vote of 9 to 0 of the proposed conditional use permit (see the attached "Exhibit C," Record of Proceedings). The Planning and



Development staff recommends the application be approved with the conditions (see attached "Exhibit A").

Submitted By: Daniel Neal, Senior City Planner

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

- Attachments:**
1. CUP 475 2000 N National_ord
 2. REQUIREMENTS_exhA
 3. Legal Description_exhB
 4. ROP_exhC
 5. Staff Report_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 27
Filed: 07-03-23

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-175

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 475 for the purpose of permitting
2 residential uses on the first-floor frontage within the GR – General
3 retail district, generally located at 2000 North National Avenue.
4 (Planning and Zoning Commission and staff recommend approval.)
5 _____
6

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

11 WHEREAS, following proper notice, the Planning and Zoning Commission held a
12 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
13 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
14 and recommended approval of Conditional Use Permit No. 475 for the property
15 generally located at 2000 North National Avenue and zoned GR – General retail district;
16 and
17

18 WHEREAS, City Council finds that sufficient evidence has been presented to
19 satisfy all applicable standards of the Land Development Code for issuance of
20 Conditional Use Permit No. 475; and
21

22 WHEREAS, the granting of such permit is deemed proper, and it is not found to
23 harm the community or injure the value, lawful use, and reasonable enjoyment of
24 properties in the vicinity of 2000 North National Avenue.
25

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

29 Section 1 – City Council adopts the City staff's specific findings of fact on the
30 proposed conditional use as set forth in "Exhibit D – Attachment 2." "Exhibit D" is
31 attached hereto and incorporated herein by this reference in its entirety. Conditional Use
32 Permit No. 475 is hereby granted in accordance with and subject to the provisions of
33 Section 36-363 of the Land Development Code. Conditional Use Permit No. 475 is
34 granted for the purpose of permitting residential uses on the first-floor frontage as a

conditional use within the GR – General retail district, located at the property described in “Exhibit B,” which is attached hereto and incorporated herein by this reference, and which is generally located at 2000 North National Avenue.

Section 2 – Building permits, certificates of occupancy, and any other required permits or approvals may be issued by the duly authorized officials of the City provided that such issuance is consistent with Section 36-363 of the Land Development Code, any other applicable City regulation or ordinance, and the “Requirements for Conditional Use Permit 475” described in “Exhibit D – Attachment 1” and “Exhibit A,” which is attached hereto and incorporated herein by this reference. Additionally, the provisions contained in “Exhibit D – Attachment 1” and “Exhibit A” shall govern and control the use and development of the land described in “Exhibit B,” in a manner consistent with the attached site plan depicted on “Exhibit D – Attachment 3.”

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Burris, Assistant City Attorney

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

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 475

1. The residential uses on the first-floor frontage of a building shall comply with all the standards listed in Exhibit D - Attachment 2.
2. The residential uses on the first-floor frontage of a building shall be permitted in substantial conformance with Exhibit D - Attachment 3.
3. The western most driveway access point will need to be removed and replaced with curb and gutter at the owner's expense.
4. The original fire station structure shall be preserved as part of this conditional use permit; however, additions to the original structure may be modified or removed as approved by the Director of Planning and Development. New additions or expansions to the existing structure is allowed as prescribed in Subsection 36-363(9).
5. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 475

ALL OF LOT TWENTY-FIVE (25) AND TWENTY-SIX (26), BLOCK FIVE (5), IN
HOBART'S FOURTH ADDITION, TO THE TOWN OF NORTH SPRINGFIELD, NOW A
PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI,
ACCORDING TO THE RECORDED PLAT THEREOF, PLAT BOOK C, PAGE 34.

Exhibit C

RECORD OF PROCEEDINGS Planning and Zoning Commission – June 8, 2023

Conditional Use Permit 475
2000 North National Avenue
Applicant: 3 Best Friends, LLC

Mr. Neal stated that this is a request to permit residential uses on the first floor as a Conditional Use Permit within a GR, General Retail District. The applicant, 3 Best Friends, LLC, is requesting a Conditional Use Permit to convert the existing commercial structure into a single-family residence.

Mr. Scott asked if there is a goal of the city to convert this area to general retail and Mr. Neal stated that he does not believe that it will slow the general retail use and stating that there is a lot of residences along that section of National Avenue.

Mr. Jobe noted that is a conditional permit but rezoning and it is keeping general retail and asking about access to the property. Mr. Neal noted that the access will be Atlantic Street and traffic has reviewed.

Mr. Jobe opened the public hearing.

Mr. Brady Ghan, 840 Boonville Avenue, applicants representative and currently under contract to purchase the property and will be occupying the residence and gave out the history of the project.

Commission members appreciated of the commitments from the representative to rehab the building and not just have a vacant structure and/or parking lot.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Pauly motioned to **adopt** Conditional Use Permit 475 (2000 North National Avenue) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



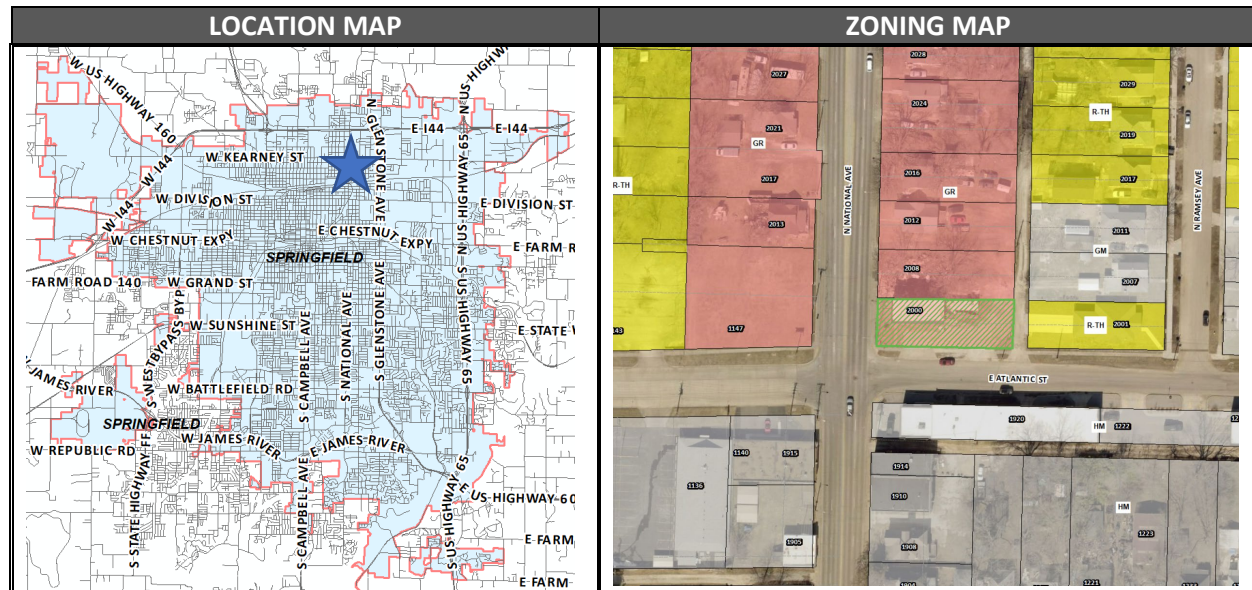
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 475
Location:	2000 N. National Avenue
Total Acres:	0.16 acre
Applicant:	3 Best Friends, LLC
Existing Land Use:	Vacant commercial building
Neighborhood Meeting:	May 16, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner, (417) 864-1036
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 to the staff report as the findings of fact and recommend approval of CUP 475 subject to the conditions listed in Attachment 1 to the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to permit residential uses on the first floor as a Conditional Use Permit within a GR, General Retail district generally located at 2000 N. National Avenue. The applicant, 3 Best Friends, LLC, is requesting a Conditional Use Permit to convert the existing commercial structure into a single-family residence.

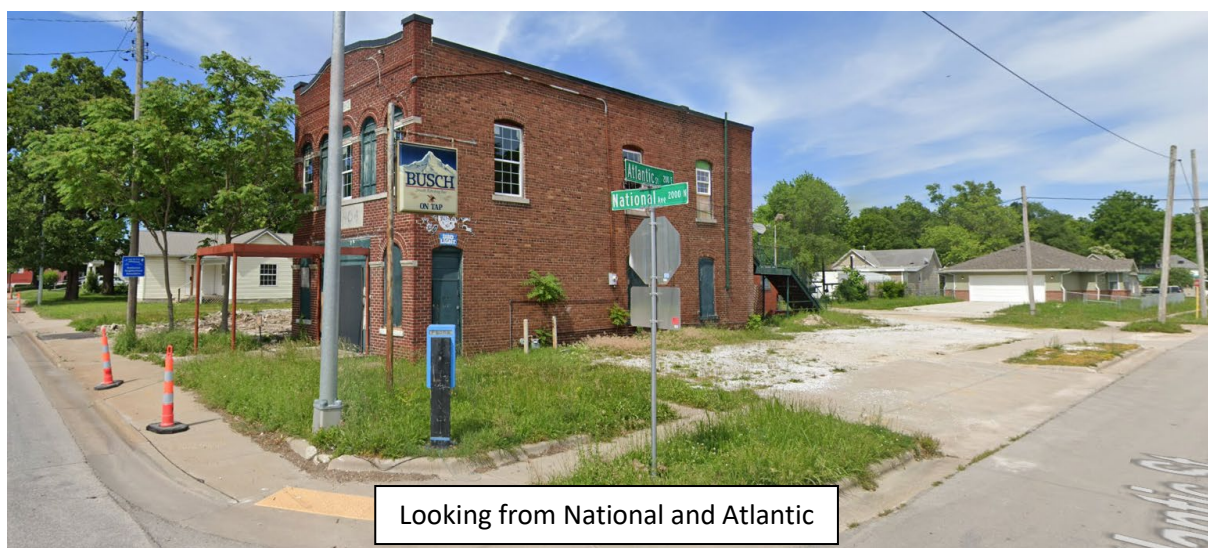


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned GR, General Retail District since the citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. – Conditional Use Permit

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety, and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(8) *Period of validity.*

(a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18 months period:

1. A building permit is obtained, and the erection or alteration of a structure is started; or
2. An occupancy permit is obtained, and the conditional use is commenced.

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

(b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject property is located within *Forward SGF's* Mixed Use Placetype, which applies to the properties to the north, south and west along National Avenue. The Mixed Use placetype is intended to accommodate existing districts and facilitate the creation of new districts and subareas. This placetype should be reserved for areas in Springfield that contain a diverse range of uses that would not fit into the other, more focused placetypes. These places can include vertically stacked or horizontally laid out mixed-use buildings, like Historic Commercial Street, or they can take the form of larger-scale mixed-use developments, like Chesterfield Village or Galloway Village. Besides mixed-use buildings, this placetype can also include a mixture of primary and supporting uses on separate parcels.

The Mixed Use placetype can include small concentrations of neighborhood-serving businesses, along former streetcar routes. These areas can feature adaptive reuse of non-residential and residential buildings, like those located at the intersection of Cherry and Pickwick in the Rountree Neighborhood. Mixed Use placetypes also include evolving and planned districts or light manufacturing, warehousing, and artisan districts, like the Moon City Creative District or the Trafficway subarea.

PRIMARY USES

- Multi-family
- Office, hospitality, retail sales and service
- Maker, artisan, and innovation spaces
- Entertainment

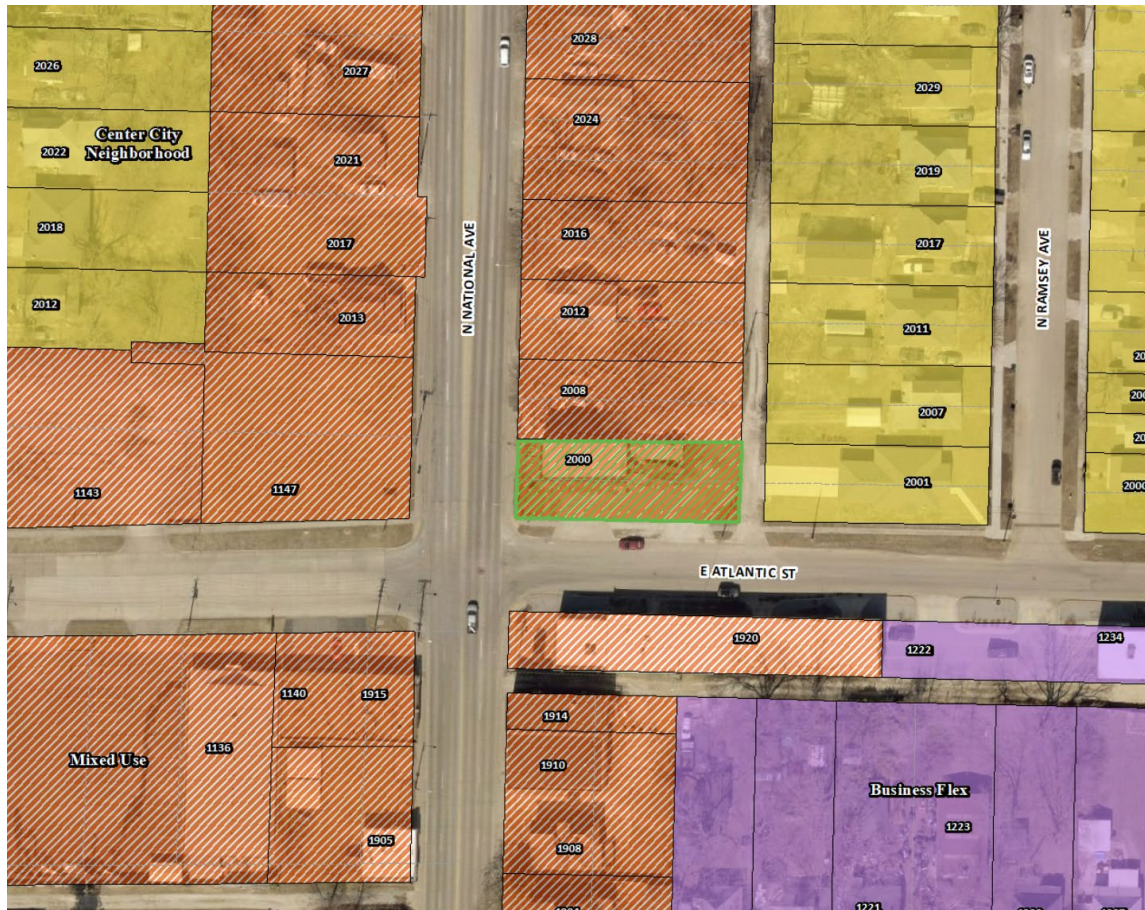
SUPPORTING USES

- Parks, greenways, and open space
- Government, healthcare, and institutional facilities
- Universities, colleges, and vocational schools
- Public and private schools and places of worship
- Low-intensity urban agriculture
- Sports complexes and recreational facilities
- Single-family detached
- Single-family attached

While the Mixed Use Placetype supports a variety of uses which encourage more density or intensity, the proposed residential use will preserve an existing structure that has been a contributing part of the character of the neighborhood and corridor for decades. The reuse of the structure for single-family will only continue that preservation of this structure and would be a supporting use to this area as recommended by this placetype.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spokes	Public & Private Schools & Places of Worship	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	●	○	◇	◇	○							
Downtown			●	○	○	○	●	○	○	○				
Mixed-Use	○	○	●	○	○	○	●	○						
City Corridor			●	○	○	○	●	○	○	○				
Institutional & Employment Center			○	○	○	○	○	○	○	○				
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○									

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	HM	R-TH	GR
LAND USE	Vacant	Offices, warehousing uses	Single-family dwelling	Vacant
PLACETYPES	Mixed Use	Mixed Use	Center City Neighborhood	Mixed Use

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.

DEVELOPMENT REVIEW STAFF REPORT

2. CITY UTILITIES:

No issues with the proposed conditional use. Utility rates can be switched to residential class when a new certificate of occupancy has been granted.

3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with CUP. Address has access to public sewer.

4. FIRE DEPARTMENT:

No comments.

5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

2000 N National Ave is a 0.16-acre lot with approximately 50% existing impervious area. The Site drains to E Atlantic St. No existing detention or water quality Stormwater Control Measures are present. The property is in the **Jordan Creek North 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 or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will be allowed**.

PW Stormwater for the proposed CUP, the development will most likely decrease the existing impervious area. 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 AND DISCHARGE REQUIREMENTS

1. A fee in lieu of detention is permissible with minimal or no increase in impervious area. The site will need to continue to drain to E Atlantic St.

WATER QUALITY REQUIREMENTS

1. No water quality is required with less than 1 acre of possible disturbance.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

DEVELOPMENT REVIEW STAFF REPORT

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. National Avenue	Primary Arterial	City	50	30	NA	No	Yes	Yes
Street 2	E. Atlantic Street	Non-Residential Local	City	30	30	NA	Yes	Yes	Yes

ACCESS - There is currently no driveway access point onto the property from N. National Avenue and two driveway access points onto the property from E. Atlantic Street. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. The western most driveway access point will need to be removed and replaced with curb and gutter.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one bus stop along N. National Avenue near the property.

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant, 3 Best Friends, LLC, has requested this Conditional Use Permit for residential uses on the first floor within a GR, General retail district generally located at 2000 N. National Avenue. The applicant wants to convert the existing commercial structure into a single-family residence.
2. The GR, General Retail District, currently allows for residential uses above the first floor or behind a non-residential use. The applicant is proposing to convert the entire two-story commercial structure into a single-family residential use. The GR District requires a conditional use permit to allow residential uses on the first-floor frontage of the building.
3. A site plan has been provided (Attachment 3) depicting the changes that would allow for a residential use. The applicant is showing enough area for two off-street parking spaces and a turnaround area which will need to comply with Section 36-483, Off-street parking and loading area design standards, of the Zoning Ordinance. They will also be closing one driveway on the west side of the lot along Atlantic Street and replacing it with curb and gutter.

DEVELOPMENT REVIEW STAFF REPORT

4. One of the most important considerations is that the applicant is proposing to preserve an existing structure (built as a fire station). The existing structure is within the prescribed site triangle and required setback from right-of-way centerline for future roadway improvements; however, this would be considered a nonconforming situation and existing structures would be allowed to remain. There is also a provision for the Administrative Review Committee (ARC) to reduce the right-of-way requirement if needed, but the proposed use does not appear to trigger any additional right-of-way requirements.
5. A bufferyard Type E is required when a GR property is adjacent to or across an alley from a R-TH zoning district as in this case along the east property line; however, the site qualifies for a shallow lot exemption to the bufferyard requirements which reduces the bufferyard width to 10 feet with one understory, two evergreens and 10 shrubs for each 100 linear feet. The site is only 50 feet wide so only one understory, one evergreen and 5 shrubs will be required within the 10-foot wide bufferyard area. The bufferyard will require a six-foot-tall solid wood fence as shown on the attached site plan.
6. Staff has determined that the requested rezoning and Conditional Use Permit are in general alignment with the objectives and intent of the *Comprehensive Plan's* Mixed Use Placetype as outlined in the Compatibility with the Comprehensive Plan section, above.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the *Comprehensive Plan's* Mixed Use Placetype and based on the development's compliance with the standards of approval below (Attachment 2).

PLANNING AND ZONING OPTIONS:

The Planning and Zoning Commission shall make one of the following recommendations in connection with each proposed conditional use:

1. Recommend against the proposed conditional use,
2. Recommend approval of the proposed conditional use, or
3. Recommend approval of the proposed conditional use together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed conditional use is consistent with the purpose and intent of this article.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 CONDITIONAL USE PERMIT NO. 475

1. The residential uses on the first-floor frontage of a building shall comply with all the standards listed in Attachment 2.
2. The residential uses on the first-floor frontage of a building shall be permitted in substantial conformance with Attachment 3.
3. The western most driveway access point will need to be removed and replaced with curb and gutter at the owner's expense.
4. The original fire station structure shall be preserved as part of this conditional use permit; however, additions to the original structure may be modified or removed as approved by the Director of Planning and Development. New additions or expansions to the existing structure is allowed as prescribed in Subsection 36-363(9).
5. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 475

Sec. 36-363 (10) Standards. An application for a Conditional Use Permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Applicant's response:	Staff's response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield <i>Comprehensive Plan</i> .	The proposed use will preserve the historic character of the building and contribute to the overall goal of diversified housing stock within the neighborhood. In addition, the redevelopment of a building which is currently vacant and underutilized is set forth in Forward SGF's Place-Based approach.	Staff has concluded that the proposed conditional use within the requested GR district is in general alignment with the <i>Comprehensive Plan's</i> Mixed Use Placetype designation.
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians since the sight triangle along National is being preserved and any outside additions will have minor to no impact on drivers or pedestrians.	Public Works – Traffic has reviewed the proposed conditional use and has determined that it will not adversely affect the safety of the motoring public or of pedestrians using the facility or within the immediate surroundings of the proposal. As part of Traffic's requirements for this proposal, the access furthest west access on Atlantic must be closed and a sight triangle provided.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	The building currently has no fire control measures or alarms. Alarms will be installed in keeping with the residential building code thereby increasing the safety from fire hazards.	The Fire Department has reviewed the proposed conditional use and has not noted any concerns about fire safety and fire control measures. The Fire Department's comments are provided within the Department Comments section of the staff report, above.

DEVELOPMENT REVIEW STAFF REPORT

4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	No grading or additional non-permeable areas are currently planned for the area, so water should maintain the current flows.	Public Works – Stormwater has reviewed the proposed conditional use and has provided their comments within the Department Comments section of the staff report, above.
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	The residential use should be much quieter than any General Retail use. So, the proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	Staff does not have any concerns pertaining to the anticipated noise levels associated with the single-family residential use.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	No stationary lights other than small outdoor lights that illuminate entryways or areas for safety are planned and places for parking are all oriented Northward which is shielded by the building itself or planned fencing. In addition, there is a fence planned between the houses to the East and the building.	All future stationary lighting will be required to be meet the requirements and limitations of Section 36-484, Exterior Lighting.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	No additional signage is planned. Lighting will be limited to entryways or small security lights. This should be less than any planned General Retail use.	Per the site plan provided, no new detached signage has been identified at this time. All future signage must comply with the requirements and limitations of Section 36-454, Signs, of the Zoning Ordinance.
8. Such signs will not have an adverse effect on any adjacent properties.	No additional signage is planned.	All future signage must comply with the requirements and limitations of Section 36-454, Signs.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	ROW will not be changed or affected by the use and is adequate for a low-density residential use.	As noted by Public Works – Traffic, there are no concerns at this time regarding the proposal's impact on traffic in the area.

DEVELOPMENT REVIEW STAFF REPORT

10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	This use should not have any impact on surrounding properties other than the residential use directly to the east, which will receive shielding from the noise of National Ave. The use and accompanying redevelopment will help preserve the historic architecture of the building, ensuring that it remains a part of the neighborhood's cultural heritage.	Staff does not anticipate that the proposed development will adversely impact or be incompatible with the surrounding property. Where this property abuts R-TH zoning to the east, a bufferyard, with privacy screening, will be required to be installed.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.	With the exception of a fence in the rear of the building, no new construction on the exterior is occurring, so it will not interfere with the development and use of neighboring property in accordance with the applicable district regulations. a. The fences erected are 6 ft privacy fences which should protect neighboring properties from existing externalities of noise and light from the intersection of Atlantic and National. b. The buffer yard should actually improve the value/use of properties behind, or at the very least, have no impact.	Staff does not anticipate any changes that would dominate the immediate vicinity or interfere with the development and use of the neighboring property. The applicant is complying with the GR requirements for residential use.
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	The parcel is currently a flat parcel covered mostly with gravel and does not provide enjoyment or function from any significant natural topographic or physical feature.	Staff has no concerns with the effects this use will have to surrounding properties as they are preserving the existing structure.

DEVELOPMENT REVIEW STAFF REPORT

13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	This use will preserve a historic feature of early Springfield history rather than destroying.	The applicant is proposing to preserve an older structure.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.	This use complies with all requirements requested.	The proposed use and site plan appear to comply with all regulations.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The proposed use and redevelopment of the property will hopefully encourage future development/improvement of vacant lots nearby or improvement of existing housing stock, thereby promoting the welfare of the neighborhood residents.	The proposed use is single-family and is allowing for an existing vacant structure to be utilized.
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located to protect such residential uses from any injurious effect.	Parking/Screening requirements met by bufferyards on the east side.	All off-street parking and loading areas will be reviewed for compliance with the relevant Sections of the Zoning Ordinance during the building permit review process.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	Utilizing existing entrance/exit drives in accordance with recommendations of Public Works – Traffic division.	As indicated by the applicant and required by Public Works – Traffic, the western most driveway access point along Atlantic Street will need to be removed and replaced with curb and gutter.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of	There should not be any circulation patterns with a residential use.	Staff does not expect the creation of traffic or pedestrian hazards because of the approval of this Conditional Use Permit.

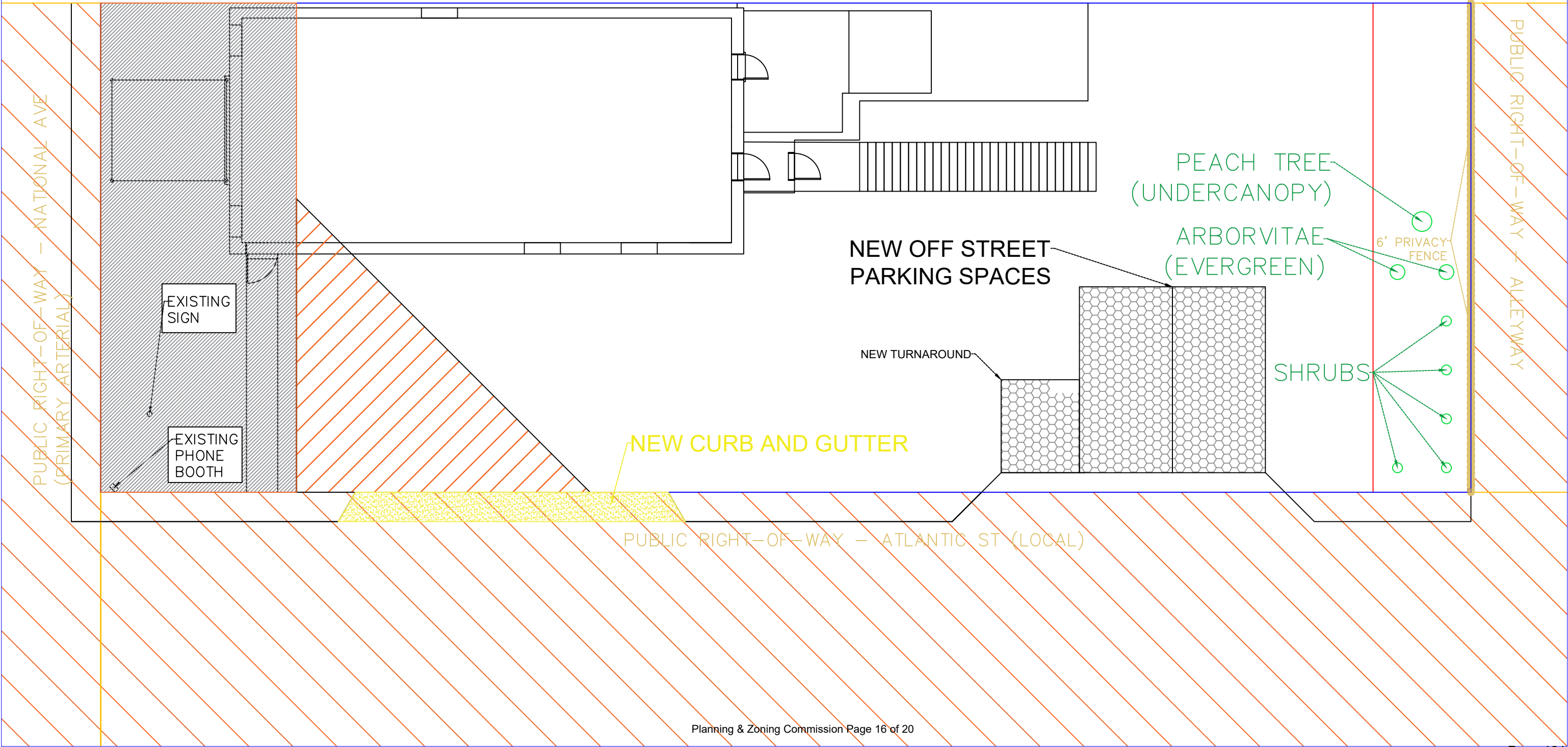
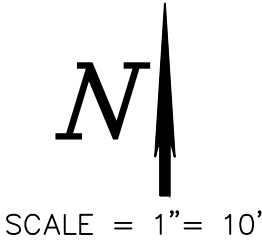
DEVELOPMENT REVIEW STAFF REPORT

vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.		
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	No recorded easements, easements, roadways, rail lines, utilities and public or private rights-of-way on lots.	There is not any known interference with any public rights-of-way or easements.
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	Remodeling of building will be in accordance with BDS requirements.	The applicant is aware that they must meet all City code requirements with the conversion to single-family residential.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	Essential public facilities and services already provided to site.	The property is currently served by all public facilities and services.

ATTACHMENT 3

USE PERMIT SKETCH PLAN
ZONED GR – 140’X50’ – 0.16 ACRES

- PROPERTY LINE
- FENCELINE
- BUFFERYARD
- SETBACK LINE
- SIGHT TRIANGLE



ATTACHMENT 4

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Residential Use
2. Meeting Date & Time: 05/16/2023 - 4:00p.m. to 6:30p.m.
3. Meeting Location: Blue Room in VFW Post 3404 -1136 E. Atlantic St., Springfield MO 65802
4. Number of invitations that were sent: 140
5. How was the mailing list generated: Planning
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

No opposition to permit. One neighbor mentioned she might prefer plants to the fence in the backyard, but understood it was a city requirement and is fine with it. No current plans to alter the application.

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

No negative written comments received yet.

I, Brady Ghan (print name), attest that the neighborhood meeting was held on 05/16/2023 (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

Brady Ghan
Printed name of person completing affidavit

Neighborhood Meeting
 Conditional Use Permit @ 2000 N. National Ave
 16 May 2023
 4:00-6:30 p.m.

Name	Address	Phone
Russ McBurney	1136 E ATLANTIC	417 865 6929
David Anderson	1115 E THOMAS	417 818-7231
Al Wagner	3041 E Chaffaucy	417 830 7771
Mark K Breeden	1343 N Clifton	417 496 7863
Bob Hunt	1216 E THOMAS	417 866-8923
Cynthia Rondoni	2007 N. prospect ave.	417-771-7729

Notes/Concerns from Neighborhood Meeting

Conditional Use Permit @ 2000 N. National Ave

16 May 2023

4:00-6:30 p.m.

- VFW members present (Russ, David, Al, and Mark)
all thought that it would be great for something other than a bar went in and were glad we wanted to live there.
- Bob Hunt manages storage units near the Fire Station and is not opposed, just wanted to confirm info about our permit.
- Cynthia Rondini thinks its great we are wanting to fix up the place. She prefers plants to fences but understands that the city has certain requirements.

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss an application for a Conditional Use Permit in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits, an application for a change in land use or zoning the property will be posted, there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65802

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-9-23	Telephone No.	417-883-2299
YOUR NAME:	Emma Rafferty		
YOUR ADDRESS:	1429 S. Ranch Dr., Springfield, MO. 65809		
PROJECT ADDRESS:	2000 N. National Ave., Springfield, MO. 65802		
COMMENTS:	That beautiful building has been vacant too long. I am thrilled to see that someone wants to restore it as their home. It would be sad to see that building fall into disrepair. It could be made into a beautiful addition for the neighborhood. Businesses Come and go. Businesses		

EXPLANATION TO COUNCIL BILL 2023-177 (HORTON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting Conditional Use Permit No. 471 for the purpose of permitting a development project greater than 10,000 square feet of total building floor area and a building greater than three stories in height as a conditional use within the COM-1 – Commercial Street District, generally located at 411 West Commercial Street. (Planning and Zoning Commission recommends denial; staff recommends approval.) (By: Dan Johnson & Associates, LLC; 411 West Commercial Street; Conditional Use Permit No. 471).

PURPOSE: To permit a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height as a Conditional Use Permit within the COM-1 District generally located at 411 West Commercial Street. (Staff recommends approval and Planning and Zoning Commission recommended denial.)

BACKGROUND INFORMATION: CONDITIONAL USE PERMIT NUMBER 471
The applicant is requesting approval of a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height as a Conditional Use Permit within the COM-1 District generally located at 411 West Commercial Street. The applicant is proposing to develop a multi-use commercial, retail, and residential building at 41,267 square feet of total building floor area.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 1" shall govern and control the use and development of the land in Conditional Use Permit Number 471 in a manner consistent with the attached site plan ("Exhibit D - Attachment 4").

FINDINGS FOR STAFF RECOMMENDATION:

This application meets the approval standards for a Conditional Use Permit ("Exhibit D - Attachment 2").

Approval of this application is subject to the Requirements for Approval ("Exhibit D - Attachment 1") and site plan ("Exhibit D - Attachment 4").

Approval of this request will provide for development of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.

REMARKS: The Planning and Zoning Commission held a public hearing on June 8,



2023, and recommended denial, by a vote of 3 to 6 of the proposed conditional use permit (see the attached "Exhibit C," Record of Proceedings). The Planning and Development staff recommends the application be approved with the conditions (see attached "Exhibit A").

Submitted By: Michael Sparlin, Senior City Planner

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

Attachments:

1. CUP 471 411 West Commercial_ord
2. Requirements_exh A
3. Legal Description_exh B
4. ROP_exh C
5. Staff Report_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 43
Filed: 07-03-23

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-177

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 471 for the purpose of permitting a
2 development project greater than 10,000 square feet of total building
3 floor area and a building greater than three stories in height as a
4 conditional use within the COM-1 – Commercial Street District,
5 generally located at 411 West Commercial Street. (Planning and
6 Zoning Commission recommends denial; staff recommends approval.)
7 _____
8

9 WHEREAS, pursuant to Section 36-363 of the Land Development Code, City
10 Council may grant permits authorizing certain enumerated conditional uses as provided
11 in the various zoning districts; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on June 8, 2023, a copy of the Record of Proceedings from said public
15 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
16 and recommended denial of Conditional Use Permit No. 471 for the property generally
17 located at 411 West Commercial Street and zoned COM-1 – Commercial Street District;
18 and
19

20 WHEREAS, City Council nonetheless finds that sufficient evidence has been
21 presented to satisfy all applicable standards of the Land Development Code for
22 issuance of Conditional Use Permit No. 471; and
23

24 WHEREAS, the granting of such permit is deemed proper, and it is not found to
25 harm the community or injure the value, lawful use, and reasonable enjoyment of
26 properties in the vicinity of 411 West Commercial Street.
27

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

31 Section 1 – City Council adopts the City staff's specific findings of fact on the
32 proposed conditional use as set forth in "Exhibit D – Attachment 2." "Exhibit D" is
33 attached hereto and incorporated herein by this reference in its entirety. Conditional Use
34 Permit No. 471 is hereby granted in accordance with and subject to the provisions of

Section 36-363 of the Land Development Code. Conditional Use Permit No. 471 is granted for the purpose of permitting a development project greater than 10,000 square feet of total building floor area and a building greater than three stories in height as a conditional use within the COM-1 – Commercial Street District, located at the property described in “Exhibit B,” which is attached hereto and incorporated herein by this reference, and which is generally located at 411 West Commercial Street.

Section 2 – Building permits, certificates of occupancy, and any other required permits or approvals may be issued by the duly authorized officials of the City provided that such issuance is consistent with Section 36-363 of the Land Development Code, any other applicable City regulation or ordinance, and the “Requirements for Conditional Use Permit 471” described in “Exhibit D – Attachment 1” and “Exhibit A,” which is attached hereto and incorporated herein by this reference. Additionally, the provisions contained in “Exhibit D – Attachment 1” and “Exhibit A” shall govern and control the use and development of the land described in “Exhibit B,” in a manner consistent with the attached site plan depicted on “Exhibit D – Attachment 4.”

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

EXHIBIT A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 471

1. A 41,267 square foot, mixed-use new building is permitted in conformance with Attachment 5.
2. The 41,267 square foot, mixed-use new building shall comply with all the standards listed in Attachment 2.
3. Per Sec. 36-425 (7)(h), the COM-1 district's purpose is to protect the unique nature and architectural character of the existing historic structures, and to protect it from infringing influences that may diminish or dilute the historic ambience. The COM-1 district should also promote new uses and development within the zoning district that provide an element of consistency and similarity of intensity, use, building heights, and materials used with the existing structures. These elements are described as follows:
 1. Building façades. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design. Two or more of the following design elements shall be incorporated for each 40 horizontal feet of a building façade or wall:
 - a. Changes in color, texture, and material; or
 - b. Projections, recesses and reveals expressing structural bays, entrances, or other aspects of the architecture; or
 - c. Groupings of windows or fenestration.
 2. On each lot, the building façade shall be built to the district minimum setback line for at least 80 percent of the street frontage. This does not include Blaine Street frontage.
 3. The building façade shall be built to the district minimum setback line within 30 feet of a block corner. This does not include Blaine Street frontage.
 4. The portions of the building façade required to be built at the district minimum setback line may include jogs of not more than 18 inches in depth except as otherwise necessary to allow bay windows, shop fronts and balconies.
 5. Blank lengths of wall exceeding 20 linear feet are prohibited on all street frontages.
 6. Fenestration on the ground floor facades shall comprise a least 40 percent, but not more than 90 percent of the façade area, measured as a percentage of the façade between floor levels.
 7. Fenestration on the upper floor facades shall comprise a least 20 percent, but not more than 60 percent of the façade area, measured as a percentage of the façade between floor levels.
 8. The ground floor shall have at least 12 feet of clear interior height (floor to ceiling) contiguous to the required building line frontage for a minimum depth of at least 25 feet.

9. The maximum story height for the ground story is 20 feet.
10. The maximum floor-to-floor story height for stories other than the ground floor is 12 feet.
11. Building materials and colors:
 - a. Metal shall not be used as a primary exterior surface material, except for metal roofs. Metal trim can be used but not to exceed 15 percent of the exterior surface. The following exterior finishes shall be allowed on all exterior walls of the building:
 - (i) Customary brick masonry;
 - (ii) Natural or cast stone;
 - (iii) Oversized brick;
 - (iv) Split-faced block;
 - (v) Architectural pre-cast concrete; and
 - (vi) Accent materials such as glass block and ceramic tiles.
 - b. Façade colors shall have low reflectance. High-intensity, metallic, black, or fluorescent colors are prohibited. Natural and recycled materials may be utilized to enhance the building façade and promote sustainable development.
4. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

EXHIBIT B

LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 471

Tract 1 – All of the west two (2) feet of lot three (3), and all of lot four (4) and the east eighteen (18) feet of lot five (5) all in block thirty-four (34) in the original plat of North Springfield, now a part of the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Tract 2 - All of lot thirteen (13) and the west twenty-one (21) feet of lot twelve (12), block thirty-five (35), original plat of North Springfield, now a part of the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Tract 3 - All of lots one (1), two (2) and the east twenty-eight (28) feet of lot three (3) in block thirty-four (34) in North Springfield, Greene County, Missouri, according to the recorded plat thereof.

EXHIBIT C

RECORD OF PROCEEDINGS
CONDITIONAL USE PERMIT 471

Conditional Use Permit 471
411 West Commercial Street

Applicant: Dan Johnson & Associates, LLC

Mr. Sparlin stated that this is a request for a Conditional Use Permit to allow a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height.

Mr. Pauly asked about the number of residential units and Mr. Sparlin noted that it shows approximately be 42 units.

Mr. Jobe opened the public hearing.

Ms. Chelsea Davison, 305 W. Commercial, developer representing the owner and noted that it will be 42 units of affordable housing and believes it will be complimentary to Commercial Street. She also noted that they have received Landmarks and State Historic Preservation office approval and no issues were brought up at the neighborhood meeting.

Ms. Ridge asked if there will be any commercial spaces on the 1st floor. Ms. Davison noted that there will be commercial on the 1st floor – 5 commercial spaces.

Mr. Scott asked if this will be affordable housing and Ms. Davison clarified that it is.

Mr. Michael Muench, 315 W. Commercial Street noted the considerable issues around parking and would there be enough parking for an additional 42 units.

Ms. Mary Collette, 1539 N. Washington and believes it much larger than any existing buildings with four stories when only three stories are allowed and not providing parking space for the 42 units. She also noted that with \$11M tax dollars (gave out information on funds) they should be able to provide parking and just not district parking to meet their needs and is asking for the developer to “go back to the drawing board” mentioning that it is not fair that they are asking the neighborhood to support due to having parking issues in the district.

Ms. Christine Schilling, 307 E. Commercial and appreciates that the developer has reached out to the neighborhood, but said the problem is parking and she is not only talking for herself, but many of the other merchants and residents and would like them to provide parking for their new development.

Mr. John Oke-Thomas, 5168 South Nettleton is part of the design team and noted that the building does not require parking, but also understands the parking issues along

Commercial Street, however, is willing to talk with the city and everyone to find a best alternative parking.

Mr. Jobe closed the public hearing.

Mr. Colony noted that parking is a concern and thinks someone needs to put a parking garage and start selling parking passes. Believes it is a great thing and will be in support of it.

Mr. Scott noted his similar concerns regarding parking and stated that subsurface of parking under the building in full or part of is not terribly difficult and most places only allow timed parking (i.e., 2 hours, etc.) and would like to see other options explored.

Mr. Pauly noted that parking is an issue and will continue to be an issue and needs to be addressed and commented on the current parking areas and would like the developer to go back and speak with the neighbors and come up with a better solution.

Commission comments/discussion:

Lack of parking.	Moving away from cars (less dependent).	Mixed use developments will continue to evolve.	Need to address the parking issue now.
Can easily walk three blocks to get to a location on Commercial Street.	Need to have a comprehensive parking strategy for Commercial Street.	Should not hold the developer hostage because he's the last guy in line looking for parking.	I'll walk a couple of blocks, but if I'm carrying bags of groceries, etc., I want to park close.

COMMISSION ACTION:

Mr. Knuckles motioned to **adopt** Conditional Use Permit 471 (411 West Commercial Street) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Colony, and Knuckles. Nays: Broekhoven, Lebeck, Pauly, Ridge, Scott, and Gunther. Abstain: None. Absent: None. **Motion denied.**



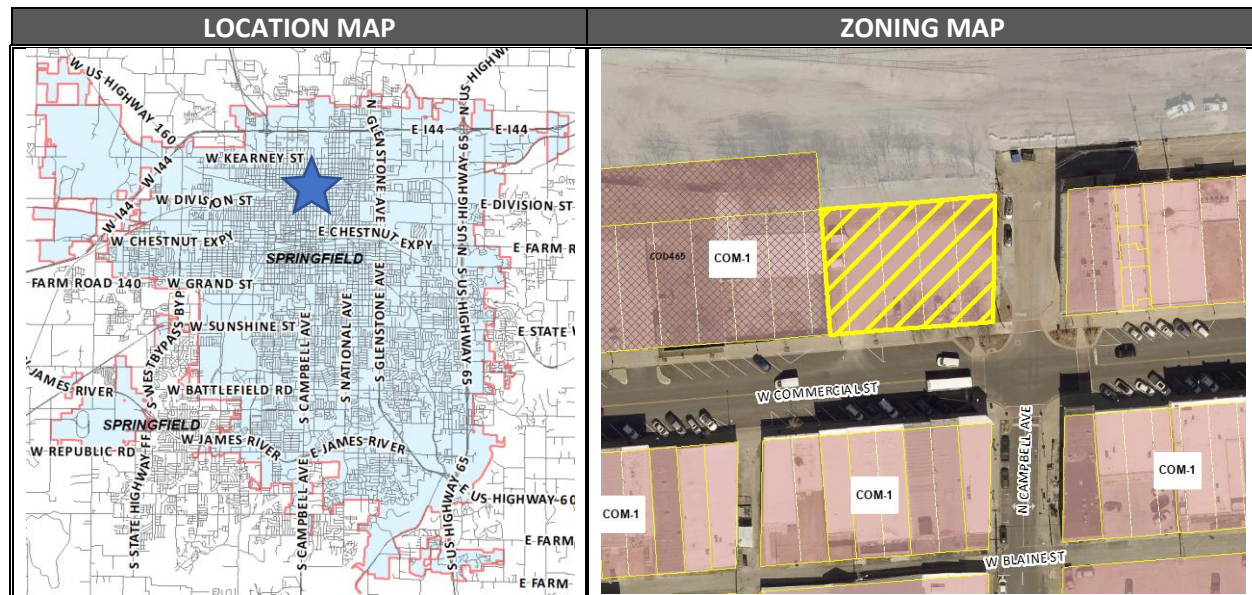
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 471
Location:	411 West Commercial Street
Total Acres:	0.3 acres
Applicant:	Dan Johnson & Associates, LLC
Existing Land Use:	Gravel parking lot & Undeveloped Land
Neighborhood Meeting:	April 18, 2023
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Public Notification:	Mail, posted property, and legal in Daily Events per COM District
Staff:	Senior Planner Michael Sparlin, (417) 864-1091
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 to the staff report as the findings of fact and recommend approval of CUP 471 subject to the conditions listed in Attachment 1 to the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

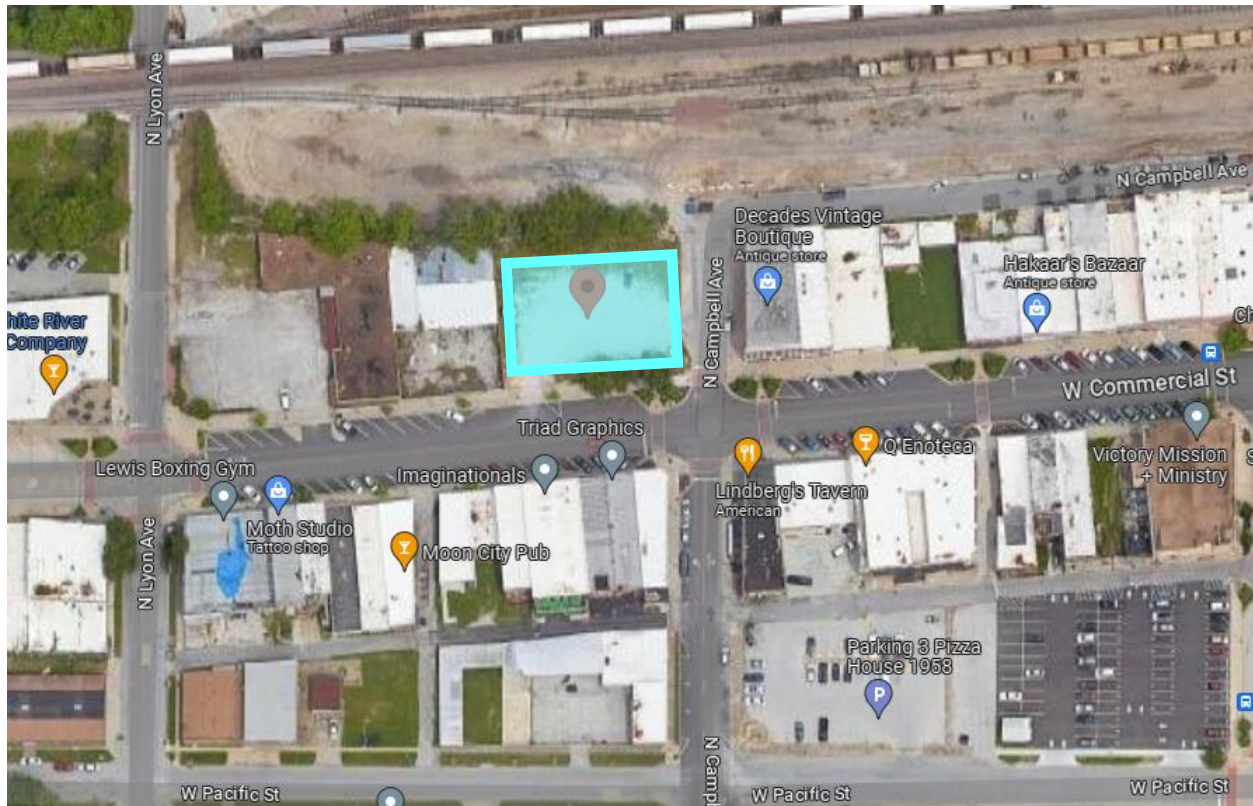
PROJECT SUMMARY:

Request for a Conditional Use Permit to allow a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height generally located at 411 West Commercial Street.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned from Center City to COM-1 in 2010.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. – Conditional Use Permit

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located so as to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(8) *Period of validity.*

(a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18 months period:

1. A building permit is obtained and the erection or alteration of a structure is started; or
2. An occupancy permit is obtained and the conditional use is commenced.

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

(b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Use placetype. Areas within the Mixed Use placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements. The Mixed Use placetype is intended to accommodate existing districts and facilitate the creation of new districts and subareas. This placetype should be reserved for areas in Springfield that contain a diverse range of uses that would not fit into the other, more focused placetypes. These places can include vertically stacked or horizontally laid out mixed-use buildings, like Historic Commercial Street, or they can take the form of larger-scale mixed use developments, like Chesterfield Village or Galloway Village. Besides mixed-use buildings, this placetype can also include a mixture of primary and supporting uses on separate parcels. The Mixed Use placetype can include small concentrations of neighborhood-serving businesses, along former streetcar routes. These areas can feature adaptive reuse of non-residential and residential buildings, like those located at the intersection of Cherry and Pickwick in the Rountree Neighborhood. Mixed Use placetypes also include evolving and planned districts or light manufacturing, warehousing, and artisan districts, like the Moon City Creative District or the Trafficway subarea.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES															
	Single-Family Detached	Single-Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry	Warehousing & Distribution Facilities	Heavy Industry & Manufacturing
Residential Neighborhood	●	○	◇	○	◇	◇	○									
Mixed Residential	●	●	●	○	◇	◇	○									
Downtown			●	○	○	●	●	○	○	○						
Mixed-Use	○	○	●	○	○	●	○									
City Corridor			●	○	○	●	○	○	○	○						
Institutional & Employment Center			○	○	○	○	○	○	○	○						
Business Flex				○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○											

● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **Supporting Land Use:**
Less prevalent and serve to support the primary land use.

◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	COM-1	COM-1	COM-1
LAND USE	Railroad	Commercial uses	Commercial uses, retail	Vacant building
PLACETYPES	Mixed Use	Mixed Use	Mixed Use	Mixed Use

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No issues with the proposed Conditional Use Permit.

CITY UTILITIES:

No issues with the CUP. As mentioned in the questionnaire, CU is working on a design to relocate or underground the existing Electric facilities along the East property line.

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DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with CUP. Public sewer is available.

FIRE DEPARTMENT:

No comments

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

411 W Commercial St is approximately 0.3 acres in area, with 95% of the area consisting of gravel for that last 30 years. The lot drains from north to south onto W Commercial St. No existing detention or water quality Stormwater Control Measures are present. 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 or other Karst feature at this location. The property **does not have a stream buffer on site**.

A fee in lieu of on-site stormwater detention **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**

PW Stormwater has no concerns for the proposed CUP. 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 AND DISCHARGE 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. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approval by the Director of Public Works. A fee in lieu of detention application may be permissible with Storm Report showing no impacts to the adjacent lots and streets.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
 - a. The redevelopment on this site is below the 1-acre redevelopment threshold.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	W. Commercial Street	Collector	City	30	45	5,667	Yes	Yes	Yes
Street 2	N. Campbell Avenue	Non-Residential Local	City	30	30	NA	Yes	Yes	No

ACCESS - There is currently one driveway access point onto the property from W. Commercial Street and one driveway access point onto the property from N. Campbell Avenue. All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are two bus stops along W. Commercial Street near the property.

IMPROVEMENTS - No improvements are required for this development. A traffic study is not required for this development.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting approval of a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height generally located at 411 West Commercial Street. The applicant is proposing to develop a multi-use commercial, retail, and residential building at 41,267 square feet of total building floor area.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Use placetype. Areas within the Mixed Use placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements. The Mixed Use placetype is intended to accommodate existing districts and facilitate the creation of new districts and subareas. This placetype should be reserved for areas in Springfield that contain a diverse range of uses that would not fit into the other, more focused placetypes. These places can include vertically stacked or horizontally laid out mixed-use buildings, like Historic Commercial Street, or they can take the form of larger-scale mixed use developments, like Chesterfield Village or Galloway Village. Besides mixed-use buildings, this placetype can also include a mixture of primary and supporting uses on separate parcels. The Mixed Use placetype can include small concentrations of neighborhood-serving businesses, along former streetcar routes. These areas can feature adaptive reuse of non-residential and residential

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buildings, like those located at the intersection of Cherry and Pickwick in the Rountree Neighborhood. Mixed Use placetypes also include evolving and planned districts or light manufacturing, warehousing, and artisan districts, like the Moon City Creative District or the Trafficway subarea.

3. The COM-1 district requires a Conditional Use Permit for development projects that exceed 10,000 square feet of total building floor area. Historically, much of Commercial Street was developed on small, and narrow width lots and therefore square footage of buildings were limited. The subject property is under common ownership and larger compared to other lots on Commercial Street.
4. The COM-1 district intends to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for the older commercial and light industrial areas fronting and adjacent to a commercial street that tend to accommodate a wide variety of uses. This area initially developed early in the city's history and does not display the characteristics typical of modern suburban development. The city has approved a commercial street redevelopment plan and has approved financing mechanisms to implement that plan. Uses proposed in this district are consistent with the redevelopment strategy. This area is experiencing rehabilitation and redevelopment. This district is intended to accommodate the transition that must occur if this area is to contribute to the vitality of the city while protecting the historic character of the area.
5. The proposed development is within the Commercial Street Historic District, which requires Landmarks Board review and approval of any exterior alterations and new construction. The proposed new development was reviewed and approved by the Landmarks Board on March 8, 2023, which included the site plan, building materials and renderings. The Board found that the proposed project conformed to the adopted review criteria, the *Secretary of the Interior's Standards for Rehabilitation*, the *Commercial Street Design Guidelines* (adopted in 2020), and Sec. 36-404(3)(d)(3), which states:

"For new construction, the landmarks board shall also consider the extent to which the building or structure would be harmonious with or incongruous to the old and historic aspects of the surroundings. It is not the intent of this section to discourage contemporary architectural expression or to encourage the emulation of existing buildings or structures of historic or architectural interest in specific detail. Harmony or incompatibility shall be evaluated in terms of the appropriateness of materials, scale, size, height, and placement of a new building or structure in relationship to existing buildings and structures and to the setting thereof."

6. The COM-1 district requires CUP applications to notify additional groups. Per code, notices were sent to property owners/physical address within 500' radius of the subject property. Additionally, notices were sent to Woodland Heights, Grant Beach, Mid-Town Neighborhood Associations, Commercial Club, Urban District Alliance (now Downtown

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Springfield Association), Commercial Street CID Board. A total of 133 notices were mailed at least 10 days before the neighborhood meeting.

7. Approval of this request will provide for the development of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
8. Staff has determined that the requested Conditional Use Permit are in general alignment with the objectives and intent of the *Comprehensive Plan's* City Corridor Placetype as outlined above.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the *Comprehensive Plan's* Mixed Use Placetype and based on the development's compliance with the standards of approval below (Attachment 2).

PLANNING AND ZONING OPTIONS:

The Planning and Zoning Commission shall make one of the following recommendations in connection with each proposed conditional use:

1. Recommend against the proposed conditional use.
2. Recommend approval of the proposed conditional use.
3. Recommend approval of the proposed conditional use together with recommendations which, in the judgment of the Planning and Zoning Commission, will protect adjacent property and ensure that the proposed conditional use is consistent with the purpose and intent of this article.

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ATTACHMENT 1
CONDITIONAL USE PERMIT NO. 471
REQUIREMENTS FOR CONDITIONAL USE PERMIT NO. 471

1. A 41,267 square foot, mixed-use new building is permitted in conformance with Attachment 5.
2. The 41,267 square foot, mixed-use new building shall comply with all the standards listed in Attachment 2.
3. Per Sec. 36-425 (7)(h), the COM-1 district's purpose is to protect the unique nature and architectural character of the existing historic structures, and to protect it from infringing influences that may diminish or dilute the historic ambience. The COM-1 district should also promote new uses and development within the zoning district that provide an element of consistency and similarity of intensity, use, building heights, and materials used with the existing structures. These elements are described as follows:
 1. Building façades. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design. Two or more of the following design elements shall be incorporated for each 40 horizontal feet of a building façade or wall:
 - a. Changes in color, texture, and material; or
 - b. Projections, recesses and reveals expressing structural bays, entrances, or other aspects of the architecture; or
 - c. Groupings of windows or fenestration.
 2. On each lot, the building façade shall be built to the district minimum setback line for at least 80 percent of the street frontage. This does not include Blaine Street frontage.
 3. The building façade shall be built to the district minimum setback line within 30 feet of a block corner. This does not include Blaine Street frontage.
 4. The portions of the building façade required to be built at the district minimum setback line may include jogs of not more than 18 inches in depth except as otherwise necessary to allow bay windows, shop fronts and balconies.
 5. Blank lengths of wall exceeding 20 linear feet are prohibited on all street frontages.
 6. Fenestration on the ground floor facades shall comprise a least 40 percent, but not more than 90 percent of the façade area, measured as a percentage of the façade between floor levels.
 7. Fenestration on the upper floor facades shall comprise a least 20 percent, but not more than 60 percent of the façade area, measured as a percentage of the façade between floor levels.
 8. The ground floor shall have at least 12 feet of clear interior height (floor to ceiling) contiguous to the required building line frontage for a minimum depth of at least 25 feet.
 9. The maximum story height for the ground story is 20 feet.
 10. The maximum floor-to-floor story height for stories other than the ground floor is 12 feet.
 11. Building materials and colors:

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- a. Metal shall not be used as a primary exterior surface material, except for metal roofs. Metal trim can be used but not to exceed 15 percent of the exterior surface. The following exterior finishes shall be allowed on all exterior walls of the building:
 - (i) Customary brick masonry;
 - (ii) Natural or cast stone;
 - (iii) Oversized brick;
 - (iv) Split-faced block;
 - (v) Architectural pre-cast concrete; and
 - (vi) Accent materials such as glass block and ceramic tiles.
 - b. Façade colors shall have low reflectance. High-intensity, metallic, black, or fluorescent colors are prohibited. Natural and recycled materials may be utilized to enhance the building façade and promote sustainable development.
4. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

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ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 471

Sec. 36-363 (10) Standards. An application for a Conditional Use Permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Applicant's response:	Staff response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield <i>Comprehensive Plan</i> .	The proposed use will be consistent with the Commercial Street Plan in the Springfield <i>Comprehensive Plan</i> .	The <i>Comprehensive Plan's Land Use & Development</i> chapter identifies the subject property as the Mixed Use placetype.
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	No, the proposed use will not adversely affect the health, safety, and welfare of the public. Eyes on the street from residents in upper-level apartments, and the activity of the retail spaces should increase security on the west end of commercial street.	Public Works Traffic Division has reviewed the application and has determined that conditional use will not adversely affect safety of the motoring public and of pedestrians with traffic access controls that are required. Traffic comments are provided in Attachment 1.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	Yes, the proposed use will adequately provide for safety from fire. Developer will comply with IBC 2018 building and fire codes.	The Fire Department has reviewed this request and has no concerns regarding safety from fire hazards and fire controls. Fire comments are provided in Attachment 1.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	No, the proposed use will not increase flood or water damage.	Public Works Stormwater Division has reviewed this request and provided comments in the report above. The development is required to meet development standards for stormwater management.
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	No, the proposed use will not exceed typical noise characteristics in the district.	It is not expected that the proposed use will have noise characteristics that exceed Zoning Ordinance standards.

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6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	No, the proposed use will not affect the established character of the neighborhood due to glare or stationary lights. Measures to shield such lights will be taken.	It is not expected that the proposed use will negatively affect neighborhood districts. The applicant's response adequately addresses this condition.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	Yes, the signs for the proposed use will be appropriate for the site.	The development will be subject to the signage standards of the Zoning Ordinance.
8. Such signs will not have an adverse effect on any adjacent properties.	The signs for the proposed use will not have an adverse effect on adjacent properties.	The development will be subject to the signage standards on the Zoning Ordinance.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	Yes, the existing street and pavement width are adequate for the traffic generated by the proposed use.	Public Works Traffic Division has reviewed the application and has determined that the street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	No, the proposed use will not have substantial adverse effect upon the items listed above or the general health, safety, and welfare of the public.	It is not anticipated that the proposed use will have an adverse effect or be incompatible with the adjacent and surrounding properties which are used for commercial uses.
11. The proposed conditional use will be constructed, arranged and operated so as not to	The proposed use will not dominate the immediate vicinity – we are proposing a 4th story, however, the	The standards of the Zoning Ordinance adequately address these issues. The subject property is in an area

DEVELOPMENT REVIEW STAFF REPORT

dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.	building height overall will compare closely to the surrounding 3 story buildings, and the tall retail storefront along Commercial Street, where the floor-to-floor height is 20'-0", will make the façade feel like a 3- story building, similar to 315 W. Commercial St.	of commercial uses and is not anticipated to dominate the immediate vicinity or to interfere with the development and use of neighboring properties.
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	No, the proposed use will not affect the natural topographic or physical features of the site.	It is not expected that the proposed development will negatively affect any significant natural topography or physical features.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	No, the proposed use will not affect the items listed above.	The proposed development is within the Commercial Street Historic District. The new development was reviewed and approved by the Landmarks Board on March 8, 2023.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk	Yes, this project complies with all other bulk regulations other than the proposed conditional use in this application.	The proposed use is required to comply with applicable regulations regarding lot size, bulk regulations, use limitations and performance standards.

DEVELOPMENT REVIEW STAFF REPORT

regulations, use limitations and performance standards.		
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	Yes.	The applicant's response adequately addresses this condition.
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.	According to Sec. 36-455. (1), providing off-street parking is not required in Zoning district COM-1. Sec. 36- 456 & Sec. 36-483 applicable requirements will be met.	The development will be subject to these standards of the Zoning Ordinance.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	Not applicable, there are no alleys or access roads on the site.	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	Vehicular circulation elements will not be included on the site, and the proposed use will not create hazards to the safety of pedestrian traffic on or off the site.	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards with the traffic access controls that are required with this Conditional Use.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	Developer is currently partnering with the City Utilities of Springfield to reconfigure existing utility lines.	No known interference with any public rights of way or easements are known.

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20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	Not applicable.	The development is required to adhere to all standards of the Zoning Ordinance and other applicable ordinances.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	Yes.	This property is already served with public infrastructure and services.

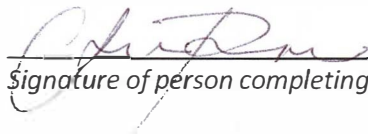
1. Conditional Use Permit for: 411 W Commercial
2. Meeting Date & Time: April 18, 2023 4-630 pm
3. Meeting Location: 305 W Commercial Street
4. Number of invitations that were sent: As provided by planning staff - approximately 120
5. How was the mailing list generated: Planning staff
6. Number of neighbors in attendance (attach a sign-in sheet): 17 signed in, some did not
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Many of the verbal comments were positive in nature, and most of the concerns were related to parking. Given the size of the site (.29 acres) and the requirements for ground level commercial space this project can't support onsite parking. The other comment was related to asking for the extra story, to allow 4 stories instead of 3 through the CUP. We designed the facade to be 3 stories on the front and be similar in height to the adjacent 3 story building. We need the 4th floor to maintain 42 units we committed to for ARPA and HOME funding.

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

Parking seems to be the main issue. We have done our own informal study of the city lots and street parking and have attached a proposed Parking Plan. We also encourage the City, Commercial Club and CID to look at potential for additional parking on railroad property to the north of the site, and to find ways to enforce the 2 hour parking on the street during business hours. See attached parking and security plan.

I, Chelsea Davison (*print name*), attest that the neighborhood meeting was held on 4/18/2023 (*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

CHELSEA DAVISON

Printed name of person completing affidavit



Sankofa Neighborhood Meeting
April 18, 2023
Sign In List

Name	Organization	email	phone
Laura Knox		Knocksy6@gmail.com	619 665 9810
Christine Schilling	Mosaic Rose	mosaic2@stacydual.net	
Stacey Velez	WHNA		417-895-0247
mona Picon	WHNA		
Mary Gullett	COMMERCIAL CLUB	historicfirehouse@gmail.com	
PAUL Parker	"	parkerpauld@yahoo.com	
Angela Dwan	CID	angela@itsalldowntown	417-413-9423
JEFF BARBER	NAC	JEFFBARCHITECT@GMAIL.COM	417-343-5682
Roy Crisp	MFC	roy@roycrisp.com	919 582 3399
CONNIE R. HINDS	TAME / C-street MERCAT	connie@tamapetmag.com	417 830 8121
Cindy Lesany	Symphony '3	cindyehoo73@gmail.com	417-326-9432
Lyle Q. Foster	Big Menomoni	LFOST8@aol.com	417-763-2146



THE VECINO GROUP
Development for the greater good.



Sankofa Neighborhood Meeting
 April 18, 2023
 Sign In List

Name	Organization	email	phone
Irene Schaefer	CID, PRODP/BUSINESS	schaefer.1112@gmail.com	417 880 0220
Paul Parker	commercial club	parker.pauld@yahoo.com	
Michael Brittain	Habitat for Humanity	mbrittain@habitat-springfield-mo.org	
TERESA Emerson	Property owner	TERESA@58cylab.net	417 343 3348
Daniel M. Nalley	Resident	plurification@gmail.com	417 818 6694



THE VECINO GROUP
 Development for the greater good.

April 25, 2023

- e. **List of issues raised, any verbal comments and how applicant plans to respond. If staff determines the developer did not make a serious attempt to address the issues, staff may recommend denial or tabling of the application**

Issues raised:

Parking, number of stories, and exterior materials. Please see attached comment cards.

Responses:

Parking – We will be providing parking through a combination of on street parking for businesses and permit based parking on city lots for residents. Please see attached parking and security plan for expanded response.

Number of stories – The proposed use will not dominate the immediate vicinity – we are proposing a 4th story, however, the building height overall will compare closely to the surrounding 3 story buildings, and the tall retail storefront along Commercial Street, where the floor-to-floor height is 20'-0", will make the façade feel like a 3-story building, similar to 315 W. Commercial St.

Exterior materials – We are considering other material choices to satisfy the concerns of the neighbors.

DATE:	April 18, 2023	Telephone No.	417-413-9423
YOUR NAME:	Angela Duran		
YOUR ADDRESS:	299 E Commercial St		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

I love it! Thanks for all that you do!

Theres lots of strong voices but there are many

in support. Parking is a concern, but who wants a parking lot taking
- CID STAFF up space in our district!

DATE:	April 18, 2023	Telephone No.	417-343- 1111 5682
YOUR NAME:	JEFF BARBER		
YOUR ADDRESS:	746 S. WELER AVE 65802		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS: ARTICULATION OF THE FACADES IS KEY

→ "THE STYLIZED SOUTH ELEVATION IS A GREAT START
→ EXPLORATION OF A "CORNICHE" OR WALL TERMINATION

CAN BACK OF BUILDING BE BROKEN UP OR ARTICULATED?

PERHAPS STAY W/ MASONRY AND AVOID METAL PANELS.

MIXED USE PARKING IS TIDAL, SO OK.

? ALCOVE UNIT ENTRY DOORS?
TO DEFINE ENTRIES
& BREAK-UP LONG CORRIDOR

DATE:	April 18, 2023	Telephone No.	(917) 582 3399
YOUR NAME:	Ray Crespo		
YOUR ADDRESS:	411 W. Commercial		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

Y'all looks great. Thank you!

Consider M.C.C. for Phase change material solution

Rg

DATE:	April 18, 2023	Telephone No.	417.830.8121
YOUR NAME:	CONNIE RHOADES HINDS, DIR. C-STREET MERCHANT ASSOC.		
YOUR ADDRESS:	215 W. COMMERCIAL (UPSTAIRS OFFICE - TAME MEDIA)		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

LARGELY EXCITED + SUPPORTIVE OF THIS PROJECT. ☺
DO FEEL CONCERNS ABOUT TENANTS TAKING UP STREET
PARKING IS VALID. IM HOPING YOU WILL CONTINUE TO BE ☺
GOOD NEIGHBORS AND WORK TO ADDRESS + PREVENT
ANY NEGATIVE AFFECTS TO EXISTING BUSINESS OWNERS
+ RESIDENTS.

THANK-YOU FOR THIS OPEN HOUSE!

DATE:	April 18, 2023	Telephone No.	417 343 3348
YOUR NAME:	TERESA EMERSON		
YOUR ADDRESS:	MAIN CITY & RUBENS		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	CASE - design / materials / BLDG USE COMMENTS - NEED TO AT LEAST CONTRIBUTE TO MORE PARKING SPACES		

DATE:	April 18, 2023	Telephone No.	913-558-0585
YOUR NAME:	CHRISTOPHER PERLEY		
YOUR ADDRESS:	2000 N. GRANT AVE SPFD MO 65803		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	None -		

DATE:	April 18, 2023	Telephone No.	417-326-9432
YOUR NAME:	Cindy Assery		
YOUR ADDRESS:	PO Box 14375 Springfield, Mo. 65814 or 426 W Commercial 65801		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	LOVE it! No questions already gave my opinion on green space (glad to see it) & art work. Thank you!		

DATE:	April 18, 2023	Telephone No.	
YOUR NAME:	Lyle D. Foster		
YOUR ADDRESS:	217 E. Commercial		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	I strongly support It is exciting and important to see this vital project being proposed on C Street plus it addresses a vital community need.		

DATE:	April 18, 2023	Telephone No.	417-326-9432
YOUR NAME:	Cindy Usery		
YOUR ADDRESS:	PO Box 14375 Springfield, Mo. 65814 or 426 W Commercial 65801		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	LOVE it! No Questions already gave my opinion on green space (glad to see it) & art work. Thank you!		

DATE:	April 18, 2023	Telephone No.	
YOUR NAME:	Lyle Foster		
YOUR ADDRESS:	217 E. Commercial		
PROJECT ADDRESS:	411 W. Commercial		
COMMENTS:	I strongly support It is exciting and important to see this vital project being proposed along C Street plus it addresses a vital community need.		

DATE:	April 18, 2023	Telephone No.	(417) 380-9665
YOUR NAME:	Paul Parker		
YOUR ADDRESS:	1539 N. Washington Springfield 65803		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS: That there is no plan for parking in your plans remains a deep concern of mine. Over all I like your building design and amenities.

DATE:	April 18, 2023	Telephone No.	
YOUR NAME:	MARY COLETTE		
YOUR ADDRESS:			
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:
 CANNOT SUPPORT WITHOUT ADDITION OF NEW PARKING - BEST CASE NORTH OF PROJECT ON RR LAND WITH CITY INVOLVEMENT.
 COM DISTRICT LIMITS TO 3 STORIES, BELIEVE SHOULD BE UPHELD
 LIKE DESIGN - IF WERE 3-STORIES - PROVIDED PARKING - SUPPORT WHOLEHEARTEDLY

DATE:	April 18, 2023	Telephone No.	417-895-0247
YOUR NAME:	Stacey Velez		
YOUR ADDRESS:	1300 W. Atlantic St, Springfield, MO 65803		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

This opportunity is very exciting. The only concern I have is the parking. Springfield, and especially Zone 1, are in desperate need of affordable housing.

DATE:	April 18, 2023	Telephone No.	
YOUR NAME:	Nona Pieron 417-576-6491		
YOUR ADDRESS:	2000 N. Grant Ave.		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

Love the new vision/changes to the concept -

Much as people are using "Parking" as their deciding factor for support - I'm not one of those. Our lack of parking is not going to be solved with this, or any other single project. I'm sure you will be continuing to work on the issue - but I will Not be withholding support. You're doing a great job of involving your neighbors, and that alone goes a long way in gaining support.

DATE:	April 18, 2023	Telephone No.	
YOUR NAME:			
YOUR ADDRESS:			
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

NO PARKING!! How to shop? laundry?

GO AFTER BUILDING (1 ONE) BLOCK
SOUTH

DATE:	April 18, 2023	Telephone No.	619 663 9810
YOUR NAME:	LAURA KNOX		
YOUR ADDRESS:	315 W Commercial		
PROJECT ADDRESS:	411 W. Commercial		

COMMENTS:

Parking Concern
I park in the gravel lot.

Very informational -

THANK you for the informative time

Parking and Security Plan

The Commercial Street District does not require developments to provide parking. The district does ask for a parking plan for projects over 10,000 sf. Here is our parking plan:

The neighborhood has a walkscore of 71 (most errands can be done in walking distance), there are two bus stops within a block. A parking permit process exists for resident overnight parking. So far, our count over the last week (different days and times) is that of the 121 city parking lot spaces, there are about 73 spaces vacant on average. This does not count street parking in the 2-hour zones which are mostly vacant after business hours as well and are available except between 8am and 5 pm. *Our parking plan is to provide our residents with the application process for after-hours parking permit through the City's Licensing Department. They can then use the city lots and on-street parking outside of the 2-hour parking limits.*

We believe there is sufficient public parking available for additional development on Commercial Street. Over the last couple of weeks. We have been monitoring the 3 city lots south of Commercial Street between Campbell and Jefferson and counting available parking on different days and times. There are 121 parking spaces among the three lots and the average vacancy rate in those lots is about 75% or 91 parking spaces. (See attached map and report) This does not count street parking that is available to residents after hours. We will continue to monitor and count these to have more data to report at the P&Z meeting.

We encourage the City, CID and Commerical Club to take further steps to look at future parking needs in the area:

- 1 – Commission a parking study like is being done downtown.
- 2 – Consider enforcement of the 2-hour parking through ticketing, parking meters or both
- 3 – Re-engage with the railroad to explore expansion of Frisco Lane parking to the west

For security, access control will be included for the ground level residential entry doors. Exterior surveillance cameras will be available covering Commercial Street and Campbell Avenue as well as residential / interior areas of the project. The exterior cameras will be made available to access by the Springfield Police Department. Commercial spaces will have their own entrances managed by each tenant.

C Street Parking Counts

1:00 pm counts

4/12/2023	Total	Used	Available	
Lot A	40	17	23	
Lot B	36	9	27	
Lot C	45	16	29	
	121	42	79	65% Vacant

6:00 am counts

4/13/2023	Total	Used	Available	
Lot A	40	7	33	3 personal 4 commercial
Lot B	36	6	30	
Lot C	45	3	42	
	121	16	105	87% Vacant

4:00 PM

4/13/2023	Total	Used	Available	
Lot A	40	17	23	1 commercial
Lot B	36	4	32	
Lot C	45	11	34	
	121	32	89	74% Vacant

10:00 AM

4/14/2023	Total	Used	Available	
Lot A	40	17	23	2 commercial
Lot B	36	8	28	
Lot C	45	11	34	
	121	36	85	70% Vacant

4/14/2023	Total	Used	Available
Lot A	40		40
Lot B	36		36
Lot C	45		45
	121	0	121

7:30 am Saturday

4/15/2023	Total	Used	Available	
Lot A	40	14	26	7 commercial
Lot B	36	6	30	
Lot C	45	10	35	
Total	121	30	91	75% Vacant

6:15 pm Saturday

4/15/2023	Total	Used	Available	
Lot A	40	28	12	5 commercial vehicles
Lot B	36	9	27	
Lot C	45	22	23	
	121	59	62	51% Vacant

Street D	10	2	8	
Street E	6	2	4	
Street F	10	4	6	
Street G	10	1	9	
Total	36	7	27	75% Vacant
GRAND TOTAL	157	37	118	75% Vacant

Street D	10	3	7	
Street E	6	2	4	
Street F	10	4	6	
Street G	10	3	7	
Total	36	9	24	67% Vacant
GRAND TOTAL	157	68	86	55% Vacant

11:30 AM

4/16/2023	Total	Used	Available	
Lot A	40	15	25	7 commercial
Lot B	36	5	31	
Lot C	45	15	30	
	121	35	86	71% Vacant

Street D	10	0	10	
Street E	6	6	0	
Street F	10	4	6	
Street G	10	4	6	
Total	36	14	22	61% Vacant
GRAND TOTAL	157	49	108	69% Vacant

7:15 AM

4/17/2023	Total	Used	Available	
Lot A	40	9	31	6 commercial
Lot B	36	3	33	
Lot C	45	3	42	
	121	15	106	88% Vacant

Street D	10	0	10	
Street E	6	4	2	
Street F	10	5	5	
Street G	10	1	9	
Total	36	10	26	72% Vacant
GRAND TOTAL	157	25	132	84% Vacant

7:45 AM

	4/18/2023 Total	Used	Available	
Lot A	40	13	27	6 commercial
Lot B	36	2	34	
Lot C	45	6	39	
	121	21	100	83% Vacant
Street D	10	0	10	
Street E	6	5	1	
Street F	10	5	5	
Street G	10	1	9	
Total	36	11	25	69% Vacant
GRAND TOTAL	157	32	125	80% Vacant

645 AM

	4/19/2023 Total	Used	Available	
Lot A	40	11	29	6 commercial
Lot B	36	2	34	
Lot C	45	6	39	
	121	19	102	84% Vacant
Street D	10	0	10	
Street E	6	5	1	
Street F	10	5	5	
Street G	10	1	9	
Total	36	11	25	69% Vacant
GRAND TOTAL	157	30	127	81% Vacant

75% Vacancy in City Lots
91 Available spaces on average



ZONING

1. REFERENCE CIVIL FOR ALL EXISTING DEMO AND NEW SITE WORK NOT SHOWN ON ARCHITECTURAL DRAWINGS.
2. ALL EXISTING CONCRETE WALKS TO REMAIN SHALL BE THOROUGHLY CLEANED OF ANY DIRT OR FOREIGN MARKINGS.
3. ALL EXISTING TREES ARE TO BE PRESERVED AND PROTECTED UNLESS NOTED OTHERWISE.
4. STORMWATER DETENTION TO BE BOUGHT OUT AT THE CITY OF SPRINGFIELD'S SCHEDULED RATE.
5. NO SITE / MONUMENT SIGN WILL BE INSTALLED.
6. DEVELOPMENT SHALL ADHERE TO THE DESIGN REQUIREMENTS LISTED IN SEC. 36-425, SUBSECTION (7).

MINIMUM YARD REQUIREMENTS:

1. SUBJECT PROPERTY IS ZONED **COM-1** (COMMERCIAL STREET, ZONE 1)
2. SUBJECT PROPERTY IS CURRENTLY A VACANT GRAVEL PARKING LOT.

PROPOSED USE

1. PROPOSED USE FOR SUBJECT PROPERTY: R-2; M
2. GENERAL DESCRIPTION:
THE VECINO GROUP IS PROPOSING SANKOFA: A NEW AFFORDABLE HOUSING
DEVELOPMENT COMBINED WITH A BUSINESS INCUBATOR AND STREET-LEVEL
RETAIL.

SITE PLAN LEGEND

- | | |
|---|-------------------------------|
|  | PROPERTY LINE |
|  | SILT FENCE & INLET PROTECTION |
|  | EXISTING GRADE LINES |
|  | LIGHT POLE |
|  | POWER POLE |

UNIT & SQUAREFOOTAGE MATRIX

UNIT TYPE	RFA / UNIT	FLOOR				TOTAL	TOTAL RFA
		1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR		
STUDIO	372 SF	-	1	1	1	3	1,116 SF
TYP. 1 BED	636 SF	5	5	10	10	30	19,050 SF
CORNER 1 BED	681 SF	-	1	1	1	3	2,073 SF
2 BED	815 SF	1	1	2	2	6	4,890 SF
TOTAL		6	8	14	14	42	27,129 SF
GROSS SQUARE FOOTAGE		10,639 SF	8,172 SF	11,228 SF	11,228 SF	41,267 SF	
COMMERCIAL SQUARE FOOTAGE (INCLUDED IN GROSS SF)		3,732 SF	1,396 SF	-	-	5,128 SF	

Number of Bedrooms:	48
Actual Building Height:	40' - 7 1/2" (top of roof deck) 50' - 7 1/2" (top of highest point of building - stair access to roof)

PARKING & SECURITY PLAN

One of the statements in Forward SGF was "Lack of Affordable Housing". Sankofa is an affordable housing project with rents in the 50-60% AMI range. The Commercial Street District does not require developments to provide parking. The district does ask for a parking plan for projects over 10,000 sf. Here is our parking plan:

The neighborhood has a walkscore of 71 (most errands can be done in walking distance), there are two bus stops within a block. A parking permit process exists for resident overnight parking. So far, our count over the last week (different days and times) is that of the 121 city parking lot spaces, there are about 73 spaces vacant on average. This does not count street parking in the 2 hour zones which are mostly vacant after business hours as well and are available except between 8am and 5 pm. Our parking plan is to provide our residents with the application process for after hours parking permit through the City's Licensing Department. They can then use the city lots and on street parking outside of the 2 hour parking limits.

For security, access control will be included for the ground level entry doors. Exterior surveillance cameras will be available covering Commercial Street and Campbell Avenue as well as residential / interior areas of the project. The exterior cameras will be made available to access by the Springfield Police Department.

REV	DESCRIPTION	DATE
-----	-------------	------

This drawing and the details on it are the sole property of the Design Professional of Record. It may be used for this specific project only. It shall not be loaned, copied, or reproduced in whole or in part, or for any other purpose or project without the written consent of the Architect.

The Professional's seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments, or other documents not exhibiting this seal shall not be considered prepared by this Professional, and I, and all responsibility for such plans, drawings, documents not exhibiting this seal is disclaimed.

DATE: Project Issue Date
PROJECT NUMBER: Project Number
DRAWN BY: Author
COPYRIGHT: © 2020 VECINO DESIGN

SITE PLAN

A100



SEC. 11, T-29-N, R-22-W
SCALE: 1"=2000'

TBM IS A SQUARE CUT IN THE TOP CONCRETE CURB SOUTH OF SUBJECT PROPERTY WITH AN ELEVATION OF 1335.14. VERTICAL DATUM = NAVD 1988.

PROPERTY LINE		MEASURED SEED		MEASURED PLAT	
● CP	CONTROL POINT	SS	100'	M	
● FND IP	FOUND IRON PIN		100'	D	
● SET IP	SET IRON PIN	SW			
△ MIN	RIGHT-OF-WAY MARKER	T			
○ GY	POWER POLE W/ GUY	UT			
PP MH	MANHOLE	G			
○ SCO	SEWER CLEANOUT	W			
○ GM	GAS METER	E			
☆ LP	LIGHT POLE	UE			
	SIGN	X			
⊕ WM	WATER METER				
⊖ WV	WATER VALVE				
⊖ GV	GAS VALVE				
○ FH	FIRE HYDRANT				
△ TR	TELEPHONE RISER				
● BP	BUMPER POST				
⊖ IG	GRATE INLET				
● BH	BORERHOLE				
□ EM	ELECTRIC METER				
	TELEPHONE LINE				
	UNDERGROUND TELEPHONE				
	GAS LINE				
	WATER LINE				
	OVERHEAD ELECTRIC LINE				
	UNDERGROUND ELECTRIC				
	FENCE LINE				
	RETAINING WALL				
	LINE LABELS				
	LINE LABELS				
	TREE LINE				
	BUSH				
□ ER	ELECTRICAL RISER				
□ TS	TRAFFIC SIGNAL BOX				
○ MB	MAIL BOX				
⊖ ICV	IRRIGATION CONTROL VALVE				

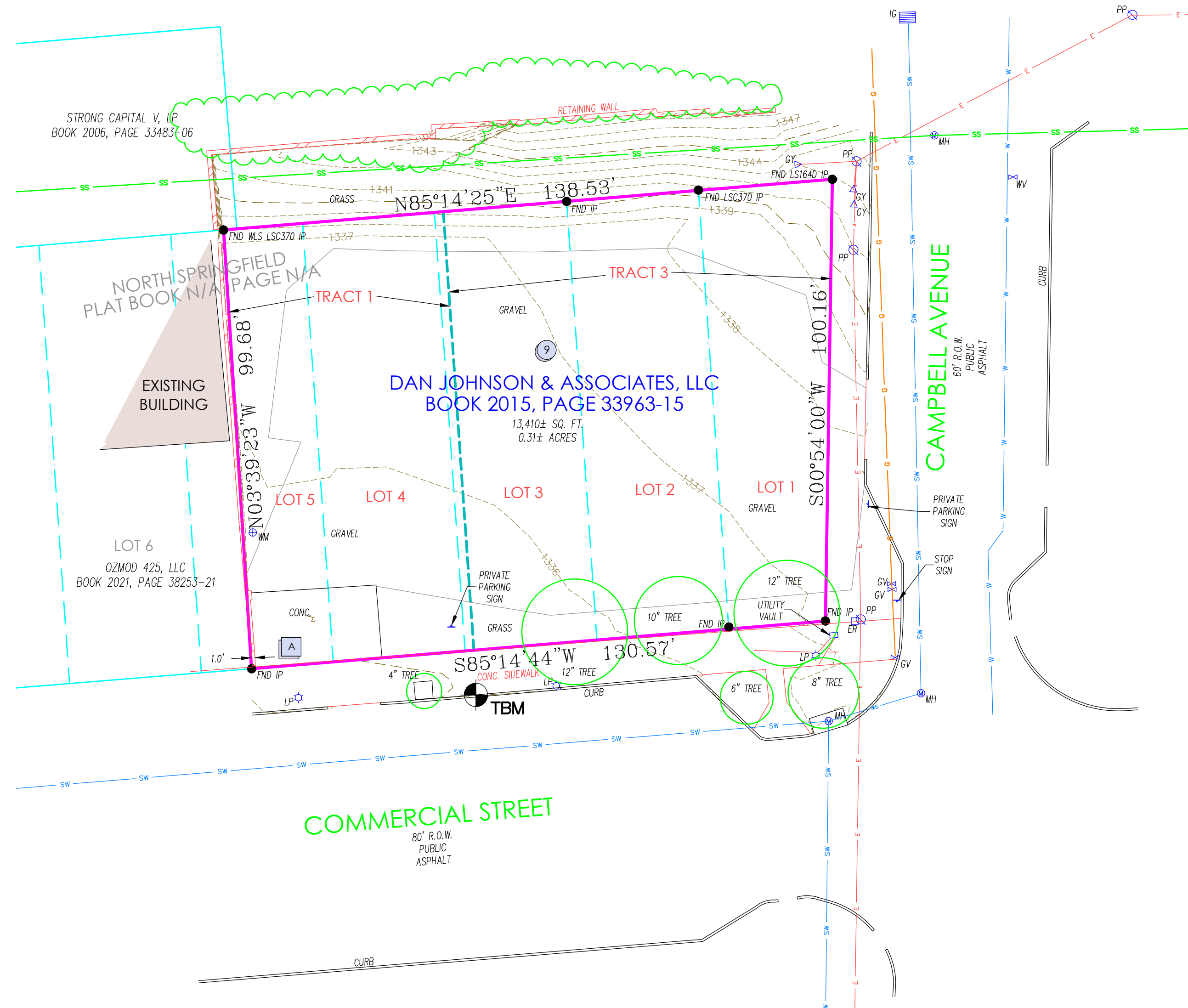
PREFERRED TITLE OF MISSOURI, COMMITMENT NO. 23SP6526, DATED FEBRUARY 2, 2023 AT 8:00 AM.

9. EASEMENTS, SETBACK REQUIREMENTS, AND RESTRICTIONS, SHOWN ON THE PLAT OF SAID PROPERTY FILED IN BOOK B AT PAGE 61-62, RECORDER'S OFFICE, GREENE COUNTY, MISSOURI, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SHOWN.

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0331E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANTY THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED
HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE
LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR
IMPLIED.



NO EARTH MOVING, BUILDING CONSTRUCTION OR ADDITIONS OBSERVED ON SUBJECT PROPERTY AT TIME OF THE FIELD SURVEY.

DID NOT OBSERVE ANY CHANGES IN THE STREET RIGHT-OF-WAY OR SIDEWALK CONSTRUCTION ON SUBJECT PROPERTY AT THE TIME OF FIELD SURVEY.

DID NOT OBSERVE ANY CHANGES IN THE STREET RIGHT-OF-WAY OR SIDEWALK CONSTRUCTION ON SUBJECT PROPERTY AT THE TIME OF FIELD SURVEY.

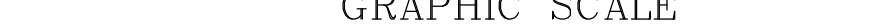
DID NOT OBSERVE ANY EVIDENCE OF A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL ON SUBJECT PROPERTY AT THE TIME OF FIELD SURVEY.

DID NOT OBSERVE ANY EVIDENCE OF A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL ON SUBJECT PROPERTY AT THE TIME OF FIELD SURVEY.

DID NOT OBSERVE ANY STRIPED PARKING SPACES ON SUBJECT PROPERTY

A CONCRETE RETAINING WALL ENCLOSES ONTO THE SOUTHWEST CORNER OF SUBJECT PROPERTY. AS SHOWN.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

ALL OF THE WEST TWO (2) FEET OF LOT THREE (3), AND ALL OF LOT FOUR (4) AND THE EAST EIGHTEEN (18) FEET OF LOT FIVE (5) ALL IN BLOCK THIRTY-FOUR (34) IN THE ORIGINAL PLAT OF NORTH SPRINGFIELD, NOW A PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORD PLAT THEREOF.

ALL OF LOTS ONE (1), TWO (2) AND THE EAST TWENTY-EIGHT (28) FEET OF LOT THREE (3) IN BLOCK THIRTY-FOUR (34) IN NORTH SPRINGFIELD, NOW A PART OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORD PLAT THEREOF.

SUBJECT PROPERTY IS ZONED COM-1 (COMMERCIAL STREET, ZONE 1).

MINIMUM YARD REQUIREMENTS:

MINIMUM YARD REQUIREMENTS:

FRONT YARD: NONE

SIDE YARD: NONE

REAR YARD: NOW

I HEREBY CERTIFY TO:
PREFERRED TITLE OF MISSOURI, INC.
COMMONWEALTH LAND TITLE INSURANCE COMPANY
VENCINO GROUP
SANKOFA411, LLC
DAN JOHNSON & ASSOCIATES, LLC
777 BATTLEFIELD, LLC

THIS IS TO CERTIFY THAT THE SURVEY MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS ON FEBRUARY 23, 2021, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 9, 13, 14, 16, 17 AND 18 TABLE A THEREOF. THE FIELD WORK WAS COMPLETED IN FEBRUARY 2023. TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF MISSOURI, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. LAST REVISION DATE FEBRUARY 28, 2023.

ANDERSON ENGINEERING, INC. LC 62 BY:

Kent R. Peterson, PLS-2659



02-28-2023
DATE



EMPLOYEE OWNED

ENGINEERS · SURVEYORS
LABORATORIES · DRILLING

3213 S WEST BYPASS
SPRINGFIELD, MO 65807
PHONE (417) 866-2741
A LICENSED MISSOURI
ENGINEERING CORPORATION
COA 00062

VECINO GROUP

411 W. COMMERCIAL STREET
SPRINGFIELD, MO. 65803

REVISIONS

[illegible]

DRAWING INFORMATION

PROJECT NO:	23SP10005
DRAWN BY:	GAS
CHECK BY:	KRP
FIELD BOOK:	-
DATE:	02/27/2023

SHEET TITLE

ALTA/NSPS SURVEY

SHEET NUMBER

1



EXPLANATION TO COUNCIL BILL 2023-178 (JENSON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance relinquishing certain sanitary sewer easements located at 3745 South Broadway Avenue for the purpose of accommodating construction of improvements at said location. (Planning and Zoning Commission and staff recommend approval.)

PURPOSE: Request to relinquish sanitary sewer easements generally located at 3745 South Broadway Avenue in Springfield, Missouri. (Planning and Zoning Commission and staff recommend approval.)

BACKGROUND INFORMATION: RELINQUISH EASEMENT NUMBER 937

The applicant is requesting to relinquish a sanitary sewer easement in order to accommodate construction of a new gymnasium and storm shelter at Horace Mann Elementary School. A replacement sanitary sewer easement is to be dedicated. The Planning & Zoning Commission does not have the authority to approve this request because it contains conditions. Action by City Council is required for this application.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate the development of the property.
2. The Planning and Zoning Commission does not have the authority to approve this request due to conditions being set forth by the applicant. The relinquishment of the easement is contingent upon public improvements being constructed. This request must be forwarded to City Council for approval.
3. No one has objected to this request to date.

CONDITIONS:

If approved, the relinquishment of the sanitary sewer easement is not effective until:

1. The applicant completes the public improvements to the proposed sanitary sewer easement area and the construction of those improvements is accepted by the City.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null, and void and the sanitary sewer easement requested to be



relinquished will remain.

RECOMMENDATIONS: The Planning and Zoning Commission held a public hearing on June 8, 2023, and recommended approval, by a vote of 9 to 0, that this request be forwarded to Council with a recommendation for approval. The Commission could not approve the request because of the conditions being set forth.

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

Submitted By: Andrew Menke, Assistant Planner

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

Attachments:

1. RE 937_3745 S Broadway_ord
2. RE 937_exh A

One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed: 07-03-23

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-178

SPECIAL ORDINANCE _____

AN ORDINANCE

1 RELINQUISHING certain sanitary sewer easements located at 3745 South Broadway
2 Avenue for the purpose of accommodating construction of
3 improvements at said location. (Planning and Zoning Commission and
4 staff recommend approval.)
5 _____
6

7 WHEREAS, an application has been submitted requesting that the City relinquish
8 certain sanitary sewer easements located at 3745 South Broadway Avenue, said request
9 being generally referred to as Relinquishment 937; and
10

11 WHEREAS, the purpose of such request is to accommodate the construction of a new
12 gymnasium and storm shelter at Horace Mann Elementary School, and applicant is to
13 dedicate a replacement easement through a separate instrument; and
14

15 WHEREAS, the Planning and Zoning Commission, at their meeting on June 8, 2023,
16 recommended approval of the relinquishment request; and
17

18 WHEREAS, City Council finds that, provided the conditions set forth in this Ordinance
19 are fully complied with, the relinquishment requested by the applicant is appropriate, and
20 City Council thereby desires to relinquish said easements consistent with the provisions of
21 this Ordinance.
22

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

26 Section 1 – City Council hereby relinquishes certain sanitary sewer easements
27 located at 3745 South Broadway Avenue, said easements being more fully described in the
28 legal descriptions set forth in “Exhibit A – Attachment 3,” which “Exhibit A” is attached hereto
29 and incorporated herein in its entirety, provided that said relinquishment shall not become
30 effective until applicant completes the public improvements to the proposed sanitary sewer
31 easement area, as set forth in “Exhibit A – Attachment 4,” and the construction of those
32 improvements (the new sewer easement) is accepted by the City. If this condition is not

33 completed within one (1) year from City Council's approval, then said approval is null and
34 void, and the sanitary sewer easement requested to be relinquished will remain.
35

36 Section 2 – Upon the Director of Planning and Development certifying in writing to the
37 City Clerk that the conditions contained in Section 1 of this Ordinance have been fully
38 complied with, this Ordinance shall be in full force and effect.
39

40 Passed at Meeting: _____
41

42 _____
43 Mayor
44

45 Attest: _____, City Clerk
46

47 Filed as Ordinance: _____
48

49 Approved as to Form: Jill Bennis, Assistant City Attorney
50
51

52 Approved for Council Action: Jason A. Hays, City Manager
53

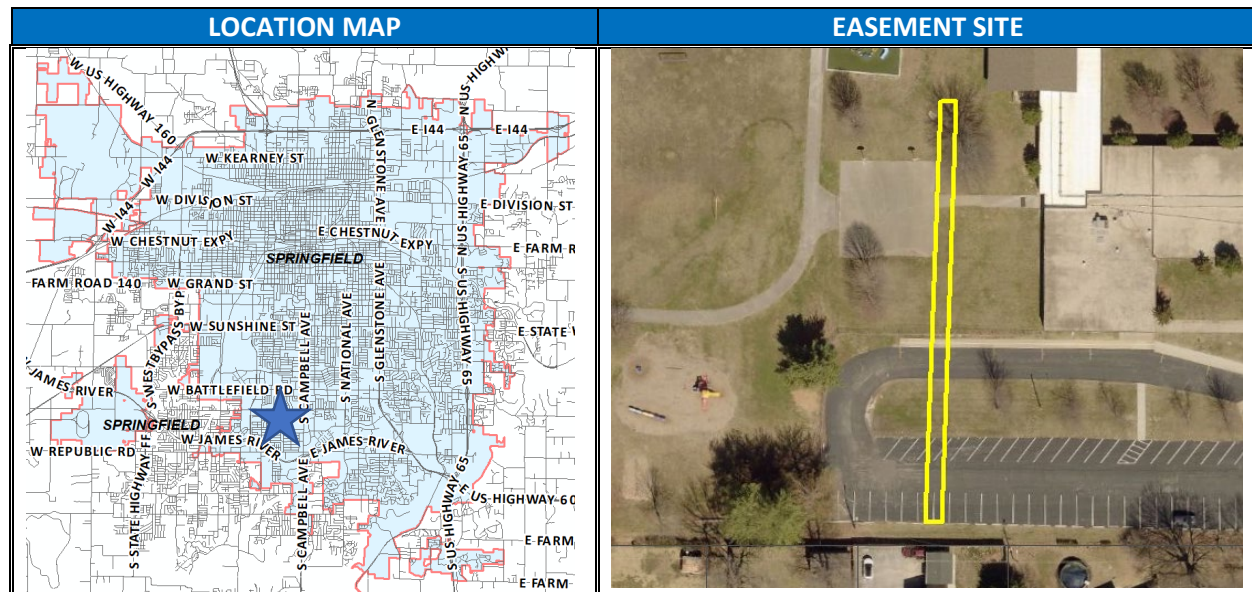
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Relinquishment of Easement 937
Location:	3745 South Broadway Avenue
Total Acres:	0.06 acres
Applicant:	School District of Springfield R-12
Existing Land Use:	Elementary school
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Staff:	Andrew Menke, Associate Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to authorize the relinquishment of the sanitary sewer easement identified in the staff report for Relinquishment of Easement 937. (All commission motions are made in the affirmative.)
Required Vote:	Five (5) voting members to approve or deny.

PROJECT SUMMARY:

The applicant, School District of Springfield R-12, is requesting to relinquish a sanitary sewer easement to facilitate the development of the property at Horace Mann Elementary School. A replacement easement is to be dedicated. The relinquishment of the easement is contingent upon the construction of public improvements.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-160. - Relinquishment of public utility easements.

- (a) The planning and zoning commission may authorize the relinquishment of a public utility easement upon determining the following:
 - (1) No one has objected to the relinquishment of the easement.
 - (2) The appropriate city agency (public works in the case of sewer easements, and city utilities in the case of electric, gas and water easements) has filed with the department of community development a statement that the easement is no longer needed to provide utility service.
 - (3) The retention of the easement no longer serves any useful public purpose.
- (b) Upon the planning and zoning commission determining that the conditions set forth in subsection (a) of this section have been satisfied, the commission may adopt a resolution authorizing the mayor of the city to quitclaim the city's interest in the public utility easement, which quitclaim deed shall be filed in the county land records. If the conditions set forth in subsection (a) of this section are not satisfied, any person who has filed a request for the relinquishment of the public utility easement can request that the city council consider the matter by filing a notice with the director of community development asking that the city council hear the matter.

ATTACHMENT 1: DEPARTMENT COMMENTS

- 1. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
Approved.
- 2. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY DIVISION:
Approved.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate the development of the property.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

CONDITIONS:

A. If approved, the relinquishment of the sanitary sewer easement is not effective until:

1. The applicant completes the public improvements to the proposed sanitary sewer easement area and the construction of those improvements is accepted by the City.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null, and void and the sanitary sewer easement requested to be relinquished will remain.

STAFF RECOMMENDATION:

1. Staff recommends approval with conditions based on the finding of facts above.

PLANNING AND ZONING OPTIONS:

1. Recommend that the relinquishment is determined to be generally consistent with the master plan (Comprehensive Plan Forward SGF).
2. Recommend that the relinquishment is determined to be not consistent with the master plan (Comprehensive Plan Forward SGF).

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2: REQUIREMENTS FOR APPROVAL

TABLE A

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	No one has objected to the relinquishment of the easements.	No one has objected to the relinquishment of the easement.
2.	The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement. The applicant is dedicating a replacement easement.
3.	That the retention of the easements no longer serves any useful public purpose.	The retention of the subject easement no longer serves a public purpose. The applicant is to dedicate a replacement easement through a separate instrument.

ATTACHMENT 3: LEGAL DESCRIPTION

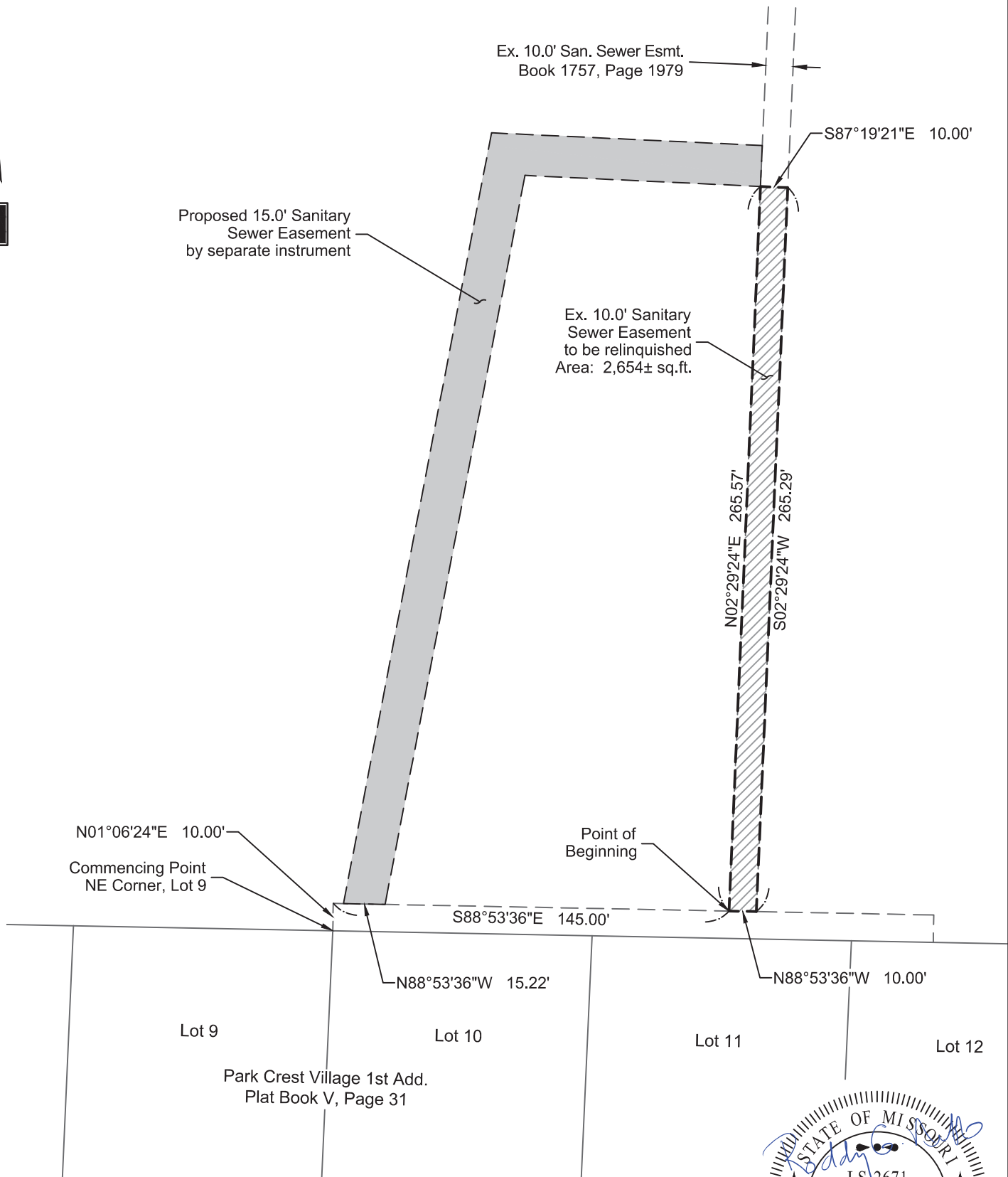
A 10.0' SANITARY SEWER EASEMENT TO BE RELINQUISHED:

All of that part of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 11, Township 28 North, Range 22 West, in the City of Springfield, Greene County, Missouri, being a part of a sanitary sewer easement recorded in the Greene County Recorder's Office in Book 1757 at Page 1979, and being more particularly described as follows:

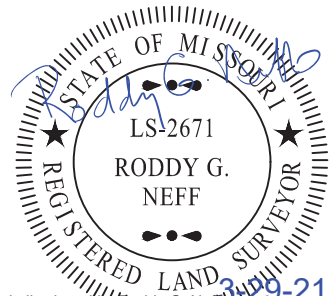
COMMENCING at the Northeast corner of Lot 9, of Park Crest Village First Addition, a subdivision recorded in Plat Book V at Page 31; thence N01°06'24"E, along said existing sanitary sewer easement, a distance of 10.00 feet; thence S88°53'36"E, along said existing sanitary sewer easement, a distance of 145.00 feet for a POINT OF BEGINNING; thence N02°29'24"E, along said existing sanitary sewer easement, a distance of 265.57 feet; thence S87°19'21"E, a distance of 10.00 feet; thence S02°29'24"W, along said existing sanitary sewer easement, a distance of 265.29 feet; N88°53'36"W, along said existing sanitary sewer easement, a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 2,654 square feet, more or less, and subject to any rights-of-way, easements, and restrictions of record.

DWG: C:\Users\carold\Documents\CAD\project_shortcuts\021-01867 Mann ES\SRV\Sheets\V_ESM_RELQ_02101867.dwg
 DATE: Mar 29, 2021 12:38pm
 USER: carold
 XREFS: V_XBNDY_02101867



This sketch is not a boundary survey. It is intended to show the configuration of a proposed easement. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.



Digitally signed by Roddy G. Neff
 Date: 2021.03.29 13:53:21-05'00'

PROJECT NO: 021-01867

DRAWN BY: CDA

DATE: 03.29.21

SANITARY SEWER
 EASEMENT RELINQUISHMENT
 HORACE MANN ELEMENTARY SCHOOL

olsson

Olsson, Inc. Survey MO
 Certificate of Authority #LC366
 550 St. Louis Street
 Springfield, MO 65806
 TEL 417.890.8802 FAX 417.890.8805

EXHIBIT

B



EXPLANATION TO COUNCIL BILL 2023-179 (HOSMER)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$143,679, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

PURPOSE: Amending the City's Fiscal Year 2022-2023 operating budget in the General Fund by increasing both revenue and expenses in the amount of \$143,679.

BACKGROUND INFORMATION: During the fiscal year, various events occur resulting in revenue and expenses which were not anticipated at the time the budget was developed. Some of the most common events are insurance proceeds for damaged equipment and the corresponding cost to repair the equipment, sale of assets, and reimbursements for various City services. Each revenue adjustment has a corresponding increase in expense. For efficiency purposes, these adjustments to the budget are typically handled toward the end of the fiscal year. Although Fiscal Year 2022-2023 ended on June 30, 2023, the books remain open for year-end entries.

The Fiscal Year 2022-2023 year-end budget adjustment includes a revenue and expense adjustment of \$123,504 for reimbursements. This year's reimbursements include funds from Greene County, Republic, and Nixa for Niche software, hazardous materials release reimbursement, developer escrow payments, sale of City gear items, and insurance settlements.

Actual year-end salary expense often varies from budget due to sick leave and vacation payments that are paid at retirement. These payouts are not budgeted. Overall, salary expense in the General Fund did not exceed the budget in Fiscal Year 2022-2023; however, it is necessary to adjust appropriations between departments. Some departments may need additional funds, due to a large number of retirees, while other departments have funds available due to vacancies.

Adjustments between departments must be approved by City Council. Fiscal Year 2022-2023 includes moving the probation budget from the Law department, back to Municipal Court. This change was reflected in the Fiscal Year 2023-2024 budget. Finally, the funding approved for the employee referral program specially for Police, is moved from the Human Resources department to the Police budget.

REMARKS: The purpose of this budget adjustment is to adjust the Fiscal Year 2022-



2023 budget for reimbursements and associated offsetting expense items as well as adjust the salary budget for retirement payouts. This is separate from and different than a carryover budget adjustment which appropriates available funds in excess of the operating reserve. The information for the carryover budget adjustment is not available until the financial statements for the fiscal year are complete. This generally occurs in November following the close of the fiscal year in June. It is not known at this time the amount of carryover funds from the Fiscal Year 2022-2023 budget.

Submitted By: Teresa Allen, Budget Coordinator

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

Attachments:

1. GF 22-23 Year End BA_ord
2. Exhibit A -FY23 Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-03-23

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-179

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2022-2023 operating budget of the City of Springfield in
2 the General Fund by increasing both revenue and expenses in the amount
3 of \$143,679, for the purpose of adjusting for certain reimbursements and
4 associated offsetting expenses, adjusting the salary budget for retirement
5 payouts, and adjusting interdepartmental budgets.
6 _____
7

8 WHEREAS, during a fiscal year, various events occur resulting in revenue and
9 expenses which were not anticipated at the time the budget was developed; and
10

11 WHEREAS, for efficiency purposes these adjustments to the budget are typically
12 handled toward the end of the fiscal year or shortly thereafter; and
13

14 WHEREAS, the Fiscal Year 2022-2023 operating budget for the General Fund
15 needs to be adjusted for revenue and expenses of \$143,679 for reimbursements, salary
16 budget adjustments for retirement payouts, and interdepartmental adjustments.
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
19 SPRINGFIELD, MISSOURI, as follows, that:
20

21 Section 1 – The budget of the City of Springfield for Fiscal Year 2022-2023 is
22 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
23 No. 068, a copy of which is attached hereto and incorporated herein by this reference
24 as “Exhibit A.”
25

26 Section 2 – City Council finds the budget adjustment has been recommended by
27 the City Manager and that the budget adjustment made herein is necessary to reconcile
28 differences between budgeted revenues and expenditures and actual revenues and
29 expenditures.
30

31 Section 3 – City Council hereby directs the City Manager to cause the
32 appropriate accounting entries to be made in the books and records of the City.
33

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

36
37 Passed at meeting: _____

38
39 _____
40 Mayor

41
42 Attest: _____, City Clerk

43
44 Filed as Ordinance: _____

45
46
47 Approved as to form: Jill Burris, Assistant City Attorney

48
49
50 Approved for Council action: Jason A. Hays, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
068

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	10	15050	414110	000000	00000	\$ 29,123	Fire - Insurance reimbursments
10110	10	15050	414110	000000	00000	4,832	Fire - Hazmat release reimbursment
10110	18	97510	413030	000000	00000	84,495	Police - Outside agencies reimbursement for Niche
10110	19	20010	414110	000000	00000	4,465	PIO - Sale of City gear
10110	20	71010	410010	000000	00000	9,001	Public Works - Developer escrow interest payments
10110	20	74020	414110	000000	00000	11,763	Public Works - Insurance reimbursments
Net Revenue Adjustment						\$ 143,679	

Expenditures:

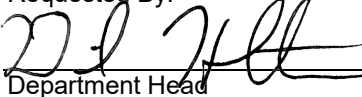
Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	10	15050	501820	000000	00000	\$ 29,123	Fire - Insurance reimbursments
10110	10	15050	501260	000000	00000	4,832	Fire - Hazmat release reimbursment
10110	18	97510	504580	000000	00000	84,495	Police - Republic and Greene Co. reimbursement for Niche
10110	19	20010	501260	000000	00000	4,465	PIO - Sale of City gear
10110	20	71010	509340	000000	00000	9,001	Developer escrow interest payments
10110	20	74020	501190	000000	00000	11,763	Public Works - Insurance reimbursments
10110	05	12010	500110	000000	00000	20,000	City Clerk- Salaries
10110	06	13010	500110	000000	00000	(90,000)	City Manager - Salaries
10110	10	15020	500110	000000	00000	120,000	Fire - Salaries
10110	15	19020	500110	000000	00000	(100,000)	Municipal Court - Salaries
10110	17	60150	500110	000000	00000	10,000	Planning - Salaries
10110	19	20010	500110	000000	00000	40,000	Public Information Office - Salaries
10110	04	11040	500110	000000	00000	(108,523)	Moved Probation from Law, back to Muni Court (Salaries)
10110	04	11040	504580	000000	00000	(10,582)	Moved Probation from Law, back to Muni Court (Supplies)
10110	15	19030	500110	000000	00000	108,523	Moved Probation from Law, back to Muni Court (Salaries)
10110	15	19030	504580	000000	00000	10,582	Moved Probation from Law, back to Muni Court (Supplies)
10110	12	16010	500110	000000	00000	(10,000)	Moved employee referral funding from HR to Police budget
10110	18	97510	500110	103070	00000	10,000	Moved employee referral funding from HR to Police budget
Net Expenditure Adjustment						\$ 143,679	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the fiscal year end 2022-23 budget for the General Fund.

Requested By:

 7-03-2023
Department Head Date

Approved By:

 7-03-2023
Director of Finance Date

Authorization:

Council Bill No. 2023-179
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2023-180 (HARDINGER)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance amending the Fiscal Year 2022-2023 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$663,807, in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

PURPOSE: Amending the City's Fiscal Year 2022-2023 operating budget by increasing both revenue and expenses in the amount of \$663,807 in various Special Revenue Funds.

BACKGROUND INFORMATION: During the fiscal year, various events occur resulting in revenue and expenses which were not anticipated at the time the budget was developed. Some of the most common events are insurance proceeds for damaged equipment and the corresponding cost to repair the equipment, sale of assets, and reimbursements from other agencies. For efficiency purposes, these adjustments to the budget are typically handled toward the end of the fiscal year. Although Fiscal Year 2022-2023 ended on June 30, 2023, the books remain open for year-end entries.

The Fiscal Year 2022-2023 year-end budget adjustment includes \$544,580, which was paid out of the fire escrow funds held by the City. Often, an insurance company will issue checks for reimbursement of fire damage to both the City and the property owner. The City holds the funds in escrow until the property damage is cleaned up and the property meets the requirements of City code.

The Fire department received \$28,778 from MSU SMOG (Southwest Missouri Council of Governments) for travel reimbursement and \$458 for recycling smoke alarms. The Police department received \$1,560, for the sale of brass from spent ammunition and \$59,406 in insurance reimbursements. The Public Information Office received \$16,703 in Route 66 merchandise sales and other reimbursements not anticipated during the budget process. Finally, Public Works received \$12,321 in insurance reimbursements for the 1/4 cent and 1/8 cent funds.

REMARKS: The purpose of this budget adjustment is to adjust the Fiscal Year 2022-2023 budget for reimbursements and associated offsetting expense items. This budget adjustment includes special revenue funds. These funds are designated for a specific purpose and must be used only for this purpose.

Submitted By: Teresa Allen, Budget Coordinator



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

- Attachments:**
1. Non GF 22-23 Year End BA_ord
 2. Exhibit A- FY23 Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-03-22

Sponsored by: Hardinger

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-180

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2022-2023 operating budget of the City of Springfield by
2 increasing both revenue and expenses in the amount of \$663,807, in
3 various Special Revenue and Capital Project Funds, for the purpose of
4 accounting for certain reimbursements and associated offsetting expense
5 items.
6 _____
7

8 WHEREAS, during a fiscal year, various events occur resulting in revenue and
9 expenses which were not anticipated at the time the budget was developed; and
10

11 WHEREAS, for efficiency purposes these adjustments to the budget are typically
12 handled toward the end of the fiscal year or shortly thereafter; and
13

14 WHEREAS, the Fiscal Year 2022-2023 operating budget for various Special
15 Revenue and Capital Project Funds needs to be adjusted for reimbursements and
16 associated offsetting expense items by increasing both revenue and expenses in the
17 amount of \$663,807.
18

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

22 Section 1 – The budget of the City of Springfield for Fiscal Year 2022-2023 is
23 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
24 No. 069, a copy of which is attached hereto and incorporated herein by this reference
25 as “Exhibit A.”
26

27 Section 2 – City Council finds the budget adjustment has been recommended by
28 the City Manager and that the budget adjustment made herein is necessary to reconcile
29 differences between budgeted revenues and expenditures and actual revenues and
30 expenditures.
31

32 Section 3 – City Council hereby directs the City Manager to cause the
33 appropriate accounting entries to be made in the books and records of the City.

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

36
37 Passed at meeting: _____

38
39 _____
40 Mayor

41
42 Attest: _____, City Clerk

43
44 Filed as Ordinance: _____

45
46
47 Approved as to form: Jill Burris, Assistant City Attorney

48
49
50 Approved for Council action: Jason A. Hage, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
069

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22110	03	10010	414080	000000	00000	\$ 544,580	BDS - Fire Escrow Fund payouts
22630	10	15070	414110	000000	00000	28,778	Fire HazMat Fund - Reimbursement for travel expenses
22690	10	15080	416020	103084	00000	458	Fire State of Mo Fund- Smoke alarm recycle program
25060	18	97590	413100	000000	00000	1,560	Police Special Revenue Fund- Sale of brass
25010	18	90100	414110	000000	00000	59,406	Police Law Enforcement Sales Tax Fund - Insurance Reimb.
23640	19	20120	414110	000000	00000	16,703	PIO Route 66 Fund - Merchandise sales and reimbursements
41100	20	73020	414110	000000	00000	10,082	Public Works Capital Improv. Sales Tax - Insurance Reimb.
40055	20	73020	414110	000000	00000	2,239	Public Works Transportation Sales Tax - Insurance Reimb.
Net Revenue Adjustment						\$ 663,807	

Expenditures:

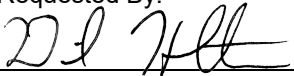
Fund	Dept	Org	Account	P&G	Location	Amount	Description
22110	03	10010	502210	000000	00000	\$ 544,580	BDS - Fire Escrow Fund payouts
22630	10	15070	501190	000000	00000	28,778	Fire HazMat Fund - Reimbursement for travel expenses
22690	10	15080	501260	103084	00000	458	Fire State of Mo Fund- Smoke alarm recycle program
25060	18	97590	501190	000000	00000	1,560	Police Special Revenue Fund- Sale of brass
25010	18	90100	501190	000000	00000	59,406	Police Law Enforcement Sales Tax Fund - Insurance Reimb.
23640	19	20120	504580	000000	00000	16,703	PIO Route 66 Fund - Merchandise sales and reimbursements
41100	20	73020	509110	000000	00000	10,082	Public Works Capital Improv. Sales Tax - Insurance Reimb.
40055	20	73020	509110	000000	00000	2,239	Public Works Transportation Sales Tax - Insurance Reimb.
Net Expenditure Adjustment						\$ 663,807	

Fund Balance Appropriation:

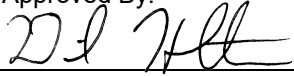
Fund	Title	Amount

Explanation: To amend the fiscal year end 2022-23 budget for reimbursements received for various funds.

Requested By:


Department Head 7-03-2023
Date

Approved By:


Director of Finance 7-03-2023
Date

City Manager Date

Authorization:

Council Bill No. 2023-180
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

EXPLANATION TO COUNCIL BILL 2023-181 (SIMPSON)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance accepting new right-of-way and an extension of South Florence Avenue, generally located at 1131 East Washita Street, connecting South Florence Avenue to East Washita Street. (Planning and Zoning Commission and staff recommend approval.)

PURPOSE: To accept new right-of-way generally located at 1131 East Washita Street that is to serve as an extension of Florence Avenue. (Planning and Zoning Commission and staff recommend approval.)

BACKGROUND INFORMATION: OFFER TO DEDICATE Number 109

Lester E. Cox Medical Centers is offering to dedicate the property generally located at 1131 East Washita Street as public right-of-way. The house at this location has been demolished and an extension of Florence Avenue has been built to City standards. The extension connects Florence Avenue to Washita Street. The purpose of the connection is to enhance the safety and reduce congestion at the high-volume intersection at Sunshine Street and National Avenue while also providing additional access to the properties on Florence Avenue.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is offering to dedicate property as public right-of-way for an extension of Florence Avenue.
2. The extension has been built, permitted, and inspected to ensure the street meets City standards.
3. The purpose of the connection is to enhance the safety and reduce congestion at the high-volume intersection at Sunshine Street and National Avenue. Goal #2 of the Transportation & Mobility chapter of Forward SGF calls to "increase safety for all users of the transportation system".
4. The Planning and Zoning Commission determined at the June 8th, 2023, meeting, that the offer to dedicate was consistent with the master plan (Comprehensive Plan Forward SGF).
5. No one objected to this request at the time the staff report was published, however at the Planning and Zoning Commission meeting the item was requested to be removed from the consent agenda by a citizen. No one spoke at the public hearing, however, additional comments were received after the meeting and are attached in "Exhibit D."



The Planning and Zoning Commission held a public hearing on June 8th, 2023, and recommended approval, by a vote of 9 to 0, of the proposed dedication on the tract of land described on the attached sheet.

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

Submitted By: Andrew Menke, Assistant Planner

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

Attachments:

1. Offer to Dedicate 109_ord
2. Legal Description_exh A
3. ROP_exh B
4. Staff Report_exh C
5. Comments_exh D

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 07-03-23

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-181

SPECIAL ORDINANCE _____

AN ORDINANCE

1 ACCEPTING new right-of-way and an extension of South Florence Avenue,
2 generally located at 1131 East Washita Street, connecting South
3 Florence Avenue to East Washita Street. (Planning and Zoning
4 Commission and staff recommend approval.)
5 _____
6

7 WHEREAS, Lester E. Cox Medical Centers has offered to dedicate the property
8 generally located at 1131 East Washita Street as public right-of-way; and
9

10 WHEREAS, an extension of South Florence Avenue connecting South Florence
11 Avenue to East Washita Street has been built to City standards on the property
12 generally located at 1131 East Washita Street to provide additional access to properties
13 on Florence Avenue and to enhance safety and reduce congestion at the high-volume
14 intersection of East Sunshine Street and South National Avenue; and
15

16 WHEREAS, the Planning and Zoning Commission of the City of Springfield,
17 Missouri, held a public hearing on June 8, 2023, and recommended approval of the
18 offer to dedicate the property generally located at 1131 East Washita Street as public
19 right-of-way, a copy of the Record of Proceedings from said public hearing being
20 attached hereto and incorporated herein by this reference as "Exhibit B."
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 – City Council accepts the new right-of-way and the extension of South
26 Florence Avenue as described in "Exhibit A," which is attached hereto and incorporated
27 herein by this reference.
28

29 Section 2 – This Ordinance shall be in full force and effect from and after its
30 passage.
31

32 Passed at meeting: _____
33

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bunn, Assistant City Attorney

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

EXHIBIT A

LEGAL DESCRIPTION
OFFER TO DEDICATE No. 109

ALL BEGINNING AT THE SOUTHEAST CORNER OF LOT 6, CAINYON COURT,
THENCE EAST FIFTY-SIX AND NINE TENTHS FEET, THEN NORTH 166.8 FEET,
THENCE WEST 56.9 FEET; THENCE SOUTH 166.8 FEET TO THE PLACE
BEGINNING, BEING PART OF THE NORTHEAST QUARTER OF SECTION THIRTY-
SIX, TOWNSHIP TWENTY-NINE, RANGE TWENTY-TWO, EXCEPT PART DEEDED
IN BOOK 843 PAGE 115 IN GREENE COUNTY, MISSOURI.

EXHIBIT B

RECORD OF PROCEEDINGS
OFFER TO DEDICATE #109

Planning and Zoning Commission – June 8, 2023

Offer to Dedicate 109 (*requested to remove from consent agenda*)

1131 East Washita Street

Applicant: City of Springfield

Mr. Hosmer states that the applicant, Lester E. Cox Medical Centers, is offering to dedicate property as public right-of-way for an extension of Florence Avenue. The extension connects Florence Avenue to Washita Street.

Mr. Colony noted that this seems to be done backwards as the house is already demolished and the street already has been put in, questioning the timing.

Mr. Knuckles noted that he is glad that this one was cleaned up.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Offer to Dedicate 109 (1131 East Washita Street) as submitted in the staff report. Mr. Lebeck seconded the motion.

Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.



Bob Hosmer, AICP
Planning Manager

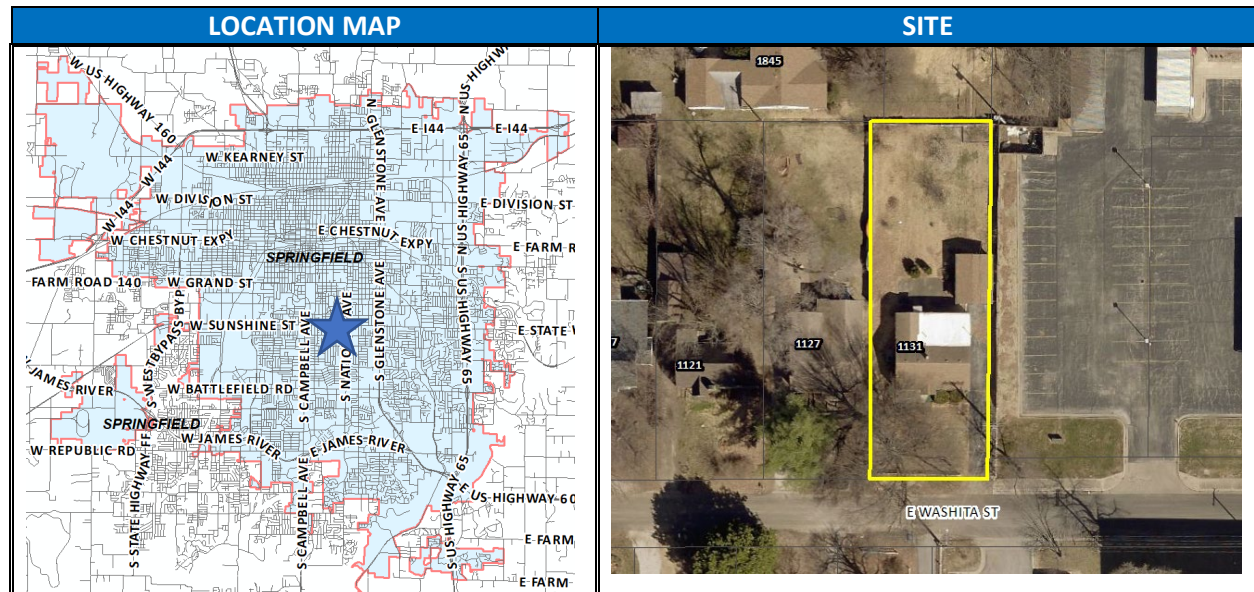
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Offer to Dedicate 109
Location:	1131 East Washita Street
Total Acres:	0.22 acres
Applicant:	Lester E. Cox Medical Centers
Existing Land Use:	Extension of Florence Avenue (formerly single-family home)
Planning and Zoning Commission:	June 8, 2023
City Council:	July 10, 2023
Staff:	Andrew Menke, Associate Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to authorize the dedication of public right-of-way identified in the staff report for Offer to Dedicate 109. (All commission motions are made in the affirmative.)
Required Vote:	Five (5) voting members to approve or deny.

PROJECT SUMMARY:

The applicant, Lester E. Cox Medical Centers, is offering to dedicate property as public right-of-way for an extension of Florence Avenue. The extension connects Florence Avenue to Washita Street. The purpose of the connection is to enhance the safety and reduce congestion at the high-volume intersection at Sunshine Street and National Avenue while also providing additional access to the properties on Florence Avenue.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 11.7. - Legal status of master plan.

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the commission shall have been authorized by the council or by the public officials submitting the proposal. In any case in which the commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

DEPARTMENT COMMENTS:

1. DEPARTMENT OF PUBLIC WORKS TRAFFIC OPERATIONS DIVISION:
Approved.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is offering to dedicate property as public right-of-way for an extension of Florence Avenue.
2. The extension has been built, permitted, and inspected to ensure the street meets City standards.
3. The purpose of the connection is to enhance the safety and reduce congestion at the high-volume intersection at Sunshine Street and National Avenue. Goal #2 of the *Transportation & Mobility* chapter of Forward SGF calls to “increase safety for all users of the transportation system”.
4. The Planning and Zoning Commission shall determine if the offer to dedicate is consistent with the master plan (Comprehensive Plan Forward SGF).
5. No one has objected to this request to date.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the finding of facts above.

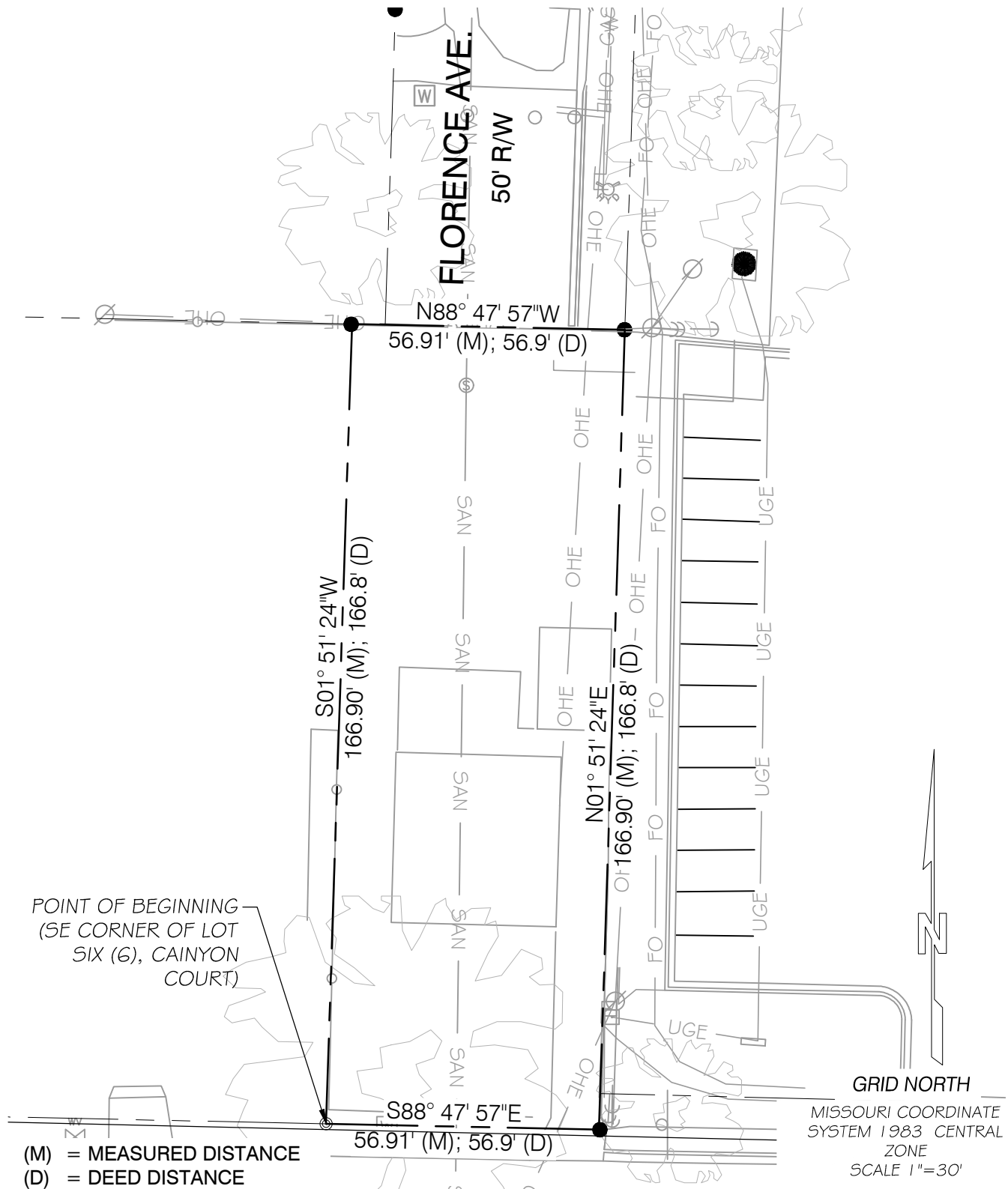
PLANNING AND ZONING OPTIONS:

1. Recommend that the offer to dedicate is determined to be generally consistent with the master plan (Comprehensive Plan Forward SGF).
2. Recommend that the offer to dedicate is determined to be not consistent with the master plan (Comprehensive Plan Forward SGF).

DEVELOPMENT REVIEW STAFF REPORT

LEGAL DESCRIPTION:

All Beginning at the Southeast corner of Lot 6, Cainyon Court, Thence East Fifty-Six and Nine tenths feet, then north 166.8 feet, thence west 56.9 feet; thence south 166.8 feet to the place beginning, being part of the northeast quarter of section thirty-six, township twenty-nine, range twenty-two, except part deeded in Book 843 Page 115 in Greene county, Missouri.



DATE 05/24/23 CJW PROJECT No. 22128

5051 S. National
Suite 7A
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

SKETCH EXHIBIT "B"
EXHIBIT TO DEDICATE PARCEL TO
CITY OF SPRINGFIELD, MO
PART OF THE NE 1/4 OF THE NE 1/4 OF S36, T29N, R22W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

Prepared by:
CJW
CJW Transportation
Consultants, L.L.C.
MO C.A. #2007008003

EXHIBIT D

From: [Bruce Adib-Yazdi](#)
To: Zoning@springfieldmo.gov; [Council](#); [Simpson, Matthew](#)
Cc: [Shanna Boyle](#); [David Siewert](#); [Amy Shelburn-Zarins](#); [William Cooper](#); [Willa Williams](#)
Subject: Fwd: Zoning Agenda Item - 1131 E Washita Street
Date: Saturday, June 10, 2023 6:20:15 AM
Attachments: [20230608 Agenda Item Planning and Zoning Commission Meeting Agenda Packet - 1131 E Washita Street.pdf](#)

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

Dear Planning Commision members, Matthew Simpson and other council members:

Just a quick note to let you know the Seminole Holland neighborhood association has a couple of comments on this case 'Offer to Dedicate 109. I requested this item be pulled from the June 8 P&Z agenda on June 8 to make a comment in person, but had to leave the meeting before the bill came before you. A few comments and summary below:

1 - The attached Staff Report is misleading in that the overhead photo indicates a house in place but the house has already been demolished and the street has been constructed.

2 - The staff report indicates this action is taking place to *"enhance safety and reduce congestion at the high volume intersection of Sunshine and National"*. Which really means more traffic is being placed on neighborhood roadways. This practice is another instance of introducing more traffic onto a neighborhood residential street, and allowing a new 'cut through' so that people can avoid the an intersection. The last such action was approval of the 7-Brew access to Roanoke.

3 - Such an action of dedication of right of way may not require public notice, we feel the neighborhood association should have been contacted, consulted and at least given opportunity to comment prior to the street being constructed.

We understand that in the world of transportation, connectivity of streets and rights of way are imperative. However we believe this instance will un-necessarily increase traffic in this area of our neighborhood and have a negative impact on the quality of life of the homes on Washita and further relegate them to either rentals and put them in the path for further rezoning and commercial development.

We are a newly formed neighborhood association and are just getting traction with membership. We have neighborhood signs underway, and have requested

information on generating a Urban Conservation District within the boundaries of our neighborhood.

We appreciate all the work you all do every day on behalf of our city, and while at this point we have no request for action on your part on this item, we thank you for listening to these concerns and want you to know we are here and ready to open conversations on any projects that impact our neighborhood.

Bruce Adib-Yazdi
1946 S. Holland
Holland Seminole Neighborhood Association
Government Relations Committee Chair
417-848-6001

----- Forwarded message -----

From: **Seminole Holland Neighborhood Association** <seminoleholland@gmail.com>
Date: Fri, Jun 2, 2023 at 7:06 AM
Subject: Zoning Agenda Item - 1131 E Washita Street
To: Shanna Boyle <s_boyle@sbcglobal.net>, David Siewert <dsiewert@sbcglobal.net>, Amy Shelburn-Zarins <ams661s@gmail.com>, William Cooper <cooperwl@gmail.com>, Willa Williams <stemwillla@gmail.com>, Bruce Adib-Yazdi <bruce.adib.yazdi@gmail.com>

Attached is information from the agenda for the June 8th Planning and Zoning meeting regarding the donation to the city of 1131 E Washita Street by Lester E Cox Medical Centers for the purpose of extending Florence Avenue.

The extension of Florence Avenue has the potential to affect traffic on Washita Street, which is very narrow in that area.

William Cooper
Board Secretary
816-289-6485

--

Seminole Holland Neighborhood Association
925 E Seminole St
Springfield MO 65807

Visit our website! www.SeminoleHolland.com

[Membership Application](#)

Like us on [Facebook](#)

If you wish to get on the Seminole Holland Neighborhood Association emailing list, or be removed please let us know by sending a e-mail to seminoleholland@gmail.com

--

Bruce Adib-Yazdi
417-848-6001 (cell)



EXPLANATION TO COUNCIL BILL 2023-184 (MCGULL)

FILED: 07/06/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution declaring the intent of the City of Springfield to annex approximately 10.6 acres of private property generally located at 4808 East Parallel Lane, referenced as Annexation A-4-2023, into the City. (Staff recommends approval.)

PURPOSE: Declaring the intent of the City of Springfield to annex approximately 10.6 acres of private property generally located at 4808 East Parallel Lane into the City of Springfield as Annexation A-4-2023. (Staff recommends approval.)

BACKGROUND INFORMATION: The owner of the private property generally located at 4808 E. Parallel Lane is requesting annexation into the City of Springfield (See “Exhibit B,” Location Sketch). The owner of the subject property has signed a petition requesting voluntary annexation into the City of Springfield (See “Exhibit C,” Annexation Petition). The proposed annexation doesn’t include any public right-of-way. The property is within the City of Springfield’s Urban Service Boundary and is contiguous and compact to the City of Springfield. The owner is proposing to annex and rezone for a new commercial development.

This Resolution only initiates the proposed annexation and does not annex the property. The private property is currently zoned Greene County M-1, Light Manufacturing District. The owner is requesting that the property be rezoned to IC, Industrial Commercial District with Conditional Overlay District, which will be concurrently reviewed with the annexation public hearing in August. The City Council is required to hold a public hearing before the proposed annexation can be approved (see “Exhibit D,” Annexation Schedule).

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

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

1. The area to be annexed is contiguous to the City of Springfield and within the Urban Service Area. See “Exhibit B” for the location of the private property to be annexed.
2. The Forward SGF Comprehensive Plan supports this annexation request.
3. The property owners have petitioned the City for annexation.



4. All City services can be provided to the property.
5. The City will receive sales and property tax revenue from the private property once annexed.

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

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 7/17/2023

Attachments:

1. A-4-2023ini 4808 East Parellel Lane_res
2. Exhibit A
3. Exhibit B
4. Exhibit C
5. Exhibit D

36

37

38 Approved as to form: Jill Burris, Assistant City Attorney

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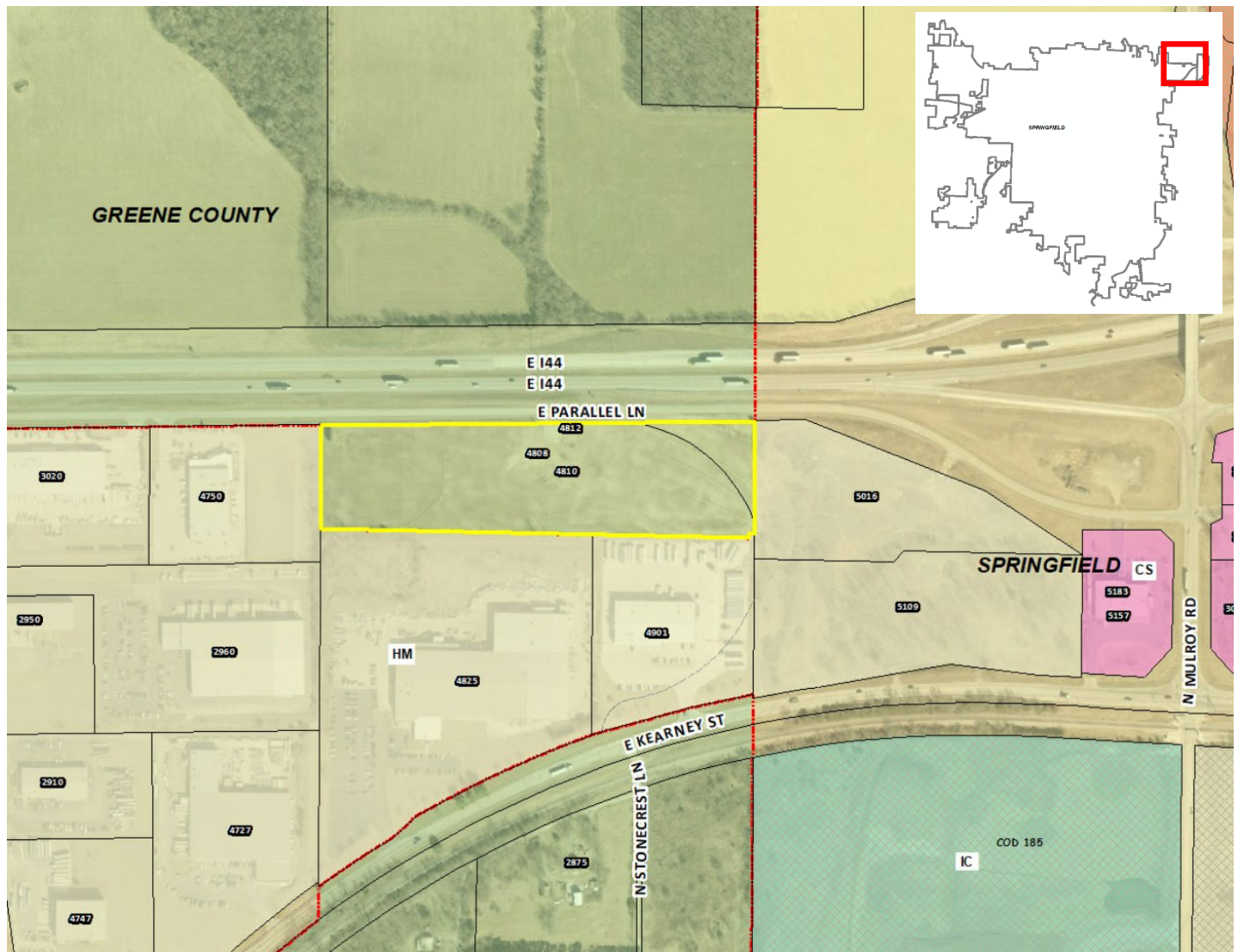
41 Approved for Council action: Jason A. Hays, City Manager

EXHIBIT A

Legal Description

ALL OF THAT PART OF THE EAST ONE-HALF (E1/2) OF LOT TWO (2) OF THE NORTHWEST QUARTER (NE1/4) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), THAT LIES SOUTH OF INTERSTATE 44 HIGHWAY; EXCEPT ONE (1) SQUARE ROD IN THE SOUTHEAST CORNER AND SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

EXHIBIT B: ANNEXATION INITIATION



LOCATION:

LOCATION:	4808 E. Parallel Lane
CURRENT ZONE:	County M-1, Light Manufacturing District
PROPOSED ZONE:	IC, Industrial Commercial District with COD No. 229
CASE NUMBER:	A-4-2023



Voluntary Annexation Application

E-PLANS INSTRUCTIONS

PLEASE FOLLOW STEPS BELOW BEFORE SUBMITTING THIS APPLICATION

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

Office Use Only

Case No.	
Date Filed	
Received By	
Receipt No.	

Fee Amount Paid? \$ _____

*See Fee Schedule

Property Location: Parrallel Lane, Springfield, MO

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

Name of current property owner(s): Tina Patel

If corporation, Corporate Official: _____

Mailing Address: 3915 E Ridgeview St, Springfield, MO Zip Code: 65809

Telephone: 417-866-2741 E-mail: mogasstations@gmail.com

PROPERTY OWNER'S SIGNATURE:

Tina Patel

(if corporation, need signature of one official)

Contact Person Handling Application:

Name(s): Anderson Engineering, Inc.

If corporation: Corporate Official: Aaron Hargrave

Mailing Address: 3213 West Bypass, Springfield, MO Zip Code: 65807

Telephone: (417) 866-2741 E-mail: pc@ae-inc.com

Current Use of the Property: Vacant

Current County Zoning: Greene County Residential **Proposed City Zoning:** IC

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

ALL OF THAT PART OF THE EAST ONE-HALF (E1/2) OF LOT TWO (2) OF THE NORTHWEST QUARTER (NE1/4) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), THAT LIES SOUTH OF INTERSTATE 44 HIGHWAY; EXCEPT ONE (1) SQUARE ROD IN THE SOUTHEAST CORNER AND SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.

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

PETITION

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

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

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

SIGNED: Tim R

SIGNED: _____

STATE OF MISSOURI
COUNTY OF GREENE SS.

MARRIED PERSON'S ACKNOWLEDGEMENT

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

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

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

“Notary Seal”

Notary Public: _____

Print Name: _____

STATE OF MISSOURI
COUNTY OF GREENE SS.

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

On this ____ day of _____, 20____, before me appeared _____, to me personally known, who, being by me duly sworn did say that he/she is the _____ of _____, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

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

"Notary Seal"

Notary Public: _____

Print Name: _____

STATE OF MISSOURI
COUNTY OF GREENE SS.

UNMARRIED PERSON'S ACKNOWLEDGEMENT

On this 14 day of June, 2023, before me, a Notary Public in and for said state, personally appeared Tina Patel, to me known to be the person described in and who executed the foregoing document, and acknowledged that he/she executed the same as his/her free act and deed.

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

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

"Notary Seal"

Notary Public: Amber Nicole Broyles

Print Name: Amber Nicole Broyles

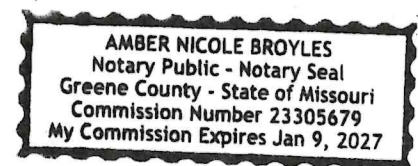


EXHIBIT D

ANNEXATION SCHEDULE
ANNEXATION A-4-2023

ANNEXATION:

Initiate annexation	July 24, 2023
City Council public hearing	August 7, 2023
City Council second reading and vote	August 21, 2023



EXPLANATION TO COUNCIL BILL 2023-185 (MCGULL)

FILED: 07/06/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution declaring the intent of the City of Springfield to annex approximately 28 acres of private property generally located at 5500 East Farm Road 104, referenced as Annexation A-5-2023, into the City. (Staff recommends approval.)

PURPOSE: Declaring the intent of the City of Springfield, to annex approximately 28 acres of private property generally located at 5500 East Farm Road 104 into the City of Springfield as Annexation A-5-2023. (Staff recommends approval.)

BACKGROUND INFORMATION:

The owner of the private property generally located at 5500 E. Farm Road 104 is requesting annexation into the City of Springfield (See "Exhibit B," Location Sketch). The owner of the subject property has signed a petition requesting voluntary annexation into the City of Springfield (See "Exhibit C," Annexation Petition). The proposed annexation doesn't include public right-of-way. The property is within the City of Springfield's Urban Service Boundary and is contiguous and compact to the City of Springfield. The owner is proposing to annex and rezone for a new commercial development.

This Resolution only initiates the proposed annexation and does not annex the property. The private property is currently zoned Greene County A-1, Agriculture District. The owner is requesting that the property be rezoned to HC, Highway Commercial District with Conditional Overlay District which will be concurrently reviewed with the annexation public hearing in August. The City Council is required to hold a public hearing before the proposed annexation can be approved (see "Exhibit D," Annexation Schedule).

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

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

1. The area to be annexed is contiguous to the City of Springfield and within the Urban Service Area. See "Exhibit B" for the location of the private property to be annexed.



2. The Forward SGF Comprehensive Plan supports this annexation request.
3. The property owners have petitioned the City for annexation.
4. All City services can be provided to the property.
5. The City will receive sales and property tax revenue from the private property once annexed.

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

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 7/17/2023

- Attachments:**
1. A-5-2023ini 5500 E Farm Road 104
 2. Exhibit A
 3. Exhibit B
 4. Exhibit C
 5. Exhibit D

36 Filed as Resolution: _____

37

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39 Approved as to form: Jill Bunn, Assistant City Attorney

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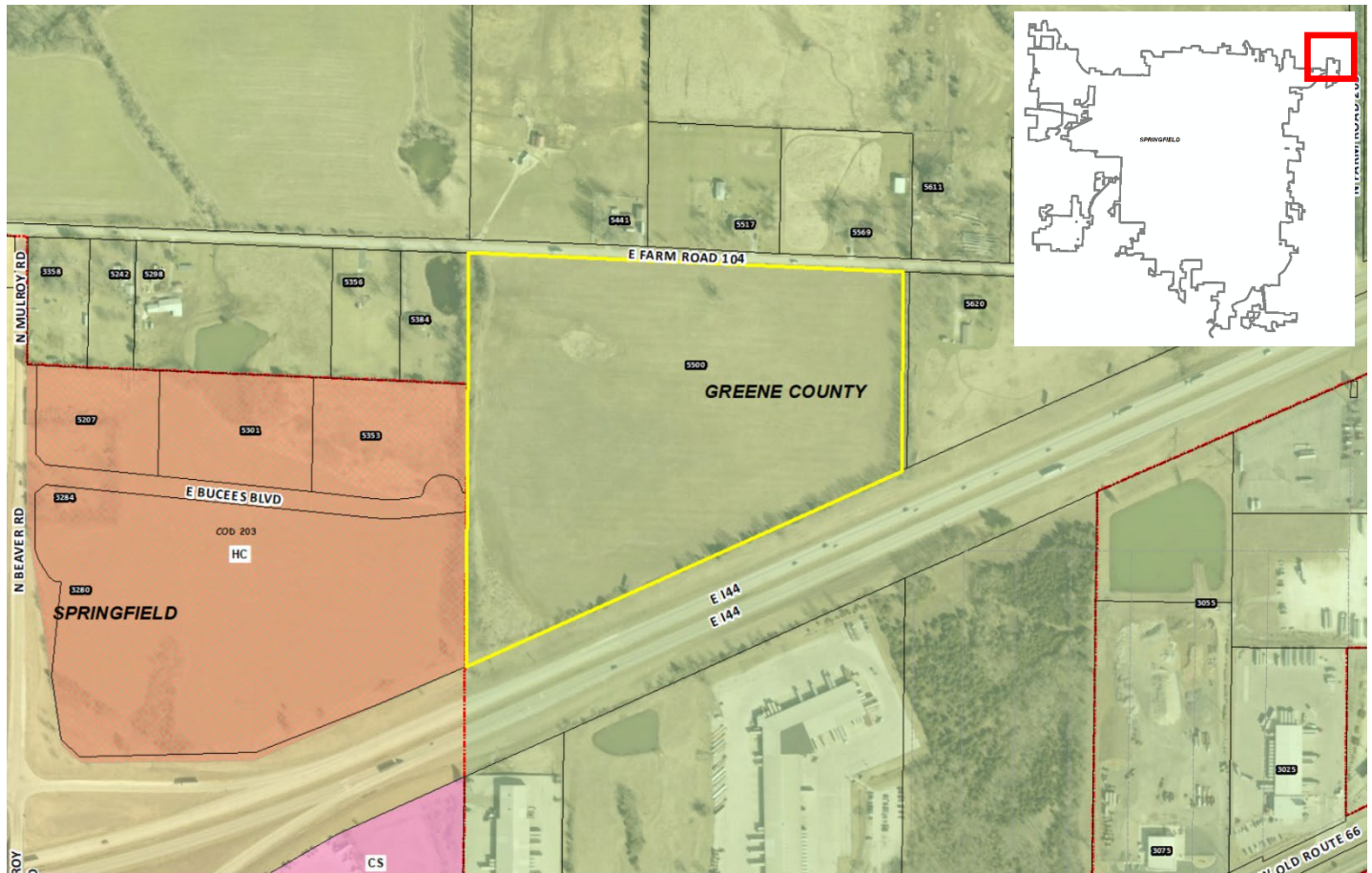
42 Approved for Council action: Jason A. Hage, City Manager

Exhibit A

Legal Description

ALL OF THE WEST ONE-HALF (W1/2) OF LOT THREE (3), NORTHEAST QUARTER (NE1/4) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21) LYING NORTH OF THE RIGHT OF WAY OF INTERSTATE HIGHWAY 44, EXCEPT ROADS, IN GREENE COUNTY MISSOURI.

EXHIBIT B: ANNEXATION INITIATION



LOCATION:

LOCATION:	5500 E. Farm Road 104
CURRENT ZONE:	County A-1, Agriculture District
PROPOSED ZONE:	HC, Highway Commercial District with COD No. 234
CASE NUMBER:	A-5-2023



Voluntary Annexation Application

E-PLANS INSTRUCTIONS

PLEASE FOLLOW STEPS BELOW BEFORE SUBMITTING THIS APPLICATION

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

Office Use Only

Case No.	
Date Filed	
Received By	
Receipt No.	

Fee Amount Paid? \$ _____

[*See Fee Schedule](#)

Property Location: 5500 East Fm Rd 104

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

Name of current property owner(s): Jerry M Tolbert Trust and HWH Strategy LLC

If corporation, Corporate Official: Jerry Tolbert, Trustee of the Jerry M Tolbert Trust

Mailing Address: 7023 N FARM ROAD 203 STRAFFORD MO

Zip Code: 65757

Telephone: _____ E-mail: jmt7023@gmail.com

PROPERTY OWNER'S SIGNATURE: _____

Jayne E. Hulman - HWH Strategy LLC

Contact Person Handling Application:

Name(s): Geoffrey H. Butler AIA

Mailing Address: 4449 East Valley Rd Springfield, Mo.

Zip Code: 65809

Telephone: (417) 848-6000

E-mail: butler@brpae.com

Current Use of the Property: vacant

Current County Zoning: A1

Proposed City Zoning: HC

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

ALL OF THE WEST ONE-HALF (W1/2) OF LOT THREE (3), NORTHEAST QUARTER (NE1/4) OF SECTION ONE (1), TOWNSHIP TWENTY NINE (29), RANGE TWENTY ONE (21) LYING NORTH OF THE RIGHT OF WAY OF INTERSTATE HIGHWAY 44, EXCEPT ROADS, IN GREENE COUNTY MISSOURI.

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

--

PETITION

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

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

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

SIGNED: Payne E. Hubert - HWH Strategy LLC

SIGNED: _____

y
o

STATE OF MISSOURI
COUNTY OF ~~GREENE~~ COLE SS.

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

On this 4th day of May, 2023, before me appeared Jayne Huber, to me personally known, who, being by me duly sworn did say that he/she is the Authorized Agent of HWH Strategy, LLC, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

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

"Notary Seal"

Notary Public:

Lisa Ashcraft

Print Name:

Lisa Ashcraft





Voluntary Annexation Application

E-PLANS INSTRUCTIONS

PLEASE FOLLOW STEPS BELOW BEFORE SUBMITTING THIS APPLICATION

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

Office Use Only

Case No.	
Date Filed	
Received By	
Receipt No.	

Fee Amount Paid? \$ _____

[*See Fee Schedule](#)

Property Location: 5500 East Fm Rd 104

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

Name of current property owner(s): Jerry M Tolbert Trust and HWH Strategy LLC

If corporation, Corporate Official: Jerry Tolbert, Trustee of the Jerry M Tolbert Trust

Mailing Address: 7023 N FARM ROAD 203 STRAFFORD MO

Zip Code: 65757

Telephone: 417-838-6717 E-mail: jmt7023@gmail.com

PROPERTY OWNER'S SIGNATURE: _____

Jerry M. Tolbert
(if corporation, need signature of one official)

Contact Person Handling Application:

Name(s): Geoffrey H. Butler AIA

If corporation: Corporate Official: _____

Mailing Address: 4449 East Valley Rd Springfield, Mo.

Zip Code: 65809

Telephone: (417) 848-6000

E-mail: butler@brpae.com

Current Use of the Property: vacant

Current County Zoning: A1

Proposed City Zoning: HC

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

ALL OF THE WEST ONE-HALF (W1/2) OF LOT THREE (3), NORTHEAST QUARTER (NE1/4) OF SECTION ONE (1), TOWNSHIP TWENTY NINE (29), RANGE TWENTY ONE (21) LYING NORTH OF THE RIGHT OF WAY OF INTERSTATE HIGHWAY 44, EXCEPT ROADS, IN GREENE COUNTY MISSOURI.

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

STATE OF MISSOURI
COUNTY OF GREENE SS.

ACKNOWLEDGEMENT OF CORPORATE OFFICIAL

On this 8 day of May, 2023, before me appeared Jerry Tolbert, to me personally known, who, being by me duly sworn did say that he/~~she~~ is the Trustee of

Jerry M Tolbert Trust, and that the seal affixed to foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

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

Notary Public: Terra S. Wilson

Print Name: Terra S. Wilson

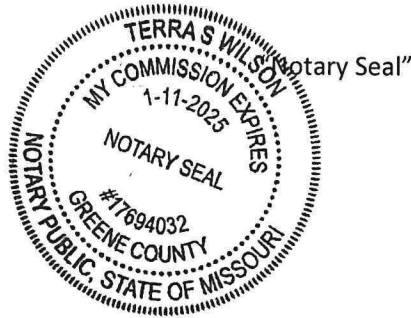


EXHIBIT D

**ANNEXATION SCHEDULE
ANNEXATION A-5-2023**

ANNEXATION:

Initiate annexation	July 24, 2023
City Council public hearing	August 7, 2023
City Council second reading and vote	August 21, 2023



EXPLANATION TO COUNCIL BILL 2023-186 (HORTON)

FILED: 07/13/2023

ORIGINATING DEPARTMENT: Law

TITLE: A resolution approving the Master Plan for the Fairgrounds submitted by the Greene County Agricultural and Mechanical Society of Springfield, Missouri.

PURPOSE: To approve the Master Plan for the Fairgrounds submitted by the Greene County Agricultural and Mechanical Society of Springfield, Missouri.

BACKGROUND INFORMATION: The Greene County Agricultural and Mechanical Society of Springfield, Missouri, ("Society") has leased real property located on Norton Road which is commonly known as "the Fairgrounds" from the City since the late 1930s. The Society uses the Fairgrounds to provide recreational and educational facilities and activities, including the annual Ozarks Empire Fair.

In 2022, the City and the Society negotiated an Amended and Restated Lease designed, in part, to assist the Society in erecting and maintaining permanent improvements on the Fairgrounds, making other capital improvements, and making long-range plans for improvements consistent with the lease and the Society's mission.

The Amended and Restated Lease requires the Society to submit an updated Master Plan for approval to City Council. The updated Master Plan submitted by the Society is attached as "Exhibit A."

Submitted By: Rhonda Lewsader, City Attorney

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

Jason Gage, City Manager 7/18/2023

Attachments:

1. Fairgrounds Master Plan_res
2. Fairgrounds Master Plan_Ex A

One-rdg. X
P. Hrngs.
Pgs. 11
Filed: 07-18-23

Sponsored by: Horton

COUNCIL BILL 2023-186 RESOLUTION

A RESOLUTION

1 APPROVING the Master Plan for the Fairgrounds submitted by the Greene County
2 Agricultural and Mechanical Society of Springfield, Missouri.
3
4

5 WHEREAS, the Greene County Agricultural and Mechanical Society of
6 Springfield, Missouri, ("Society") has leased real property located on Norton Road which
7 is commonly known as "the Fairgrounds" from the City since the late 1930s; and
8

9 WHEREAS, the Society uses the Fairgrounds to provide recreational and
10 educational facilities and activities, including the annual Ozarks Empire Fair; and
11

12 WHEREAS, in 2022, the City and the Society negotiated an Amended and
13 Restated Lease designed, in part, to assist the Society in erecting and maintaining
14 permanent improvements on the Fairgrounds, making other capital improvements, and
15 making long-range plans for improvements consistent with the lease and the Society's
16 mission; and
17

18 WHEREAS, the Amended and Restated Lease Agreement between the City and
19 the Greene County Agricultural and Mechanical Society of Springfield, Missouri,
20 ("Society") for real property located on Norton Road and commonly known as the
21 Fairgrounds requires the Society to submit an updated Master Plan for the approval of
22 City Council; and
23

24 WHEREAS, the Society has submitted an updated Master Plan ("Exhibit A") for
25 City Council's approval.
26

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

30 Section 1 – City Council hereby approves the Master Plan for the Fairgrounds
31 submitted by the Greene County Agricultural and Mechanical Society of Springfield,
32 Missouri, attached hereto and incorporated herein as "Exhibit A."
33

34 Section 2 – This Resolution shall be in effect immediately upon adoption.
35

36 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form: Rhonda Lewsader, City Attorney

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



2023 Master Plan

The Plan: The master plan outlines a series of grounds improvements to be accomplished within the next 30 years. The plan will be used for strategic planning, but it is designed to be dynamic but flexible enough to change with opportunities as they may arise.

Phase I: Multipurpose Building

Completed.

Phase II: Arena-Sports Facility

For a huge economic impact, we plan to tear down the existing arena and replace it with a larger arena to satisfy the current demand as well as future demand. The new arena will be designed to continue to handle agricultural events but on a larger scale but it is also being designed to handle sporting events, cheer and dance competitions, indoor motor sports and trade shows. This arena will have a seating capacity of approximately 6,000 and a learning center in the lower level that will be used for training by the Ozark Empire Fairgrounds and local schools. Scheduled to be completed Fall of 2023.

Phase III: Replace Barn 2

To meet the stalling requirements and winter storage needs, the building needs to be replaced. The new one will be designed to be tall for storage reasons and free span for stalling needs. Scheduled to be completed Fall of 2023.

Phase IV: Campground and Parking

To meet the demands of our customers, we would add 400 new camping spots throughout the 72-acre site to be able to host various camping rallies. It would be designed to also support our large outdoor events electrical needs. We would also add showers to the restrooms in the south parking area. After the camping is installed, we intend to put new asphalt in the existing areas.

Phase V: Guest Services Building

The guest services building, which set in the middle of our grounds, will be remodeled to be used as an office complex, event venue, or restaurant. This is a 70-year old building that has a lot of character.

Phase VI: Concessions and Restaurants

A facelift will be needed throughout the years to remodel and modify our concessions areas. We plan to expand the Smokehouse later. Over the next 5 years we plan to resurface the property.

Phase VII: New Building

Based on future needs, there is a potential need for a building to be built on the west side of the grounds by the Conservation Building in a location where a building was in the past. Kind and type not determined as of this plan.

Phase VIII: Fence and Gates

To improve the esthetics on the perimeter, a new fence and gate upgrades will be needed.

Note: Phases may not take place in the order in which they are listed.



EXPLANATION TO COUNCIL BILL 2023-187 (SIMPSON)

FILED: 07/07/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance amending the City of Springfield's Citizen Participation Plan, which is part of the Consolidated Plan for the administration of City programs funded by the United States Department of Housing and Urban Development, to accommodate regulatory changes, update regulatory citations and policy, provide an option for staff to hold public meetings, and improve the Citizen Participation Plan's clarity. (Staff recommends approval.)

PURPOSE: To amend the City's Citizen Participation Plan ("CPP") to update the content for regulatory changes and edits for clarity to comply with the U.S. Department of Housing and Community Development ("HUD") requirements.

BACKGROUND INFORMATION:

The Citizen Participation Plan is required under HUD regulations. HUD has previously approved Springfield's CPP including the required changes to streamline the community input process in order to make prompt use of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") funds in 2020. The current CPP was approved by City Council with Ordinance #27087 and amended for the COVID emergency with Ordinance #27326.

On August 7, 2020, HUD issued the Preserving Community and Neighborhood Choice Final Rule which removed the requirement to conduct a separate Assessment of Fair Housing ("AFH") that previously required citizen participation for each entitlement community that receives CDBG and HOME Grants. On February 9, 2023, HUD issued a Proposed Affirmatively Furthering Fair Housing Rule which has not been finalized at this time. The Proposed Rule, if implemented, may require additional community participation, which is referenced in the final edited CPP version ("Exhibit A"). The proposed CPP changes (see "Exhibit B") eliminate the citizen participation for the AFH, which was cancelled, but keeps the required annual Certification of Fair Housing that remains in place.

Additional edits are included for simplicity and clarity, as well as edits to correct or update regulatory citations and policy. To maintain timely processing for each annual grant, a provision was added for staff to hold public meetings in the event that the Citizen's Advisory Committee for Community Development ("CACCD") does not have a quorum. This will assist in meeting HUD deadlines for community input prior to submitting the annual grant application. "Exhibit C" provides an executive summary of all of the changes.



As part of the public participation process, the CACCD reviewed the proposed changes in a public hearing on May 23, 2023. Two committee members submitted comments regarding the quorum issue ("Exhibit D") and support for additional CACCD members to help prevent reoccurrence of lack of a quorum. The CACCD did not comment on the other proposed changes to the CPP.

If approved, the final CPP version will be submitted for HUD approval.

REMARKS: Staff recommends approval.

Submitted By: Bob Jones, Grants Administrator

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

Maurice S. Jones, Deputy City Manager 7/17/2023

Attachments:

1. Citizen Participation Plan Amended_ord
2. Exhibit A
3. Exhibit B
4. Exhibit C
5. Exhibit D

One-rdg. _____
P. Hrngs. X
Pgs. 47
Filed: 07-18-23

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-187

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the City of Springfield's Citizen Participation Plan, which is part of the
2 Consolidated Plan for the administration of City programs funded by the
3 United States Department of Housing and Urban Development, to
4 accommodate regulatory changes, update regulatory citations and
5 policy, provide an option for staff to hold public meetings, and improve
6 the Citizen Participation Plan's clarity. (Staff recommends approval.)
7 _____
8

9 WHEREAS, the United States Department of Housing and Urban Development
10 ("HUD") requires the City to adopt and maintain a Citizen Participation Plan ("CPP")
11 describing the City's policies and procedures for citizen participation regarding HUD
12 programs; and
13

14 WHEREAS, HUD has issued new rules and regulations requiring amendments to
15 the City's existing CPP; and
16

17 WHEREAS, additional amendments were made to the existing CPP to update
18 regulatory citations and policy, improve the CPP's clarity, and provide an option for City
19 staff to hold public meetings required by the CPP in the event of a lack of quorum of the
20 Citizen's Advisory Committee for Community Development ("CACCD").
21

22 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
23 SPRINGFIELD, MISSOURI, as follows, that:
24

25 Section 1 –The Citizen Participation Plan is hereby amended as set forth in
26 "Exhibit A," which is attached hereto and incorporated herein by reference.
27

28 Section 2 – This Ordinance shall be in full force and effect from and after
29 passage.
30

31 Passed at meeting: _____
32
33

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bunn, Assistant City Attorney

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



City of Springfield, Missouri

Citizen Participation Plan

Originally Adopted on July 30, 2018 Pursuant to
City Council Special Ordinance 27087

Amended for Disaster / Emergency Response
on June 1, 2020 Pursuant to City Council
Special Ordinance 27326

CITIZEN PARTICIPATION PLAN - COVID-19 AMENDMENTS

- Include virtual hearings as an allowed method for citizen participation;
- Update section on a disaster / emergency response would not require a substantial amendment;
- Provide details on possible actions, including reprogramming of funding and types of possible activities that may be undertaken in response to the COVID-19 pandemic;
- Includes provisions relative to Consolidated Plan citizen participation, Community Development Block Grant and HOME Investment Partnership funds
- Grant waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act;
- Make minor edits that do not change current citizen participation policies.
- Please be advised that if virtual hearings are used, real-time responses and accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible.

OVERVIEW

The Citizen Participation Plan (CPP) is the process by which the City of Springfield identifies the policies and procedures to be used to encourage citizen participation and involvement in programs and activities under the U.S. Department of Housing and Urban Development (HUD) Five-year Consolidated Plan. The Five-year Consolidated Plan identifies the City's housing, homeless, community and economic development needs and establishes goals and strategies for addressing those needs, including the use of Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds. The Citizen Participation Plan sets forth the mutual rights, duties and responsibilities of both the City and participating citizens and citizens' groups.

HUD PROGRAMS

The City of Springfield receives two entitlement grants from the U.S. Department of Housing and Urban Development (HUD), to help address the City's affordable housing, homeless, community and economic development needs.

1. **Community Development Block Grant Program (CDBG)**

Title I of the Housing and Community Development Act of 1974 (PL 93-383) created the CDBG program. It was re-authorized in 1990 as part of the Cranston-Gonzalez National Affordable Housing Act. The primary objective of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic development opportunities for persons of low and moderate income. The City develops locally defined programs and funding priorities for CDBG, but activities must address one or more of the national objectives of the CDBG program. The three national objectives are: (1) to benefit low- and moderate- income persons; (2) to aid in the prevention or elimination of slums or blight; and/or (3) to meet other urgent community development needs. The City of Springfield's CDBG program emphasizes activities that directly benefit low and moderate-income persons.

2. **HOME Investment Partnerships Program (HOME)**

HOME was introduced in the Cranston-Gonzalez National Affordable Housing Act of 1990 and provides funding for housing rehabilitation, new housing construction, acquisition of affordable housing, and tenant-based rental assistance.

LEAD AGENCY

The Planning & Development Department is designated by the Springfield City Council as the lead agency for the administration of the CDBG and HOME grant programs. Through the U.S. Department of Housing and Urban Development (HUD) the Planning & Development Department administers the CDBG and HOME programs. As the lead agency for HUD, the Planning & Development Department is responsible for developing the 5-Year Consolidated Plans, Annual Action Plans, the Consolidated Annual Performance Evaluation Report (CAPER) and amendments to the Citizen Participation Plan.

Copies of this Citizen Participation Plan (CPP) can be obtained at any Springfield Branch of the Springfield-Greene County Library or on the City's website at <https://www.springfieldmo.gov/850/Document-Library>.

ENCOURAGING PUBLIC PARTICIPATION

The City of Springfield encourages all citizens to participate in the development and review of the:

- HUD Five-Year Consolidated Plan
- Annual One-Year Action Plan (AAP)
- Substantial Amendments to the Consolidated Plan and/or the Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)
- Amendments to the Citizen Participation Plan (CPP)

Citizens will be given reasonable notice and an opportunity to participate in the development of all Consolidated Plans, Annual Action Plans, Substantial Amendments, CAPERs and Amendments to Citizen Participation Plans.

Although the City encourages the participation of all of its citizens, the emphasis of this Plan is on encouraging and ensuring the participation of low- and moderate-income persons, particularly those living in slum and blighted areas, residents of predominantly low- and moderate-income neighborhoods, minorities, non-English speaking persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons/agencies and residents of public and assisted housing developments. The City also encourages the participation of local and regional institutions, the local Continuum of Care (i.e. Ozarks Alliance to End Homelessness), other organizations (including business, developers, non-profit organizations, philanthropic organizations, and community organizations including faith-based organizations), residents of public and assisted housing (including any resident advisory boards, resident councils, and resident management corporations) and by other low- income residents of targeted revitalization areas in which public and assisted housing is located. Persons needing special accommodations when attending any City meeting will be required to notify the City Clerk's office at (417) 846-1636 at least three (3) days prior to a scheduled meeting.

In preparing the components of the Consolidated Plan and any amendments to the CPP the City of Springfield shall consult, as required or applicable, with other public and private agencies that provide housing, health services, and social services, community-based and regionally-based organizations that represent protected class members, organizations that enforce fair housing laws, broadband internet service providers including organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include management of flood prone areas, public land or water resources, emergency management agencies, local health and child welfare agencies, business and civic leaders, adjacent units of general local government, regional government organizations local and regional institutions, the local Continuum of Care (i.e. Ozarks Alliance to End Homelessness), residents of public and assisted housing and by other low- income residents of targeted revitalization areas in which public and assisted housing is located. Direct and email consultations shall be held by City Staff with various groups and organizations as enumerated within the Notification and Consultation Lists chapter that follows.

CITIZEN INVOLVEMENT

The City of Springfield shall provide for citizens' comment, input and participation throughout the process by various means:

1. The City shall make CDBG & HOME funding information available to citizens, public agencies, and other interested parties, as outlined in the Notifications & Consultations List.
2. Consultation with several specific groups and agencies as enumerated within the Notification and Consultation List Chapter.
3. Published Notification and Comment Periods
4. Citizens' Advisory Committee for Community Development (CACCD) Public Hearings. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee will hold the public hearing. CACCD members may submit comments following that hearing.
5. Springfield City Council Public Hearings

NOTIFICATION OF INPUT OPPORTUNITIES

The City of Springfield will provide a variety of notifications highlighting citizen input opportunities, including the use of social media, direct communications to organizations and meetings with agencies serving target populations.

CITIZEN REPRESENTATION

CITIZEN ADVISORY COMMITTEE FOR COMMUNITY DEVELOPMENT (CACCD)

The Citizens' Advisory Committee for Community Development (CACCD) is an appointed body. The Committee reviews City staff assessments and recommendations on the CDBG program with the staff and submits comments to the City Council. The CACCD shall base its comments to the City Council solely on an objective basis and in conformance with adopted policies, procedures and priorities of the City Council and federal Community Development Block Grant (CDBG) requirements. The Committee shall avoid ex parte' communications with applicants for funding regarding their application or the CDBG program during the process of deliberation and selection, to avoid a conflict of interest or an appearance of impropriety.

It shall be the charge of the CACCD to avoid any individual or collective conflict of interest or any appearance of impropriety or conflict of interest. All members shall avoid conflicts of interest as described in the CDBG regulation at 24 CFR 570.611. A Committee member shall not be affiliated with any organization at the time an application for CDBG funds is made, or within a twelve (12) month period preceding application. Affiliation is defined to mean serving as a board, committee or general member, a member of staff. If such a conflict exists, the Committee member shall no longer serve on the Committee.

The membership of the CACCD shall consist of nine (9) members, each with three (3) year terms, who shall be appointed by the City Council. Appointments shall be staggered so that

there will be three terms which expire each year. All members of the CACCD shall be legal residents of the City of Springfield, Missouri.

MAYOR'S COMMISSION ON HUMAN RIGHTS AND COMMUNITY RELATIONS (MCHRCR)

The Mayor's Commission on Human Rights and Community Relations (MCHRCR) is an appointed body which works to promote understanding and respect among all citizens and provides the community recourse for discriminatory acts. The chief responsibility of the MCHRCR is to investigate alleged incidents of discrimination and mediate settlements between affected parties. The MCHRCR acts as a clearing house for information regarding human rights and offers its services to help educate interested citizens and community groups. The MCHRCR will be consulted concerning issues that fall within their purview.

NEIGHBORHOOD ADVISORY COUNCIL (NAC)

The Neighborhood Advisory Council (NAC) is an advisory board, created to increase communication between organized neighborhood associations, City Council and City staff. Although the NAC is not tasked specifically with the review of the City's HUD funded programs, the City shall provide a copy of the HUD plans and reports to the membership via direct email solicitation, to allow the organization an opportunity to review and comment and to provide representatives the opportunity to share this information with their many neighborhood association members. NAC represents all neighborhood associations within the City, including low- and moderate-income neighborhoods and slum and blighted areas.

NOTIFICATION and CONSULTATION LISTS

The City of Springfield has an ongoing listing of groups and organizations that are sent direct emails regarding affordable housing openings and other notifications. The City staff shall work in conjunction with the CACCD and the MCHRCR to consult directly with these groups and organizations, in preparing the components of the Consolidated Plan, fair housing planning, and any amendments to the CPP. Where possible, the City staff shall meet in person with a number of groups and organizations on an annual basis. The City shall also provide a copy of the HUD plans and reports to the notification lists via a direct email solicitation. These lists include people and organizations that represent low- and moderate-income persons, persons living in slum and blighted areas, residents of predominantly low- and moderate-income neighborhoods, minorities, non-English speaking persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons/agencies, residents of public and assisted housing developments, local and regional institutions, and other organizations. Groups and organizations wishing to be added to the HUD Program Notification and Consultation list, may contact the City's Planning & Development Department, at any time, to be added to the listing. Examples of specific groups and agencies have been enumerated below:

HUD PROGRAM NOTIFICATION AND CONSULTATION LIST

- | | | |
|---|---|---|
| • Abilities First
(Development Disabilities
Organization) | • Grupo Latino-
Americano | • Recovery Outreach
Services |
| • Affordable Housing
Action Board (AHAB) | • Habitat for Humanity | • Empower:abilities |
| • AIDS Project of the
Ozarks | • Hand-in-Hand
Multicultural Center | • Springfield Community
Center |
| • KVC Missouri | • Housing Authority of
Springfield (HAS) | • Springfield Community
Land Trust (SCLT) |
| • Burrell Mental Health
Center | • Jordan Valley
Community Health
Center | • Community
Collaboratives |
| • Community Partnership
of the Ozarks | • Ozarks Alliance to End
Homelessness
(Continuum of Care) | • Women Infants &
Children (WIC) |
| • Cox Health Center
(Hospital) | • Women Infants &
Children (WIC) | • The Arc of the Ozarks
(Development Disabilities
Organization) |
| • Easy Living, Inc.
(Development Disabilities
Organization) | • Missouri Department of
Health and Senior
Services | • The Salvation Army |
| • Family Violence Center | • NAACP | • Veteran's VASH
Program |
| • Good Samaritan Boys
Ranch | • Numerous Local
Churches | • Veterans Coming Home |
| • Greene County
Children's Division | | |

*Please note that this is not a comprehensive list.

LOCAL AND REGIONAL INSTITUTIONS

- | | | |
|---|-----------------------|--|
| • United Way of the
Ozarks | • Council of Churches | • The Fairbanks |
| • Ozarks Transportation
Organization | • Missouri Job Center | • Community
Foundation of the
Ozarks |

Who are residents of predominantly low-to-moderate income neighborhoods in Springfield?

People who live in continuous areas bound by roads or natural features (creeks, etc.) where more than half of the area's residents fall below HUD's "moderate income" guidelines are considered residents of predominantly low-to-moderate income neighborhoods for the purposes of this plan.

CONSOLIDATED PLAN

A Consolidated Plan with a housing and non-housing component shall be adopted by the City Council to evaluate community needs, establish priorities and govern in the selection of projects. This plan shall cover a period of five (5) years. It shall identify the City's housing, homeless, community and economic development needs and specify short-term and long-term objectives for CDBG funding, HOME funding, as well as funding for programs and projects from other resources.

There are several requirements included as a part of this plan to encourage citizen participation in the development of the Consolidated Plan. Initially, the City shall make available to citizens, public agencies, and other interested party's information that includes the amount of assistance the jurisdiction expects to receive including grant funds and program income and the range of activities that will be undertaken. This shall also include the estimated amount that will benefit persons of low-and-moderate income households. Even though the City expects no displacement to occur, the City will make every effort to minimize displacement of persons and to assist any persons displaced. This information shall be disclosed via an advertisement in the local newspaper, on the City's website and pushed out via social media. The Consolidated Plan and the first Annual Action Plan shall be presented for City Council's approval. There shall be an annual Action Plan submitted for each subsequent year of the Consolidated Plan. To reach this goal, the City shall complete the following items:

1. In developing the Consolidated Plan, the City staff shall consult with other public and private agencies representing community development and housing needs within the City of Springfield, wherever possible.
2. Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing of the Citizens' Advisory Committee for Community Development. The statement of intent shall reference the method of access to HUD related data. Additional notification shall be provided via the City's website and social media.
3. Hold a public hearing of the Citizens' Advisory Committee for Community Development; inviting input on the Needs Assessment, Proposed Activities, and

Strategy portions of the Consolidated Plan. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee, will hold the public hearing. CACCD members may submit comments following that hearing.

4. There are several areas that will specifically be included in the citizen participation aspect of the process as follows:
 - a. Lead-based Paint -- When preparing the portion of the Consolidated Plan, the City shall consult with state or local health and/ or child welfare agencies and examine existing data related to lead based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.
 - b. Priority Non-Housing Needs -- When preparing the description of the non-housing priority needs, the City shall consult with adjacent local governments when possible or applicable for needs and services that involve multiple jurisdictions.
 - c. Public Housing -- When preparing the housing section of the Consolidated Plan, the City shall consult with the local public housing authority to identify needs and strategies to address those needs.
5. Provide information to social service agencies, faith-based organizations, housing agencies, and other not-for-profit organizations regarding the program and invite input. Once the draft Consolidated Plan is completed, the City shall make the document available to the general public and provide reasonable opportunity for organizations to examine the content and provide comment on the Plan. To reach this goal, the City shall complete the following steps:
 - a. Publish a summary of the draft Consolidated Plan in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days.

This summary shall include, at minimum, the purpose and contents of the draft Consolidated Plan and shall include a list of the locations where copies of the entire proposed Consolidated Plan may be examined. Additionally, the Plan shall be made available electronically to citizens or organizations requesting copies. A reasonable number of hard copies shall be provided, at no cost, to citizens or agencies, upon request, that do not have electronic viewing capabilities.
 - b. A copy of the Consolidated Plan will be made available on the City of Springfield's website. Notification of this placement shall be provided via social media outlets.
 - c. Make copies of the proposed Consolidated Plan available at public libraries,

government offices, and other public places.

6. The City's Planning & Development Department shall consider all comments which are received in writing or orally at the public hearing in preparing the final Consolidated Plan. To accomplish this goal, the City shall prepare a summary of public comments received and a summary of any comments not accepted into the plan and the reasons therefore, which shall be incorporated as a part of the final Consolidated Plan.
7. To involve the affected public in the citizen participation process, one public hearing shall be held before the City Council with notice published in a newspaper of general circulation.
8. The City's Residential Anti-Displacement and Relocation Assistance Plan shall guide the types and levels of assistance the City will make available (or require others to make available) to persons displaced.

ANNUAL ACTION PLAN

The Annual Action Plan is a one (1) year plan that implements initial elements of the Consolidated Plan. The Annual Action Plan includes funding priorities and anticipated accomplishments from each project. There are several requirements included as a part of this plan to encourage citizen participation in the development of the Annual Action Plan. The City initially shall make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive including grant funds and program income and the range of activities that will be undertaken. This shall also include the estimated amount that will benefit persons of low-and-moderate income households. All parties or organizations known to have an interest in submitting potential projects for funding shall be contacted in writing and provided access to appropriate materials for making application for the funds available. The City shall complete the following steps:

1. Publish a Public Announcement and Proposal Solicitation on an annual basis in the local newspaper of greatest circulation, seeking proposals for Discretionary CDBG funding for Public Services Grants at least fifteen (15) days prior to the public hearing. Further notification shall be provided via the City's website and social media.
2. Following the receipt of proposals, a joint public hearing may be held before the CACCD and/or City Council with the purpose of allowing presentations by the Discretionary CDBG grant applicants and allowing for public review and comment on the proposed CDBG spending plan.
3. The CACCD may hold a public hearing to allow the Committee to review the City staff assessment and recommendations on the CDBG program with the staff and submit comments to the City Council regarding the process and the proposed activities. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee, will hold the public hearing. CACCD members may submit comments following that hearing.

4. Once the draft Annual Action Plan is completed, the City shall make the document available to the general public and provide reasonable opportunity for organizations to examine the content and provide comment on the Plan. To reach this goal, the City shall complete the following items:
 - a. Publish a summary of the Annual Action Plan in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days. Further notification shall be provided via the City's website and social media.
 - b. Make copies of the proposed Annual Action Plan available at public libraries, government offices, and other public places. This summary shall include, at minimum, the purpose and contents of the Annual Action Plan and shall include a list of the locations where copies of the entire proposed Annual Action Plan may be examined. Additionally, the Plan shall be made available electronically to individuals or organizations requesting copies. A reasonable number of hard copies shall be provided to citizens or agencies, upon request, that do not have electronic viewing capabilities.
5. The City shall consider all comments which are received in writing or orally at the public hearings in preparing the final Annual Action Plan. To accomplish this goal, the City shall prepare a summary of public comments received and a summary of any comments not accepted into the plan and the reasons therefore, which shall be incorporated as a part of the final Annual Action Plan.
6. The City Council shall hold a public hearing prior to the submission of the Annual Action Plan to HUD. The purpose of this public hearing shall be to offer an additional opportunity for citizen comment and participation.

Once the citizen participation and public comment period has been completed, the City will submit the final Annual Action Plan at least forty-five (45) days before the start of the program year unless HUD establishes a later due date.

CONSOLIDATED PLAN AND ANNUAL ACTION PLAN AMENDMENTS

SUBSTANTIAL CHANGE

It shall be considered a substantial change in objectives and projected use of funds described in the Action Year Plan whenever the City adds a new activity; materially changes the scope, purpose, location or beneficiaries of an activity; or adjusts the CDBG budget by an amount exceeding 15% of the total amount of available funds for the program year.

PROCESS FOR AMENDMENT

Once a need for a substantial change has been determined, the City will adhere to the following procedure:

1. Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the date of the public hearing. Further notification shall be provided via the City's website and social media.
2. The Citizens' Advisory Committee for Community Development may hold a public hearing inviting input regarding the proposed amendment. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee, will hold the public hearing.
3. Accept public comments for a period not less than thirty (30) calendar days on the substantial amendment following the public hearing. Any comments received either written or orally at the public hearing and during the thirty-day (30) comment period shall be considered in preparing the substantial amendment. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final amendment.
4. The draft amendment shall be presented to the City Council for adoption by ordinance.

NON-SUBSTANTIAL CHANGE

A non-substantial change is defined as any change or alteration that will not constitute a substantial change as defined above under SUBSTANTIAL CHANGE. Examples of non-substantial change may include cancellation of a previously approved activity due to unforeseen circumstances that have caused significant delays or unreasonable cost burdens, removal and reallocation of funds remaining after an activity is completed as approved, or an increase of an activity budget to make up the shortage to secure a contract. The City (Grantee) Staff responsible for overseeing and managing the CDBG Program will have authority to approve and implement non-substantial changes on an as-needed basis as part of the CDBG program administration.

DISASTER/EMERGENCY RESPONSE WOULD NOT REQUIRE A SUBSTANTIAL AMENDMENT

There have been situations that occur where the City experiences a natural disaster or emergency. Examples of these include the 1993 Ferguson Sinkhole Flood, the Ice Storm of 2007 and the 2020 COVID-19 coronavirus pandemic. In these situations, either the Director of the Springfield-Greene County Health Department, the Mayor of Springfield, Greene County Presiding Commissioner, the Governor of the State of Missouri, and/or the President of the United States declared that emergency conditions existed. These events are not predictable as to when they will occur or what will be their impact on Springfield's residents, businesses, and/or the community resources.

Events that qualify as a type of disaster or emergency would *not* constitute a substantial change, and thereby waive requirements for formal adoption of an amendment to the associated Consolidated Plan/Annual Action Plan. In the event of a local, state, or federal disaster or

emergency declaration for Springfield, the City may fund new activities and/or the reprogram funds, including adding or canceling activities, to meet needs resulting from said disaster or emergency.

Therefore, the City of Springfield may utilize CDBG or HOME funds to meet these needs with a five (5) day public notice and comment period instead of a thirty (30) day public comment period, which is otherwise required for substantial amendments. For CDBG funding under FY 2019-2020, FY 2020-2021, and the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the City of Springfield may provide a five (5) day notice of a proposed off-cycle change beginning April 8, 2020, as allowed under a HUD waiver.

With respect to a declared disaster, the City may elect to use CDBG or HOME funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Citizen Participation Plan, the Consolidated Plan, or any other CDBG or HOME eligible use. HUD may provide new guidance on eligible uses in which the City will comply with and may utilize as well.

WAIVER PROCESS

Upon determination of good cause, HUD has the authority to waive certain regulatory provisions of the CDBG, HOME, ESG and HOPWA programs subject to statutory limitations.

Examples of good cause for such waivers:

1. Presidential disaster declarations under Title IV of the Stafford Act.
2. The City of Springfield may seek a waiver to its Citizen Participation Process, in emergency situations when expedited assistance offered through Consolidated Plan/Annual Action Plan covered programs is deemed necessary by the Mayor.
3. HUD issues notices to waive deadlines for submission and reduction of public comment periods

Following HUD issuance of waiver notices or approval of a waiver requests, the City reserves the right to amend the Citizen Participation Plan comment period as follows:

1. A reduction in the public comment period for Consolidated Plan/Annual Action Plan substantial amendments from thirty (30) calendar days to five (5) calendar days.
2. A reduction in the public comment period from thirty (30) calendar days to five (5) calendar days in the event of a local “urgent needs” emergency or state/federally declared disaster.
3. Flexibility in determining what constitutes reasonable notice and opportunity to comment.

4. Forego public hearings when the emergency conditions dictate caution; however, the City, at its option, may hold virtual public hearings if determined to be necessary.

AFFIRMATIVELY FURTHERING FAIR HOUSING

It is incumbent on recipients of Federal funds to maximize the use of those funds in a non-discriminatory manner and to promote fair housing when using those funds for housing activities. HUD is currently reviewing and revising their fair housing guidance which may require additional community input when completed.

In the planning process for the CONPLAN and all AAP's, the City staff will consider any relevant data from the Mayor's Commission on Human Rights and Community Relations' complaint process and other HUD and local sources, as available, to assess fair housing as it applies to the use of HUD funds for housing projects. Fair housing information regarding any Racially or Ethnically Concentrated Areas of Poverty (R/ECAPS) and the current affirmative marketing of all Federally funded housing will be reviewed as an input to the success of the proposed activity. Coordination with the Housing Authority of Springfield (HAS) staff regarding their Fair Housing Plan and related data may be included in the City's planning process including the option of a joint Fair Housing Plan with HAS as allowed by HUD.

As part of the Consolidated and Annual Action Plan submission to HUD, the required City certification concerning our responsibilities to identify barriers to and actively provide support for fair housing with the use of HUD funds. Additionally, as HUD implements any further guidance for Fair Housing Planning, the City will implement the required public input and comment activities in support and compliance with the goals and objectives of that guidance and HUD's requirements.

PERFORMANCE REPORTS

The final aspect of citizen participation is regarding the performance of the program. The City will adhere to the following process:

- a. Publish a public notice regarding the availability of the Consolidated Annual Performance and Evaluation Report (CAPER) and public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the public hearing with further notification provided via the City's website and social media.
- b. The Citizens' Advisory Committee for Community Development may hold a public hearing inviting input regarding the final CAPER, for the previous program year. This public hearing shall be held annually not more than ninety (90) calendar days after the completion of the most recent program year, which shall outline the status of all activities as of the end of the Program Year. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee will hold the public hearing. CACCD members may submit comments following that hearing.

- c. Any comments received either written or orally at the public hearing shall be considered in preparing the final performance report. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final report.

DISPLACEMENT

The City of Springfield does not intend to undertake any activities funded by the U.S. Department of Housing and Urban Development (HUD) that would cause either temporary or permanent displacement of an individual or family. However, the City is required to have a Plan in place should such an event occur.

The Plan contains three major components.

1. **One-For-One Replacement of Low and Moderate-Income Dwelling Units**

All occupied and vacant, occupiable, low-and-moderate-income dwelling units that are demolished or converted to a use other than as low-and-moderate-income housing as a direct result of any activity assisted under the Section 104(d) of the Housing and Community Development Act of 1974, as amended, will be replaced with low and moderate-income dwelling units within three years of commencement of the activity.

2. **Relocation Assistance**

The City of Springfield will ensure that relocation assistance is provided as described in 24 CFR 507.606 to each low to moderate-income person who is displaced by the demolition or by the conversion of a low/moderate income dwelling unit to another use as a direct result of a CDBG assisted activity. When needed, relocation notices will be distributed to the affected persons in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) or the Section 104(d) of the Housing and Community Development Act policies, as applicable.

3. **Steps to Minimize Displacement**

City of Springfield will take the following steps to minimize the involuntary displacement of low-and moderate-income persons when CDBG funds are involved:

- a. All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- b. Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing as well as relocation assistance.
- c. The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant.

The City will also use the applicable HUD Notices and Guidance to inform residents/ businesses of their rights.

GENERAL PROCESS

PUBLIC HEARINGS

The following procedures shall be followed regarding public hearings:

1. No less than fifteen (15) calendar days' notice will be provided to the public for a public hearing for non-emergency situations as described above. Public hearings shall be advertised in the local newspaper of greatest circulation. The notice will include adequate information regarding the subject of the hearing to encourage informed comment. Further notification shall be provided via the City's website and social media.
2. All public hearings shall be held at times and locations convenient to potential attendees. Meeting times will generally avoid normal business hours (8-5 M-F) and be accessible to persons with disabilities including access to public transit. The following policy statement is printed near the bottom of every appointed board, committee and City Council meeting agenda, "In accordance with ADA and LEP guidelines, persons needing special accommodations when attending any City meeting will be required to notify the City Clerk's office at (417) 864-1443 at least three (3) days prior to the scheduled meeting."
3. Together the hearings shall address housing and community development needs, development of proposed activities, proposed strategies and actions, and a review of program performance, as applicable to the purpose of the hearing.
4. If a public hearing is planned and if it can be reasonably anticipated that a significant number of non-English speaking participants will be in attendance, the City will provide a translator for the meeting.
5. A notice of availability of a copy of the Consolidated Plan, the Annual Action Plan, any Substantial Amendments to the Consolidated Plan and the Annual Action Plan, the CAPER, Fair Housing documents, and Amendments to the Citizen Participation Plan will be provided to the City's Notification List and to the full membership of the Neighborhood Advisory Council (NAC) or other similar group via a direct email solicitation; seeking additional public review and comment.

LANGUAGE ASSISTANCE PLAN

Pursuant to 24 CFR 91.105 the City of Springfield is required to take appropriate actions to

encourage the participation of all its citizens, including minorities, non-English speaking persons, and persons with disabilities. This section refers specifically to non-English speaking persons, defined in The Fair Housing Act as Limited English Proficiency (LEP) persons. LEP refers to a person's limited ability to read, write, speak or understand English. Per an analysis performed by the Ozarks Transportation Organization (OTO) as a part of the May 20, 2021, *OTO Limited English Proficiency Plan* (LEPP) 1.86% of Greene County's total population (5+ years of age) speak English less than "Very Well". The report also concludes that 5.68% of the County's population (5+ years of age) speak a language other than English at home. The staff of the City of Springfield understands the need to continually consult with the community regarding its changing language assistance needs.

IDENTIFYING LEP PERSONS NEEDING LANGUAGE ASSISTANCE

1. City staff will have on hand the "I speak" cards printed from the following website <http://www.lep.gov/ISpeakCards2004.pdf>.
2. Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings.
3. A notice shall be posted on CACCD, Mayor's Commission and City Council agendas indicating that language assistance is available.

LANGUAGE ASSISTANCE MEASURES

1. The City of Springfield has a contract with a local interpretation services company that can provide on demand translation services as needed for a fee. Relay Missouri offers Spanish Relay service. Relay users can type in Spanish and the conversations will be relayed in Spanish. Voice users can speak Spanish to the relay user. Spanish to English Translation is offered. Users must dial 1-800-548-8317 (TTY/ASCII/Voice).
2. There are several Universities and Colleges in Springfield, Missouri that have foreign language departments. These could also be used as a resource if need be. Currently, none of the City of Springfield's documents are available in a language other than English. However, the City's website may be translated into many different languages using Google Translate.

ACCESS TO RECORDS

The City shall ensure that citizens, public agencies, and other interested parties have reasonable and timely access to information and records pertaining to the City's Consolidated Plan and projects for a minimum of the preceding five (5) years.

Copies of the City's Consolidated Plan, Annual Action Plan, Performance Reports (CAPER), Assessment of Fair Housing (AFH) Plan, Citizen Participation Plan (CPP) and any substantial amendment of said documents will be available at any Springfield Branch of the Springfield-Greene County Library or on the City's website at

<https://www.springfieldmo.gov/850/Document-Library>.

Information and records will be available to the public in a form accessible to persons with disabilities, upon request. Braille and/or large print copies will be available, depending upon the needs of the requestor.

TECHNICAL ASSISTANCE

The City shall provide two (2) technical assistance sessions per program year to provide guidance to non-profit agencies representative of low- and moderate-income persons in developing proposals and completing necessary proposal forms for assistance under the formal CDBG allocation process. The initial technical assistance meeting is held immediately after the solicitation for discretionary public service projects. The second technical meeting is held with the sub grantees that have been selected for CDBG funding for public service projects. A direct email solicitation is sent out for both technical meetings.

COMPLAINTS

Should a citizen complaint be received regarding the Consolidated Plan, Annual Action Plan, Plan Amendments, Performance Reports, or the Citizen Participation Plan, the City will adhere to the following process:

1. Complaints must be submitted in writing to the Planning & Development Department of the City of Springfield.
2. Where practicable, all complaints will be initially responded to in writing within fifteen (15) working days from the date of receipt of the complaint.

EXHIBIT B

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City of Springfield, Missouri

Citizen Participation Plan

Originally Adopted on July 30, 2018 Pursuant to
City Council Special Ordinance 27087

Amended for Disaster / Emergency Response
on June 1, 2020 Pursuant to City Council
Special Ordinance 27326

CITIZEN PARTICIPATION PLAN - COVID-19 AMENDMENTS

- Include virtual hearings as an allowed method for citizen participation;
- Update section on a disaster / emergency response would not require a substantial amendment;
- Provide details on possible actions, including reprogramming of funding and types of possible activities that may be undertaken in response to the COVID-19 pandemic;
- Includes provisions relative to Consolidated Plan citizen participation, Community Development Block Grant and HOME Investment Partnership funds
- Grant waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act;
- Make minor edits that do not change current citizen participation policies.
- Please be advised that if virtual hearings are used, real-time responses and accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible.

OVERVIEW

The Citizen Participation Plan (CPP) is the process by which the City of Springfield identifies the policies and procedures to be used to encourage citizen participation and involvement in programs and activities under the U.S. Department of Housing and Urban Development (HUD) Five-year Consolidated Plan. The Five-year Consolidated Plan identifies the City's housing, homeless, community and economic development needs and establishes goals and strategies for addressing those needs, including the use of Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds. The Citizen Participation Plan sets forth the mutual rights, duties and responsibilities of both the City and participating citizens and citizens' groups.

HUD PROGRAMS

The City of Springfield receives two entitlement grants from the U.S. Department of Housing and Urban Development (HUD), to help address the City's affordable housing, homeless, community and economic development needs.

1. Community Development Block Grant Program (CDBG)

Title I of the Housing and Community Development Act of 1974 (PL 93-383) created the CDBG program. It was re-authorized in 1990 as part of the Cranston-Gonzalez National Affordable Housing Act. The primary objective of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic development opportunities for persons of low and moderate income. The City develops locally defined programs and funding priorities for CDBG, but activities must address one or more of the national objectives of the CDBG program. The three national objectives are: (1) to benefit low- and moderate- income persons; (2) to aid in the prevention or elimination of slums or blight; and/or (3) to meet other urgent community development needs. The City of Springfield's CDBG program emphasizes activities that directly benefit low and moderate-income persons.

2. HOME Investment Partnerships Program (HOME)

HOME was introduced in the Cranston-Gonzalez National Affordable Housing Act of 1990 and provides funding for housing rehabilitation, new housing construction, acquisition of affordable housing, and tenant-based rental assistance.

LEAD AGENCY

The Planning & Development Department is designated by the Springfield City Council as the lead agency for the administration of the CDBG and HOME grant programs. Through the U.S. Department of Housing and Urban Development (HUD) the Planning & Development Department administers the CDBG and HOME programs. As the lead agency for HUD, the Planning & Development Department is responsible for developing the 5-Year Consolidated Plans, Annual Action Plans, the Consolidated Annual Performance Evaluation Report (CAPER) and amendments to the Citizen Participation Plan.

Copies of this Citizen Participation Plan (CPP) can be obtained at any Springfield Branch of the Springfield-Greene County Library or on the City's website at <https://www.springfieldmo.gov/850/Document-Library>.

ENCOURAGING PUBLIC PARTICIPATION

The City of Springfield encourages all citizens to participate in the development and review of the:

- HUD Five-Year Consolidated Plan
- Annual One-Year Action Plan (AAP)
- Substantial Amendments to the Consolidated Plan and/or the Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)
- ~~Assessment of Fair Housing Plan (AFH)~~
- Amendments to the Citizen Participation Plan (CPP)

Citizens will be given reasonable notice and an opportunity to participate in the development of all Consolidated Plans, Annual Action Plans, Substantial Amendments, CAPERs and Amendments to Citizen Participation Plans.

Although the City encourages the participation of all of its citizens, the emphasis of this Plan is on encouraging and ensuring the participation of low- and moderate-income persons, particularly those living in slum and blighted areas, residents of predominantly low- and moderate-income neighborhoods, minorities, non-English speaking persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons/agencies and residents of public and assisted housing developments. The City also encourages the participation of local and regional institutions, the local Continuum of Care (i.e. Ozarks Alliance to End Homelessness), other organizations (including business, developers, non-profit organizations, philanthropic organizations, and community ~~organizations including -and~~ faith-based organizations), residents of public and assisted housing (including any resident advisory boards, resident councils, and resident management corporations) and by other low- income residents of targeted revitalization areas in which public and assisted housing is located. Persons needing special accommodations when attending any City meeting will be required to notify the City Clerk's office at (417) 846-1636443 at least three (3) days prior to a scheduled meeting.

In preparing the components of the Consolidated Plan, ~~the AFH~~ and any amendments to the CPP the City of Springfield shall consult, as required or applicable, with other public and private agencies that provide housing, health services, and social services, community-based and regionally-based organizations that represent protected class members, organizations that enforce fair housing laws, broadband internet service providers including organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include management of flood prone areas, public land or water resources, emergency management agencies, local health and child welfare agencies, business and civic leaders, adjacent units of general local government, regional government organizations local and regional institutions, the local Continuum of Care (i.e. Ozarks Alliance to End Homelessness), residents of public and assisted housing and by other low- income residents of targeted revitalization areas in which public and assisted housing is located. Direct and email consultations shall be held by City Staff with various groups and organizations as enumerated within the Notification and Consultation Lists chapter that follows.

CITIZEN INVOLVEMENT

The City of Springfield shall provide for citizens' comment, input and participation throughout the process by various means:

1. The City shall make CDBG & HOME funding information available to citizens, public agencies and other interested parties, as outlined in the Notifications & Consultations List.
2. Consultation with several specific groups and agencies as enumerated within the Notification and Consultation List Chapter ~~as follows:~~
3. Published Notification and Comment Periods
4. Citizens' Advisory Committee for Community Development (CACCD) Public Hearings. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee will hold the public hearing. CACCD members may submit comments following that hearing.'

~~5.4.~~ Springfield City Council Public Hearings

NOTIFICATION OF INPUT OPPORTUNITIES

The City of Springfield will provide a variety of notifications highlighting citizen input opportunities, including the use of social media, direct communications to organizations and meetings with agencies serving target populations.

CITIZEN REPRESENTATION

CITIZEN ADVISORY COMMITTEE FOR COMMUNITY DEVELOPMENT (CACCD)

The Citizens' Advisory Committee for Community Development (CACCD) is an appointed body. The Committee reviews City staff assessments and recommendations on the CDBG program with the staff and submits comments to the City Council. The CACCD shall base its comments to the City Council solely on an objective basis and in conformance with adopted policies, procedures and priorities of the City Council and federal Community Development Block Grant (CDBG) requirements. The Committee shall avoid ex parte communications with applicants for funding regarding their application or the CDBG program during the process of deliberation and selection, to avoid a conflict of interest or an appearance of impropriety.

It shall be the charge of the CACCD to avoid any individual or collective conflict of interest or any appearance of impropriety or conflict of interest. All members shall avoid conflicts of interest as described in the CDBG regulation at 24 CFR 570.611. A Committee member shall not be affiliated with any organization at the time an application for CDBG funds is made, or within a twelve (12) month period preceding application. Affiliation is defined to mean serving as a

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board, committee or general member, a member of staff, ~~or involved in fund-raising activities.~~ If such a conflict exists, the Committee member shall no longer serve on the Committee.

The membership of the CACCD shall consist of nine (9) members, each with three (3) year terms, who shall be appointed by the City Council. Appointments shall be staggered so that there will be three terms which expire each year. All members of the CACCD shall be legal residents of the City of Springfield, Missouri.

MAYOR'S COMMISSION ON HUMAN RIGHTS AND COMMUNITY RELATIONS (MCHRCR)

The Mayor's Commission on Human Rights and Community Relations (MCHRCR) is an appointed body which works to promote understanding and respect among all citizens and provides the community recourse for discriminatory acts. The chief responsibility of the MCHRCR is to investigate alleged incidents of discrimination and mediate settlements between affected parties. The MCHRCR acts as a clearing house for information regarding human rights and offers its services to help educate interested citizens and community groups. The MCHRCR will be consulted concerning issues that fall within their purview.

NEIGHBORHOOD ADVISORY COUNCIL (NAC)

The Neighborhood Advisory Council (NAC) is an advisory board, created to increase communication between organized neighborhood associations, City Council and City staff. Although the NAC is not tasked specifically with the review of the City's HUD funded programs, the City shall provide a copy of the HUD plans and reports to the membership via direct email solicitation, to allow the organization an opportunity to review and comment and to provide representatives the opportunity to share this information with their many neighborhood association members. NAC represents all neighborhood associations within the City, including low- and moderate-income neighborhoods and slum and blighted areas.

NOTIFICATION and CONSULTATION LISTS

The City of Springfield has an ongoing listing of groups and organizations that are sent direct emails regarding affordable housing openings and other notifications. The City staff shall work in conjunction with the CACCD and the MCHRCR to consult directly with these groups and organizations, in preparing the components of the Consolidated Plan, ~~the AFH,~~ fair housing planning, and any amendments to the CPP. Where possible, the City staff shall meet in person with a number of groups and organizations on an annual basis. The City shall also provide a copy of the HUD plans and reports to the notification lists via a direct email solicitation. These lists include people and organizations that represent low- and moderate-income persons, persons living in slum and blighted areas, residents of predominantly low- and moderate-income neighborhoods, minorities, non-English speaking persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons/agencies, residents of public and assisted housing developments, local and regional institutions, and other organizations. Groups and organizations wishing to be added to the HUD Program Notification and Consultation list, may contact the City's Planning & Development Department, at any time, to be added to the listing. Examples of specific groups and agencies have been enumerated below:

HUD PROGRAM NOTIFICATION AND CONSULTATION LIST

- | | | |
|---|---|---|
| • Abilities First
(Development Disabilities
Organization) | • Grupo
Latinoamericano | • Recovery Outreach
Services |
| • Affordable Housing
Action Board (AHAB) | • Habitat for Humanity | • Southwest MO Center
for Independent
Living Empower abilities |
| • AIDS Project of the
Ozarks | • Hand-in-Hand
Multicultural Center | • Springfield Community
Center |
| • Boys & Girls Town of
Missouri KVC Missouri | • Housing Authority of
Springfield (HAS) | • Springfield Community
Land Trust (SCLT) |
| • Burrell Mental Health
Center | • Jordan Valley
Community Health
Center | • Springfield Public
Schools |
| • Community Partnership
of the Ozarks | • Legacy Counseling,
LLC closed?? | • The African American
Agenda Collaborative
closed?? |
| • Cox Health Center
(Hospital) | • Missouri Career Center | • The Arc of the Ozarks
(Development Disabilities
Organization) |
| • Easy Living, Inc.
(Development Disabilities
Organization) | • Missouri Department of
Health and Senior
Services | • The Salvation Army |
| • Family Violence Center | • NAACP | • Veteran's VASH
Program |
| • Good Samaritan Boys
Ranch | • Numerous Local
Churches | • Veterans Coming Home |
| • Greene County
Children's Division | • Ozarks Alliance to End
Homelessness (Continuum
of Care) | • Women Infants &
Children (WIC) |

*Please note that this is not a comprehensive list.

LOCAL AND REGIONAL INSTITUTIONS

- Chamber of Commerce
- Council of Churches
- The Fairbanks
- Community Collaboratives
- Missouri Job Center
- United Way of the Ozarks
- Community Foundation of the Ozarks
- Ozarks Transportation Organization

*Please note that this is not a comprehensive list.

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Who are residents of predominantly low- and moderate-income neighborhoods in Springfield?

People who live in continuous areas bound by roads or natural features (creeks, etc.) where ~~more than half of the area's residents fall below HUD's "moderate income" guidelines are considered residents of predominantly low- and moderate-income neighborhoods for the purposes of this plan.~~

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CONSOLIDATED PLAN

A Consolidated Plan with a housing and non-housing component shall be adopted by the City Council ~~to survey~~evaluate community needs, establish priorities and govern in the selection of projects. This plan shall cover a period of five (5) years. It shall identify the City's housing, homeless, community and economic development needs and specify short-term and long-term objectives for CDBG funding, HOME funding, as well as funding for programs and projects from other resources.

There are several requirements included as a part of this plan to encourage citizen participation in the development of the Consolidated Plan. Initially, the City shall make available to citizens, public agencies, and other interested party's information that includes the amount of assistance the jurisdiction expects to receive including grant funds and program income and the range of activities that will be undertaken. This shall also include the estimated amount that will benefit persons of low-and-moderate income households. Even though the City expects no displacement to occur, the City will make every effort to minimize displacement of persons and to assist any persons displaced. ~~The City's Consolidated Plan shall state the types and levels of assistance the City will make available (or require others to make available) to persons displaced.~~ This information shall be disclosed via an advertisement in the local newspaper, on the City's website and pushed out via social media. The Consolidated Plan and the first Annual Action Plan shall be presented for City Council's approval. ~~adopted prior to the allocation process for the initial year covered under the identified program period, at the discretion of the City Council.~~ There shall be an annual Action Plan submitted for each subsequent incremental year of the Consolidated Plan. To reach this goal, the City shall complete the following items:

~~1.~~ In developing the Consolidated Plan, the City staff shall consult with other public and private agencies representing community development and housing needs within the City of Springfield, wherever possible.

~~2.~~
~~1.~~

~~1.~~ Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing of the Citizens' Advisory Committee for Community Development. The statement of intent shall reference the method of access to HUD related data. Additional

~~e.~~ Further notification shall be provided via the City's website and social media.

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~~2.~~~~3.~~ Hold a public hearing of the Citizens' Advisory Committee for Community Development; inviting input on the Needs Assessment, Proposed Activities, and Strategy portions of the Consolidated Plan. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee, will hold the public hearing. CACCD members may submit comments following that hearing.

~~4.~~ 4. There are several areas that will specifically be included in the citizen participation aspect of the process as follows:

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- a. Lead-based Paint -- When preparing the portion of the Consolidated Plan, the City shall consult with state or local health and/or child welfare agencies and examine existing data related to lead based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.
- b. Priority Non-Housing Needs -- When preparing the description of the non-housing priority needs, the City shall consult with adjacent local governments when possible or applicable for needs and services that involve multiple jurisdictions.
- c. Public Housing -- When preparing the housing section of the Consolidated Plan, the City shall consult with the local public housing authority to identify needs and strategies to address those needs.

~~5.~~ 5. Provide information to social service agencies, churches faith-based organizations, housing agencies, and other not-for-profit organizations regarding the program and invite input. Once the draft Consolidated Plan is completed, the City shall make the document available to the general public and provide reasonable opportunity for organizations to examine the content and provide comment on the Plan. To reach this goal, the City shall complete the following steps:

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- a. Publish a summary of the draft Consolidated Plan in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days.

This summary shall include, at minimum, the purpose and contents of the draft Consolidated Plan and shall include a list of the locations where copies of the entire proposed Consolidated Plan may be examined. Additionally, the Plan shall be made available electronically to citizens or organizations requesting copies. A reasonable number of hard copies shall be provided, at no cost, to citizens or agencies, upon request, that do not have electronic viewing capabilities.

- b. A copy of the Consolidated Plan will be made available on the City of Springfield's website. Notification of this placement shall be provided via social media outlets.
- c. Make copies of the proposed Consolidated Plan available at public libraries, government offices, and other public places.

6. The City's Planning & Development Department shall consider all comments which are received in writing or orally at the public hearing in preparing the final Consolidated Plan. To accomplish this goal, the City shall prepare a summary of public comments received and a summary of any comments not accepted into the plan and the reasons therefore, which shall be incorporated as a part of the final Consolidated Plan.

7. To involve the affected public in the citizen participation process, one public hearing shall be held before the City Council with notice published in a newspaper of general circulation.

8. The City's Residential Anti-displacement and Relocation Assistance Plan shall guide the types and levels of assistance the City will make available (or require others to make available) to persons displaced

~~6.~~

ANNUAL ACTION PLAN

The Annual Action Plan is a one (1) year plan that implements initial elements of the Consolidated Plan. The Annual Action Plan includes funding priorities and anticipated accomplishments from each project. There are several requirements included as a part of this plan to encourage citizen participation in the development of the Annual Action Plan. The City initially shall make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive including grant funds and program income and the range of activities that will be undertaken. This shall also include the estimated amount that will benefit persons of low-and-moderate income households. All parties or organizations known to have an interest in submitting potential projects for funding shall be contacted in writing and provided access to appropriate materials for making application for the funds available. The City shall complete the following steps:

1. Publish a Public Announcement and Proposal Solicitation on an annual basis in the local newspaper of greatest circulation, seeking proposals for Discretionary CDBG funding for Public Services Grants at least fifteen (15) days prior to the public hearing.

a. Further notification shall be provided via the City's website and social media.

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2. Following the receipt of proposals, a joint public hearing may be held before the CACCD and/or City Council with the purpose of allowing presentations by the Discretionary CDBG grant applicants and allowing for public review and comment on the proposed CDBG spending plan.

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~~Following the receipt of proposals, a joint public hearing shall be held before the City Council and the Citizens' Advisory Committee for Community Development. This hearing shall be held for reviewing proposals and public review and comment on Proposed Activities.~~

3. 3. The CACCD shall hold a public hearing to allow the Committee to review the City staff assessment and recommendations on the CDBG program with the staff and submit comments to the City Council regarding the process and the proposed activities.

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4. 4. Once the draft Annual Action Plan is completed, the City shall make the document available to the general public and provide reasonable opportunity for organizations to examine the content and provide comment on the Plan. To reach this goal, the City shall complete the following items:

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- a. Publish a summary of the Annual Action Plan in the local newspaper of greatest circulation inviting public comment for a period no less than thirty (30) calendar days. Further notification shall be provided via the City's website and social media.
- b. Make copies of the proposed Annual Action Plan available at public libraries, government offices, and other public places. This summary shall include, at minimum, the purpose and contents of the Annual Action Plan and shall include a list of the locations where copies of the entire proposed Annual Action Plan may be examined. Additionally, the Plan shall be made available electronically to individuals or organizations requesting copies. A reasonable number of hard copies shall be provided to citizens or agencies, upon that request, that do not have electronic viewing capabilities.

5.2. The City shall consider all comments which are received in writing or orally at the public hearings in preparing the final Annual Action Plan. To accomplish this goal, the City shall prepare a summary of public comments received and a summary of any comments not accepted into the plan and the reasons therefore, which shall be incorporated as a part of the final Annual Action Plan.

6.3. The City Council shall hold a public hearing prior to the submission of the Annual Action Plan to HUD. The purpose of this public hearing shall be to offer an additional opportunity for citizen comment and participation.

Once the citizen participation and public comment period has been completed, the City will submit the final Annual Action Plan at least forty-five (45) days before the start of the program year unless HUD establishes a later due date.

CONSOLIDATED PLAN AND ANNUAL ACTION PLAN AMENDMENTS

SUBSTANTIAL CHANGE

It shall be considered a substantial change in objectives and projected use of funds described in the Action Year Plan whenever the City adds a new activity; materially changes the scope, purpose, location or beneficiaries of an activity; or, adjusts the CDBG budget by an amount exceeding 159% of the total amount of available funds for the program year.

PROCESS FOR AMENDMENT

Once a need for a substantial change has been determined, the City will adhere to the following procedure:

1. Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the date of the public hearing.

~~a.~~ Further notification shall be provided via the City's website and social media.

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2. The Citizens' Advisory Committee for Community Development shall hold a public hearing inviting input regarding the proposed amendment. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee, will hold the public hearing.
3. Accept public comments for a period not less than thirty (30) calendar days on the substantial amendment following the public hearing. Any comments received either written or orally at the public hearing and during the thirty-day (30) comment period shall be considered in preparing the substantial amendment. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final amendment.
4. The draft amendment shall be presented to the City Council for adoption by ordinance.

NON-SUBSTANTIAL CHANGE

A non-substantial change is defined as any change or alteration that will not constitute a substantial change as defined above under SUBSTANTIAL CHANGE. Examples of non-substantial change may include cancellation of a previously approved activity due to unforeseen circumstances that have caused significant delays or unreasonable cost burdens, removal and reallocation of funds remaining after an activity is completed as approved, or and increase of an

activity budget to make up the shortage to secure a contract. The City (Grantee) Staff responsible for overseeing and managing the CDBG Program will have authority to approve and implement non-substantial changes on an as-needed basis as part of the CDBG program administration.

DISASTER/EMERGENCY RESPONSE WOULD NOT REQUIRE A SUBSTANTIAL AMENDMENT

There have been situations that occur where the City experiences a natural disaster or emergency. Examples of these include the 1993 Ferguson Sinkhole Flood, the Ice Storm of 2007 and the 2020 COVID-19 virus pandemic. In these situations, either the Director of the Springfield-Greene County Health Department, the Mayor of Springfield, Greene County Presiding Commissioner, the Governor of the State of Missouri, and/or the President of the United States declared that emergency conditions existed. These events are not predictable as to when they will occur or what will be their impact on Springfield's residents, businesses, and/or the community resources.

Events that qualify as a type of disaster or emergency would *not* constitute a substantial change, and thereby waive requirements for formal adoption of an amendment to the associated Consolidated Plan/Annual Action Plan. In the event of a local, state, or federal disaster or emergency declaration for Springfield, the City may fund new activities and/or the reprogram funds, including adding or canceling activities, to meet needs resulting from said disaster or emergency.

Therefore, the City of Springfield may utilize CDBG or HOME funds to meet these needs with a five (5) day public notice and comment period instead of a thirty (30) day public comment period, which is otherwise required for substantial amendments. For CDBG funding under FY 2019-2020, FY 2020-2021, and the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the City of Springfield may provide a five (5) day notice of a proposed off-cycle change beginning April 8, 2020, as allowed under a HUD waiver.

With respect to a declared disaster, the City may elect to use CDBG or HOME funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Citizen Participation Plan, the Consolidated Plan, or any other CDBG or HOME eligible use. HUD may provide new guidance on eligible uses in which the City will comply with and may utilize as well.

WAIVER PROCESS

Upon determination of good cause, HUD has the authority to waive certain regulatory provisions of the CDBG, HOME, ESG and HOPWA programs subject to statutory limitations.

Examples of good cause for such waivers:

1. Presidential disaster declarations under Title IV of the Stafford Act.
2. The City of Springfield may seek a waiver to its Citizen Participation Process, in emergency situations when expedited assistance offered through Consolidated Plan/Annual Action Plan covered programs is deemed necessary by the Mayor.
3. HUD issues notices to waive deadlines for submission and reduction of public comment periods

Following HUD issuance of waiver notices or approval of a waiver requests, the City reserves the right to amend the Citizen Participation Plan comment period as follows:

1. A reduction in the public comment period for Consolidated Plan/Annual Action Plan substantial amendments from thirty (30) calendar days to five (5) calendar days.
2. A reduction in the public comment period from thirty (30) calendar days to five (5) calendar days in the event of a local “urgent needs” emergency or state/federally declared disaster.
3. Flexibility in determining what constitutes reasonable notice and opportunity to comment.
4. Forego public hearings when the emergency conditions dictate caution; however, the City, at its option, may hold virtual public hearings if determined to be necessary.

**~~AFFIRMATIVELY FURTHERING FAIR HOUSING
(AFFH) PRESERVING COMMUNITY AND NEIGHBORHOOD CHOICE &
ASSESSMENT OF FAIR HOUSING (AFH) PLAN~~**

In Federal Register Vol. 85, No. 153 dated August 7, 2020, HUD issued an update the previous fair housing policy and regulations regarding Affirmatively Furthering Fair Housing to make the regulation more compliant with congressional authority and laws.

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It is incumbent on recipients of Federal funds to maximize the use of those funds in a non-discriminatory manner and to promote fair housing when using those funds for housing activities. HUD is currently reviewing and revising their fair housing guidance which may require additional community input when completed.

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In the planning process for the CONPLAN and all AAP's, the City staff will consider any relevant data from the Mayor's Commission on Human Rights and Community Relation's complaint process and other HUD and local sources, as available, to assess fair housing as it applies to the use of HUD funds for housing projects. Fair housing information regarding any Racially or Ethnically Concentrated Areas of Poverty (R/ECAPS) and the affirmative marketing of all Federally funded housing will be reviewed as an input to the success of the proposed activity. Coordination with the Housing Authority of Springfield (HAS) staff regarding their Fair Housing Plan and elated data may be included in the City's planning process including the option of a joint Fair Housing Plan with HAS as allowed by HUD.

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As part of the Consolidated and Annual Action Plan submission to HUD, the required City certification concerning our responsibilities to identify barriers to and actively provide support for fair housing with the use of HUD funds. Additionally, as HUD implements any further guidance for Fair Housing Planning, the City will implement the required public input and comment activities in support and compliance with the goals and objectives of that guidance and HUD's requirements.

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On March 14, 2016, the U.S. Department of Housing and Urban Development (HUD) issued a notice providing guidance to cities incorporating the 24 CFR Part 5 Affirmatively Furthering Fair Housing (AFFH) rule into the requirements of 24 CFR 91.10—Consolidated Program Year and 24 CFR 91.115—for the Citizen Participation Plan. The new AFFH rule requires cities to set forth a meaningful and transparent process to identify and understand local and regional fair housing issues and set goals for improving fair housing choice and access to opportunity.

On January 5, 2018 a Federal Register Notice was published by HUD (83 Fed. Reg. 683) extending the deadline for submission of the Assessment of Fair Housing for Consolidated Plan Participants to their next AFH submission date that falls after October 30, 2020.

As soon as feasible, the City shall make available to citizens, public agencies, and other interested party's HUD-provided data and any other supplemental information the local government plans to incorporate into the AFH.

To allow for the sharing of resources and addressing fair housing issues from a broader perspective, the City of Springfield may collaborate with the Housing Authority of the City of Springfield (HAS) in conducting and submitting a single, joint AFH. If possible, the City will

continue to collaborate with HAS and any other Public Housing Authority that may exist in the future.

The goal of the AFFH rule is to utilize local and regional data to better understand fair housing issues and to establish fair housing priorities and goals. Such data is intended to make participants better able to evaluate fair housing issues, including: segregation, conditions that restrict fair housing choice, and disparities in access to housing and opportunity. To reach this goal, the City, shall complete the following steps:

0. ~~The City staff shall consult with the Mayor's Commission on Human Rights and Community Relations (MCHRCR) concerning items that would fall within their purview.~~
0. ~~The City Staff will consult directly with a wide array of public and private agencies. Examples of agencies that will be consulted are enumerated within the *Notification and Consultation Lists* Section. These consultations shall take place throughout the AFH process.~~
0. ~~Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) days prior to the public hearing.~~
 - ~~Further notification shall be provided via the City's website and social media.~~
0. ~~Hold a public hearing by the Citizen's Advisory Committee for Community Development inviting input on fair housing issues and needs.~~
0. ~~Provide information to social service agencies, churches, housing agencies, and other not-for-profit organizations regarding the AFFH rule and the AFH plan and invite input.~~
 - ~~Publish a summary of the draft Assessment of Fair Housing Plan in the local newspaper of greatest circulation inviting public review and comment for a period no less than thirty (30) calendar days. This summary shall include, at minimum, the purpose and contents of the draft AFH Plan and shall include a list of the locations where copies of the entire proposed AFH Plan may be examined. Additionally, the Plan shall be made available electronically to citizens or organizations requesting copies. A reasonable number of hard copies shall be provided, at no cost, to citizens or agencies that do not have electronic viewing capabilities.~~
 - ~~A copy of the AFH Plan will be made available on the City of Springfield's website. Notification of this placement shall be provided via social media outlets.~~
 - ~~Make copies of the proposed AFH Plan available at public libraries, government offices, and other public places.~~
0. ~~To involve the affected public in the citizen participation process, one public hearing shall be held before the City Council with notice published in a newspaper of general circulation.~~
0. ~~Any comments received either written or orally at the public hearing and during the thirty-day (30) comment period shall be considered in preparing the AFH Plan. A summary of~~

these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final amendment.

Once the citizen participation and public comment period have been completed, the City of Springfield will submit the final City council-approved Assessment of Fair Housing Plan to the U.S. Department of Housing and Urban Development (HUD).

REVISIONS TO AFH PLAN

A HUD accepted AFH must be revised and re-submitted to HUD for review when:

- 0. A material change occurs. A material change is one that both a) impacts the circumstances in the City which may include natural disasters, significant demographic changes, new significant contributing factors, and civil rights findings and b) causes alterations to the AFH's analyses, contributing factors, priorities, and/or goals.
- 0. The City receives a written notification from HUD specifying a material change to the regulations.

PROCESS FOR REVISION OF AFH PLAN

Once a need for a revision of the AFH Plan has been determined, the City will adhere to the following procedure:

- 0. Publish a statement of intent and notice of public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the date of the public hearing.
 - a. Further notification shall be provided via the City's website and social media.
- 0. The Citizens' Advisory Committee for Community Development shall hold a public hearing inviting input regarding the proposed revision.
- 0. Accept public comments for a period not less than thirty (30) calendar days on the revision following the public hearing. Any comments received either written or orally at the public hearing and during the thirty-day (30) comment period shall be considered in preparing the revision of the AFH Plan. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the revision. The draft revision shall be presented to the City Council for adoption by ordinance.

~~1. The draft revision shall be presented to the City Council for adoption by ordinance.~~

PERFORMANCE REPORTS

The final aspect of citizen participation is regarding the performance of the program. The City will adhere to the following process:

~~a. Publish a public notice regarding the availability of the Consolidated Annual Performance and Evaluation Report (CAPER) and public hearing in the local newspaper of greatest circulation at least fifteen (15) calendar days prior to the public hearing with further notification provided via the City's website and social media.~~

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~~— Further notification shall be provided via the City's website and social media.~~

~~2.b. The Citizens' Advisory Committee for Community Development shall hold a public hearing inviting input regarding the final performance report, officially-titled Consolidated Annual Performance and Evaluation Report (CAPER), for the previous program year. This public hearing shall be held annually not more than ninety (90) calendar days after the completion of the most recent program year, which shall outline the status of all activities as of the end of the Program Year. If the CACCD cannot conduct the hearing due to lack of quorum or otherwise, the Director of Planning and Development, or designee will hold the public hearing. CACCD members may submit comments following that hearing.~~

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~~a. c. Any comments received either written or orally at the public hearing shall be considered in preparing the final performance report. A summary of these comments or views and a summary of the views not accepted and the reasons therefore shall be attached to the final report.~~

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DISPLACEMENT

The City of Springfield does not intend to undertake any activities funded by the U.S. Department of Housing and Urban Development (HUD) that would cause either temporary or permanent displacement of an individual or family. However, the City is required to have a Plan in place should such an event occur.

The Plan contains three major components.

1. One-For-One Replacement of Low and Moderate-Income Dwelling Units

All occupied and vacant, occupiable, low- and moderate-income dwelling units that are demolished or converted to a use other than as low-and-moderate-income housing as a direct result of any activity assisted under the Section 104(d) of the Housing and Community Development Act of 1974, as amended, will be replaced with low and moderate-income dwelling units within three years of commencement of the activity.

2. Relocation Assistance

The City of Springfield will ensure that relocation assistance is provided as described in 24 CFR 507.606 to each low to moderate-income person who is displaced by the demolition or by the conversion of a low/moderate income dwelling unit to another use as a direct result of a CDBG assisted activity. When needed, relocation notices will be distributed to the affected persons in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) or the Section 104(d) of the Housing and Community Development Act policies, as applicable.

3. Steps to Minimize Displacement

City of Springfield will take the following steps to minimize the involuntary displacement of low-and moderate-income persons when CDBG funds are involved:

- a. All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.
- b. Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing as well as relocation assistance.
- c. The cost of any required relocation assistance and the provision of replacement housing will be borne by the applicant.

The City will also use the applicable HUD Notices and guidance Brochures to inform residents/businesses of their rights.

GENERAL PROCESS

PUBLIC HEARINGS

The following procedures shall be followed regarding public hearings:

1. No less than fifteen (15) calendar days' notice will be provided to the public for a public hearing for non-emergency situations as described above.

Public hearings shall be advertised in the local newspaper of greatest circulation. The notice will include adequate information regarding the subject of the hearing to encourage informed comment. Further notification shall be provided via the City's website and social media.

2.

~~Further notification shall be provided via the City's website and social media.~~

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3.2. All public hearings shall be held at times and locations convenient to potential attendees. Meeting times will generally avoid normal business hours (8-5 M-F) and be accessible to persons with disabilities including access to public transit. The following policy statement is printed near the bottom of every appointed board, committee and City Council meeting agenda, "In accordance with ADA and LEP guidelines, persons needing special accommodations when attending any City meeting will be required to notify the City Clerk's office at (417) 864-1443 at least three (3) days prior to the scheduled meeting."

a. 3. Together the hearings shall address housing and community development needs, development of proposed activities, proposed strategies and actions ~~for affirmatively furthering fair housing consistent with the AFH~~, and a review of program performance, ~~as applicable to the purpose of the hearing.~~

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4. 4. If a public hearing is planned and it can be reasonably anticipated that a significant number of non-English speaking participants will be in attendance, the City will provide a translator for the meeting.

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5. 5. A notice of availability of a copy of the Consolidated Plan, the Annual Action Plan, any Substantial Amendments to the Consolidated Plan and the Annual Action Plan, the CAPER, and Amendments to the Citizen Participation Plan will be provided to the City's Notification List and to the full membership of the Neighborhood Advisory Council (NAC) or other similar group via a direct email solicitation; seeking additional public review and comment.

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LANGUAGE ASSISTANCE PLAN

Pursuant to 24 CFR 24 §91.105 the City of Springfield is required to take appropriate actions to encourage the participation of all its citizens, including minorities, non-English speaking persons, and persons with disabilities. This section refers specifically to non-English speaking persons, defined in The Fair Housing Act as Limited English Proficiency (LEP) persons. LEP refers to a person's limited ability to read, write, speak or understand English. Per an analysis performed by the Ozarks Transportation Organization (OTO) as a part of the ~~August 17, 2017~~ May 20, 2021, *OTO Limited English Proficiency Plan* (LEPP) 1.869% of Greene County's total population (5+ years of age) speak English less than "Very Well". The report also concludes that 5.2368% of the County's population (5+ years of age) speak a language other than English at home. The staff of the City of Springfield understands the need to continually consult with the community regarding its changing language assistance needs.

IDENTIFYING LEP PERSONS NEEDING LANGUAGE ASSISTANCE

1. City staff will have on hand the “I speak” cards printed from the following website <http://www.lep.gov/ISpeakCards2004.pdf>.
2. Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings
3. A notice shall be posted on CACCD, Mayor’s Commission and City Council agendas indicating that language assistance is available.

LANGUAGE ASSISTANCE MEASURES

1. The City of Springfield has a contract with a local interpretation services company that can provide on demand translation services as needed for a fee. Relay Missouri offers Spanish Relay service. Relay users can type in Spanish and the conversations will be relayed in Spanish. Voice users can speak Spanish to the relay user. Spanish to English Translation is offered. Users must dial 1-800-548-8317 (TTY/ASCII/Voice).
2. There are several Universities and Colleges in Springfield, Missouri that have foreign language departments. These could also be used as a resource if need be. Currently, none of the City of Springfield’s documents are available in a language other than English. However, the City’s website may be translated into many different languages using Google Translate.

ACCESS TO RECORDS

The City shall ensure that citizens, public agencies, and other interested parties have reasonable and timely access to information and records pertaining to the City’s Consolidated Plan and projects for a minimum of the preceding five (5) years.

Copies of the City’s Consolidated Plan, Annual Action Plan, Performance Reports (CAPER), Assessment of Fair Housing (AFH) Plan, Citizen Participation Plan (CPP) and any substantial amendment of said documents will be available at any Springfield Branch of the Springfield-Greene County Library or on the City’s website at <https://www.springfieldmo.gov/850/Document-Library>.

Information and records will be available to the public in a form accessible to persons with disabilities, upon request. Braille and/or large print copies will be available, depending upon the needs of the requestor.

TECHNICAL ASSISTANCE

The City shall provide two (2) technical assistance sessions per program year to provide guidance to groups representative of low- and moderate-income persons in developing proposals and completing necessary proposal forms for assistance under the formal CDBG allocation process. The initial technical assistance meeting is held immediately after the solicitation for discretionary public service projects. The second technical meeting is held with the sub grantees that have been selected for CDBG funding for public service projects. A direct email solicitation is sent out for both technical meetings.

COMPLAINTS

Should a citizen complaint be received regarding the Consolidated Plan, Annual Action Plan, Plan Amendments, Performance Reports, or the Citizen Participation Plan, the City will adhere to the following process:

1. Complaints must be submitted in writing to the Planning & Development Department of the City of Springfield.
2. Where practicable, all complaints will be initially responded to in writing within fifteen (15) working days from the date of receipt of the complaint.

Summary of the edits for the Citizen Participation Plan

1. References to the Assessment of Fair Housing (AFH) and Affirmatively Furthering Fair Housing (AFFH) edited or deleted due to major changes by HUD since the last CPP edits were made. One administration reduced it severely and a new process was started and killed by the current administration and now they propose changes again.
2. Community Advisory Committee for Community Development (CACCD):
 - a. When we schedule a CACCD Public Meeting and a quorum of members is not available which occurred a few times in the past 1-1/2 years, the Planning Director or designee can continue in order to meet HUD deadlines for citizen notice and comment.
 - b. Edits to the Conflict of Interest for the CACCD membership; updated based on recent legal review and compliance with the HUD regulations.
3. Updates to the HUD Notification and Consultation List
 - a. Delete some agencies that no longer exist
 - b. Some name changes
4. Indicate that the 1st Years Annual Action Plan is included in the 5-Year Consolidated Plan with the subsequent 4-year plans submitted annually.
5. Clearly describe the process for the annual Public Service Grant process.
6. Adjust the percentage of adjustment from 10% to 15% due to inflation of the amount that may be quickly reallocated due to fluctuating applications for specific projects, needs or priority projects that require additional or less funding, or to avoid duplication of payments with competing fund sources.
7. Clarify the policy on the relocation assistance for displaced persons. Add reference to the City's Anti-displacement and Relocation Assistance Plan and HUD's relocation requirements under Section 104(d) of the Housing and Community Development Act which supplements the Federal Uniform Relocation Act.
8. Clarify that the notification to the public and the citizen participation time frames may be reduced when operating in a declared emergency such as the recent pandemic.
9. Update the Language Assistance Plan with new data.

Exhibit D

From: [O'Brien S. Daniels](#)
To: [Atchley, Bob](#)
Subject: Follow-up May 2023 Meeting
Date: Friday, June 2, 2023 9:01:55 AM

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

Greetings Bob,

I wanted to follow-up regarding meeting quorum requirements.

I do oppose meetings only having 3 individuals to commence.
We understand the concern, but would like active members to recruit before we consider this new policy.

Second request, a tour of the HUD website for our better understanding is requested; chain of command for complaints, protections for tenants, and resources offered.

And third, I request name tags and/or t-shirts for Juneteenth.
It is important that the community knows who is currently active on CACCD.

Thank you for your consideration.

O'Brien Daniels
Owner/Operator
OSD LLC
Executive Personal Assistant and Home/Office Organizing Services
816-988-1216

Exhibit D

From: [Larry LexxLou](#)
To: [Atchley, Bob](#)
Subject: Response to vote
Date: Sunday, June 4, 2023 7:41:38 PM

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

Hello Bob.

This is Larry Flenoid II. I opposed the motion to proceed when we don't have enough board members because I felt as if that was hiding something from the members of a community which already feels ignored. I felt like we should all focus on recruiting one member from our community and trying to gain more board membership to eliminate the need to do a vote with out pro se.



EXPLANATION TO COUNCIL BILL 2023-188 (HOSMER)

FILED: 07/02/2023

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance amending the General Fund budget for the City Clerk for the City of Springfield, Missouri, for Fiscal Year 2023-2024, by appropriating a portion of the accumulated carryover funds and increasing expenses in the amount of \$250,000 for special election costs related to whether to impose an additional sales tax on the retail sales of adult use marijuana.

PURPOSE: A special ordinance amending the General Fund budget for the City Clerk for the City of Springfield, Missouri, for Fiscal Year 2023-2024, by appropriating a portion of the accumulated carryover funds and increasing expenses in the amount of \$250,000 for special election costs related to Special Ordinance 27839 on whether to impose an additional sales tax on the retail sales of marijuana.

BACKGROUND INFORMATION: The Fiscal Year 2023-2024 budget does not provide funds for the special election costs related to the August 2023 question on whether to impose an additional three percent sales tax on the retail sales of adult-used marijuana. To cover the cost of the special election, the City wishes to amend the General Fund budget for the City Clerk's operating budget to provide funds incurred for this special election. The special election costs are a one-time expense and are not part of the normal budget provided to the City Clerk's budget. The City will appropriate \$250,000 of carryover funds to cover these costs.

BACKGROUND INFORMATION:

Submitted By: Teresa Allen, Budget Coordinator

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

Collin Quigley, Deputy City Manager 7/12/2023

Attachments:

1. August 8 2023 special election expense_ord
2. Exhibit A

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 07-18-23

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-188

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the General Fund budget for the City Clerk for the City of Springfield,
2 Missouri, for Fiscal Year 2023-2024, by appropriating a portion of the
3 accumulated carryover funds and increasing expenses in the amount
4 of \$250,000 for special election costs related to whether to impose an
5 additional sales tax on the retail sales of adult use marijuana.
6 _____
7

8 WHEREAS, in November 2022, Missouri voters approved Amendment 3 to the
9 Missouri Constitution, which added Article XIV, Section 2, and made the use and sale of
10 recreational ("adult use") marijuana legal for adults; and
11

12 WHEREAS, Article XIV, Section 2.6(5) of the Missouri Constitution authorizes
13 local governments, such as the City of Springfield, to enact an additional sales tax of
14 three percent (3%) on retail sales of adult use marijuana after approval by public vote;
15 and
16

17 WHEREAS, on May 22, 2023, City Council adopted Special Ordinance 27839
18 calling an election on August 8, 2023, to submit to the qualified voters of the City the
19 question of whether to impose an additional three percent (3%) sales tax on retail sales
20 of adult use marijuana; and
21

22 WHEREAS, the Fiscal Year 2023-2024 budget does not currently provide funds
23 for the special election costs related to the August 8, 2023, special election called for by
24 Special Ordinance 27839; and
25

26 WHEREAS, the City wishes to amend the budget for Fiscal Year 2023-2024 to
27 provide for \$250,000 in costs expected to be incurred for the August 8, 2023, special
28 election.
29

30 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
31 SPRINGFIELD, MISSOURI, as follows, that:
32

33 Section 1 – The General Fund budget for the City Clerk for Fiscal Year 2023-

2024 is hereby amended in the accounts and in the amounts shows on Budget Adjustment No. 005, which is attached hereto and incorporated herein by this reference as "Exhibit A."

Section 2 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bennis, Assistant City Attorney

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
005

Revenues:

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

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	05	12010	502190	000000	00000	\$ 250,000	Election Expense
Net Expenditure Adjustment						\$ 250,000	

Fund Balance Appropriation:

Fund	Title	Amount
10110	General Fund - Fund Balance	\$ (250,000)

Explanation: To amend the FY2023-24 budget by appropriating General Fund, fund balance for the expense related to a special election on whether to impose an additional sales tax on the retail sales of marijuana.

Requested By:

Approved By:

Authorization:

Department Head _____ Date _____

Director of Finance _____ Date _____

City Manager _____ Date _____

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



EXPLANATION TO COUNCIL BILL 2023-189 (CARROLL)

FILED: 07/05/2023

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe Project; accepting the bid of Insituform Technologies USA, LLC, in the amount of \$5,658,166.12 for the Project; authorizing the City Manager, or his designee, to enter into an agreement for said Project; and approving a budget adjustment for the amount needed, plus a 10% contingency, to fund the Project, by amending the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the necessary amount of \$3,300,000.00.

PURPOSE: Approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV and Cured-in-Place Pipe project; accepting the bid of Insituform Technologies USA, LLC, for the project; authorizing the City Manager, or his designee, to enter into a contract for said project; and approving a budget adjustment to amend the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Enterprise Fund in the amount of \$3,300,000.00 by appropriating reserves of said fund.

BACKGROUND INFORMATION: Special Ordinance 26047 passed by City Council on May 7, 2012, authorized the City to enter into an Amended Consent Judgement (“ACJ”) with the Missouri Department of Natural Resources (“MDNR”) to address issues concerning the Clean Water Act (“CWA”). This ACJ was approved by the Greene County Circuit Court on May 15, 2012.

A requirement of the ACJ was to submit for MDNR approval, a long term, Overflow Control Plan (“OCP”) designed to address the City’s aging sewer infrastructure. The City’s proposed OCP was approved by MDNR on or about May 1, 2015.

The City successfully completed the first 5 years of the 10-year OCP plan. Results of the completed work were gathered, analyzed, and Integrated Planning for the future was implemented. The analysis allowed the City to see the efficacy of the work performed and the need to adjust their investment strategy for optimal results. Special Ordinance 27480 passed by City Council on April 5, 2021, authorized the City to enter into a 2nd ACJ with MDNR to extend the compliance schedule and meet its regulatory obligations under the 2nd ACJ while providing a predictable sewer rate structure for the next 15 years through a Supplemental Overflow Control Plan (“SOCP”).



As required by the approved 2nd ACJ and SOCP, Group 5, Batch 4, Sewer Rehabilitation Project continues rehabilitation work on the collection system that was originally done under the Early Action Program (“EAP”). This work involves rehabilitation of several older sewer basins containing vitrified clay pipe that have an identified history of large inflow and infiltration problems contributing to potential sanitary sewer overflows, and Batches 1-3 have been completed. This rehabilitation allows the City to reduce the amount of flow caused by inflow and infiltration, thereby creating more capacity in the existing system. By rehabilitating the sewer system, the City can reduce the substantially higher cost of increasing capacity in the collection system and at the treatment plants.

Plans, specifications, and a cost estimate for Group 5, Batch 4, Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe have been prepared by the Department of Environmental Services and are on file in the Director’s office.

The project was advertised in The Daily Events on May 26, 2023, through May 30, 2023.

Bids were opened in the Busch Building, Conference Room 106, on June 27, 2023, at 10:30 a.m. The following bids were received:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Insituform Technologies USA, LLC	\$5,658,166.12
Visu-Sewer, Inc.	\$6,136,043.00
SAK	\$6,577,787.00
Engineer’s Estimate	\$5,762,011.00

It is recommended that the City enter into a contract with Insituform Technologies USA, LLC for \$5,658,166.12, and to establish an approximate 10 percent contingency of additional funds for possible change orders.

This project is eligible for use of the remaining approximately \$2,900,000.00 of State Revolving Funds, as approved and authorized by Special Ordinance 27466, on February 22, 2021. The remaining cost of the project beyond the available approximately \$2,900,000.00 of SRF funds, or \$3,300,000.00, will be funded by the reserves of the Department of Environmental Services Clean Water Enterprise Fund and is being budgeted by this council bill.

REMARKS: Environmental Services recommends passage of this Council bill and budget adjustment.

Submitted By: Erick Roberts, Assistant Director of Environmental Services

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

Maurice S. Jones, Deputy City Manager 7/12/2023

Attachments:

1. Group 5 Batch 4 - Cleaning CCTV and CIPP rehab_Ord
2. Exhibit A
3. Exhibit B

One-rdg. _____
P. Hrngs. _____
Pgs. 8
Filed: 7-18-23

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-189

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING the plans and specifications for the Sanitary Sewer Overflow Control
2 Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main
3 Cleaning, CCTV, and Cured-in-Place Pipe Project; accepting the bid of
4 Insituform Technologies USA, LLC, in the amount of \$5,658,166.12 for
5 the Project; authorizing the City Manager, or his designee, to enter into
6 an agreement for said Project; and approving a budget adjustment for the
7 amount needed, plus a 10% contingency, to fund the Project, by
8 amending the Fiscal Year 2023-2024 budget of the Department of
9 Environmental Services Clean Water Enterprise Fund by appropriating
10 reserves of said fund in the necessary amount of \$3,300,000.00.
11 _____
12

13 WHEREAS, pursuant to the Clean Water Act (“CWA”) the City of Springfield,
14 Missouri (“City”) entered into an Amended Consent Judgment (“ACJ”) with the Missouri
15 Department of Natural Resources (“MDNR”) on or about May 7, 2012 (Special
16 Ordinance 26047), which ACJ was approved by the Greene County Circuit Court on
17 May 15, 2012. Pursuant to the ACJ, the City implemented a City-wide Overflow Control
18 Plan (“OCP”) to reduce sanitary sewer overflows (“SSOs”); and
19

20 WHEREAS, the City successfully completed the first five years of the 10-year
21 OCP plan, gathered data and analyzed results of completed work. Thereafter, the City
22 engaged in Integrated Planning for the future and determined the need to adjust the
23 OCP investment strategy for optimal results; and
24

25 WHEREAS, on or about April 5, 2021, Council authorized the City to work with
26 MDNR to enter into a 2nd ACJ, which included a Supplemental Overflow Control Plan
27 (“SOCP”), and to obtain approval for same from the Greene County Circuit Court
28 (Special Ordinance 27480), which approval was obtained on or about April 27, 2021;
29 and
30

31 WHEREAS, the SOCP includes both a public sewer rehabilitation program
32 (hereinafter known as “Group” projects) and a private sewer rehabilitation program
33 (hereinafter known as “Phase” projects) to reduce SSOs. Each public sewer
34 rehabilitation Group project requires several types, or batches, of rehabilitation and the

City has begun implementation of Groups 1 through 7 of the public sewer rehabilitation;
and

WHEREAS, Group 5 Public Sewer Rehabilitation has a Sewer Main Cleaning, CCTV and Cured-in-Place Pipe project that began construction on July 22, 2020, and Batches 1 through 3 have been reimbursed with State Revolving Fund ("SRF") funding approved through Special Ordinance 27466, on or about February 22, 2021. The construction of the current Project, known as the Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe ("Project"), is now ready to be performed using the remainder of the approved SRF funding, in the approximate amount of \$2,900,000.00, but will require additional funds from the Clean Water Enterprise Fund to pay for the amount not covered by the remaining SRF funds;
and

WHEREAS, Insituform Technologies USA, LLC, is the lowest responsive and responsible bidder for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe Project with the low bid of \$5,658,166.12; and

WHEREAS, a ten percent contingency of additional, appropriated funds will allow the City to cover possible change orders, due to unknown field conditions, and further the goals of the SOCP; and

WHEREAS, an amendment to the budget of the Department of Environmental Services, for Fiscal Year 2023-2024, from the Clean Water Enterprise Fund has been approved and recommended by the City Manager and by the Director of Environmental Services.

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

Section 1 – City Council hereby approves the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe ("CIPP") Project, a copy of which is on file with the City Clerk. A location map for the Project is attached hereto and incorporated herein by this reference as "Exhibit A."

Section 2 - The City Manager, or his designee, is authorized on behalf of the City of Springfield, Missouri, to accept the low bid for the Project from Insituform Technologies USA, LLC, in the amount of \$5,658,166.12, at the price and sum set forth in said bid, plus a ten percent contingency as said sum may be lawfully increased or decreased by the actual quantities of work units involved, and is hereby authorized to enter into an Agreement with said bidder, in accordance with the terms of the bid, the plans, and the specifications provided said Agreement is in a form approved by the City Attorney.

81 Section 3 – All workers performing work under the Agreement shall be paid a
82 wage of no less than the prevailing hourly rate of wages for work of a similar character
83 in this locality or the public works contracting minimum wage, whichever is applicable.
84 Contractor shall fully comply with the provisions and requirements of the Missouri
85 Prevailing Wage Law. Contractors and any subcontractor performing work under the
86 contract for this Project must provide a 10-hour OSHA construction safety training
87 program, or similar program approved by the Department of Labor, for on-site
88 employees, unless employees demonstrate they previously completed the program.
89

90 Section 4 – The budget of the Department of Environmental Services for Fiscal
91 Year 2023-2024 is hereby amended in the accounts and amounts as shown on Budget
92 Adjustment No. 007, a copy of which is attached hereto and incorporated herein by
93 reference as “Exhibit B.”
94

95 Section 5 – City Council hereby finds that the budget adjustment described
96 herein has been recommended by the City Manager.
97

98 Section 6 – The City Manager is directed to cause the appropriate accounting
99 entries to be made in the books and records of the City.
100

101 Section 7 – This Ordinance shall be in full force and effect from and after
102 passage.
103

104 Passed at meeting: _____
105

106 _____
107 Mayor
108

109 Attest: _____, City Clerk
110

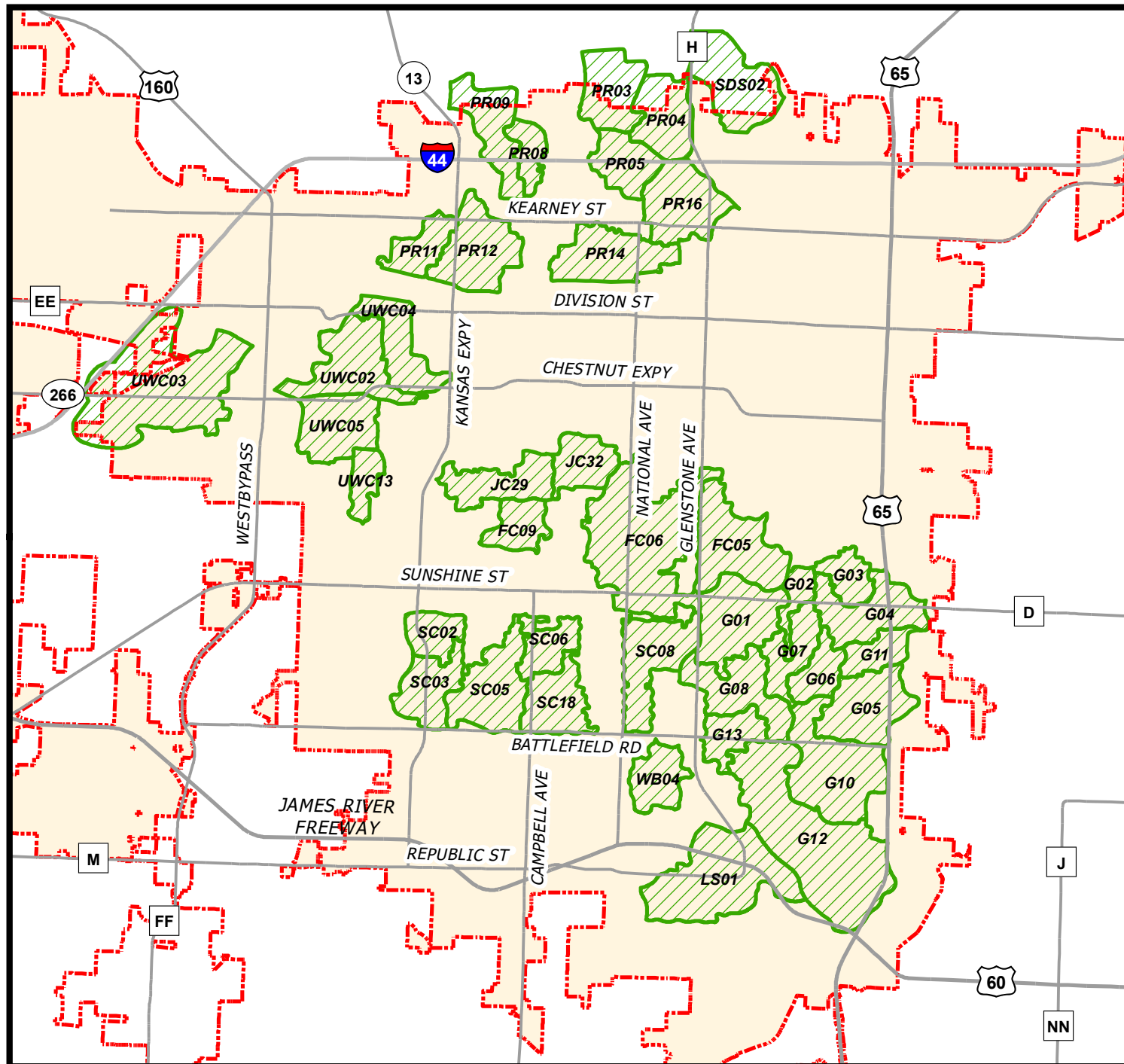
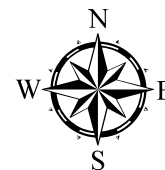
111 Filed as Ordinance: _____
112

113
114 Approved as to form: John Millington, Deputy City Attorney
115

116
117 Approved for Council action: Jason A. Hays, City Manager



SPRINGFIELD, MISSOURI SANITARY SEWER OVERFLOW CONTROL PROGRAM GROUP 5, BATCH 4 PUBLIC SEWER REHABILITATION - Cleaning, CCTV & CIPP



Sanitary Sewer Sub-basin Labels

Legend

- Major Streets/Highways
- Sanitary Sewer Sub-basins with Group 5, Batch 4 Rehab- CIPP
- City Limit Boundary
- City of Springfield Area

FC05 - Fassnight Creek Sub-basin 5
 FC06 - Fassnight Creek Sub-basin 6
 FC09 - Fassnight Creek Sub-basin 9
 G01 - Galloway Sub-basin 1
 G02 - Galloway Sub-basin 2
 G03 - Galloway Sub-basin 3
 G04 - Galloway Sub-basin 4
 G05 - Galloway Sub-basin 5
 G06 - Galloway Sub-basin 6
 G07 - Galloway Sub-basin 7
 G08 - Galloway Sub-basin 8
 G10 - Galloway Sub-basin 10
 G11 - Galloway Sub-basin 11
 G12 - Galloway Sub-basin 12

G13 - Galloway Sub-basin 13
 JC29 - Jordan Creek Sub-basin 29
 JC32 - Jordan Creek Sub-basin 32
 LS01 - Lake Springfield Sub-basin 1
 PR03 - Pea Ridge Sub-basin 3
 PR04 - Pea Ridge Sub-basin 4
 PR05 - Pea Ridge Sub-basin 5
 PR08 - Pea Ridge Sub-basin 8
 PR09 - Pea Ridge Sub-basin 9
 PR11 - Pea Ridge Sub-basin 11
 PR12 - Pea Ridge Sub-basin 12
 PR14 - Pea Ridge Sub-basin 14
 PR16 - Pea Ridge Sub-basin 16
 SC02 - South Creek Sub-basin 2

SC03 - South Creek Sub-basin 3
 SC05 - South Creek Sub-basin 5
 SC06 - South Creek Sub-basin 6
 SC08 - South Creek Sub-basin 8
 SC18 - South Creek Sub-basin 18
 SC20 - South Creek Sub-basin 20
 SDS02 - South Dry Sac Sub-basin 2
 UWC02 - Upper Wilson Creek Sub 2
 UWC03 - Upper Wilson Creek Sub 3
 UWC04 - Upper Wilson Creek Sub 4
 UWC05 - Upper Wilson Creek Sub 5
 UWC13 - Upper Wilson Creek Sub 13
 WB04 - Ward Branch Sub-basin 4

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
007

Revenues:

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

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
53020	08	33520	509110	000000	00000	\$3,300,000	Sanitary Sewer Overflow Control Program, Group 5 Batch 4 Public Sewer Rehab - Sewer Main Cleaning, CCTV, and Cured-In-Place Pipe
Net Expenditure Adjustment						\$3,300,000	

Fund Balance Appropriation:

Fund	Title	Amount
53020	Clean Water Improvement Fund	(\$3,300,000)

Explanation: To amend the FY2023-24 budget of the Department of Environmental Services by appropriating fund balance reserves from the Clean Water Enterprise Fund for the Sanitary Sewer Overflow Control Program, Group 5 Batch 4 Public Sewer Rehab - Sewer Main Cleaning, CCTV, and Cured-In-Place Pipe project.

Requested By:

Approved By:

Authorization:

Department Head Date

Director of Finance Date

City Manager Date

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



EXPLANATION TO COUNCIL BILL 2023-182 (LEE)

FILED: 07/14/2023

ORIGINATING DEPARTMENT: Information Systems

TITLE: A special ordinance authorizing the City Manager, or his designee, to enter into a contract with the City of Republic, Missouri, for the sale of a programming interface that conveys citations from the Springfield Police Niche Records Management System to the Prosecuting Attorney Management System to the City of Republic.

PURPOSE: To authorize the City Manager, or his designee, on behalf of the City of Springfield, Missouri, to enter into an agreement with the City of Republic, Missouri for the transfer of a programming interface developed by the City of Springfield, Missouri Information Systems staff between the Springfield Police Niche Record Management System ("RMS") and the Prosecuting Attorney Management System ("PAMS").

BACKGROUND INFORMATION: The RMS for a police department is the source of information for police and citizens. It is where all police reports, including incidents, traffic accidents, arrests and crime reports are stored. The RMS manages property and evidence, provides most statistical information for staff allocation decisions, and allows departments to meet mandatory state and federal reporting requirements.

PAMS is a stand-alone prosecutorial case management system. This system has the mechanisms in place to satisfy the division of duty requirements. PAMS gives the prosecutor an automated issue and refusal process while still retaining the history of the original citation, summons, and parking violations. PAMS also has the capability to interface with other judicial and law enforcement software for more accurate entries and reporting options.

The City of Springfield Information Systems ("IS") department recently finished a project to develop a programming interface between the RMS and PAMS. The City of Republic also desires to convey citations issued by the Republic Police department from the RMS to PAMS. Giving them this interface will allow them to integrate these systems quickly and efficiently without having to develop this from the very beginning.

Submitted By: Neil Slagle, Director of Information Systems

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

Attachments:

1. NICHE to PAMS Interface Transfer to City of Republic_ord
2. Exhibit A - Contract

One-rdg. _____
P. Hrngs. _____
Pgs. 7
Filed: 07-03-23

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2023-182

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a contract with the City
2 of Republic, Missouri, for the sale of a programming interface that
3 conveys citations from the Springfield Police Niche Records
4 Management System to the Prosecuting Attorney Management
5 System to the City of Republic.
6 _____
7

8 WHEREAS, staff from the City of Springfield's Information Systems Department
9 recently developed a programming interface to convey citations issued by the
10 Springfield Police Department from the Springfield Police Niche Records Management
11 System to the Prosecuting Attorney Management System ("PAMS"); and
12

13 WHEREAS, the City of Republic desires to convey citations issued by the
14 Republic Police Department from its record management system to PAMS; and
15

16 WHEREAS, selling the programming interface developed by City of Springfield
17 staff to the City of Republic will allow the City of Republic to develop its own interface
18 between its records management system and PAMS more quickly and efficiently.
19

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

23 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
24 a contract with the City of Republic, Missouri, for the sale of a programming interface
25 that conveys citations from the Springfield Police Niche Records Management System
26 to the Prosecuting Attorney Management System to the City of Republic, said
27 agreement to be substantially the same as the document attached hereto and
28 incorporated herein by reference as "Exhibit A."
29

30 Section 2 – This Ordinance shall be in full force and effect from and after its
31 passage.
32

33 Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Jill Bunn, Assistant City Attorney

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

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) CONTRACTOR	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
(X) NEW CONTRACT			
CITY OF SPRINGFIELD		CITY OF REPUBLIC	
City of Springfield 840 Boonville Springfield, MO 65802 Phone: 417-864-1626 Fax: 471-864-1122 Attn: Neil Slagle, Director of Information Systems		City of Republic, Missouri 204 North Main Avenue Republic, MO 65738 Phone: Fax: Attn: Email:	

CONTRACT

THIS CONTRACT, made and entered into this _____ day of _____, 20____, by the parties identified above,

WITNESSETH:

THAT, WHEREAS, the City of Springfield Information Systems Department developed a software batch program (the "Programming Interface") that queries citations issued by the Springfield Police Department from the Niche Records Management System ("Niche") and sends information from the citations to the Prosecuting Attorney Management System ("PAMS"); and

WHEREAS, the City of Republic desires to use the Programming Interface to convey citations issued by the Republic Police Department from Niche to PAMS; and

WHEREAS, the City of Springfield finds that transferring the Programming Interface to the City of Republic serves the public purpose of promoting efficiency in government operations.

NOW, THEREFORE, for the considerations herein expressed, it is agreed by and between the City and the Contractor as follows:

1. **Transfer of the Programming Interface.** The City of Springfield agrees to provide the Programming Interface to the City of Republic. The City of Springfield is under no obligation to provide any maintenance, support, or updates of the Programming Interface after it is provided to the City of Republic. The City of Republic shall not transfer or sell the Programming Interface to any third party without first obtaining the City's express written permission, except the City of Republic may transfer the Programming Interface to no more than one (1) third party software developer solely for the purpose of developing the City of Republic's fully integrated product, at the City of Republic's sole expense. In the event the City of Republic shall hereafter determine a need to transfer the Programming Interface to any third party other than the aforementioned third party developer, the City shall obtain the written content of the City of Springfield prior to making any such transfer.

2. **Payment.** In consideration for the City of Springfield providing the Programming Interface, the City of Republic agrees to pay the City of Springfield the sum of ten and 00/100 dollars (\$10.00).

3. **Exchange of Data.** All information, data, and reports in the City of Springfield's possession and necessary for installation and use of the Interface shall be furnished to the City of Republic, and the parties shall reasonably cooperate in connection with this Contract.

4. **Term.** Performance of this Contract shall commence as soon as practicable after the execution of this Contract and shall terminate upon the City of Springfield's transfer of the Programming Interface to the City of Republic.

5. **NO WARRANTIES.** IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT THE CITY OF SPRINGFIELD IS PROVIDING THE PROGRAMMING INTERFACE "AS IS." THE CITY OF SPRINGFIELD EXPRESSLY DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES OF ALL KIND, INCLUDING, WITHOUT LIMITATION, ALL WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF THE PROGRAMMING INTERFACE OR ITS FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF SPRINGFIELD EXPRESSLY DISCLAIMS WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

6. **Termination of Contract.** Either party may terminate this Contract in its entirety by giving the other party fifteen (15) days written notice.

7. **Conflicts.** No salaried officer or employee of the City of Springfield and no member of the Springfield City Council shall have a financial interest, direct or indirect, in this Contract. A violation of this provision renders the Contract void. Any applicable federal regulations and applicable provisions in Section 105.450 et seq. RSMo. shall not be violated. Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services to be performed under this Contract. The Contractor further covenants that in the performance of this Contract no person having such interest shall be employed or compensated by Contractor.

8. **Assignment.** Neither party may assign their rights or obligations under this Agreement without the prior written consent of the other party.

9. **Confidentiality of Documents; Missouri Sunshine Law.** Except as required by Chapter 610 of the Revised Statutes of Missouri ("Sunshine Law") to make information constituting an "open record" under the Sunshine Law publicly available, the Programming Interface and any associated reports, data, designs, or similar information given to the City of Republic from the City of Springfield under this Contract shall be kept as confidential and shall not be made available to any individual or organization by the City of Republic without prior written approval of the City of Springfield.

10. **Liability.** Both the City of Springfield and the City of Republic hereby release and hold harmless the other, their Boards, Councils, agents, officers, employees, successors and assigns with respect to any and all injury, death, loss or damage to person or property, whether caused by negligence or otherwise, in any way related to use of the Programming Interface. Nothing contained herein shall be considered a waiver of the defenses by either party of sovereign immunity, official immunity, or the public duty doctrine.

11. **Notices.** All notices required or permitted hereunder and required to be in writing may be given by FAX, electronic mail (if to Contractor), or by first class mail addressed to City or Contractor at the addresses shown above. The date of delivery of any notice provided by mail shall be the date falling on the third day after the day of its mailing. The date of delivery of notice by FAX transmission or electronic mail (if to Contractor) shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the location of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party.

12. **Jurisdiction.** This Contract and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Contract be litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

13. **Entire Agreement.** This Contract contains the entire agreement of the parties. No modification, amendment, or waiver of any of the provisions of this Contract shall be effective unless in writing specifically referring hereto, and signed by both parties.

IN WITNESS WHEREOF, the parties hereto evidence their agreement to the terms of this Contract by their signatures below.

CERTIFICATE OF DIRECTOR OF FINANCE

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

City Attorney or designee

Director of Finance or Acting Director

APPROVED AS TO FORM



CITY OF REPUBLIC, MISSOURI:

By: _____

Name & Title: _____

CITY OF SPRINGFIELD, MISSOURI

By: _____

City Manager or designee



**EXPLANATION TO CONFIRM THE FOLLOWING APPOINTMENTS TO THE ART
MUSE**

FILED: 07/17/2023

ORIGINATING DEPARTMENT: City Clerk

TITLE:

PURPOSE:

BACKGROUND INFORMATION:

Submitted By:

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

Attachments: None



**EXPLANATION TO CONFIRM THE FOLLOWING APPOINTMENT TO THE ART
MUSEU**

FILED: 07/17/2023

ORIGINATING DEPARTMENT: City Clerk

TITLE:

PURPOSE:

BACKGROUND INFORMATION:

Submitted By:

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

Attachments: None



**EXPLANATION TO CONFIRM THE FOLLOWING REAPPOINTMENT TO THE ART
MUS**

FILED: 07/17/2023

ORIGINATING DEPARTMENT: City Clerk

TITLE:

PURPOSE:

BACKGROUND INFORMATION:

Submitted By:

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

Attachments: None